

NOTICE OF MOTION NO 14 – CLLR. B. WILLERS **1315**

The following reply was given:-

“Galway County Council will investigate the matter in conjunction with the National Roads Authority and will revert back to you.”

NOTICE OF MOTION NO 15 – CLLR. D. CONNOLLY **1316**

The following reply was given:-

“Noted.” County Council will consider drawing up a policy for dealing with traffic calming measures on our estates.

NOTICE OF MOTION NO 16 – CLLR. D. CONNOLLY **1317**

The following reply was given:-

“Galway County Council will liaise with the National Roads Authority in relation to the provision and installation of crash barriers.”

NOTICE OF MOTION NO 17 – CLLR. D. CONNOLLY **1318**

The following reply was given:-

“Noted.”

NOTICE OF MOTION NO 18 – CLLR. E. MANNION **1319**

The following reply was given:-

“Galway County Council are currently in contact with the Department of Transport seeking funding for the provision of bus shelters throughout the County. No funding was made available during 2012 and we will continue to seek funding during 2013 for the provision of bus shelters.”

NOTICE OF MOTION NO 19 – CLLR. E. MANNION **1320**

The following reply was given:-

“This road is included under the Priority Two list of roads and will normally be gritted at local level. This gritting will be dependent on local winter maintenance funding.”

NOTICE OF MOTION NO 20 – CLLR. E. MANNION

1321

The following reply was given:-

“Galway County Council will bring this matter to the attention of the National Roads Authority and we will revert back to you.”

NOTICE OF MOTION NO 21 – CLLR. J. CUDDY

1322

The following reply was given:-

“Galway County Council will consider drawing up a policy for dealing with traffic calming measures on our estates.”

NOTICE OF MOTION NO 22 – CLLR. J. CUDDY

1323

The following reply was given:-

“It was agreed at the last Council Meeting that a paper on Wind Energy would be presented early in the New Year in the context of the Review of the County Development Plan. This will probably take place at the February Meeting.”

NOTICE OF MOTION NO 23 – CLLR. J. CUDDY

1324

The following reply was given:-

“There will be a grant scheme available to provide assistance to households whose septic tanks and other domestic waste water treatment systems, require remediation or upgrading following inspection under the Water Services (Amendment) Act 2012.

Inspections are expected to commence in 2013 and will be based on a national inspection plan currently being finalised by the Environmental Protection Agency. The risk inspections will be objective and evidence-based, i.e. unless there is evidence of endangerment of human health or the environment, the system in place should pass inspection.

All domestic septic tanks and other waste water systems should be registered not later than 1st February 2013 on www.ProtectOurWater.ie or by post or in local authority offices. Waste water systems that that have not been registered by 1st February will also be subject to inspection.

<u>Household Income</u>	<u>% Costs available</u>	<u>Maximum Grant</u>
Up to €50,000	80%	€4,000
€50,001– €75,000	50%	€2,500

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A strict condition of eligibility for grant aid will be that the householder has registered their system by the prescribed date of 1 February 2013. Grant assistance will only be available to householders whose systems have been inspected by their local authority and are found to be in need of remediation. Householders will be notified in writing in advance by their local authority if their system is to be inspected.

The performance standards for septic tanks are set out in the WATER SERVICES ACTS 2007 AND 2012 (DOMESTIC WASTE WATER TREATMENT SYSTEMS) REGULATIONS 2012. Under the regulations owners of domestic waste-water treatments systems need to:

1. Know where their septic tank is located;
2. Operate and maintain the system so it is fit for purpose and fully operational;
3. Ensure that the system is not causing pollution or a risk to human health;
4. Roof water or surface water run-off cannot enter a domestic waste water treatment system;
5. The system should be de-sludged at intervals appropriate to the tank capacity and the number of persons resident in the premises connected to it or as recommended by the system's manufacturer.

No further details have been made available to local authority staff to date. Training in relation to the implementation of the regulations are scheduled to take place in early 2013 after which local authority staff may be in a position to provide further clarification in relation to the standards to be applied. The above will be circulated to each member."

NOTICE OF MOTION NO 24 – CLLR. M. FAHY

1325

The following reply was given:-

"Substantial funding for the scheme will require land acquisition, wall building and drainage as well as the footpath is not available in 2013."

NOTICE OF MOTION NO 25 – CLLR. M. FAHY

1326

The following reply was given:-

"It is noted that Gort bypass is now in place, the level of traffic moving through the town has now reduced. Consequently the movement of traffic in and around the junction at the Loughrea road junction in Gort is relatively free flowing. As a result traffic lights are not required at this junction at this time. We will continue to keep this under observation and should a problem develop in future we will review our proposals."

Submitted, Approved + Signed

Wheeler

Criochnaigh an Cruinniú Ansin.

28th January 2013
Date

Minutes of Budget Meeting held on 17th December 2012.

COMHAIRLE CHONTAE AN GAILLIMHE

**MINUTES OF STATUTORY BUDGET MEETING FOR GALWAY COUNTY
COUNCIL HELD AT ARAS AND CHONTAE, PROSPECT HILL, GALWAY,
ON MONDAY 17TH DECEMBER 2012**

I LATHAR:

CATHAOIRLEACH:

Cllr. Thomas Welby, Mayor of the County of Galway

BAILL:

Cllrs. Broderick, Canney, Carroll, D. Connolly, M. Connolly, Cunniffe & Cuddy, Comh O'Cuaig & Ó Curraoin, Cllrs. Fahy, Feeney, G. Finnerty, M Finnerty, Hoade & Hynes, Comh. O'Laoi, Cllrs. Maher, E Mannion, T. Mannion, McHugh, McClearn, McDonagh, Noone, Roche & Ryan, Comh O' Tuairisg, Cllrs. T. Walsh, S. Walsh & B. Willers.

OIFIGIH:

Ms. Martina Maloney, County Manager, Messrs Frank Gilmore, J. Cullen, K. Kelly, E. Cummins Directors of Services; Mr. G. Mullarkey, Head of Finance; Mr Michael Owens, Meetings Administrator & County Secretary, Mr M. McGovern, Management Accountant, Mr. Evan Molloy, Senior Engineer; Mr. S Groarke, Administrative Officer.

Thosnaigh an cruinniú leis an paidir.

The Mayor invited the County Manager to present the draft Budget 2013 Report to the Elected Members.

BUDGET 2013

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The County Manager referred to the draft Budget for the year 2013 together with a report detailing the main provisions which had been circulated previously to each member of the Council. She stated that a summary report from the Directors of Service in respect of activities of their respective functional areas was also enclosed. She stated that all statutory requirements had been complied with and that consultation had taken place with the Corporate Policy Group. In accordance with statutory requirements the Draft Budget was considered at meetings of the Corporate Policy Group on the 22nd and the 30th of November 2012.

She noted that the Council was required to:

- a) adopt the Draft Budget, with or without amendment and
- b) determine, in accordance with the Budget so adopted, the annual rate on the valuation to be levied. The Council is required to complete the statutory process within a period of 21

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days. This allows, for the adjournment, if necessary of the statutory meeting which is scheduled for 17th December 2012, provided the process is completed by 6th January 2013.

She then presented the following report to the Council.

Context of Budgetary preparation

During 2012, the Council continued to maintain the services in the County. This was particularly challenging due to the reduction of almost €780,000 in Local Government Fund which was notified to us mid-year. The threat of further cuts was averted when more than 65% of households in the County paid their household charge. This was very welcome and I thank those who paid and thereby facilitated the continued delivery of services during the year. The Council will continue to pursue the outstanding sums up to the time that responsibility transfers to the Revenue Commissioners.

I wish to acknowledge the commitment and support of staff throughout 2012. The scarcity of resources both human and financial has resulted in considerable change and contraction in the wake of the changing economic context in which we are operating. The Council has continued to adjust to the reduction in resources which were available, while at the same time attempting to maintain essential services. Elected members and staff have shown resilience and flexibility in responding to the changed circumstances.

Demands on our Council are continuing to change, in line with citizen needs and changes in national policies and approaches.

Demand for some services is continuing to increase. For example, the net housing need in Galway County in 2008 was 1,077 households. The comparable figure now is 3,116. Usage of the Library Services has increased by 21% since 2008. While the number of planning applications has declined, the revised arrangements in relation to Quarries generated significant workloads. In addition the review of Local Area Plans has required the assignment of considerable resources. Increased attention is also required to deal with the unfinished estates in the County. Reductions in the work of the Local Authority will arise from the implementation of the new Student Support system (SUSI) and the transfer of the Driver Licensing arrangements to the RSA.

The Council has continued its endeavours to reduce costs in 2012. The staffing level continues to decline. In 2012 a further 53 employees left Galway County Council and have not been replaced, bringing the total reduction in staffing numbers since 2008 to 336.

During 2012, the Council has focused on effective management of the Council's resources through prudent revenue expenditure controls and limiting exposure to capital projects, timely recoupments, together with a review of work processes and practices in a number of areas. The Council has worked to maximise value for money in the delivery of services, while prioritising legal compliance obligations in the context of reduced resources.

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Savings have been achieved through revised procurement arrangements. A continued focus on energy efficiency is also yielding savings. The Council is co-operating with initiatives at national level to explore the Business Case for Local Authorities sharing services in some areas. This was a key recommendation of the Local Government Efficiency Review. Costs have been reduced through closure of area offices and in the facilities management area. The water conservation programme is also delivering significant savings, as is the leasing of the Civic Amenity sites. Savings have been achieved in the operation of the Coroners and Inquests service. The council is endeavouring to improve Customer service through greater use of on-line services such as 'Fix your street'. The Council has also utilised the Croke Park Agreement to deliver change and savings in 2012.

Major progress continues in the improvement of water services infrastructure in the county. Many long-awaited sewerage schemes such as Clifden, Oughterard, Claregalway and Miltown, Kinvara and Athenry are being progressed with a number of projects to commence in 2013. The assistance and co-operation of the Department of the Environment in this regard is greatly appreciated. Significant improvement has also been made in the operation and maintenance of schemes since the completion of the Remedial Action List. Galway County Council is responsible for the operation of 35 Public Water Supplies (PWS) serving a population of 132,270. The recently published EPA Report indicated that microbiological compliance in Galway County Public Water Schemes was 100% in both 2010 and 2011. Chemical compliance levels increased from 99.0% in 2010 to 99.6% in 2011. This performance is a testament to the endeavours of all staff in the water services area.

The year 2012 also saw progress in the Roads area with many schemes being progressed under the pavement and minor improvements. Progress continues in addressing the issue of flooding throughout the County, in association with the Office of Public Works. The Community and Enterprise Unit continued its very valuable work with communities throughout the county.

The Council continues to support the strong voluntary commitment evident throughout the county. The success of Galway communities in both the National Tidy Towns competition and the All-Ireland Pride of Place Awards is an acknowledgement of the valuable work undertaken. The 'Living Landscape Conference' in Clifden and the Regional MeetWest in Athlone initiatives were major successes during 2012. Work on the establishment of the 'Made in Galway' brand for local food and craft producers has been beneficial for local producers. The involvement of the Council in the Job-Bridge and other work placement initiatives has proven very beneficial for both the participants and the Council.

Challenges and opportunities in 2013

Household Charge and Local Property Tax (LPT)

The Household Charge will not be continued in 2013 and will be replaced by the new Local Property Tax (LPT). The LPT will become operational on 1 July 2013 resulting in a half year LPT charge in 2013. A full year charge will apply from 2014 onwards and the LPT will be

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administered by the Revenue Commissioners. The Revenue Commissioners will take responsibility for the collection of outstanding 2012 Household Charges from 1 July 2013.

'Putting People First'

The year 2013 will see considerable change in the Local Government sector, with the commencement of the implementation of the Reform Programme 'Putting People First'. The Local Authority's role in the local economic sphere is increasing with the establishment of the Local Enterprise Offices and the proposals for better alignment between the Local Government and Local Development sectors will see revised working arrangements. The Council will continue to support the Job-Bridge work placement programme and will be an active participant in the new Social Employment Scheme for Local Authorities which was announced in this week's National Budget.

Irish Water

In April 2012, the decision was taken by Government to establish a new public utility company to manage the public water supply and to introduce domestic water charges with effect from 2014. The new company, called Irish Water, will be a wholly owned public water utility and will be a subsidiary of Bord Gais.

The creation of this new entity will have a significant impact for local authorities who are currently responsible for delivering water and wastewater services. There will be a transition period from 2013 to 2017 during which responsibilities will transfer to Irish Water. The Department of Environment, Community and Local Government is devising an implementation plan and has established a Project Management Office to oversee the process. A water services regulator will be established within the Commission for Energy Regulation (CER) who will determine the basis on which people will be charged for water. The Council is anxious to ensure that the level of service to the customer is maintained in the transition phase.

The challenge that now faces all local authorities is to ensure a smooth and equitable transfer of responsibility that provides a platform for service improvement without detrimentally impacting on the remaining operations which the council must deliver.

The movement of water services away from local government will have a far-reaching impact on the funding structure of local government. This is an issue which has to be directly addressed in the establishment of Irish Water.

The water services operational budget represents more than 32% of the council net expenditure and 20% of the gross budget provision. Capital expenditure on water service is also a major component of the council's capital spend. It will be important that the value of the asset base and accumulated liabilities are fully recognised and that the council is not disadvantaged in the transition. The council currently shows an asset value for water services in its final accounts of approximately €310m. The Council is also carrying a debt of €53m in respect of its borrowing to put in place the water services infrastructure. In addition the

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council has, over time, invested significant funding from its own resources to put in place the relevant infrastructure.

The impact of increased overhead costs on the other Council services will have to be factored in. Currently Galway County Council employs more than 130 staff directly on water services. The impact of the transition to Irish Water on these staff must be fully addressed. The issue of pensions and retirement benefits of current and former staff will also require a resolution. The parameters for the Service Level Agreements (SLA's) – under which Local Authorities will continue to operate and maintain water services as agents of Irish Water – will need careful consideration.

In 2013 the Council will continue to deliver water services, both operations and capital investment. It will cooperate fully in the gathering and supply of data to assist in the implementation of the transition to Irish Water. A Water Services Transition Office has been established by the CCMA to coordinate the collection and presentation of information to ensure consistency of approach by all Local Authorities.

Roads funding

While the level of resources available for road maintenance and improvement falls short of that which would be desirable, the Council will continue to adapt in an effort to make the best use of allocations. The table below sets out the position in relation to funding in recent years.

	Roads Grant Funding €m	Council's own contribution €m
2008	38.90	5.12
2009	35.39	4.09
2010	23.65	3.02
2011	21.80	2.71
2012	20.80	2.60
% reduction from 2008 to 2012	46.53%	49.21%

The continuing decline in funding for the Roads programme is a cause of concern. The Council has recently completed a condition survey of local roads and a similar survey was carried out on Regional Roads by the DOT/ NRA. These surveys will assist in the identification of problem areas and assist in the prioritisation process for funding distribution. The current maintenance cycle is inadequate and not in line with best practice and will result in on-going deterioration of the road network unless the current slide in resource availability is reversed.

Septic Tanks Registration and Inspection Regime

The introduction of the registration system for septic tanks will impact on work programmes for 2013, with the initiation of the Inspection system in line with EPA guidance.

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Fire Service

Work commenced in late 2011 on a major policy initiative under the auspices of the National Directorate for Fire and Emergency Management to review fire services and to devise an appropriate Fire Safety Strategy. The resulting policy document 'Keeping communities Safe' will address some long-standing issues around standards, consistency of approach and value for money. It is anticipated that this document will be launched in early 2013. Galway County Council will then review the local arrangements in line with the national policy and develop a plan for adoption by council having regard to this guidance.

Shared Services

The Local Government Efficiency Report identified the implementation of shared services as a key priority for the Local Government sector. Currently a Local Authority Shared Service Programme is being advanced which will examine 29 areas of activity which may benefit from a shared or combined approach, including areas such as ICT, HR, elements of the Finance function, veterinary services, procurement, internal audit. The outcome of the analysis will identify work streams where the sector could improve efficiency and deliver Value for money from a combined approach.

Budget 2013

Galway County Council is conscious of the difficulties being experienced by residents of the County, businesses and communities during this period of economic turmoil and is committed to ensuring the cost effective delivery of services, within the current financial constraints. This has informed the proposals for expenditure contained in the draft budget and the decision not to increase commercial rates at this time.

Galway County Council provides essential services and spends significant resources throughout the County. The 2013 Budget represents a valuable injection of funds to the County.

The draft budget for 2013 envisages expenditure of €127 million which equates to a reduction of 6% on the budget adopted for 2012. This represents a significant further reduction in the resources available to the Council following on from the reductions since 2008.

TABLE 1: BUDGETARY TREND 2008 - 2013

2008 - Adopted Budget	€160 M
2009 - Adjusted Budget	€146 M
2010 - Adopted Budget (note: €3m of this sum is due to an adjustment in	€149 M
2011 - Adopted Budget	€144 M
2012 - Adopted Budget	€136 M
2012 - Adopted Budget adjusted for the Reduction in Local Government	€135M
2013 - Draft Budget	€127M

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In line with previous approaches, the budget includes a figure for road grants based on the original 2012 allocation as the 2013 allocation has not yet been received.

Key influences in the preparation of the Draft Budget.

(1) Local Government Fund

The Minister for the Environment, Community and Local Government has informed us that the provisional General-Purpose Grant allocation from the Local Government Fund for Galway County Council for the year 2013 is €27,400,744 representing a reduction of 2.51% on the original allocation from the Local Government Fund in 2012. This is supplemented by the pension deduction from Staff of Galway county council which is estimated at €2.075m, giving a combined figure is €29.47m.

(2) Trends in Local Government Fund allocation is as follows: -

	<i>Allocation</i>	<i>% Reduction</i>
2008	€40.60m	
2009	€36.88m	9%
2010	€36.09m	2%
2011	€32.84m	9%
2012	€30.45m	7%
2012(revised)	€29.67m	3%
2013(LGF plus pension deduction)	€29.47m	3%

(3) Cost Reduction Achievements.

The changed economic circumstances since 2008 and the reduction in funding available to the Council from both National level and local sources has brought about significant cost reductions in the operation of the Council activities.

Significant savings have been achieved to date in

- A) Payroll costs
- B) Procurement
- C) Public Service Agreement 2012-2014

A) Payroll Costs

A key objective of the Public Service Agreement (Croke Park) is to facilitate a significant reduction in the number of staff working in the public service, achieve substantial and sustainable savings on the Exchequer pay bill and maintain public services. There has been an 8 per cent drop in numbers employed in the public service from 2008. The biggest drop proportionally has been in the non commercial state agencies (19 per cent), local authorities (14 per cent) and the justice sector (13 per cent). The smallest drop proportionally has been in the education sector (3 per cent). It should be noted that the number employed across all Local

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Authorities has reduced by 8,432 or 22.6%. In fact this figure exceeds the Employment Control Framework for the sector for 2015 by 669.

As is evident from these figures, the reduction in staff resource in the Local Government sector is very significant. The proportionate reduction in Galway County greatly exceeds the national reduction at 29%.

This change in staff numbers is dramatic and, together with the reduction in pay rates introduced in 2010, results in a reduction in the Revenue budgetary provision for current staff of almost 14%. Staff payroll (excluding pension costs) amount to approximately 32% of current revenue expenditure. However, it should be noted that superannuation costs borne by the Council in full has increased significantly following a large number of retirements. This reduction in staffing numbers has had an impact on the Council's capacity to deliver services, although the potential impact has been reduced by the willingness and flexibility shown by the remaining staff to meet service priorities.

The Council is currently commencing a workforce planning exercise to identify the likely future requirements in staffing, having regard to the available finances and the need to deliver priority services.

As resources reduce, both human and financial, it will be essential that we prioritise essential services in the assignment of staff and have realistic expectations regarding the levels of service that can be sustained.

B) Procurement

The Council has continued to participate in the Regional Procurement network and co-operated with initiatives advanced by the National Procurement Service.

In 2012 a new framework for Plant Hire & Road Making Materials was introduced which involves mini-competitions being organised by the Machinery Section on behalf of the entire organisation to deliver greater efficiency. New 2 year contracts were put in place for Water Treatment Chemicals. There have been dramatic price increases of raw materials within the chemical industry in the last year. However the Council has managed to hold prices relatively stable with a small saving projected for 2012. A new arrangement for the purchase of Laboratory Reagents was put in place which generated estimated savings on a full year are in the region of €29,000. Expenditure on print and stationery was reduced by €40k from 2011(14%). A combined Regional Procurement Network (WLAPN) tender for the Cash Collection Service was accepted with estimated savings to GCC in the region of €40,000 per annum.

Fuel cards were introduced for the Council's fleet in order to monitor fuel efficiency. This has now been expanded to cover the Library Vehicles and the Warden Vans. The National Contracts for the supply of Personal Protection Equipment (PPE), paper, stationery and

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printing and janitorial products are expected to yield savings of between 8% and 16.5%. The council is co-operating with the National Contract for the supply of energy which was effected by the NPS for all local authorities in 2012. A new Corporate Procurement Plan was published and the Procurement Officer participated in the Meetwest initiative to provide information to local companies who are interested in becoming suppliers to Local Authorities.

C) Public Service Agreement 2012-2014

The Croke Park agreement has provided a structure to manage change across the public sector in the years ahead. While much has been achieved to date in the Local Government sector and in Galway County Council in particular, further opportunities remain. In addition to the reduction in staff numbers, a number of actions which will impact on Galway County Council are being progressed at National level. The Council has prepared its own local action plan and interaction with the relevant Trade Unions is taking place on an on-going basis, with a view to achieving further efficiencies and cost savings. This is essential if the impact on service level of reduced resource availability is to be minimised.

In the second reporting phase of the Public Service Agreement, 2010 to 2014, which spanned the period 1st of April, 2011 to the 31st of March, 2012, Galway Co. Council achieved payroll savings of €3.05 million which is considered to be a significant saving. In addition to payroll other significant savings have been made in the areas of procurement and work practice changes. Energy usage savings in the region of €387,000 have been achieved.

At a National Level, standardisation of annual leave across the public service came into effect in 2012, resulting in a reduction in leave entitlements for some staff and the removal of concessions such as 'race days' and privilege days. It is expected that a change in the length of the working week will be rolled out for all staff in 2013. Uncertified Sick Leave entitlements have halved and are now managed on a 24 month rolling basis instead of a calendar year as heretofore. Significant reductions are also proposed to certain certified sick leave entitlements and are expected to be rolled out in 2013. Implementation of the outcome of the National Review of Public Sector Allowances is also currently taking place across Galway Co. Council.

Priorities in the reform process include the increased use of ICT, more use of the internet for information and service provision, shared services and changes to the process of public procurement. Galway County Council has a long tradition of shared services including the provision of motor tax services, fire service and library service on behalf of the City. The Council also carries out a number of services on behalf of Ballinasloe Town Council. Galway Co. Council is participating actively in all initiatives identified at local or national level.

A number of staff have transferred to the Road Safety Authority in 2012, The Council is continuing to support the employment activation schemes including placement of unemployed apprentices, graduate placement programme and work experience opportunities. Galway Council is currently facilitating 35 Job-bridge Internship Placements across all work and

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disciplines. Many of the Council's Interns have been successful in obtaining permanent employment either during their placements or after their placements have ceased.

Ongoing restructuring and re-assignment of duties has taken place across the Council to take account of staff reductions and the requirement to maintain critical services. Examples include the re-assignment of a large number of staff to the Water Services area to ensure that this critical service is appropriately resourced. Engineering areas and depots have been consolidated and the number of functioning area offices has been reduced. This trend is likely to continue, with reducing human resources. The greater use of contractors to supplement the Council's own resources in the Roads area is now essential.

Water Services and associated charges

Over the last number of years, the Council has prioritised the investment in Water Services infrastructure to ensure that we fulfil our legal obligations and protect public health. This investment results also in increasing costs of operation and maintenance associated with running new, more complex and upgraded facilities.

The Draft Budget includes provision of €25.806m for the Water Services Division. This represents 20% of the overall budget provision for 2013. While every effort is being made to control costs and deliver efficiencies, this cost continues to increase as a proportion of overall revenue account expenditure. The service also expands on an annual basis, particularly with the take-over of group water schemes which are connected to the Galway County Council network.

National Water Pricing Policy

Galway County Council, in 2011, has borrowed almost €53m to cover the cost of capital investment which is not met by the DoE in the context of the National Water Pricing Policy. The cost of servicing water services borrowing in 2012 is €2.5m. In 2008, the corresponding figure was €1.3m. This represents an increase of 192% in four years. The Council must continue to invest in Water Services infrastructure in accordance with the allocations in the Water Services Investment Programme if it is to meet the required environmental standards and service requirements, until such time as responsibility is transferred to Irish Water.

As previously mentioned, in accordance with the National Water Pricing Policy, the costs incurred in the provision of water services are intended to be met through charging the non-domestic consumer the economic cost of production for the proportion attributable to this sector, with the balance in respect of the domestic sector being recouped through the Local Government Fund. The recognition of the principle that the users of services should bear the economic cost of provision of these services is acknowledged, specifically in the report of the Fourth Commission on Taxation. Applying this methodology, the County Council charge for water supply should be €1.70 per m³. The charge in 2012 was set at €1.19 per m³. I signalled

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in previous budgets that I was anxious to bridge this gap, with the implementation of phased increases.

Accordingly, I am proposing an increase of 18 cent per m3 from €1.19 to €1.37 in the charge for commercial water. A litre of water will now cost 0.00127 cent. In effect the subsidy to business in 2012 will be of the order of €1.7m. The charge for waste water in 2012 is set at €1.26. The economic cost for wastewater should be €3.32. I also propose to increase the 2012 waste water charge by 19 cent.

In addition, while the costs of operation and maintenance of water services is continuing to escalate, the Local Government Fund allocation which was intended to meet the cost of supply to the domestic customer continues to reduce. Therefore, in the absence of domestic water charges there remains a significant shortfall in funding for the cost of water services, which is unsustainable. The Draft Budget includes an income provision of €500,000 as an estimated contribution from the Department of the Environment to meet the increasing costs associated with the cost of supplying water services to the domestic sector.

The establishment of Irish Water and the introduction of Water Charges as proposed will help to address the current shortfall in water services funding.

Trends in Charging:

Charge per M3	2008	2009	2010	2011	2012	2013	Water Pricing Policy Cost 2013
Water	0.89	1.00	1.05	1.10	1.19	1.37	1.70
Waste Water	0.61	1.07	1.12	1.17	1.26	1.45	3.32
Consolidated	1.50	2.07	2.17	2.27	2.45	2.82	5.02

Charging less than the economic cost of water restricts the availability of resources for other services.

Commercial Rates

In view of the difficult trading conditions for many businesses at present, I do not propose to increase the rate multiplier for 2013. Since 2008, Galway County Council has limited rates increases to just 1%.

Total income from commercial rates in the county for 2013 is estimated at €23.9m and is a vital component in allowing the Council to fulfil its statutory role and provide the required services throughout the county.

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Expenditure proposals

The following tables set out the expenditure and income breakdown proposed for 2013:

Expenditure by Programme Group	2012 Budget	2012 Estimated	2013 Draft Budget
		€	€
Housing and Building	11,888,351	11,245,703	11,066,804
Road Transportation & Safety	34,592,354	35,038,295	35,396,666
Water Services	25,586,948	25,580,318	25,806,028
Development Management	7,409,368	6,956,530	7,177,261
Environmental Services	17,481,117	17,279,663	17,228,539
Recreation & Amenity	8,235,563	7,899,912	8,150,197
Agriculture, Education Health &	20,604,508	15,606,877	11,896,773
Miscellaneous Services	10,411,870	9,502,358	10,255,400
Total	136,210,079	129,109,656	126,977,668

In the Draft Budget, the estimated Revenue Income anticipated is as follows: -

Estimated Revenue Income	2012		2013	
	€	%	€	%
Local Government Fund	28,105,841	21	27,400,744	22
Pension Related Deduction	2,350,000	1.5	2,075,000	1.5
NPPR	2,000,000	1.5	2,150,000	1.5
State Grants & Subsidies	50,807,843	37	43,026,874	34
Non-Domestic Water Charges	3,527,250 ³		3,550,000 ³	
Local Determined Income	31,237,222	23	31,437,810	25
Other Income	18,181,923	13	17,337,240	13
	136,210,079	100	126,977,668	100

Expenditure Adjustments

I attach hereunder a table setting out the principal variances between the Budget for 2012 and 2013.

Service	Service Description	2013	2012	Change
		€	€	€
A01	Maintenance of LA Housing Units	3,299,620	3,735,446	(435,826)
D06	Community & Enterprise	795,999	902,682	(106,683)
G01	Land Drainage Costs	903,098	2,362,244	(1,459,146)
G05	Educational Support Services	9,346,807	16,739,020	(7,392,213)
C01	Water Supply	13,942,117	13,581,506	360,611
	Subtotal of above	28,287,641	37,320,898	(9,033,257)
	Total Expenditure	126,977,668	136,210,079	(9,232,411)

Minutes of Budget Meeting held on 17th December 2012.

Many of the costs incurred by the Council are non-discretionary costs in that they must be spent on particular services, for example, Higher Education Grants, loan charges, statutory demands, pensions, chemicals, materials etc. The scope for reduction in costs and expenditure is therefore limited to discretionary items.

Unfortunately, due to the limited funds available, I have been unable to make provision in the draft budget for any contingencies which might arise in 2013, for example costs arising from severe weather events or other unexpected incidents.

The reduction in service A01 arises largely due to a reduced labour cost as a consequence of staff retiring in 2012 in addition to restructuring our loan borrowings to fund capital works. The reduction in service D06, Community and Enterprise, is as a result of funding for the social integration programme no longer being available.

The largest reductions occur in service G01, Land drainage costs, where the majority of the flood relief works have been completed, this expenditure was largely funded by the OPW. The Claregalway scheme is advanced directly by the OPW. The proposed Dunkellin Scheme will advance to planning application stage in 2013 and works will be advanced as part of the Capital programme. Service G05, Educational support services, where the processing of student grants has now moved to a new central processing agency SUSI and what we are in effect providing for are those students who commenced studies prior to 2012 progressing to the following year. As these students complete their studies Galway County Council will no longer have an involvement in the processing of Higher education grants.

In relation to C01, water supply, an additional provision has been made towards anticipated higher energy costs arising from works undertaken on the RAL programme in 2011/ 12

Galway County Council has a strong tradition of supporting the various voluntary and community activities throughout the County across the range of services e.g. Golden Mile and other heritage activities, festivals and arts activities, economic and tourism activities. This area of expenditure supports significant voluntary efforts in communities throughout the County I acknowledge the support of the elected members in this regard. The draft budget includes provision to continue to support Community activity through the work of the staff of the Community, Enterprise and Economic Development section and Heritage section and by the retention of grants largely at the level agreed in the adopted budget for 2012.

Non Rates Income

Non-Principal Private Residence Charge

As announced in the context of Budget 2013, the Non-Principal Private Residence Charge will remain in existence for 2013 but will not be in place for 2014. The Draft budget anticipates an income from this source for 2013 of €2.15M.

Minutes of Budget Meeting held on 17th December 2012.

Income sources from planning fees and fire safety certificates have seen significant reductions in 2012 and it anticipated that this reduced level of income will continue in 2013.

Capital Investment in Infrastructure

Amongst the main priorities identified in the Capital Programme for 2013-2015 are:

- Progressing the Gort to Tuam PPP with a view to the project going ahead within the next few years. Work will continue on the Galway City Outer Bypass (N6) to resolve the legal issues delaying the project. It is also intended to progress some relatively low cost targeted improvements on the National Secondary network where safety is an issue and in tourist areas, in particular the N59.
- The Council will continue to progress water services investment until the transition to Irish Water is effected, with prioritisation of Capital Schemes on the WSIP, water conservation, compliance and capacity improvements eg the Costello scheme and improving waste water infrastructure including the East Galway Treatment Plant
- There will be continuing investment in flood defence and mitigation.
- Work will be completed to facilitate the opening of Oranmore Railway station.
- The Council will continue to work with Failte Ireland on the development of the tourism product including the Oughterard to Clifden Greenway, the Wild Atlantic Way Orientation plan and proposals around Portumna.
- The Council will advance the Ballinasloe library project
- The Council will advance the proposals for fire station investment
- The Council will continue to advance housing projects in line with DOECLG requirements including energy efficiency of the social housing stock, limited local authority housing output and the increased use of Voluntary housing agencies.

Conclusion

She advised that the preparation of the Draft Annual Budget for 2013 had been challenging, in the context of increasing responsibilities and services standards, coupled with a reduction in the available resources. She stated that the proposed Draft Budget will allow Galway County Council to deliver the optimum level of core services in 2013, having regard to available resources. However, there is no provision for contingencies included. The proposed gross expenditure of €127m together with the capital programme spend estimated at €100m, represents a very considerable investment of monies in the development of the County and the delivery of services throughout the County.

She stated that the Council would continue to advance the capital infrastructure programmes, particularly in water services, which will improve the competitiveness of County Galway and the attractiveness for further economic investment, until the transition to Irish Water is completed. As you will see from the reports of the Directors of Service, much progress was made in 2012 and will continue in 2013.

She expressed her gratitude to the elected members for their co-operation and support during 2012. She stated that she wished to record her appreciation to the Mayor, Cllr. Tom Welby, and the former Mayor Cllr. Michael Maher for their commitment to the special responsibilities of the office of Mayor and their courtesy and co-operation in doing the business of the Council. She acknowledged the assistance of the Corporate Policy Group in the discussion on the draft budget.

She thanked the staff of the Council for their dedication and flexibility during 2012. They have proven themselves to be committed public servants who are anxious to maintain service provision at the highest level possible.

She expressed her gratitude to the Council's Directors of Service and their staff for their rigorous examination of budget items for 2013 to identify areas for efficiency improvement and cost saving. In particular, she wished to acknowledge the work of Mr. Ger Mullarkey, Mr. Michael McGovern, Ms Mary McGann and the staff in the Finance Unit. The preparation of the Draft Budget this year had been onerous and has been approached in a most meticulous manner and she thanked all involved in delivering the draft budget.

She advised that ther 2013 will undoubtedly bring new challenges for Galway County Council but was confident that with support of the Members, Management team, and colleagues the Council will provide valuable services in 2013 to meet the critical needs of the citizens and adapt flexibly to the changes required.

She then recommended the Draft Budget to the Council for adoption.

The Mayor Cllr. Welby then proceeded to initiate the debate on the Draft Budget.

There were opinions and concerns expressed, questions asked and clarifications sought by the elected members on the following:

The proposal not to increase the commercial rate for 2013 was broadly welcomed and it was noted that the Council had limited rate increases to just 1% since 2008. Opinion was expressed that there should be rebates of rates for small, startup businesses. Concern was expressed at the proposed increase of 18 cent per m3 for commercial water charges from €1.19 to €1.37 and the increase of 19 cent for wastewater from €1.26 to €1.45 per m3. The continuous rise in water charges had to be borne by the business and agricultural sectors which had to contend with very severe economic conditions. The agricultural sector had to contend with very adverse weather conditions, falling prices and major increases in costs such as diesel in 2012. It would also have a detrimental effect on the business sector –particularlyly small businesses which are struggling to survive in a severe economic downturn and it was noted that there was a potential for business closures and job losses.

Clarification was sought in regard to whether the Council would have any influence in regard to the rates of water charges set by the Regulator once Irish Water is established. Clarification was sought as to whether the proposed new property tax would be levied on local authority houses and whether there would be variations in the rate bands which would be set by local authorities in the future. Clarification was sought as to the methods employed by the Council in the collection of monies due in regard to charges such as rates, water charges and development levies. Clarification was sought on why the proposed income from fire services was lower than the projected outturn for 2012.

Concern was expressed at the significant reduction in road grants for maintenance and improvement from €38.90 million in 2008 to €20.80 million in 2012 which is a reduction of 46%. It was noted that the cycle for road maintenance is now 30 years whereas 14 years would be considered the norm. This would lead to a significant deterioration of the road network. It was noted that the Council had undertaken a condition survey of the local roads in 2012 and that a similar survey was undertaken by the DOT/NRA on the regional roads. Opinion was expressed that there were many complaints about the condition of the roads. Clarification was sought in regard to the route selection process for the R336 Bearna to Scriob via Ros a Mhíl route.

Concern was expressed at the large reduction in the level of staff employed by the Council of 336 since 2008. The loss of frontline outdoor staff was of particular concern and it was noted that this resulted in the loss of significant local knowledge. Opinion was expressed that the Council should endeavour to retain the level of outdoor staff. Clarification was sought as to whether it was Council policy to replace the loss of outdoor staff by tendering work out to contractors and whether the current embargo on the recruitment of staff was still in place.

Clarification was sought in regard to the provision of a new fire station for Connemara, following the recent national review of the fire service and the proposed publication of the policy document "Keeping Communities Safe". Opinion was expressed that out of 10 fire stations in the county only one was located in Connemara which had a larger population than counties such as Longford and Leitrim. It was noted that new fire stations were planned for Ballinasloe and Mountbellew. Members expressed the view that the 50 mile area between Galway City and Clifden does not have effective fire cover at present.

The work done by the OPW in conjunction with the Council on flood alleviation measures was welcomed and it was noted that the majority of the flood relief works have now been completed. Concern was expressed that parts of Connemara are at risk from flooding and that some rivers, streams and drains need to be cleared. Clarification was sought as to whether the expenditure incurred on Service G01 Land Drainage costs was fully recoupable to the Council.

The progress made on the development of the water services infrastructure including the water conservation measures was welcomed. Clarification was sought on the current status of the Genamaddy and Spiddal sewerage schemes and the DBO contract for the Claregalway sewerage scheme. Clarification was sought in regard to the volume of unaccountable water in the network and the measures the Council propose to undertake to deal with it. Clarification was also sought in regard to the proposed EPA guidelines on septic tanks.

The funding proposals for the following were welcomed: Casla Civic Amenity site, promotion of the Irish Language, provision of the outdoor gym at Rinville Park, grants scheme for community groups and festivals, the Ballinasloe Library and the funding of 2 projects from the Landfill Liason Fund in conjunction with Greenstar.

The announcements concerning the new local authority Community Employment scheme and the new grants scheme for the remediation of domestic Septic tanks were also welcomed.

Concern was expressed at the loss of functions to bodies such as SUSI (HEG grants), Road Safety Authority (Driver Licences) and the proposed transfer of water services to Irish Water. The processing of HEG grants for first time applicants by SUSI was subject to criticism. It was noted that there is a considerable delay in processing grants for students. Concern was expressed that the business and agricultural sectors would be subject to increased water service charges once Irish Water take over the function.

Queries were raised in relation to the level of fees paid by the Council to Consultants. Clarification was also sought on the expenditure incurred on the Coroner service and on Courthouses for the Department of Justice.

Concern was expressed that the waiting list for Council houses had trebled from 1,077 in 2008 to 3,116 in 2012 and that very few Council houses are built in rural areas. Clarification was sought as to whether funding for long term leasing could be used for the provision of council housing.

Clarification was sought on the following items (a) the variance between the projected outturn and the budget for 2012 in respect of Sub Service A0702 Long Term Leasing (b) the variance between the projected outturn and the budget for 2012 in respect of Sub Service A0501 Homeless Grants Other Bodies (c) what service A0301 Debt Management and Rent Assessment related to (d) why was service A01 Maintenance of Local Authority Housing broken down into the Sub Services A0101 to A0103 and (e) clarification of the position in relation to the collection of the household charge.

Concern was expressed that the qualifying age guidelines were raised from 60 to 70 years in regard to grants for Housing Aid for the elderly and that this should be reviewed by the SPC again. Opinion was expressed that priority should be given to the Disability

Grant scheme and that more social housing should be constructed for the disabled in rural areas. Opinion was expressed that the Rental Accommodation scheme was going well.

Concerns were expressed that utilisation of the National Procurement Service (NPS) entailed that the Council was not giving business to local companies who pay commercial rates and that a regional procurement initiative should be progressed to ensure local businesses are given an opportunity to tender. Clarification was sought on the savings on energy.

The meeting was advised that the Board of Galway Airport had written to the members seeking funding of €100,000 from the Council as time was running out for it to remain a viable entity. The airport had proven its value as a community asset and had potential for the development of enterprises such as an aircraft maintenance facility, a flight training school, a transport hub such as a base for a park and ride facility and use for medical evacuations. The airport was established 27 years ago and over 300,000 passengers used it in 2007. A business plan has been made for the airport which has the support of its main financial backers. It is a strategic asset in regard to the promotion of the County for business and tourism and has the potential to attract UK routes in the future. Concern was expressed that Galway City Council did not use it as a park and ride base in December as it has a large carpark with 600 spaces. Opinion was expressed that central government should provide funding for the airport as it is providing €66 million per km for the expansion of the DART network. A proposal was made that the Council provide contingency funding of €50,000 provided a number of conditions were met.

Responses to the issues raised were as follows:

The Manager noted the concerns raised regarding the proposed increase in water charges and the impact on the business and agricultural community. She advised that the Council was not charging the full economic cost of water production at the present rates and that it was in effect providing a subsidy to commercial water users. She noted that the Council is required by the National Water Pricing Policy (NWPP) to recover the economic cost of water production by charging commercial water users the proportion attributable to that sector with the balance in regard to the domestic sector to be recouped from the Local Government Fund. She advised that the Council would have no influence on the water charge rates set by the Regulator of Irish Water in the future.

She noted that the legislation regarding the new property tax had just been published and that it indicated that in some circumstances it would apply to local authority housing and that the Council were awaiting further clarification from the Department. She confirmed that the property tax would be collected by the Revenue Commissioners and that the legislation included provisions for local authorities to vary the rates in the future.

The Manager shared the concerns expressed in regard to the substantial reduction in road maintenance and improvement grants since 2008 and its impact on the road network. She agreed that the current maintenance cycle was inadequate and not in line with best practice but the Council had to endeavour to make best use of the allocations it received. She confirmed that the Council had undertaken a digital and visual survey of the local roads in order to prioritise those in the worst condition and most urgently in need of repair. A similar survey was undertaken on the regional roads by the NRA and Department of Transport.

She explained that the reduction in staff numbers arose largely as a result of the age profile of staff and the fact that early retirement was sought on a voluntary basis. She confirmed that the recruitment embargo was still in place. She confirmed that the Council engaged external contractors to supplement the Council's own resources in regard to roadworks. She confirmed that the expenditure on service G01 Land Drainage costs is recouped to the Council by the OPW.

In response to concerns expressed in regard to the volume of unaccountable water in the network the Manager advised that the Council was continuing to implement water conservation measures which had yielded significant reductions and would also continue to promote water harvesting measures. She explained that the hiring of consultants was subject to normal procurement rules and that they were engaged largely in relation to projects of a technical nature which required a level of expertise that was not available from in house resources.

She confirmed that the Council had a statutory obligation in regard to the Coroner Service and still had a legal obligation in regard to the maintenance of some courthouses, however this cost was recoupable from the Department of Justice. She explained that the savings on energy usage was due to a combination of a result of the retendering of the energy contract together with more efficient usage e.g. more efficient pumps in pumping stations etc. and ensuring that each location was on the correct tariff based on usage.

She advised that the Council was required to adhere to the conditions of the National Procurement Service (NPS) but that it was working in conjunction with the City Council and adjoining councils to develop a regional basis for procurement. The provision of assistance to local businesses in the utilisation of the tendering process will be examined. She confirmed that the local authority shared services programme is being progressed with the examination of areas of activity which may benefit from a shared /combined approach.

In regard to the query on the collection charges Mr. Mullarkey advised that the Council worked in conjunction with its customers and provided options such as tailored payment plans, direct debit facilities, etc. He also outlined that the council used all mechanisms at its disposal in the recovery of outstanding charges which included legal action where necessary. In regard to the query on a rebate of rates for small, startup businesses he advised that there was no provision in the current legislation for this. He noted that the projected income from fire services in 2012 included a once off recoupment from another local authority of approx €50,000. He explained that Service A0301 Debt Management and Rent Assessment related to the costs associated with the assessment and collection of housing rents. He noted that the division of Services into the various Sub Services was introduced with the implementation of the costing model and was set out in statute. He advised that the collection rate for the Household Charge was over 66% in regard to County Galway and that the Council would continue to collect the unpaid amounts until the Revenue Commissioners assume responsibility for it in July 2013.

Mr. Cullen provided clarification in regard to the current status of the Glenamaddy, An Spideal and Baile Chlair (Claregalway) Sewerage Schemes and the EPA guidelines in regard to septic tanks. Mr. Gilmore advised that a report on the route selection process for the R336 Bearna to Scriob via Ros a Mhíl will be made available in the near future. In regard to the request for flood alleviation measures for Conamara he advised that the specific areas under threat from flooding should be reported to the Senior Engineer so that a case can be made to the OPW under the minor works scheme.

In regard to the requirement for a new fire station in Connemara Mr Cummins advised that following the publication of "Keeping Communities Safe" which is the outcome of a review of the fire service in Ireland it will be necessary to prepare a service development plan for the local fire service. This will be reflected in the form of a new draft Section 26 Plan which will address service delivery structures for the next decade. The updated draft Section 26 Plan will then be presented to a full meeting of the County Council.

He explained that the expenditure on service A0702 Long Term Leasing of Housing was recouped from the Department and the reason the budget was not expended in total in 2012 was due to the fact that the Council has difficulty in sourcing houses in particular areas of need with the required standards. He also advised that the projected expenditure on Service A0501 Homeless Grants-Other Bodies for 2012 reflected the actual demand for this service in 2012 and it was 90% recouped from the Department. He also confirmed that the budget for long term leasing cannot be used for the housing construction.

PROPOSAL TO AMEND DRAFT BUDGET

1292

It was further proposed by Cllr Sean Canney, seconded by Cllr Dermot Connolly and agreed to amend the draft budget for 2013 as follows to transfer €4,700 from Service
It was proposed by Cllr Dermot Connolly, and seconded by Cllr Sean Canney to amend the draft budget for 2013 as follows 'that Cllr. Conference allocation can be directed to lighting provision and that Chairs of SPC allowance would be at a rate of €2,500 per year and the saving of €12,500 would be directed to Community & Enterprise.

As agreement was not reached in this regard a vote was taken.

Voting on the proposal was as follows:

ADOPTION OF BUDGET 2013

AR SON: Cllrs Broderick, Canney & D. Connolly, Comh. O Cuaig & Ó Curraoin, Cllrs G. Finnerty, Hoade, T. Mannion, Noone & Comh. O Tuairisg (10)

IN AGHAIDH: Cllrs Carroll, M. Connolly, Cunniffe, Fahy, Feeney, M. Finnerty & Hynes, Comh. O Laoi, Cllrs Maher, E. Mannion, McLearn, McDonagh, McHugh, Roche, T. Walsh, Welby & Willers (17)

Abstain: Cllrs Cuddy & Ryan (2)

The Mayor declared the motion defeated.

PROPOSAL TO AMEND DRAFT BUDGET

1293

It was proposed by Cllr Malachy Noone, seconded by Cllr Mary Hoade and agreed to amend the draft budget for 2013 as follows to reduce the provision for Local Representation /Civic Leadership in Service H0904 Expenses LA Members by €4,400 and increase the provision for Comunity Sport and Recreational Development in Service F0401 Community Grants. THE impact of same will be to transfer €4,400 from the Councillors Conference Allocation to the provision of Comunity Grants in order to facilitate the provision of a grant to the Claregalway Day Care Centre-subject to the normal requirements pertaining to community grants.

SUSPENSION OF STANDING ORDERS

1294

It was proposed by Cllr. Broderick, seconded by Cllr. Cuddy and agreed that the Standing Orders be suspended in order to allow the Meeting continue after 6.00 pm.

PROPOSAL TO AMEND DRAFT BUDGET

1295

It was further proposed by Cllr Sean Canney, seconded by Cllr Dermot Connolly and agreed to amend the draft budget for 2013 as follows to transfer €4,700 from Service H0904 Expenses LA Members to a community project in Corofin village playground.

PROPOSAL TO AMEND DRAFT BUDGET 1296

It was further proposed by Comh. O’Cuaig, seconded by Comh Ó’Curraoin and agreed to allocate Comh. O’Cuaig’s conference allowance in 2013 to Ionad na nImirceach in Carna, Conamara.

ADOPTION OF BUDGET 2013 1297

It was proposed by Cllr Jimmy McClearn, seconded by Cllr Jarlath McDonagh that Galway County Council adopt the draft budget for the financial year 2013, as previously amended, subject to no increase in water and wastewater charges and that the estimated reduction in income of €411,000 be funded from the following sources.

- Service A0102 Maintenance of Traveller Accommodation Units-reduce provision by €25,000
- Service B0405 Local Roads General Maintenance Works-reduce provision by €50,000
- Service B0603 Traffic Improvement Measures-reduce provision by €50,000
- Service D0901 Urban and Village Renewal-reduce provision by €25,000
- Service E0601 Operation of Street Cleaning Service-reduce provision by €86,000
- Service F0204 Purchase of Library Books-reduce provision by €150,000
- Service G0201 Operation of Piers –reduce provision by €25,000

They also proposed and seconded that €50,000 in contingency funding be provided for Galway Airport to be funded by an increase in the collection rate for fire service charges, subject to the following conditions:

1. Galway City Council to give €50,000
2. Department of Transport to give €100,000
3. Commercial activity to generate €500,000, must be in by 28th February 2013.

If not used, €50,000 to be transferred to F0204.

The County Manager expressed concern at the proposed reduction in matching funding for Smarter Travel and LEADER, noting that it would impact on the ability of the local authority to draw down funding. The County Manager also expressed concern in relation to the reduction in funding for local road maintenance, street cleaning noting the already low base for such funding. The County Manager advised that the Library

CHIONNAIRIE CHONTAE NA GALUIMHE

Service was the busiest service outside of Dublin and Cork and of the significant implications for the service arising from the magnitude of the proposed reduction in the book fund. She reiterated that the Council was not charging the full economic cost of water production but the adoption of the budget was a reserved function of the Council.

The motion as proposed by Cllr Jimmy McClearn and seconded by Cllr Jarlath McDonagh was agreed.

DETERMINATION OF THE ANNUAL RATE OF VALUATION OF 2013 1298

It was proposed by Cllr McClearn and seconded by Cllr Maher and agreed

"That Galway County Council hereby determine in accordance with the Budget for the Financial Year ending 31/12/2013, the rates as set out in Table A and C, as amended, to be the Rates on Valuation to be levied for the several purposes as set out in those tables for the Financial Year ending 31/12/2013"

ESTIMATED EXPENDITURE AND INCOME OUTTURN FOR 2012 1299

It was proposed by Cllr McClearn and seconded by Cllr Maher and agreed

"That Galway County Council approves the estimated expenditure and outturn figures for 2012 as set out in the Budget documentation".

REPORT ON THE THREE YEAR CAPITAL PROGRAMME 1300

It was proposed by Cllr Feeney and seconded by Cllr T Walsh and agreed that the Council would note the Report on the 3 Year Capital Programme.

The Mayor thanked the Co Manager and the staff for the preparation of the 2013 Budget which was an onerous task in regard to the adverse economic conditions that currently prevail.

Chriochnaigh an Cruinniú ansin

Submitted, Approved + Signed

h Weley

28th January 2013

DATE

CHOMHAIRLE CHONTAE NA GAILLIMHE

MINUTES OF MONTHLY MEETING OF GALWAY COUNTY COUNCIL HELD AT ÁRAS AN CHONTAE, PROSPECT HILL, GALWAY ON MONDAY 26th NOVEMBER, 2012.

CATHAOIRLEACH:

Cllr. T. Welby, Mayor of the County of Galway

CONFIRMATION OF MINUTES OF MEETING

1253

I LATHAIR FREISIN:

The Minutes of Monthly Meeting held on 23rd October, 2012 were approved by the Council and signed by the Mayor on the proposal of Cllr. McDonagh seconded by Cllr. Kelly.

Baill:

Cllrs. T. Broderick, S. Canney, L. Carroll, D. Connolly, M. Connolly, Comh. S. Ó Cuaig, T. Ó Curraoin, Cllrs. J. Cuddy, S. Cunniffe, M. Fahy, P. Feeney, G. Finnerty, M. Finnerty, M. Hoade, P. Hynes, Comh. S. Ó Laoi, Cllrs. M. Maher, E. Mannion, T. Mannion, J. McDonagh, J. McClearn, T. McHugh, M. Noone, P. Roche, K. Ryan, Comh S. Ó Tuairisg, Cllrs. S. Walsh & T. Walsh, B. Willers.

Oifigigh:

Ms. M. Moloney, County Manager; Messrs. F. Gilmore, K. Kelly, E. Cummins, J. Cullen, Directors of Service; G. Mullarkey, Head of Finance; M. Owens, County Secretary & Meetings Administrator; L. Gavin, E. Molloy, Senior Engineers; S. O'Hehir, Staff Officer; P. O'Neachtain Oifigeach Gaeilge; G. Healy, Staff Officer.

Thosnaigh an cruinniú leis an paidir.

RESOLUTIONS OF SYMPATHY

1254

A resolution of sympathy was extended to the following:

- Mrs. Edward Keogh, Oranmore, Co. Galway.
- Mr. Pdraigh Kelly, Baile Liam, Spiddal, Co. Galway.
- Ms. Brenda Thornton, Baile Eamoinn, Spiddal, Co. Galway.
- Mrs. Pauline Ryan, Hymany Park, Ballinasloe, Co. Galway.
- Ms. Rita Burke, Claretuam, Tuam, Co. Galway.
- Teresa Uí Fhatharta, Inis Meain, Oileain Árann, Co. na Gaillimhe.
- Mr. Tom Costello, M.C.C., Killougher, Castlegar, Co. Galway.
- Mr & Mrs Eoin & Ann Cunniffe, Gurteen, Ballinasloe, Co. Galway.
- Mr & Mrs Sean Gantley, Tullira, Ardrahan, Co. Galway.

Mr. Albert Keane & Family, Cloghroak, Ardrahan, Co. Galway.
Mrs. Bernadette O'Dea & Family, Roughan, Ardrahan, Co. Galway
The Wife and Family of the late Tommy Connaughton, former employee with Galway County Council

CONFIRMATION OF MINUTES OF MEETING 1255

The Minutes of Monthly Meeting held on 22nd October, 2012 were approved by the Council and signed by the Mayor on the proposal of Cllr. McDonagh seconded by Cllr. Maher.

Cllr. Cunniffe referred to the Minutes regarding the enforcement notice which had been issued in respect of the lands at Tuam and asked if any progress had been made in this regard. Mr. Kelly replied that a planning retention application was lodged on 22nd November, 2012 in this regard and this application was being considered.

REPORT OF COMMITTEE MEETINGS FOR CONSIDERATION AND ADOPTION 1256

The Report of the Roads & Transportation Strategic Policy Committee (SPC) Meeting held on 22nd December, 2011 was approved by the Council and signed by the Mayor on the proposal of Cllr. McClearn, seconded by Comh. Ó Curraoin.

The Report of the Roads & Transportation Strategic Policy Committee (SPC) Meeting held on 13th September, 2012 was approved by the Council and signed by the Mayor on the proposal of Cllr. McClearn, seconded by Comh. Ó Curraoin.

The Report of the Roads & Transportation Strategic Policy Committee (SPC) Meeting held on 18th October, 2012 was approved by the Council and signed by the Mayor on the proposal of Cllr. McClearn, seconded by Comh. Ó Curraoin.

Arising from the Report, Mr. Gilmore in reply to Cllr. Maher agreed to circulate a copy of the Winter Services Plan.

The Report of the Conamara Area Committee Meeting held on 16th February, 2012 was approved by the Council and signed by the Mayor on the proposal of Comh. Ó Curraoin, seconded by Comh. Ó Laoi.

The Report of the Conamara Area Committee Meeting held on 23rd March, 2012 was approved by the Council and signed by the Mayor on the proposal of Comh. Ó Cuaig, seconded by Comh. Ó Tuairisg.

The Report of the Conamara Area Committee Meeting held on 18th July, 2012 was approved by the Council and signed by the Mayor on the proposal of Comh. Ó Laoi, seconded by Cllr. E. Mannion.

Minutes of Monthly Meeting held on 26th November 2012

Arising from the Report, Comh. Ó Cuaig referred to the junction of the R340 Recess Road with the N59 Galway – Clifden Road, stating that vehicles have to cross the road twice to access the carpark causing a major road safety concern. He said that works carried out at this junction are not satisfactory. Mr. Gilmore replied that he would investigate this matter as soon as possible.

The Report of the Conamara Area Committee Meeting (Planning Items) held on 18th July, 2012 was approved by the Council and signed by the Mayor on the proposal of Comh. Ó Tuairisg, seconded by Cllr. E. Mannion.

The Report of the Loughrea Area Committee Meeting held on 21st May, 2012 was approved by the Council and signed by the Mayor on the proposal of Cllr. Maher, seconded by Cllr. Willers.

The Report of the Corporate Policy Group Meeting held on 10th October, 2012 was approved by the Council and signed by the Mayor on the proposal of Cllr. T. Walsh, seconded by Cllr. McClearn.

The Report of the Corporate Affairs & Cultural SPC Meeting held on 26th March, 2012 was approved by the Council and signed by the Mayor on the proposal of Cllr. McHugh, seconded by Cllr. McDonagh.

Arising from the Report, Cllr. Broderick referred to the Aughrim Interpretative Centre, Ballinasloe, and he asked if there is any possibility of increasing the budget provided in this regard. The Manager replied that in spite of general cutbacks in funding during recent years the authority managed to extend the opening hours of the Centre. However, she said that 2013 will prove challenging for the Council as regards available funding and therefore the prospect of increasing funding towards the Aughrim Interpretative Centre was extremely limited.

DECLARATION OF ROADS TO BE PUBLIC ROADS – SECTION 11 OF ROADS ACT 1993 1257

On the proposal of Cllr. Ryan, seconded by Cllr. T. Mannion, the Council approved the declaration of the following roads to be public roads, the statutory procedure having been complied with:-

Ivy Court Housing Estate, Ballygar

Road commencing from its junction with the N63 in the townland of Killeronan, extending southwards for a distance of 90m ending in the townland of Killeronan.

Electoral Area: Ballinasloe

DECLARATION OF ROADS TO BE PUBLIC ROADS – SECTION 11 OF ROADS ACT 1993 1258

On the proposal of Cllr. E. Mannion, seconded by Comh. Ó Laoi, the Council approved the declaration of the following roads to be public roads, the statutory procedure having been complied with:-

Road commencing at junction with Local Road L-11023 (grid reference 57640, 259080) in the townland of Rossadillask and extending east for a distance of 415 metres in the townland of Rossadillask and finishing in the townland of Rossadillask (grid reference 57940, 259070).

Electoral Area: Connemara

DECLARATION OF ROADS TO BE PUBLIC ROADS – SECTION 11 OF ROADS ACT 1993 1259

On the proposal of Cllr. D. Connolly, seconded by Cllr. Broderick the Council approved the declaration of the following roads to be public roads, the statutory procedure having been complied with:-

Road commencing at junction with Local Road L8703 in the townland of Lowpark, Killoran and extending west for a distance of 660 metres in the townland of Lowpark, Killoran and finishing in the townland of Lowpark, Killoran.

Electoral Area: Ballinasloe

TO CONSIDER A PROPOSAL UNDER SECTION 73 OF THE ROADS ACT 1993 TO EXTINGUISH A PUBLIC RIGHT OF WAY – TUAM TOWN ON A SECTION OF THE SWIMMING POOL ROAD IN THE TOWNLAND OF DEMESNE FROM ITS JUNCTION WITH BISHOP STREET (R923) TO ITS JUNCTION WITH THE NEW INNER RELIEF ROAD, A LENGTH OF ONE HUNDRED AND SIXTY TWO METERS 1260

Report dated 10th October, 2012 and Report dated 21st November 2012 were already circulated to each Member.

Cllr. Canney made the following statement:

“At the Monthly Meeting of Galway County Council held on the 23rd May 2011, I confirm that I seconded the motion to exchange land with Joe & Helen O’Toole.

My sole aim was to ensure that the section of the Inner Relief Road for Tuam linking Shop Street to Bishop Street was built for the benefit of the people of Tuam.

In December 2011, I was engaged by Mr. O’Toole on a professional basis to Project Manage and Cost Manage the internal fit-out of his supermarket.

I wish to make it clear that under the Code of Conduct for Councillors, I have declared that there may be a perceived Conflict of Interest and as such I will be abstaining from participating in any meeting which the issue of the “Right of Way” is discussed and I will be abstaining from any vote on the “Right of Way”.

Since December 2011, I have abstained from that part of any Council Meeting when the Agenda item of the “Right of Way” was discussed.

Minutes of Monthly Meeting held on 26th November 2012

This has been my position since December 2011 and I confirm that in May 2011 there was no such Conflict of Interest.

I intend to leave this Meeting now in order to comply with the Code of Conduct.

I trust this clarifies my position."

Cllr. Canney in reply to comments from Cllr. McClearn, clarified that he was withdrawing from the meeting in the interests of the Councillors, the Council and the Public as he believed his participation in the process may give rise to a perceived Conflict of Interest.

Cllr. Canney withdrew from the Meeting for the duration of the consideration of Items 6 & 7 on the Agenda.

The Manager referred to correspondence received by the Elected Members from Brian Lynch & Associates Solicitors, dated the 21st November 2012, relating to the Meeting of Galway County Council on Monday, 26th November 2011 in respect of the proposed vote to transfer lands at Town Parks Tuam, Swimming Pool Road (also known as the Palace Road) pursuant to Section 183 of the Local Government Act 2001 and the proposed vote to extinguish the public right of way that exists over Swimming Pool Road (also known as the Palace Road) pursuant to Section 73 of the Roads Act 1993 on behalf of their client Shaun Cunniffe and confirmed that as County Manager, she also received a similar letter at 12.15 pm today, dated the 22nd November 2012, from Brian Lynch & Associates, Solicitors to which a response had issued at 5.30 pm on the 22nd November 2012.

The County Manager confirmed that on the basis of legal advice the response stated clearly that the matters in question were correctly before the Council in accordance with the Standing Orders governing the running of Galway County Council and in accordance with the relevant statutes including the Roads Act, the Planning & Development Acts and the Local Government Acts. She also confirmed that the response stated that it would be entirely inappropriate for these matters to be withdrawn either by agreement or Order and same would operate to frustrate the democratic process and the entitlement of the local residents, through their elected representatives, to vote on the proposals in question.

The County Manager concluded that the basis of legal advice, she was in a position to confirm to the Members that the relevant powers were explicitly authorised by legislation and the exercise by the Councillors of the powers in accordance with the legislation was not ultra vires. In the event that the threatened legal proceedings were initiated the local authority as a corporate body was the entity that was to be sued and that there is no legal liability attaching personally or individually to Councillors where the local authority as a collective body exercises its powers in accordance with the relevant legislation.

Mr. Gilmore advised that the matter had been before the Council and the Tuam Electoral Area Committee and he remained of the view that a proposal existed that would allow for a recommendation that the public right of way be extinguished. Mr. Gilmore invited Mr. Gavin to present the report dated 22nd November, 2012.

Mr. Gavin referred to the report dated 22nd November, 2012 as previously circulated and proceeded to outline the contents of the report as follows:

As a follow on from the consideration at the Council meeting of the 22nd October 2012 of the proposed extinguishment of the Public Right of Way from Bishop Street to the Palace Grounds, further meetings were held at Electoral Area level on Wednesday 24th October, 2012 and Tuesday 13th November, 2012.

At the meeting of the 13th November, a deputation related to the proposed extinguishment of the Public Right of Way from Bishop Street to the Palace Grounds, made a presentation to the Councillors outlining their issues and concerns about the proposed extinguishment of the Public Right of Way.

In order to address the concerns expressed and the health and safety issues raised by the deputation and the concerns in relation to safety expressed by the Elected Members at the Council Meeting of the 22nd October 2012, a detailed map outlining the alternative right of way was presented to the Councillors. This map (reference no. 617512) addressed the issues highlighted in the independent safety auditor's report, completed in accordance with the requirements of NRA HD 19/09 and other issues as raised at the Council Meeting of the 22nd October.

The safety issues included:

1. Inadequate sight lines at the relief road
2. Location of the pedestrian crossing on the relief road
3. Internal footpath widths along the alternative right of way
4. Tactile paving on footpath ramps when pedestrian crossings are provided
5. Relocation of wheelchair accessible spaces
6. Provision of a clear pedestrian route towards the supermarket
7. Provision of a raised pedestrian crossing at the Gaelscoil and the car park.

In addition the curvature of the road adjacent to the Gaelscoil will be increased from 6m to 10m to accommodate turning movement. Raised pedestrian crossings will be installed and these will help to reduce speeds of vehicles passing through, thus, making the area safer, for cars and pedestrians.

In addition planting and fencing will be provided along the entire proposed alternative right of way so that pedestrians will be channeled along safe passing routes.

Consequently the proposed alternative right of way shown on drawing 617512 will provide safe passage for pedestrians and motorists when all of the issues highlighted in the safety audit are provided. This route of the alternative right of way is therefore recommended.

The alternative right of way from Bishop Street to the Relief road will be granted by way of license.

The alternative right of way by license will remain in place, until such time as a development of the lands, permitted under Planning Register Ref. No. 07/3767, or such other development of similar nature as may be permitted by the planning authority is commenced and would require the removal of the alternative right-of-way.

In conclusion it is recommended:

1. To extinguish the public right of way over lands in Tuam town on a section of the Swimming Pool Road in the Townland of Demesne, from its junction with Bishop Street (R923) to its junction with the new inner relief road, a length of one hundred and sixty-two metres, marked C,E,D as shown on Map reference 10 dated 22/10/12.
2. The extinguishment shall come into effect when an alternative right of way for pedestrians and vehicles for use at all times and for all purposes by the public over the lands marked C,E,F,G and coloured Magenta as shown on Map reference 10 dated 22/10/12 is put in place, and a legally binding agreement giving effect to it is entered into between the owner of the lands and Galway County Council, with the alternative right-of-way over the lands remaining in place until such time as the development of the lands, permitted under Planning Register Ref. No. 27/3767, or such other development of similar nature as may be permitted by the planning authority is commenced and would require the removal of the alternative right-of-way.
3. The new alternative right of way as shown on Map reference 10 dated 22/10/12 incorporating all of the safety issues detailed on drawing 617512 should be provided to the satisfaction of the Roads, Transportation, Marine & General Services Unit of Galway County Council

He said he had taken note of issues raised at a number of Meetings of the Council and the Tuam Electoral Area Committee, and amendments to the plan had been drawn up taking into account these concerns and the recommendations of an independent safety auditor's report which was completed in accordance with the relevant standards as stipulated by the National Roads Authority. The main change proposed is an addition to the curvature of the road adjacent to the Gaelscoil. This is to be increased from 6m to 10m to accommodate the turning of larger vehicles. In addition, pedestrian crossings are to be raised to slow traffic, fencing is to be installed along the entire route to channel pedestrians along a safe passage, footpaths are to be widened to two metres, the pedestrian crossing on the inner-relief road is to be moved to the swimming pool side of the road and the exit on to the new road is to be altered to give a better line of vision for motorists.

Cllr. McHugh said he felt that existing proposals between "E" and "F" opposite the Gaelscoil and shown in detail on map 617512 at the end of the pedestrian crossing are less than ideal as they divide the path and outlined amendments to allow for the path and green verge along Section E, F opposite the Gaelscoil to be redesigned and the existing carpark spaces removed.

Cllr. Maher proposed "the recommendations outlined in report dated 22nd November, 2012 by Mr. Liam Gavin, Senior Engineer, incorporating the amendments as outlined by Cllr. Tom

McHugh to allow for the path and green verge along Section E,F opposite the Gaelscoil to be redesigned and the existing carpark spaces removed".

This proposal was seconded by Cllr. T. Mannion.

Cllr. Cunniffe said he lived just a couple of hundred yards away from the road and this issue is of great concern to many people. He asked what was stated in the safety audit regarding the corner at section F on Drawing No. 10 as circulated. He said there is still concern over the new route to the Palace Grounds, and that two buses meeting at one bend could not pass, even if the radius is enlarged. He also said that this route is a hazard to cyclists. He said a Group he was involved with carried out a survey that indicated 80% of children would take what he described as "the natural" or more direct route through the car park and would not follow the paths as laid out.

He said that if the Members approve this change it will in fact give planning permission to it and no enforcement procedures could follow.

Cllr. Cunniffe concluded by noted that earlier reports recommended that an alternative public right of way be provided whereas the current recommendation before the Members proposed an alternative right of way be provided by means of licence and he questioned the basis for same, stating that the preference of the public was for a public right of way.

Mr. Gavin replied that the route would be safe for all users when the necessary amendments as outlined were made and he stated that cyclists shared all other roads in Tuam with motorists and this road would be no different. In relation to the safety audit, he said that this addressed what was built on the ground and the issues addressed by him today were contained in the audit. He also addressed the issue of the radii at "F" on Map No. 10 which had not been part of the safety audit. The new 10m radius to be provided at "F" will considerably improve traffic movement at this turn.

Mr. Kelly stated that by exercising their democratic right in relation to this proposal, the Members decision on the item would not determine how the planning application is processed or how the application was adjudicated upon.

Mr. Gavin replied that the proposals as shown on map Ref 617512 at this location could be altered to include the amendments as outlined by Cllr. McHugh to allow for the path and green verge along Section E, F opposite the Gaelscoil, to be redesigned and the existing carpark spaces removed.

Mr. Gilmore noted that this matter had been dealt with in detail at the October Monthly Meeting. He stated that the licence gives the public the right to pass over the route. He said that the development on this site, which was approved by An Bord Pleanála, included for the area to be developed as an open plaza which would accommodate pedestrian traffic and it is anticipated that any subsequent developments on the site would be dealt with in a similar manner.

Cllr. Roche said that this is a highly emotive issue deserving consideration and debate as the decision made by the Members on this issue will be legally binding. He said he welcomed the implementation measures of the independent safety auditor and he was confident that an acceptable conclusion would be found on this issue.

The meeting then adjourned.
He proposed an amendment be made to Cllr. Maher's proposal to provide that the alternative right of way, be a public right of way and that same remain in place until such time as a commencement notice in respect of the proposed development is received. This proposal was seconded by Cllr. Ryan.

In reply to a query from Cllr. McClearn, Mr. Gavin confirmed that railings would be provided along the proposed alternative right of way from the inner relief road to Bishop Street.

In reply to The Mayor the Members stated they were satisfied with the explanation given by Mr. Gavin in response to the various issues raised during the course of the discussion.

Cllr. Hoade asked if the Executive were happy that the additional safety measures as proposed were adequate and in reply Mr. Gavin advised that the proposal including all of the safety audit recommendations would make the alternative right of way very safe.

The Mayor invited Cllr. M. Connolly to speak and asked that he comment on an earlier suggestion by Comh. Ó Curraoin that further time be allowed for the Tuam Electoral Area Committee to explore the potential for compromise in order that agreement could be reached on the matter.

Cllr. M. Connolly said that this matter had been discussed at the Tuam Electoral Area Committee Meeting on the 24th October, 2012 but the Members of the Committee did not reach agreement on the issue. In reply to Cllr. D. Connolly, he confirmed that he believed it would be extremely difficult to get agreement on the matter at Electoral Area level.

In reply to Cllr. Cuddy, the Manager said that the legal advice the Council had received is incorporated in her Report dated 22nd November, 2012 which was circulated to the Members.

In reply to Cllr. Finnerty, the Manager said that she did not get any formal notice that High Court proceedings were to take place regarding this issue but through informal comment she understood that an application may have been made to the High Court under Section 160 of the Planning & Development Acts on this matter. She said that the outcome of the proposal before the Members today for discussion will not determine the outcome of any court application or any planning application.

Cllr. T. Walsh expressed a personal view that he did not feel that progress had been made since the previous meeting and while some were amenable to compromise, others were not and he did not think it would be possible to reach agreement when different people had different priorities and agendas and it was now time for the elected Members to make a decision on the matter.

Cllr. McDonagh proposed that the Meeting be adjourned for five minutes in order to allow the Members consider the matters before them further and this proposal was seconded by Cllr. M. Finnerty, and agreed.

The meeting then adjourned.

The Members returned and the Meeting resumed.

Cllr. Roche stated that he wished to withdraw his earlier proposed amendment as he had every faith that the Director of Services recommendations were very satisfactory. Cllr. Ryan stated that he supported the withdrawal of the proposed amendment proposed by Cllr. Roche and seconded by Cllr. Ryan. The withdrawal of the proposed amendment was agreed by the Members.

The Mayor then read out the proposal as proposed by Cllr. Maher and seconded by Cllr. T. Mannion, as follows:

1. "To extinguish the public right of way over lands in Tuam town on a section of the Swimming Pool Road in the Townland of Demesne, from its junction with Bishop Street (R923) to its junction with the new inner relief road, a length of one hundred and sixty-two metres, marked C,E,D as shown on Map reference 10 dated 22/10/12.
2. The extinguishment shall come into effect when an alternative right of way for pedestrians and vehicles for use at all times and for all purposes by the public over the lands marked C,E,F,G and coloured Magenta as shown on Map reference 10 dated 22/10/12 is put in place, and a legally binding agreement giving effect to it is entered into between the owner of the lands and Galway County Council, with the alternative right-of-way over the lands remaining in place until such time as the development of the lands, permitted under Planning Register Ref. No. 27/3767, or such other development of similar nature as may be permitted by the planning authority is commenced and would require the removal of the alternative right-of-way.
3. The new alternative right of way as shown on Map reference 10 dated 22/10/12 incorporating all of the safety issues detailed on drawing 617512 should be provided to the satisfaction of the Roads, Transportation, Marine & General Services Unit of Galway County Council

to incorporate the amendments as outlined by Cllr. Tom McHugh to allow for the path and green verge along Section E,F opposite the Gaelscoil to be redesigned and the existing carpark spaces removed."

A vote on the proposal was taken and the result of the vote was as follows:

For: Cllr. Broderick, Carroll, D. Connolly & M. Connolly, Comh. O'Cuaig, Cllrs. Cuddy, Fahy, Feeney, G. Finnerty, M. Finnerty & Hoade, Comh. Ó Laoi, Cllrs. Maher, E. Mannion, T. Mannion, McClearn, McDonagh, McHugh, Noone,

Roche & Ryan, Comh. Ó Tuairisg, Cllrs. S. Walsh, T. Walsh, Welby & Willers
[26]

Against: [0]

Abstained: Cllr. Cunniffe, Comh. O'Curraoin & Cllr. Hynes. [3]

As a result of the vote, The Mayor declared the proposal to extinguish a public right of way – Tuam town on a section of the swimming pool road in the townland of Demesne from its junction with Bishop Street (R923) to its junction with the new inner relief road, a length of one hundred and sixty two meters carried.

TO CONSIDER REPORT UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT 2001 ON THE DISPOSAL OF 0.2213 HECTARES AT BISHOP STREET, TUAM, CO. GALWAY 1261

Statutory Notice dated 10th October 2012 and Report dated the 11th October 2012 were previously circulated in accordance with the relevant statutory timeframe.

Cllr. Cunniffe said that the land which the Council proposed to dispose of at Bishop Street, Tuam under Section 183 of the Local Government Act 2001 was strategically very important to the people of Tuam and he asked how the land was valued. He said that he previously agreed to support the proposal on the understanding that the developer was going to meet all of the costs for the new inner relief road and also that it was part of a town centre development project. He understood the disposal of the Council car park to Mr. O'Toole was the Council's contribution to the cost of the inner relief road. He said that Joe O'Toole had benefitted from the new road because it increased the value of his site. He got the lion's share of the advantage as without the road his land could not be developed.

Cllr. McHugh said that it was his understanding that Mr. O'Toole provided the land for the road as well as providing €1.1m towards the cost of building the road. In addition, he had to purchase some of the land from the Presentation Sisters and incurred the cost of moving their tennis courts to a new site.

Mr. Cullen said that comments made regarding the costs to the Council were misleading. The Council reached an agreement with the developer that he would provide €1.1m. This was a legally binding agreement. He said that it had to be taken into account what it would have cost the Council to acquire the necessary land from Joe O'Toole and the Presentation Sisters and then meet the additional cost of building the road. Referring to the land swap he said the Council gave Mr. O'Toole 0.22 hectares of land while he had given 0.4 hectares to the Council in return, double the amount of land he received.

Mr. Cullen proceed to outline in detail, as displayed on screens in the Council Chamber, a summary of the costs incurred by the Council in association with the development of the inner relief road, including the revisions to the original tendered cost, as follows:

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Description	Amount (excl. VAT)	Amount (incl. VAT)	Date
Tendered cost of Road Construction	1,218,359.28	€1,382,837.78	15/03/11
<i>Additional Costs:</i>			
A. Shop Street Bridge widening & channel deepening	€92,600.48		
B. Works on Protected Structures	€59,791.00		
C. Additional Watermain & Chambers	€28,320.43		
Sub-total	€180,711.91		
Including VAT @ 13.5%		€205,108.02	
		€1,587,945.80	27/6/11
<i>Valuation of Final Account:</i>			
1. Built Heritage & Archaeology	€28,783.22		
2. Bridge & River Works	€26,387.61		
3. Road works	€27,434.23		
4. Temp. road to maintain access to Tuam Town Centre	€16,349.08		
5. Additional Watermain & Chambers	€4,372.60		
6. Delay & disruption at Waterslade Hse.	€17,602.06		
Sub-total	€120,928.80		
Including VAT @ 13.5%		€137,254.20	
		€1,725,200.00	
Portion of this final figure attributable to Water Services Contract	€52,837.82		
Including VAT @ 13.5%		- €59,970.93	
Final Account Cost of Road Construction		€1,665,229.07	11/9/12

He highlighted the importance of considering the issue in the context of the information available when the matter was first considered in May 2011 and that it was not appropriate to consider the information available in the interim as if it was available in May 2011.

He referred to the original tendered costs including VAT of €1,382,837.78 and proceeded to outline in detail the additional costs incurred relating to delays arising from obstruction of the works by a third party, additional works on the built heritage, together with the discovery and removal of human remains and additional works.

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He stated that the agreement with Mr. O'Toole was based on the best information available at that time and it was not possible to assign or fix additional costs to Mr. O'Toole incurred post the agreement of June 2011.

Mr. Cullen in reply to Cllr. Cunniffe clarified that Mr. O'Toole was not required to build the inner relief road but was merely required to make a contribution towards the cost of the inner relief road. He stated that responsibility to deliver the inner relief road rested with the Council. He further advised that a significant piece of infrastructure was now in place due to the contribution made by Mr. O'Toole that would otherwise not be in place as the Council did not have the necessary funding required to deliver the project.

Cllr. Cunniffe insisted that Joe O'Toole would have built the road anyway and he got a very good deal and now the Members were being asked to approve the disposal of 0.2213 hectares at Bishop Street to the developer. He referred to a memo on the Planning File from Mr. Martin Lavelle, Senior Engineer addressed to Mr. Paul Ridge, then Director of Services which he stated indicated that the lands would be provided in exchange for the Council car park.

Mr. Cullen replied that this was not the case. Mr. O'Toole would have had to pay a contribution towards the cost of the construction of the road as per the planning permission granted by An Bord Pleanála. The Council would have had to build the road or return the contribution to Mr. O'Toole.

Mr. Cullen said that the Council would have had to acquire Mr. O'Toole's 0.4 hectares in addition to the Presentation Sister's land to build the road. The developer was getting the land from the Council in return for the land he gave for the inner relief road.

Cllr. T. Mannion said Tuam was lucky to have someone willing to invest in the centre of the town. Ballinasloe was crying out for such a deal. He said if this is the way we are going to deal with people who want to fund development in the county who will bother.

Cllr. T. Mannion proposed the disposal of 0.2213 hectares at Bishop Street, Tuam, Co. Galway under Section 183 of the Local Government Act 2001. This proposal was seconded by Cllr. Maher.

A vote on the proposal was taken and the result of the vote was as follows:

For: Cllr. Broderick, Carroll, D. Connolly & M. Connolly, Comh. O'Cuaig, Cllrs. Cuddy, Fahy, Feeney, G. Finnerty, M. Finnerty & Hoade, Comh. Ó Laoi, Cllrs. Maher, T. Mannion, McClearn, McDonagh, McHugh, Noone, Roche & Ryan, Comh. Ó Tuairisg, Cllrs. T. Walsh & Welby [23]

Against: Cllr. Cunniffe [1]

Abstained: Comh. O'Curraoin & Cllr. Hynes. [2]

As a result of the vote, The Mayor declared the proposal to dispose of 0.2213 hectares of land at Bishop Street, Tuam, Co. Galway approved.

Cllr. Cunniffe thanked the Mayor and the Executive and Directors of Service for the time put into discussions regarding the Tuam issue.

TO CONSIDER REPORT UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT 2001 ON THE DISPOSAL OF APPROX. 0.032 HECTARES AT DAWROS MORE, LETTERFRACK, CO. GALWAY 1262

Statutory Notice dated Thursday, 15th November 2012 and Report dated the 15th November 2012 were previously circulated in accordance with the relevant statutory timeframe.

On the proposal of Cllr. Mc Donagh, seconded by Comh. Ó Tuairisg, it was agreed that the proposal under Section 183 of the Local Government Act 2001 on the disposal of approx. 0.032 hectares at Dawros More, Letterfrack, Co. Galway be approved in accordance with the Statutory Notice dated Thursday, 15th November 2012.

ADOPTION OF THE ROAD TRAFFIC (SPECIAL SPEED LIMITS) COUNTY GALWAY BYE-LAWS, NO. 1 – 2012 (M6 BALLINASLOE TO GALWAY), (N17 GALWAY TO TUAM, KNOCKDOE CROSS) 1263

Report dated the 21st November 2012 together with Road Traffic (Special Speed Limits) County Galway Bye-Laws No.1 2012 (M6 Ballinasloe Galway) (N17 Galway to Tuam, Knockdoe Cross) were previously circulated.

On the proposal of Cllr. T. Mannion, seconded by Cllr. McDonagh, the Adoption of the Road Traffic (Special Speed Limits) County Galway Bye-Laws, No. 1 – 2012 (M6 Ballinasloe to Galway), (N17 Galway to Tuam, Knockdoe Cross) was agreed.

Cllr. McDonagh welcomed the works being carried out at Knockdoe Cross, however he urged that the Council make every effort to ensure that proper lighting and other appropriate safety measures are in place while the works are being carried out.

Mr. Gilmore replied that the Council had insisted that extra lighting and signage be provided at Knockdoe Cross while the traffic calming works are being carried out, due to concerns expressed regarding the speed of traffic at this location while the works were ongoing. He said that when the traffic calming works are completed in approximately two weeks time, the benefits of the works will be evident.

In reply to Cllr. Hoade, he said that the bollards at the side of the road which have been put in place during the works were making the road look narrower but when these are removed, the true width of the road will be evident. He also said that when the works are completed, the cross will be fully lit.

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In reply to Cllr. Noone regarding the timing of the works at Knockdoe Cross, he said that this coincides with the timing of available grants and while the Council would prefer to have such works carried out during the summer, if this work was put off until next summer, the grants would not be available and the work would not be done.

A discussion followed regarding speed limits around the county.

Some Members said that it is nonsensical that the speed limits on side roads are 80km per hour while the speed limits on major roads such as the road between Carnmore Cross and Briarhill junction is 50/60km per hour.

Mr. Gilmore replied the 80km per hour speed limit on side roads arises from the default national default speed limit for such roads but that at present a National Committee was considering speed limits and will be reporting before Christmas on a new Speed Limit Scheme. He said he hoped that this issue would be dealt with in the near future.

Cllr. Fahy referred to the junction at Labane where he said cars travel at speeds up to 120km per hour. He said that this is a very dangerous junction at Mass times and he asked that the Council request the National Roads Authority to provide public lighting at this location.

Mr. Gilmore replied that the Council has applied to the NRA for funding for this location.

TO CONSIDER AND IF DEEMED APPROPRIATE APPROVE AN OVERDRAFT ACCOMMODATION FOR THE PERIOD 01/01/2013 – 31/12/2013 **1264**

Report in relation to Overdraft Accommodation for 12 months 01/01/2013 – 31/12/2013 was previously circulated.

Mr. Mullarkey informed the Members that the Council's approval is requested to the overdraft accommodation level of €24.2m for the 12 months 01/01/2013 to 31/12/2013.

He said that while it is expected that the actual level of overdraft required to be utilized will on average be within the €24.2m, it is necessary to have the Council and Ministerial approval to cover the peak requirement.

On the proposal of Cllr. Feeney, seconded by Cllr. Noone, it was agreed that the Overdraft Accommodation for the period 01/01/2013 to 31/12/2013 of €24.2m be approved.

TO FIX A DATE AND TIME FOR THE BUDGET MEETING **1265**

On the proposal of Cllr. McDonagh, seconded by Cllr. Cuddy, it was agreed that the Budget Meeting be held on Monday, 17th December, 2012 at 2pm in Áras an Chontae.

TO FIX A DATE AND TIME FOR THE DECEMBER ORDINARY MEETING **1266**

On the proposal of Cllr. McDonagh, seconded by Cllr. Cuddy, it was agreed that the December Ordinary Meeting be held on Thursday 20th December, 2012 at 11am in Áras an Chontae.

TO CONSIDER LOCAL GOVERNMENT REFORM PROGRAMME – PUTTING PEOPLE FIRST

1267

Cllr. D. Connolly said that he asked that this matter be raised. He said that the “Putting People First” document was a very comprehensive document and warrants analysis and debate. He said that the document lacked specifics and the public need to know where the Minister is going as regards service delivery.

Comh. Ó Cuaig said that Ireland is the most centralized country in Europe with Norway having much larger number of local organizations such as Town Councils and almost full employment. He said that all over the world they fight for local government but not in Ireland, and further centralization of services should not be accepted.

Cllr. T. Mannion said that the reform proposals were a missed opportunity for total political reform and represented a further reduction in the role of local authorities. He welcome the proposal for district councils but suggested that the continued duplication between local authorities and government departments needed to be addressed citing as an example the current process for advancing capital investment in water and waste water infrastructure.

Cllr. Feeney said that ‘Putting People First’ represented the biggest attempt at Local Government Reform in years and will take time to digest. He said that it is evident that the document will have major implications post 2014 for the Council and that it was important that the Council study in detail the proposals in order that that the Council was best placed to avail of the opportunities presented by the proposals.

Cllr. McClearn stated that he would welcome the reform proposals if they represented real and meaningful power and authority for local government. He referenced previous experience in relation to reform and in particular the Better Local Government proposals which he outlined provided an expensive structure without the necessary power. He expressed concerned that while the existing model needed to be updated and changed that the reforms in the absence of the power to raise and allocate funding at local level may represent a cost saving exercise.

Cllr. M. Finnerty referred to Page 169, which detailed the staff profile for local authorities and highlighted that Galway County Council had much fewer staff than Kerry, Mayo and Tipperary County Councils, which he outlined demonstrated the efficiency of the Councils operations and staff.

Cllr. Willers referred to Page 156 and in particular the reference to gender balance and the need to address the barriers, she stated that she did not agree with proposals to improve gender balance by means of a quota and by means of a link to party funding.

In reply to Cllr. E. Mannion, Mr. Gilmore said that the Fix Your Street programme was being implemented by Galway County Council since June 2012 and that the Council was the third local authority in the Country and the first outside Dublin to introduce the facility.

In reply to Cllr. Cuddy, the Manager said that this document was not a consultation document and represents the agreed reform agenda of the Government. The Manager said that the document contains very extensive proposals and the implementation of these proposals will be challenging for the Council, particularly as regards community involvement. However, she said that an Implementation Plan will evolve.

In reply to Cllr. Broderick, the Manager said that it is her understanding that there will be a closer alignment between the Council and local development companies. A Socio-Economic Committee of the Council will be put in place which will include representatives from the Council and Community Representatives and works will be channeled through that Committee. She said that this will have advantages as regards services to the public.

Comh. O'Cuaig stated it was unclear how the district councils would operate and that it was necessary to review the proposal and draw up a list of questions and recommendations in order to be in a position to influence the development of detail on the proposals and implementation, including bringing influence to bear on the Minister.

Comh. O' Tuairisg commented that the real benefit of the district councils would be determined by the extent of the powers devolved to the councils.

In reply to concerns expressed by Cllr. Cuddy, the County Manager confirmed that it was her understanding that the proposed revised structure to incorporate the leader companies would fulfill requirements for EU funding and would not result in a loss of funding to the sector.

On the proposal of Cllr. Cuddy, seconded by Comh O'Cuaig, it was agreed that this document "Putting People First" would be put on the Agenda for discussion at the January 2013 Ordinary Meeting of the Council.

It was proposed by Cllr. T. Mannion, seconded by Cllr. Feeney and agreed that only submissions received in advance of the January Ordinary Meeting of Council would be considered at the Meeting.

SUSPENSION OF STANDING ORDERS

1268

It was proposed by Cllr. Cuddy, seconded by Cllr. Maher and agreed that Standing Orders be suspended in order to allow the Meeting continue after 6.00 pm.

TO CONSIDER FINANCIAL REPORT OF THE COUNCIL FOR THE PERIOD ENDING 30TH SEPTEMBER 2012

1269

Report dated 20th November, 2012 was already circulated to each Member.

Mr. Mullarkey presented the Financial Report of the Council for the period ending 30th September, 2012 to the Members. He said that the report gives a summary of the income and expenditure account at Division level, together with a comparison of both expenditure and income at sub-service level. He said that it also includes a summary of activity on the Capital Account for the same period.

He said that the main points to note are that overall the position to the end of September 2012 was a small deficit of €106,000. He referenced the adjustments necessary arising from the reduction in the 3rd quarter payment of the Local Government Fund and that the compliance rate with the Household Charge had exceeded 65% thereby avoided a further reduction in the 4th quarter payment of the Household Charge.

Cllr. McClearn welcomed the collection rate of 66% in relation to the Household Charge and the fact that no further reduction would be applied to the Local Government Fund allocation.

Cllr. Broderick asked what the €95,000 was spent on in relation to Corporate Buildings and Mr. Mullarkey replied that this is in relation to staff costs and internal audit. Also in reply to Cllr. Broderick, Mr. Mullarkey said that the sum shown in relation to Coroners is a statutory requirement that the Council pays for coroners fees for attendance at inquests.

In reply to queries regarding the Household Charge, Mr. Mullarkey said that there is no up-to-date list of properties in the country and therefore recent reminder letters sent to households regarding the charge were on the basis of information provided by the bureau based on the property registration authority database and this may not be totally accurate, however the Council could only do its best with the information it had to hand. He said that he understands that the collection of the charge will be transferred to the Revenue Commissioners in 2013. However, he said that on the basis of equity the Council will continue to pursue households that have not paid the charge until such time as the responsibility for collection transfers to the Revenue Commissioners. He outlined that he had availed of recent opportunities provided through the local media to apologies to households who had received reminders notifications in relation to payment of the household charge in error, highlighting that the need to issue such reminders arose due to the refusal of certain households to meet their legal obligation.

In reply to Comh. Ó Cuaig, Mr. Mullarkey said that the Council did not send out reminders regarding the NPPR Charge because this was based on self declaration.

Mr. Mullarkey undertook to revert to Cllr. Broderick in relation to the approximate spend by the local authority on VAT that cannot be recouped.

In reply to Cllr. Carroll, Mr. Cummins said that most local authorities are finding it difficult to secure houses for long-term leasing as landlords do not appear to be interested in long-term agreements, perhaps because there is a significant demand in the private rented sector at

present. However, he confirmed that some short-term lease arrangements were in place and that the Council would continue to endeavour to attract landlords for long-term lease agreements in order to provide housing for those on the housing list.

TO RECEIVE AN UPDATE ON THE PROGRAMME OF FLOOD MITIGATION WORKS AND SCHEMES 1270

Report dated 26th November 2012 was circulated to each Member.

Mr. Gilmore presented the Report to the Members.

The Members welcomed the Report stating that it is extremely important that the flood mitigation works and schemes are continued and progressed in order to alleviate the suffering and worry caused to people due to flooding in the past and the risk of flooding in the future.

In reply to Cllr. Finnerty regarding relocation, the Manager said that the Council had been in contact with Department of Social Protection and that it was expected that the Department would be in contact with householders in the next few weeks.

Mr. Gilmore in reply to Cllr. Maher confirmed that if additional funding was required to undertake works at Cloonoo, Loughrea then a further application for same would be made to the Office of Public Works in order to allow for the necessary works to be undertaken.

In reply to Cllr. Carroll, Mr. Gilmore confirmed that if necessary statutory notices would be served to facilitate access to allow works to be undertaken in the Oranmore Area.

Cllr. B. Willers welcomed the continued progress on the Dunkellin Scheme, and noted that while progress was slow it was moving in the right direction. She outlined the need to consider the humanitarian aspects in undertaken the cost benefit analysis of the proposed scheme.

Mr. Gilmore confirmed that the scheme was complex and involved detailed discussions with various stakeholders including the NPWS and that he was confident that a solution was in sight.

TO RECEIVE AN UPDATE ON THE CENTRALISATION OF THE DRIVER LICENCE FUNCTION

1271

Mr. Mullarkey circulated and presented a Report to the Members on the changes to the driver licensing function.

He said that from the 13th January, 2012 new licences will be introduced, similar to a credit card and they will be issued by the Road Safety Authority. A Network will be set up to

accept applications for driver licences although Local Authorities will still be processing applications for licences until October, 2013.

A discussion then took place and many of the Members expressed their dissatisfaction that the driver licence function is being taken away from local authorities and transferred to a single agency. They compared this to the transfer of the Student Grants function from Local Authorities and VEC's to a central authority located in Dublin and they stated that this has been a disaster with few students having received their grants at this late stage in 2012.

Mr. Mullarkey replied to queries raised by the Members as follows:

- It is envisaged that Council staff will process applications for driver licences until the end of September 2013, but the licences will be issued by the RSA.
- The Agent Network was tendered out and that he understood the normal tendering process was followed.
- From October, 2013, the Agent Network will take in the applications for licences, they will process the applications and the RSA will issue the licences

TO RECEIVE AN UPDATE ON THE 2012 ALL-ISLAND PRIDE OF PLACE COMPETITION 1272

Report dated 20th November, 2012 was circulated to each Member.

Mr. Shane Ó' hEithir presented the report to the Members stating that the Pride of Place initiative was a competition to recognize improvements made by local communities to create civic pride in their area. The competition focus was on people coming together to shape, change and enjoy all that is good about their area. The aim of Pride of Place is to encourage best practice, innovation and leadership in providing vibrant sustainable communities that improve the quality of life for all.

He said that County Galway had enjoyed considerable success in the All-Island competition in previous years with Clonberne, Clonfert/Meelick and Inis Oirr named overall winners in their respective categories in 2007, 2009 and 2010 respectively, while four other Galway Communities finished as runners up since 2003.

He advised that Clifden, Inisbofin and Inis Oirr received Pride of Place Awards at a gala ceremony in Thomand Park Stadium, Limerick earlier in November 2012. In addition, Inis Oirr had been selected by the Co-Operation Ireland's Pride of Place Judging Committee to represent Ireland at International level in the 2013 "LivCom" Sustainable Living Communities competition.

Cllr. Hoade was joined by the other Members in thanking Mr. Ó' hEithir for the amount of time and effort he put into this initiative over the years.

Cllr. E. Mannion proposed that a Civic Reception be held for the communities to mark their participation and success in the 2012 All-Island Pride of Place competition. This proposal was seconded by Comh. O'Tuairisg and agreed.

The Manager said that the Pride of Place initiative enhances the lives of local communities and she congratulated all concerned. She said that the nomination of Inis Oirr to represent Ireland at international level in 2013 was a particularly great honour. She thanked also joined the Members in thanking Mr. Ó'hEithir for his work with the communities.

TO CONSIDER AND IF DEEMED APPROPRIATE TO AUTHORISE THE ATTENDANCE AT CONFERENCES

1273

- **Esperanza Enterprises – Collecting Local Government Revenue / Dealing with Households on low incomes – 12th – 13th October – Westport Plaza Hotel, Westport, Co. Mayo – Fee: €150**
 1. Jarlath McDonagh
- **Ace Training – Michael Collins & the creation of Irish Democracy – 12th – 14th October – Celtic Ross Hotel, Rosscarbery, Co. Cork – Fee: €100**
 1. Kevin Ryan
- **FEPS / TASC – Crisis to Opportunity – 19th – 20th October – Croke Park, Dublin – Fee: €0**
 1. Seán Ó Tuairisg
- **Esperanza Enterprises – Debt Settlement – 2nd – 3rd November – Manor West Hotel, Tralee, Co. Kerry – Fee: €150**
 1. Jarlath McDonagh
 2. Tomás Ó Curráoin
- **Esperanza Enterprises – Education for Work Initiatives – 9th – 10th November – Westport Plaza Hotel, Westport, Co. Mayo – Fee: €150**
 1. Jimmy McClearn

- **Association of Irish Regions Annual Conference 2012 – Ireland’s Regions for Business – 2020 – 16th November – Newpark Hotel, Kilkenny – Fee: €100**
 1. Eileen Mannion
 2. Tomás Mannion
 3. Jarlath McDonagh
 4. Tom McHugh
- **TGR Seminars – LEADER Funding & the Councillor – 16th – 18th November – Bunratty Castle Hotel, Bunratty, Co. Clare – Fee: €145**
 1. Peter Roche
- **Kadenza Consultancies – Local Authority Budgets 2013 – 16th – 18th November – Silver Tassie Hotel, Letterkenny, Co. Donegal – Fee: €145**
 1. Shaun Cunniffe
 2. Kevin Ryan
 3. Seamus Walsh
 4. Michael Connolly
- **Superior Training – Information & Communications Technology for Councillors – 23rd – 24th November – Great Northern Hotel, Bundoran, Co. Donegal – Fee: €120**
 1. Shaun Cunniffe
 2. Tiarnan Walsh
 3. Jimmy McClearn
 4. Tomás Ó Curráoin
 5. Seamus Walsh
- **Teagasc – Will we run out of natural resources needed for Food Production? – 27th Nov – RDS, Dublin – Fee: €0**
 1. Seán Ó Tuairisg

- Superior Training – The Local Govt. Budget 2013 – 30th November – 1st December 2012 – Carlton Millrace Hotel, Bunclody, Co. Wexford – Fee: €120
 1. Shaun Cunniffe

TO NOTE THE SUMMARY OF PROCEEDINGS OF CONFERENCES ATTENDED 1274

- Byrne Perry Summer School – A Decade of Commemorations 2012 – 2022 – 22nd – 24th June – Gorey Library & Adult Learning Centre, Civic Square, Gorey, Co. Wexford
 2. Michael Maher
- Superior Training – Local Media & the Councillor – 20th – 21st July – West Cork Hotel, Skibbereen, Co. Cork
 1. Michael Connolly
- 2012 MacGill Summer School & Arts Week – Reforming & Rebuilding our State – 22nd – 27th July – Glenties, Co. Donegal
 1. Michael Connolly
 2. Michael Maher
 3. Tiarnan Walsh
- Parnell Summer School 2012 – Sovereignty & Society – 12th – 17th August – Avondale House, Rathdrum, Co. Wicklow
 1. Michael Connolly
- Celtic Conferences – Utilising your Tax Entitlements & Reliefs – 24th – 26th August – Celtic Ross Hotel, Rosscarbery, Co. Cork
 1. Michael Maher
- Celtic Conferences – Local Government Reform – 7th – 9th September – Celtic Ross Hotel, Rosscarbery, Co. Cork
 1. Michael Maher

- **A.M.A.I. – Centenary Annual Conference – Local Government Reform – 13th – 15th September – Shearwater Hotel, Ballinasloe, Co. Galway**
 1. Michael Maher
- **Rattoo Heritage Society – Kerry Autumn Environmental, Cultural & Heritage Conference – 19th – 22nd September – Meadowlands Hotel, Tralee, Co. Kerry**
 1. Pat Hynes
- **Esperanza Enterprises – Revenue Collection & dealing with difficult debt – 21st – 22nd Sept – Manor West Hotel, Tralee, Co. Kerry**
 1. Michael Maher
- **Donegal Co. Council – LAMA Autumn Seminar 2012 – The Challenge for Local Authorities – Can we do more with less? – 28th – 29th September – Mount Errigal Hotel, Letterkenny, Co. Donegal**
 1. Michael Maher
 2. Bridie Willers
 3. Michael Connolly
 4. Tiarnan Walsh
- **Esperanza Enterprises – Collecting Local Government Revenue / Dealing with Households on low incomes – 12th – 13th October – Westport Plaza Hotel, Westport, Co. Mayo**
 2. Jarlath McDonagh
- **Ace Training – Michael Collins & the creation of Irish Democracy – 12th – 14th October – Celtic Ross Hotel, Rosscarbery, Co. Cork**
 1. Jimmy McClearn
 2. Tiarnan Walsh

- **Irish Human Rights Commission / Law Society of Ireland – Promoting & Protecting Human Rights in Ireland – 13th October – President’s Hall, Law Society of Ireland, Dublin**
 1. Seán Ó Tuairisg
- **National Rural Network / Teagasc – Maximising the Use of Rural Resources – 16th October – Johnstown House Hotel, Enfield, Co. Meath**
 1. Seán Ó Tuairisg
 2. Jarlath McDonagh
- **FEPS / TASC – Crisis to Opportunity – 19th – 20th October – Croke Park, Dublin**
 1. Seán Ó Tuairisg
- **Respond Housing Association – Better Being: Promoting Well-being among Communities – 25th October – Rochestown Park Hotel, Cork**
 1. Jimmy McClearn
 2. Tiarnan Walsh
- **Kadenza Consultancies – Local Authority Budgets 2013 – 16th – 18th November – Silver Tassie Hotel, Letterkenny, Co. Donegal**
 5. Michael Connolly

MANAGER’S BUSINESS & CORRESPONDENCE

1275

Galway City Outer Bypass Status Update

Report dated 26th November, 2012 was circulated to each Member.

The Manager referred to Report dated 26th November, 2012, as circulated, giving a status update regarding the Galway City Outer Bypass.

The Manager referred to the scheme developed to bypass Galway City and serve the West of County Galway and the importance of the scheme to the economic and social development of both Galway City and County, noting its development had been an objective of both authorities for some time.

She advised that the scheme was lodged with An Bord Pleanála in November 2006 that a full Oral Hearing was held in late 2007 and early 2008 and that a decision was made by the Bord on 28th November 2008.

The County Manager confirmed that the Bord decided to refuse all of the proposed road west of the N59 at Gortatleva Td. but granted planning east of that point including a new bridge across the Lower Corrib and as far as the M6 motorway at Gurraun overbridge. She stated that part of the route in Menlo traversed an area of limestone pavement which is a priority habitat and in a cSAC and that if the scheme proceeded as proposed, 1.47 hectares of limestone pavement would be permanently lost.

She outlined that following the Board's approval of the scheme in November 2008, a number of parties took a legal challenge to the ABP decision to the High Court. The High Court upheld the An Bord Pleanála decision but that the matter was then referred to the Supreme Court which in turn referred three questions relating to the interpretation of the Habitats Directive to the European Court of Justice for clarification.

The County Manager advised that the case before the European Court of Justice was heard by six judges on 12th September 2012 and a preliminary opinion was delivered by the Advocate General on Thursday morning the 22ND November 2012. The Advocate General's opinion was not binding on the remaining judges of the Court but is generally a good indicator of the final decision. She noted that in the Advocate's General opinion the permanent and non-replaceable loss of priority habitat (limestone pavement) constituted an adverse impact and the precautionary principle will apply.

The County Manager continued to outline that the legal process now required that the European court makes its determination which will then be returned to the Irish Supreme Court, which will in turn give their decision in due course.

She advised the Members that the Habitats Directive makes provision that in certain limited circumstances, a project may be approved, even if it is found to have an adverse effect on the integrity of a priority habitat. This requires the preparation of a case seeking permission on the basis of "imperative reasons of overriding public interest" (IROPI). The IROPI grounds on a site that holds a priority habit/species are limited to Human Health, Public safety, or beneficial consequences of primary importance for the environment. She confirmed that if other imperative reasons of overriding public interest are to be relied on, the opinion of the European Commission must be obtained.

The County Manager confirmed that the Council was seeking legal advice following the opinion of the Advocate General and would be liaising with the interested stakeholders, the NRA, Department of Transport, Tourism and Sport, the Department of the Environment Community and Local Government and the National Parks and Wildlife Service to determine the appropriate next steps.

MAYOR'S BUSINESS

Operation Of Pay Parking – Christmas 2012 Concession

Mr. Gilmore advised the Members, that it was intended to operate concessions with regard to pay parking in the towns of Loughrea, Tuam, Clifden, Athenry and Gort in the lead up to Christmas in order to facilitate and encourage footfall in the regional towns during the Christmas shopping period.

He confirmed that there would be free parking in car parks on **Saturday 8th, 15th and the 22nd December 2012** as follows:

Loughrea: Barrack Street Car Park, Main Street Car Park & Station Road Car Park.

Tuam: Vicar Street Car Park (*The Shambles*) & Bishop Street Car Park

Clifden: Galway Road Car Park (*Adjacent to the Clifden Station House*)

He further confirmed that in the current absence of car parks in Athenry and Gort, there would be limited free on street parking on the above mentioned dates as follows:

Athenry: Bridge Street to the junction with Court Lane, Court Lane, The Arch (*Junction of the Tuam Road and Caheroyan Road*) & Chapel Lane

Gort: The Square, Church Street & Bridge Street

Cllr. Maher welcomed the concession being provided in respect of pay parking and the benefit the concession would confer on the business sector in the relevant towns.

Preparation of Multi-Annual Programme for Regional & Local Roads

Mr. Gilmore informed the Members that the submission of a Multi-Annual Programme was Regional and Local Roads for a 4 year period must be prepared by the Council by 14th December, 2012 and he stated that Members should make their submissions to Mr. Evan Molloy before that date.

In reply to Cllr. Maher, Mr. Gilmore confirmed that the programme was in respect of existing public Regional and Local Roads only and did not relate to non-public roads.

Governing Authority of NUIG

Mr. Owens informed the Members that the Council had received correspondence from NUIG seeking the nomination of a Member to the Governing Authority of the National University of Ireland, Galway. He said that nominations should be made to the Mayor to be brought forward for consideration at the Ordinary Meeting of the 20th December, 2012.

MAYOR'S BUSINESS

1276

Comh. Ó Tuairisg raised the issue of the air service to the Aran Islands which he said is under threat. He said that the discontinuation of the air service to the Islands would be a huge

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loss to the people of the Islands and would seriously affect the medical services, businesses and schools on the Islands.

Mhol an Chomh. Ó Tuairisg "Iarann Comhairle Contae na Gaillimhe ar an Aire Stáit Donncha McFhionlaigh, T.D., go leanfaidh leis an oblagáid Seirbhís Poiblí, OSP, chun an tseirbhís aeir do Oileáin Árainn a choinéal. Tá inmharanacht na noileáin ag braith air". Chuidigh an Chomh. Ó Curraoin leis an rún seo agus d'aontaigh na baill leis an rún.

The Mayor and other Members agreed that this service is vital for the islands and should be maintained.

Comh. Ó Cuaig referred to the issue of wind turbines and asked if the Council could facilitate a discussion on the matter, referring to the demonstration outside Áras an Chontae prior to and during the Council Meeting and the concerns expressed by the demonstrators in relation to the distance of wind turbines from houses.

Comh. Ó Laoi declared a potential conflict of interest in the issues to be considered and withdrew from the Meeting for the duration of consideration of the item.

The Mayor indicated that this issue had been the subject of previous correspondence brought before Council and it was agreed at the time that the issue be considered by the Planning & Development SPC and invited Mr. Kelly to update the Members on the issue.

Mr. Kelly confirmed that a presentation was made regarding wind turbines at a recent Planning SPC Meeting and it was indicated at that meeting that this would be considered as part of the review of the County Development Plan.

He said that any changes made regarding wind energy regulations at national level will inform changes at local level. He said that this issue was discussed in the Chamber in detail in 2011 and will be coming back before the Members at formal discussions regarding the review of the County Development Plan. He said that local policies have national context and any decision made locally can be overturned by An Bord Pleanála who will have regard to National Policy.

Cllr. D. Connolly said that he understands that the Agenda for the December Meeting is substantial. However, he said that the Members should make their views heard regarding the issue of wind turbines and he asked how soon would the review of the County Development Plan be dealt with.

Mr. Kelly replied that the formal process of the County Development Plan Review will commence no later than May 2013 and this will include the Wind Energy Strategy.

In reply to Comh. Ó Curraoin regarding the control on the distance of wind turbines from homes and their height, Mr. Kelly said that the standard distance is 500m from homes and

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he said that the general trend is a move towards reduction in the number of turbines but an increase in their height.

Cllr. Cuddy said that there is a Wind Energy Strategy in place which is based on Ministerial Guidelines and he said it is up to local T.D's to lobby the Minister to change the Guidelines.

Cllr. Cunniffe said that he is shocked at the height of some wind turbines and he said that he would like to get a presentation on the issue of wind turbines.

Mr. Kelly undertook to bring forward a briefing document for the Members on this issue early in the Review process.

Comh. Ó Cuaig proposed to accept Mr. Kelly's proposal to present a briefing document to the Members on the issue of wind energy and this proposal was seconded by Comh. Ó Curraoin.

In reply to Cllr. E. Mannion, Mr. Kelly said that the process of the County Development Plan Review takes a minimum of 1½ years and a maximum of 2 years.

Cllr. Willers proposed a vote of congratulations as follows "Congratulation St. Thomas' Hurlers on winning the County Hurling final on Sunday 18th November, 2012 and ask that the Council would afford a Civic Reception to the team in due course" This proposal was seconded by Cllr. Maher and agreed.

Cllr. Ryan made the following proposal "This Council is calling on the Minister for Agriculture and Food and the Cabinet and Minister for Finance to retain the current Cow Suckler Welfare Scheme at its current levels, and that the Scheme not be subjected to any cuts in the upcoming budget". This proposal was seconded by Cllr. M. Connolly and agreed.

Cllr. Maher complimented the staff of Community & Enterprise Department on the MeetWest Seminar which was held recently to foster links between businesses in Mayo, Roscommon and Galway, which he said was the best conference he attended in 2012.

Cllr. D. Connolly wished the people of Catalonia, well in exercising their democratic franchise.

Cllr. Cuddy said that in 2006, the Council sent a Preliminary Report to the Department of the Environment in respect of Clarinbridge Sewerage Scheme and he asked what was the current position in this regard. Mr. Cullen replied that the Preliminary Report is still with the Department and that he would establish the current position in relation to the scheme and confirm same in correspondence to Cllr. Cuddy.

NOTICE OF MOTIONS

NOTICE OF MOTION NO 21 – CLLR. G. FINNERTY

1277

The following reply was given:-

The following reply was given:-

"Galway County Council will submit an application for funding to the NRA to enable it to carry out these works in 2013."

NOTICE OF MOTION NO 22 – CLLR. G. FINNERTY

1278

The following reply was given:-

"Galway County Council have completed channel maintenance works on a 1.92km stretch of the Dooyertha River from a point approximately 800m west of Ratty's Bridge to a point approximately 200m east of Oldcastle Bridge which is east of Craughwell Village and the Rahasane Turlough. These river works were maintenance works consisting of the removal of obstructions to flows by dead wood, fallen trees, localised silt deposits, vegetation and other foreign debris. Given the distance of these works upstream from the Rahasane Turlough, it is unlikely that these minor maintenance works would have a significant influence on the water levels in the Rahasane Turlough. Any increase in water levels is more likely due to the amount of rainfall over the past number of weeks."

The following reply was given:-
Finalising this Flood Relief Scheme for the Dunkellin River and the Aggard Stream from Craighwell to Kilcolgan has proved highly complex in engineering and environmental terms and liaison with the stakeholders is ongoing. It is hoped that GCC will be in a position to submit the EIS to the Strategic Infrastructure Division of and Bórd Pleánala at the earliest possible date.

NOTICE OF MOTION NO 23 – CLLR. G. FINNERTY

1279

The following reply was given:-

"We are expecting funding under the Low Cost Safety Scheme at this location in 2013. The National Roads Authority has inspected the site and works are to include new footpaths for disable access and a pedestrian crossing."

NOTICE OF MOTION NO 24 – CLLR. J. CUDDY

1280

The following reply was given:-

"Galway County Council will examine this request in consultation with the National Roads Authority in the context of Low Cost Accident Scheme currently funded by the National Roads Authority."

NOTICE OF MOTION NO 25 – CLLR. J. CUDDY

1281

The following reply was given:-

"Galway County Council are currently engaged in discussions at a national level on the review of speed limits and issues relating to speed limits. Galway County Council will bring forward the issue of special speed limits relating to schools."

NOTICE OF MOTION NO 26 – CLLR. J. CUDDY

1282

The following reply was given:-

"The Litter pollution Act 1997 provides that where dog fouling occurs in a public place, the person in charge of the dog is required to remove the faeces. Failure to do so may result in a fine. The Community Wardens/ Litter Wardens are authorised to issue fines under the legislation. This issue will be raised for discussion at the next Community Warden meeting."

NOTICE OF MOTION NO 27 – CLLR. M. FAHY

1283

The following reply was given:-

"Galway County Council has no funding available to provide additional, new public lights in County Galway."

NOTICE OF MOTION NO 28 – CLLR. M. FAHY

1284

The following reply was given:-

"Galway County Council will ensure that adequate precautions are taken so that illegal parking will not be a problem on any lay-by incorporated into the new realignment."

NOTICE OF MOTION NO 29 – CLLR. M. FAHY

1285

The following reply was given:-

"Galway County Council checked with the Designers of the N18/N67 Signage about the village of Ballinderreen. There were a few reasons why it wasn't included on the Advance Directional Signs (ADS) on the N18:

1. The village of Ballinderreen was not previously signposted on the ADS.
2. In accordance with the Traffic Signs Manual an ADS on a National Primary, intersecting with a National Secondary should sign the Terminal or Intermediate Terminal of the NS and the Terminal of the NP. It is then optional to sign the Next Significant

NOTICE OF MOTION NO 29 – CLLR. S. CANNEY
Destination of the NS. In this case the NP Terminal (Limerick), NS Intermediate Terminal (Ennistimon) and Next Significant Destination (Kinvara) was used.

The following reply was given:-

3. Before the design of the N18 and N67 was finalised a consultation process was carried out with Galway County Council and the Designers inform me that this item was not brought to their attention.

Therefore the Housing Section is unable to comment on it at this time.

Having taken the above into consideration the current NRA Maintenance Contract on the N18 will not be providing additional signage for the village of Ballinderreen.”

NOTICE OF MOTION NO 30 – CLLR. P. ROCHE

NOTICE OF MOTION NO 30 – CLLR. P. ROCHE

1286

The following reply was given:-

“Galway County Council Area Office has arranged for a camera survey of the existing piped surface water network at the junction of the N63. Remedial works on the piped network will be carried out as necessary following the survey.”

NOTICE OF MOTION NO 31 – CLLR. S. CANNEY

NOTICE OF MOTION NO 31 – CLLR. S. CANNEY

1287

The following reply was given:-

“The number of vacant houses owned by Galway County Council.

- a. The Council currently has 159 vacant houses. The figures is made up as follows:

• Allocated or in the process of being allocated	37
• Works currently being carried out in advance of letting	39
• Awaiting inspection to identify the necessary pre-letting works	15
• In areas difficult to let or requiring a strategic plan	42
• Derelict or beyond economic repair	16
• Houses to be sold under the Incremental Purchase Scheme	<u>10</u>

Total

159

- b. The number of people on the housing list awaiting houses.

The number on the waiting list is 3,121.

- c. The waiting period for applicants to be housed.

The waiting period for applicants varies depending on the area of choice of the applicant and the properties available in the area.”

Minutes of Monthly Meeting held on 26th November 2012

NOTICE OF MOTION NO 32 – CLLR. S. CANNEY

1288

The following reply was given:-

“The referenced houses, 7 & 8 Gilmartin Road, have been the subject of a dispute which is currently sub judice.

Therefore the Housing Section is unable to comment on it at this time.”

NOTICE OF MOTION NO 33 – CLLR. S. CANNEY

1289

The following reply was given:-

“The removal of the structure is under consideration. There is no objection to its removal. However, the potential implication for the Temple Jarlath site is being assessed and will require the consent of the Department of Arts, Heritage and the Gaeltacht.”

NOTICE OF MOTION NO 34 – COMH. S. Ó TUAIRISG

1290

The following reply was given:-

“Cuirfear iarratas ag an tÚdaras um Bóithre Náisiúnta faoin scéim sábháilteach costas íseal i 2013 don obair seo.”

Criochnaigh an Cruinniú Ansin.

Submitted, Approved + Signed.

S. Welby

20th DECEMBER 2012

DATE

1287

COMHAIRLE CHONTAE NA GAILLIMHE

**MINUTES OF ORDINARY MEETING OF THE COUNCIL HELD AT ÁRAS AN CHONTAE,
PROSPECT HILL, GALWAY ON MONDAY 22ND OCTOBER, 2012 AT 2.00 P.M.**

CATHAOIRLEACH: Cllr. T. Welby, Mayor of the County of Galway

I LÁTHAIR FREISIN:

Baill: Cllrs. T. Broderick, L. Carroll, D. Connolly, M. Connolly, Comh. S. Ó Cuaig, T. Ó Curraoin, Cllrs. J. Cuddy, S. Cunniffe, M. Fahy, P. Feeney, G. Finnerty, M. Finnerty, M. Hoade, P. Hynes, Comh. S. Ó Laoi, Cllrs. M. Maher, E. Mannion, T. Mannion, J. McDonagh, J. Mc Clearn, T. McHugh, M. Noone, P. Roche, K. Ryan, Comh S. Ó Tuairisg, Cllrs. S. Walsh & T. Walsh.

Oifigigh: Ms. M. Moloney, County Manager, Messrs J. Cullen, K. Kelly, F. Gilmore, E. Cummins, Directors of Services, Mr. G. Mullarkey, Head of Finance, Mr. M. Owens, County Secretary & Meetings Administrator, Mr. L. Gavin, Senior Engineer, Ms. C. Mc Connell, Senior Planner, Mr. A. Martens, Ms. M. Donohue, Senior Staff Officer, Mr. P. O'Neachtain, Oifigeach Gaeilge, Ms. R. O'Boyle Staff Officer.

Thosnaigh and cruinniu leis an paidir.

The Mayor referred to the Repak Recycling Award 2012 on display in the Council Chamber and congratulated Council staff on the Council being selected as the winner of the WEEE Ireland Best Participating Local Authority arising from the Council's participation in WEEE Ireland's WEEE Wagon campaign.

VOTES OF SYMPATHY

1232

Cllr. McHugh referred to the horrific tragedy that had occurred on the outskirts of Tuam Town on Sunday resulting in the death of Katie & Grace Gilmore. He stated that a dark cloud surrounded the Town. He was joined by the Elected Members in conveying their sympathy to the Gilmore and Newell Families on their loss and in wishing Mr. Gilmore together with the driver of the vehicle involved in the accident a speedy recovery. The members also commended the emergency services and all involved in responding to the tragic accident.

Minutes of Monthly Meeting held on 22nd October 2012

A vote of sympathy and a minutes silence was proposed by Cllr. McHugh, seconded by Cllr. Roche and agreed. Cllr. D. Connolly also proposed a vote of sympathy to Adrian Headd, EE Ballinasloe and the Headd family on the death of Mattie Headd, Derrybrien.

The County Manager on her own behalf and on behalf of the staff, joined with the Mayor and Elected Members in conveying sympathy to the Gilmore & Newell families on the death of Katie & Grace and to Adrian Headd and the Headd family on the death of Mattie Head.

A minutes silence was observed.

CONFIRMATION OF MINUTES OF THE FOLLOWING MEETINGS

1233

The Minutes of Monthly Meeting held on 24th September 2012 were proposed by Cllr. McDonagh and seconded by Cllr. McHugh.

Arising from the Minutes, Cllr. Cunniffe referred to Minute 1223 under Mayor's Business and specifically the exchange relating to a Section 183 Notice for the Palace Road, Tuam. Cllr. Cunniffe outlined that it was no surprise to him that a new Section 183 relating to the Palace Road was on the agenda for the October Meeting as he stated that it was always his opinion that the proposed disposal of the Palace Road, Tuam was not provided for in the disposal of lands the subject of consideration by Council at the Ordinary Meeting held in May 2011. He requested that Mr. Cullen acknowledge that there was previously no Section 183 Notice relating to the Palace Road, Tuam.

The Mayor invited Mr. Cullen to comment on the matter raised by Cllr. Cunniffe. Mr. Cullen advised that the matter raised by Cllr. Cunniffe had been dealt with at the September Meeting, as recorded in the Minutes, and was the subject of a report circulated prior to the October Meeting in the context of Item 3 on the Clár for the Meeting. Mr. Cullen outlined that he did not agree with the position as outlined by Cllr. Cunniffe. He stated, however, that in order to put the issue beyond any doubt whatsoever the disposal of the lands was placed on the agenda for the October meeting. Mr. Cullen outlined that he accepted that some doubt may exist in relation to the matter and that was the reason the item was again being placed on the agenda, but that he did not accept or agree with the position as outlined by Cllr. Cunniffe.

An Comh O'Tuairisg referred to Minute 1207 relating to the nomination of a member or person for appointment to the board of Údarás na Gaeltachta by the Minister for Arts, Heritage & the Gaeltacht and enquired why the contributions in Irish on this item were not recorded in the Minutes in Irish. Mr. Owens advised that the minutes of the meeting acknowledged the contributions in the Irish language based on precedent but that if the Members so wished that contributions in Irish would be recorded in the Minutes in Irish.

Minutes of Monthly Meeting held on 22nd October 2012

The Minutes of Monthly Meeting held on 24th September 2012, with necessary amendment as agreed to record relevant contributions in Irish, were approved by the Council for signing by the Mayor.

REPORT OF COMMITTEE MEETINGS FOR CONSIDERATION AND ADOPTION 1234

The Report of the Oranmore Area Committee Meeting held on 27th June 2012 was approved by the Council on the proposal of Cllr. McDonagh, seconded by Cllr. Carroll.

The Report of the Oranmore Area Committee Meeting held on 11th July 2012 was approved by the Council on the proposal of Cllr. Carroll, seconded by Cllr. Cuddy.

The Report of the Loughrea Area Committee Meeting held on 11th July 2012 was approved by the Council on the proposal of Cllr. Maher, seconded by Cllr. G. Finnerty.

The Report of the Planning, Economic Development & Community SPC Meeting held on 23rd July 2012 was approved by the Council on the proposal of Cllr. Carroll, seconded by Cllr. McDonagh.

The Report of the Environment & Water Service SPC Meeting held on 20th June 2012 was approved by the Council on the proposal of Cllr. Broderick, seconded by Cllr. Cuddy.

The Report of the Corporate Policy Group Meeting held on 31st July 2012 was approved by the Council on the proposal of Cllr. T. Walsh, seconded by Cllr. McClearn.

The Report of the Tuam Area Committee Meeting held on 15th June 2012 was approved by the Council on the proposal of Cllr. McHugh, seconded by Cllr. Roche.

The Report of the Tuam Area Committee Meeting held on 10th September 2012 was proposed by Cllr. McHugh and seconded by Cllr. Hoade.

Arising from the report, Cllr. Cunniffe referred to Item 1 in the report, relating to a deputation regarding the proposed extinguishment of a Public Right of Way over a section of the Swimming Pool Road, Palace Grounds, Tuam and in particular that he disagreed with the record of the meeting relating to a question he posed to Mr. Gilmore and the response to same provided by Mr. Gilmore. He indicated that he previously outlined his disagreement with the record of the meeting when the report was presented in the form of draft minutes to the Meeting of the Tuam Electoral Area Committee of the 18th October 2012. He outlined that the basis for his objection to the Report of the Meeting of the 10th September 2012, as presented for approval by Council was that the Report did not record his disagreement with the record of the Meeting as outlined at the Meeting of the Tuam Electoral Area Meeting of the 18th October 2012.