

1617 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT,  
1955 - PLANNING APPLICATION NUMBER 42376 - APPLICANT: MARTIN FLEMING.

The County Manager submitted the following report which had been circulated to each Member of the Council:-

"BACKGROUND

The proposed development is located on the Tuam-Galway National Primary route where the maximum speed limit applies, approximately six miles south of Tuam. There has been no previous application on this site.

PLANNING CONSIDERATIONS:

The applicant Mr. Fleming has made a claim for a second family house on the family holding. The applicant has shown lands in Clogh South and Carheenshowagh where there are alternative sites, which are suitable for housing. County Council records show that the family are rated occupiers of approximately forty acres of land which are not shown on the maps submitted with the documentation. Therefore, the proposed development is contrary to the provision of the 1979 County Development Plan, because the applicant has suitable alternative sites, on which his housing need can be accommodated.

The proposed development is located on the National Primary route where the maximum speed limit applies and the traffic turning movements generated by the proposed development would interfere with the free flow and safety of traffic on the said route.

RECOMMENDATION:

Refusal is recommended for the above reasons.

NOTE: There was no consultation with Planning Assistant on this application."

Deputy Donnellan proposed the resolution set out on the Agenda saying that the site, the subject of the application was much more suitable than the alternative sites mentioned in the Manager's report. The resolution was seconded by Councillor Ryan. Councillor J. Burke proposed that the application be refused and was seconded by Councillor Brennan.

A vote was taken for or against the resolution set out on the Agenda and resulted as follows:

FOR: Councillors Bartley, U. Burke, Senator Byrne, Councillor Coogan, Deputy Donnellan, Councillor Haverty, Senator Killilea, Councillor McCormack, Senator Mannion, Councillors Murphy, O'Conchubhair, and Ryan.

(12)

AGAINST: Councillors Brennan, J. Burke, Glynn, and Ruane.

(4)

The Chairman declared the resolution carried.

1618 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT,  
1955 - PLANNING APPLICATION NUMBER 42139.

The County Manager stated that this application was withdrawn.

1619 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT,  
1955 - PLANNING APPLICATION NUMBER 42135 - APPLICANT: WILLIAM O'SULLIVAN.

The County Manager submitted the following report which had been circulated to each Member of the Council:

"The site is located in Cornamona on the road to the Doorus Peninsula. It is boggy in nature and was waterlogged on inspection by the Health Authorities. Two previous applications which were in respect of the house and chalet block were refused by the Planning Authority and on appeal by An Bord Pleanala in January of this year.

Recent trial holes which were dug on the site and tested by the Health Inspector failed soakage tests in midsummer weather conditions, thus demonstrating a complete incapacity to treat domestic effluent. The Western Regional Fisheries Board were objectors to the previous applications on the site on the grounds that the development would result in deleterious matter entering the Cornamona River.

Councillor N. O'Conchubhair made representations on behalf of applicant who resides in England.

Refusal is recommended for the following reasons:

The proposed development would constitute a public health hazard because the site is boggy and waterlogged, and since it contains no soakage qualities, would not be capable of treating domestic effluent. This situation is compounded by the proximity of the site to Cornamona River and Lough Corrib."

Councillor O Conchubhair proposed the resolution set out on the Agenda. He said that the applicant was returning from England to set up business in Ireland and would comply with whatever requirements the Council would lay down in regard to treatment of effluent.

The County Manager said that this was a very serious application and the advice which had been given to him was that if permission was granted, it would pollute the nearby river. The site was waterlogged and soakage tests carried out by the Health Inspector had failed. The Council was the Body charged with control of pollution under the Water Pollution Act and would have to be careful about any application that would cause pollution. The County Manager said that if the Section 4 resolution was passed, he would have to get legal advice as to whether Permission should be granted or not. He said that it might be possible to accommodate one house on the site.

Councillor O'Morain said that non-Nationals had got Permission to build on islands. Deputy Donnellan supported the resolution saying that a number of Permissions had been granted in the area and the proposed decision in this case was not in keeping with previous decisions. Councillor Brennan proposed that the application be refused and was seconded by Councillor J. Burke. Councillor O Conchubhair asked if the Council would advise the applicant in relation to suitable treatment plant. The County Manager replied that the applicant would have to get his own advice and submit all the relevant plans and details to the Council and these would be examined. Councillor McCormack asked if the period for decision could be extended to enable the resolution to be considered at the July meeting. Replying, the County Manager stated that the latest date for decision was the 23rd July, 1982, and that this time could not be extended as an extension had already been granted. Senator Killilea suggested that Permission be granted with suitable conditions to provide for satisfactory treatment. The County Manager stated that the site was waterlogged even in summer and that if the applicant wished to submit proposals for treatment of the effluent, these should be submitted quickly in order that they could be fully examined before the decision date expires.

After further discussion it was agreed to have a special meeting of the Council in July to deal with the remaining business items and motions on the Agenda and that this Section 4 resolution could also be considered at that meeting.

1620 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 42146 - APPLICANT: SEAN KELLY.

The County Manager submitted the following report which had been circulated to each Member of the Council:

"The site is located on the Galway-Tuam road south of Claregalway and opposite Rockmount Riding Stables. It adjoins applicant's mother's house with which it proposes to share an access. The proposal has been refused by the Planning Authority on five previous occasions. In one of these cases, it was also refused on appeal.

Applicant is an electrician working in Dubai but with an address in England. He has stated on the documents lodged that he wishes to return home to live in his native area. He did get a permission in 1972 for a house just North of the present site on the basis that there would be a swap of lands with a third party. This seems to have fallen through and has not been availed of. He also got Outline Permission for two houses in 1981 on the County road nearby where a considerable part of family lands exist. His sisters also received two Outline Permissions and one Permission along the minor road and another person, seemingly not a family member, got a further permission.

There are thus four unavailed of permissions on family lands. The further ribbonisation of houses along the National Primary route is undesirable particularly where alternative sites exist or where extension of the existing family house could accommodate the family housing need claimed.

Councillor Ruane has made representations regarding this application but there has been no consultations with applicant's family or Agent.

REFUSAL IS RECOMMENDED FOR THE FOLLOWING REASONS:

1. The proposed development is situated on a National Primary route where the maximum speed limit applies and the traffic movements generated by the proposed development would interfere with the safety and free flow of traffic on the said route, thus constituting a traffic hazard and, if permitted, would be contrary to the proper planning and development of the area.
2. The proposed development is situated on a National Primary route where it is the policy of the Planning Authority to restrict development to certain substantiated cases of particular housing need, which need has not been claimed by the applicant and, if permitted, the proposed development would be contrary to the provisions of the County Development Plan and to the proper planning and development of the area."

Councillor Ruane proposed the resolution set out on the Agenda and said that there was no extra access involved in this case and the applicant would be sharing an access with an existing house. The resolution was seconded by Councillor Molloy. As there was no amendment, the Chairman declared the resolution carried.

1621 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBERS 41671 AND 41672 - APPLICANT: TOM COLLINS.

The County Manager submitted the following reports which had been circulated to each Member of the Council:

PLANNING REF. NO. 41672: - DWELLINGHOUSE

These lands consisting of 8½ acres purchased by applicant are situated on the Galway/Dublin road, N.6, approximately ½ mile west of Oranmore.

Applicant who attended at the Planning Office said that he sold his dwellinghouse so as to purchase the lands and engage in intensive vegetable growing, which would be viable on this small acreage. He has 1 acre of a commercial, horticultural enterprise at Doughiska at the moment.

The lands are outside the boundary of Oranmore where the maximum speed limit applies and where the policy of restricting development along this most heavily trafficked route in the County has been largely successful. The proposed house would not be regarded as coming within any of the special categories of housing need which might qualify for permission along National Routes and, in particular, all commercial and industrial enterprises which would open directly on to such routes are specifically excluded by the County Development Plan.

Refusal is recommended as follows:

The proposed development would be located along a National Primary Route where the maximum speed limit applies and the traffic generated by the development would interfere with the safety and free flow of traffic along the route and would, therefore, constitute a traffic hazard."

PLANNING REF. NO. 41671 - AGRICULTURAL STORE

"These lands consisting of 8½ acres purchased by applicant are situated on the Galway/Dublin road, N.6, approximately ½ mile west of Oranmore. Applicant who attended at the Planning Office said that he sold his dwellinghouse so as to purchase the lands and engage in intensive vegetable growing, which would be viable on this small acreage. He has 1 acre of a commercial, horticultural enterprise at Doughiska at the moment.

The lands are outside the boundary of Oranmore where the maximum speed limit applies and where the policy of restricting development along this most heavily trafficked route in the County has been largely successful. The proposed house would not be regarded as coming within any of the special categories of housing need which might qualify for permission along National Routes and, in particular, all commercial and industrial enterprises which would open directly on to such routes are specifically excluded by the County Development Plan.

Refusal is recommended as follows:

The proposed development would be located along a National Primary Route where the maximum speed limit applies and the traffic generated by the development would interfere with the safety and free flow of traffic along the route and would, therefore, constitute a traffic hazard.

The proposed development would contravene the provisions of the County Development Plan, Table 3, page 36, which totally restricts any further commercial developments along national routes where the maximum speed limits apply."

Councillor Welby proposed the resolution set out on the Agenda. He said that the applicant proposed to build a dwellinghouse and farm building on a site of 8 acres. Only a short distance away, Planning Permission had been granted on a 6 acre site for housing development at the rate of 7 houses per acre. He said that the applicant was in the market gardening business and had not sufficient land in his existing location to extend. The County Manager stated that the Planning Permission referred to by Councillor Welby was in respect of lands which were zoned for housing in the Development Plan. Senator Killilea seconded the resolution saying that the site consisted of 8 acres and the proposal would give employment. Senator Mannion supported the resolution.

The County Manager stated that the Council would be willing to assist the applicant but the problem was <sup>that</sup> the development was along a National Primary Route.

As there was no amendment, the Chairman declared the resolution carried.

1622 - PLANNING NOTICES:

Councillor U. Burke raised the question of the acceptance of the Tuam Herald for planning notices in respect of development in the Loughrea Area. Councillors Coogan and Ryan supported Councillor Burke's recommendation that the Tuam Herald be accepted. The County Manager stated that information would be requested as to the circulation of the Tuam Herald. He said that it was his responsibility to ensure that the public notice in the case of planning applications was adequate as laid down by law.

1623 - PLANNING DECISIONS ON APPEAL:

Councillor McCormack referred to Planning Application No. 40775 which was granted by the Council as a result of a resolution under Section 4 of the City and County Management (Amendment) Act, 1955. The decision was appealed by An Taisce and was refused by An Bord Pleanála on grounds of traffic hazard on a National Primary Route. He asked if An Taisce is notified of planning decisions where the grounds for refusal relate to traffic hazard only.

1624 - DATE FOR SPECIAL MEETING:

It was decided to hold a special meeting on the 9th July, 1982, at 3.30 p.m. to deal with the remaining items on the Agenda.

1625 - MINUTES:

On the proposition of Deputy Donnellan, seconded by Councillor Finnegan, the Minutes of Meetings held on the 24th May, and 28th May, 1982, (numbers 1545 - 1589, inclusive) were approved and signed by the Chairman subject to R.T.E. being substituted for C.T.E. in Minute No. 1586.

1626 - RESTRUCTURING OF FIRE SERVICE:

Mr. Howlett, Assistant County Manager, referred to report dated 23rd June, 1982, regarding the restructuring of the Fire Service which had been circulated to each Member of the Council. He explained that agreement had been reached between the staff side and the management side on a new structure for the Fire Service. The service would be headed by the Chief Fire Officer followed by a grade of Assistant Chief Fire Officer at the second level and a grade of Assistant Fire Officer at the third level. Below the level of Chief Fire Officer, the service would be divided into divisions - Operational and Prevention. The agreement provided for existing Second Fire Officers being regraded as Assistant Chief Fire Officers (Operational) and the Council's two Second Fire Officers would be regraded accordingly. He was requesting the Council's approval to the creation of one post of Assistant Chief Fire Officer (Prevention) and one post of Assistant Fire Officer (Prevention). These extra posts were in lieu of proposals which the Council had already approved at its meeting on the 22nd September, 1980, but which were not sanctioned by the Department because of the on-going negotiations.

The salaries for the new grades would be related to those in the Engineering structure, i.e., the salary for Senior Executive Engineer would apply to the Chief Fire Officer, the salary of Executive Engineer to the Assistant Chief Fire Officer and the salary of Assistant Engineer to the grade of Assistant Fire Officer. The Assistant County Manager also requested the approval of the Council to the creation of one post of Clerk/Typist Grade 11 which was required to deal with all the extra clerical and typing duties arising from new legislation and which will be dealt with by the Fire Service staff. He said that the cost of the proposals for the current year,

including arrears, was estimated at £15,000, provision for which had been made in the current year's Estimates.

On the proposition of Deputy Donnellan, seconded by Councillor M. Fahy, it was resolved:

"That Galway County Council hereby approve of the proposals for the restructuring of the Fire Service as set out in report dated 23rd June, 1982, and explained by the Assistant County Manager, including the creation of one additional post of Clerk/Typist, and subject to the sanction of the Minister for the Environment, to the creation of one post of Assistant Chief Fire Officer (Prevention) and one post of Assistant Fire Officer (Prevention) in accordance with the particulars of office approved by the Minister for the posts."

1627 - SYMPATHY:

A resolution of sympathy was adopted with Mr. Martin Ford, Aphouleen, Maree, Oranmore, on the death of his son, Thomas.

THE MEETING THEN TERMINATED

SUBMITTED, APPROVED ✓ CONFIRMED:

*Edward Fahy*  
CHAIRMAN

26/7/82  
DATE

COMHAIRLE CHONTAE NA GAILLIMHE  
(Galway County Council)

Oifig an Runai,  
Arus an Chontae,  
GAILLIMH.

2u Iuil, 1982.

CHUIG GACH BALL DE'N CHOMHAIRLE/

A Chara,

Iárrtar ort leis seo bheith i lathair ag cruinniú speisialta de Chomhairle Chontae na Gaillimhe a tionscailfear ina na Foirgnithe Chontae, Gaillimh, De h-Aoine, 9u Iuil, 1982, ag 3.30 a chlog sa tráthnóna.

Mise, le meas,

T. O'CAOMHANAIGH,  
Runai Sealadach.

A G E N D A

1. Resolutions under Section 4 of the City and County Management (Amendment) Act, 1955:

- (a) "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to decide to grant Outline Permission to M. Conroy of Gannoughs, Claddaghduff, Co. Galway, for a dwellinghouse at Gannoughs. - Planning Ref. No. 37747."

John M. Mannion. G. Bartley. Thomas Welby.

- (b) "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to decide to grant Planning Permission to Brian Martyn of Gortnaleam, Dunmore, Co. Galway, for 7 houses at Drum, Tuam, Co. Galway. - Planning Ref. No. 42790."

John Donnellan. John M. Mannion. Michael Ryan.  
M. J. Kilgannon.

- (c) "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council requires the County Manager to decide to grant Permission to Michael Forde for the erection of a dwellinghouse and septic tank at Kiernaun. - Planning Ref. No. 42838."

Thomas Welby. John Molloy. Michael Fahy.

- (d) "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council requires the County Manager to decide to grant Planning Permission to Mrs. Mary Quinn, B.P. Filling Station, Labane, Co. Galway, for the erection of a Filling Station, Residence, Cafe, Toilet, Garage and Accessory Shop, at Ballylara, Labane, Ardahan. - Planning Ref. No. 42833."

Michael Fahy. Edward Haverty. Tony Murphy.

- (e) "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to decide to grant Planning Permission for the erection of a chalet block to William O'Sullivan, Cornamona, Co. Galway. - Planning Ref. No. 42135."

Nioclás O Conchubhair. Mark Killilea. Thomas Welby.

2. Sale of land - 23 square perches at Townparks, 2nd Division, Tuam, to Mr. P. Murphy. (Notice dated 17th June, 1982, already circulated.)
3. Sale of house at Castlequarter, Currandulla, to Thomas & Bridget Nolan. (Notice dated 13th May, 1982, already circulated.)
4. Working Party on Register of Electors, etc. - copy of correspondence from Department of the Environment already circulated.
5. Re-Allocation of expenditure 1980.
6. Raising of loan of £56,000 for Portumna Water Supply.
7. Raising of loan of £45,000 for extension of Galway Fire Station.
8. Raising of supplementary loan of £8,250 for Knocknacarra Sewerage Scheme.
9. Raising of loan of £3,790 - contribution to cost of Aillebrack, Ballyconneely Group Water Supply Scheme.
10. Additional Capital Allocation of £430,000 for Local Authority Housing.
11. Additional Capital Allocation of £150,000 for Water and Sewerage Schemes.
12. Appoint Committee for each Electoral Area to consider recommendations on Speed Limits.
13. Casual Trading Act, 1980. - Report already circulated.
14. Litter Bill, 1982. - Report already circulated.
15. Housing (Private Rented Dwellings) Act, 1982. - Report already circulated.
16. Malicious Damage Decrees - list already circulated.
17. Business submitted by the County Manager.

COUNCILLORS NOTICES OF MOTION ADJOURNED FROM PREVIOUS MEETINGS

COUNCILLOR EDWARD HAVERTY - I will propose:

1. That Galway County Council delete from the County Development Plan the proposed by-pass at Loughrea, which is written into the Plan, as I understand the Planning Authority have agreed an alternative by-pass.

COUNCILLOR JAMES JOYCE - I will propose:

2. That seeing that the present Council has now passed mid-term, I propose that we recommend to future Councils that they give representation on the various Sub-Committees in accordance with the numerical strength of the various political groupings in the Council.

COUNCILLOR JOE BRENNAN - I will propose:

3. That this Council calls on the Government to amend Article 40 of the Constitution to guarantee the right to life to the unborn.
4. That the Oireachtas members of this Council be asked to use appropriate means within Government to ensure that Galway County Council gets sufficient funds to complete its projected work.

COUNCILLORS M.J. KILGANNON, J. BRENNAN, DEPUTY PAUL CONNAUGHTON, AND COUNCILLOR J. JOYCE - We will propose:

5. That this Council ask C.I.E. to provide an adequate service in the passenger and freight areas and propose that morning rail stops be reprovided at Woodlawn and Attymon Stations for people seeking to travel to Ballinasloe and Dublin.

DEPUTY FRANK FAHEY - I will propose:

6. That Galway County Council examine the possibility of having a Refuse Collection Service provided by Private Refuse Collection Firms and paid for by local communities throughout the County.

SENATOR MARK KILLILEA - I will propose:

7. That the County Councillors have a full and frank discussion on the recent policy of the County Council to install on the schedules of planning permissions sums of money as contributions to be made payable to the Planning Authority.

OTHER MOTIONS RECEIVED

DEPUTY FRANK FAHEY - I will ask:

8. The position with regard to submission of details for the public inquiry and compulsory purchase order to the Department of the Environment for the Gort Regional Water Supply Scheme.

DEPUTY JOHN DONNELLAN - I will propose:

9. That Galway County Council take the necessary steps to have the illegal caravan park at Knocknacarra, Salthill, closed down.

COUNCILLOR FRANK GLYNN - I will propose:

10. That the next section of the Tuam/Milltown National Primary Road commence in Milltown Village in 1982/83 in order to make the road safe for children attending the National School.
11. That funds be made available to straighten the "S" bend between Lavelles and Hehirs, Kilgevrin, in order to make more parking space available at Kilgevrin Cemetery.

SENATOR JOHN M. MANNION - I will propose:

12. That two lights be provided at the Church in Cashel.

COUNCILLOR JOE BURKE - I will propose:

13. That Galway County Council finalise arrangements with the Board of Works so that work be carried out in Autumn 1982. (River Nanny Drainage)

COUNCILLOR PADRAIC McCORMACK - I will propose:

15. That Galway County Council lower the level of a gullet under the Truskey West, Barna, road at Mattie Walsh's land as in the present state, it is causing flooding.
16. That the County Council improve the view at a number of dangerous bends on the Treanlawn/Maree road near Sean Greally's house and the G.A.A. Pitch.
17. What is the up-to-date position re the provision of extra land for a burial ground in Moycullen.

COUNCILLOR EDWARD HAVERTY - I will propose:

18. That Galway County Council would relieve bends on the road leading to Sonnagh School at Seamer's lodge in Monaghan's land in the Ballinagrieve area.

AN COMHAIRLEOIR NIOCLAS O CONCHUBHAIR - Molaim:

19. That the Galway County Council hold a public inquiry into the causes of pollution of Costello Bay and Rossaveal.
20. Bothar an Rinn, An Cheathru Rua, a dheisiu.
21. An Bothar chuig an tanc uisce ag an Druim, Leitirmoir, agus go dtí an Caladh Ban a dheisiu.

DEPUTY FRANK FAHEY - I will propose:

22. That the County Council draw-up a scheme for the improvement of the Craughwell Water Supply Scheme under the small water and sewerage scheme's programme.

COUNCILLOR THOMAS WELBY - I will propose:

23. What is the present position regarding the proposed Sewerage Scheme for Barna.
24. Will the traffic route lighting for Oughterard and Moycullen be carried out before the coming Winter.
25. A resolution requesting the Minister for the Environment to sanction the proposed Galway West Water Scheme which includes the erection of a Reservoir at Tonabrocky and trunk mains to Moycullen and Barna.

COUNCILLOR JOE BRENNAN - I will propose:

26. That Councillors be allowed to spend Notice Of Motion Roads Money on alternative schemes.

DEPUTY MICHAEL P. KITT - I will propose:

27. That the 40 m.p.h. Speed Limit be restored to its original position on the Urban Boundary Road at Patrick Clarke's House, Mackney, Ballinasloe, and that a new 30 m.p.h. Speed Limit be erected at Mrs. Geraghty's house, Mackney.

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IN THE CHAIR: Councillor E. Haverty.

ALSO PRESENT:

Members: As recorded in the Attendance Book.

Councillors J. Brennan, J. Burke, F. Coogan, Deputy J. Donnellan, Councillors M. Fahy, P. Finnegan, J. Joyce, M.J. Kilgannon, Senator M. Killilea, Deputy M.P. Kitt, Senator J. Mannion, Councillors J. Molloy, T. Murphy, N. O'Conchubhair, P. O'Foighil, M.G. O'Higgins, M. O'Morain, P. Ruane, M. Ryan, and T. Welby.

Officials: Messrs. P. Kearns, Deputy County Manager; J. Howlett, Assistant County Manager; J. Crotty, Acting County Engineer; E. Lusby, Finance Officer; L. Kavanagh, Senior Executive Engineer; D. Barrett, Senior Staff Officer; D. Commins, Staff Officer; and T. Kavanagh, Acting County Secretary.

The Opening Prayer was recited.

1628 - SYMPATHY:

Resolutions of sympathy were adopted with the following:

The Hanrahan Family, The Square, Gort, whose daughter was killed in an air crash.

The Martyn Family, Derrysiskil, Killimor, Co. Galway.

Mr. Sean Walsh & Family, Flowerhill, Killimor, Co. Galway.

The Keaveney Family, Dunmore.

Families of those killed in car accident at Carnmore Cross.

The Burke Family, Harbour Bar, The Docks, Galway.

1629 - REFRESHMENTS:

The Chairman stated that a cup of tea or coffee and biscuits would be available in the Canteen between 4 p.m. and 5 p.m. for anybody attending the meeting. For future meetings, however, this service would be available from 3.30 p.m. - 4.30 p.m. in view of the fact that voting on motions commences at 4.30 p.m.

1630 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 37747 - APPLICANT: M. CONROY.

The Deputy County Manager submitted the following report which had been circulated to each Member of the Council:

"LOCATION:

The site is located on the extreme westerly point of the Aughrus Peninsula to the north of Aughrus Point.

HISTORY:

The application was received by the Planning Authority on 22nd December, 1980. Further information was requested from the applicant on 6th February, 1981. This request was replied to on 24th June, 1982. No consultations or representations have been made or requested on behalf of the applicant.

PLANNING CONSIDERATIONS:

The site for the proposed dwellinghouse is located in an elevated position immediately adjacent to the seashore in an area of designated Special Amenity Value.

The application does not come within any of the special categories of housing need which only may be permitted in an area in accordance with the County Development Plan as the applicant intends to build on his Uncle's holding and not on the family holding. The applicant has outlined his Uncle's holding and not his family holding on the map supplied by the Planning Authority.

The site consists of outcropping rock and bog and it is unsuitable for the effective disposal of septic tank effluent.

RECOMMENDATION:

1. The proposed development would contravene the provisions of the County Development Plan as set out in Table 9, page 49, which restricts all development in this area of Special Amenity other than that necessary for particular cases of substantiated housing need, in the interests of visual amenity.
2. The proposed development, located in an elevated position on the coastline, between the public road and the sea, would seriously detract from the scenic amenities of this area of Special Amenity value and, if permitted, would be contrary to the proper planning and development of the area.
3. The site proposed to be developed, consisting of outcropping rock and bog, is unsuitable for the effective disposal of septic tank effluent and the proposed development, if permitted, would be liable to endanger public health by reason of a health hazard."

The resolution set out on the Agenda was proposed by Senator Mannion and seconded by Councillor O Conchubhair. As there was no objection, the Chairman declared the resolution carried.

1631 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 42790 - APPLICANT: BRIAN MARTYN.

The Deputy County Manager stated that Permission had issued in this case.

1632 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 42838 - APPLICANT: MICHAEL FORDE.

The Deputy County Manager stated that Permission had issued in this case.

1633 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 42833 - APPLICANT: MRS. MARY QUINN.

The Deputy County Manager stated that this application had been discussed at the previous meeting of the Council. Since then, consultations had taken place on the site. The applicant had agreed to submit revised site maps and other documentation. The Deputy County Manager recommended that the resolution be deferred and said that it would be on the Agenda for the next Council meeting if Permission had not been granted in the meantime. Councillor M. Fahy agreed to this arrangement.

1634 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 42135 - APPLICANT: WILLIAM O'SULLIVAN.

This resolution was not put to the Meeting.

1635 - SALE OF LAND AT TOWNPARKS 2ND DIVISION, TUAM:

It was proposed by Councillor J. Burke, seconded by Councillor Molloy and resolved:

"That Galway County Council hereby approve the sale of 23 square perches of land at Townparks, 2nd Division, Tuam, to Mr. P. Murphy in accordance with the terms of Notice dated 17th June, 1982, under Section 83 of the Local Government Act, 1946, as circulated to each Member of the Council."

1636 - SALE OF HOUSE TO TENANT:

It was proposed by Councillor Ruane, seconded by Councillor Coogan, and resolved:

"That Galway County Council hereby approve the sale to Thomas and Bridget Nolan of the house which they occupy at Castlequarter, Currandulla, in accordance with the terms of Notice under the provisions of Section 83 of the Local Government Act, 1946, and Section 90 of the Housing Act, 1966, as amended by Section 4 of the Landlord and Tenant (Ground Rents) Act, 1978, circulated to each Member of the Council."

1637 - WORKING PARTY ON REGISTER OF ELECTORS:

The Deputy County Manager read Circular letter dated 10th June, 1982, from the Department of the Environment which had been circulated to each Member of the Council. Councillor Coogan suggested that the Poll Clerk or Presiding Officer should be authorised to go outside of the Polling Booth in order to facilitate disabled voters. Councillor J. Burke agreed with Councillor Coogan saying that people on wheelchairs were often unable to gain access to Polling Booths and in such cases, arrangements should be made for them to vote outside. Councillor Joyce referred to the large number of people in big hospitals such as the Regional Hospital who were unable to vote. He proposed that a mobile Polling Booth should be provided in hospitals. Councillor O'Morain proposed that the Presiding Officer should be given more discretion where there is a misprint on the Register. Councillor Molloy asked that a new Polling Booth be provided for the people living in the Housing Estates in Ballybane and Rahylin Glebe who now have to travel some distance to vote. He said there was a sufficient number of voters there to justify a new Polling Booth. The Deputy County Manager said that this request would be examined by the County Secretary.

1638 - SHELLFISH RESEARCH LABORATORY AT CARNA:

With the Permission of the Chairman, Councillor O'Morain referred to the resolution passed at the last meeting regarding the Shellfish Research Laboratory at Carna. He proposed that the Council direct the County Development Team to get involved in securing the future of the Laboratory together with adequate continuity of funding. This was seconded by Senator Mannion and agreed unanimously.

Deputy Killilea praised the work of the Galway County Development Team. He said that the County Development Team had played a big role in the development of the County particularly in relation to small industries and no other Body could give the personal service. He said that any efforts by the I.D.A. to take over the role of the County Development Team would be strongly resisted. Councillor O'Morain and other Members endorsed Senator Killilea's remarks.

1639 - RE-ALLOCATION OF EXPENDITURE 1980:

The Deputy County Manager explained that the actual expenditure for 1980 exceeded the estimate by £577 and that all excess expenditure had already been approved by the Council. However, the Council's approval was required to cover transfers of expenditure within the amounts already approved and as set out in the 1980 Abstract of Accounts.

It was proposed By Senator Mannion, seconded by Councillor Ryan, and resolved:

"That Galway County Council hereby approve the Transfer of the following expenditure in accordance with the 1980 Abstract of Accounts -

<u>AMOUNT</u>	<u>FROM</u>	<u>TO</u>
£		
110,065	2.2 Road Improvement	2.8 Roads Admin. and Misc.
30,283	4.1 Land-use Planning	4.3 Development and Promotion
4,248	8.8 Misc. - Admin.	4.8 Development Incentives and Control - Admin.
9,302	6.3 Parks, Open Spaces, etc.	6.8 Recreation and Amenity - Admin.
9,361	7.1 Agriculture	7.8 Agriculture, education, etc. - Admin.
13,290	8.3 Misc. - Financial Admin.	8.2 Misc. - Plant and materials
1,195	8.5 Misc. - Admin. of Justice	8.4 Misc. - Elections
59	8.8 Misc. - Admin.	8.7 Misc. - Markets.

1640 - RAISING OF LOAN OF £56,000 FOR PORTUMNA WATER SUPPLY SCHEME:

It was proposed by Councillor Haverty, seconded by Councillor Brennan, and resolved:

"That Galway County Council hereby approve the raising of a loan of £56,000 from the Commissioners of Public Works for -

- the replacement of a pipeline at Portumna, and
- the construction of a new intake which was carried out by the Office of Public Works in connection with the new Marina,

the loan to be repaid over a period of 30 years with interest at the rate in force at the <sup>date of</sup> issue of the loan to the Council."

1641 - RAISING OF LOAN OF £45,000 FOR EXTENSION TO GALWAY FIRE STATION:

The Deputy County Manager requested the approval of the Council to the raising of a loan of £45,000 to provide an Extension to Galway Fire Station and to carry out some minor alterations. He said that the extension would be to the rear of the Appliance Bay, the purpose being to increase the number of Fire Engines which can be housed at the Station from 3 to 6.

It was proposed by Councillor Coogan, seconded by Councillor Ruane, and resolved:

"That Galway County Council hereby approve the raising of a loan of £45,000 from the Commissioners of Public Works or such other source as may be approved, for the proposed Extension to Galway Fire Station, the loan to be repaid over such period and at such interest rate as may be approved."

1642 - RAISING OF SUPPLEMENTARY LOAN OF £8,250 FOR KNOCKNACARRA SEWERAGE SCHEME:

It was proposed by Councillor Welby, seconded by Senator Mannion, and resolved:

"That Galway County Council hereby approve the raising of a Supplementary Loan of £8,250 in respect of final expenditure on Knocknacarra Sewerage Scheme, the loan to be raised from the Commissioners of Public Works and to be repaid over a period of 30 years with interest at the rate in force at the date of the issue of the loan to the Council."

1643 - RAISING OF LOAN OF £3,790 - CONTRIBUTION TO AILLEBRACK/BALLYCONNELY GROUP WATER SCHEME:

The Deputy County Manager explained that in approving of this scheme in 1979 the Council recommended that increased pipe sizes be provided as part of the scheme to allow for future development in the area. At the time, the cost for increased pipe sizes was estimated at £1,578 but documentation now received shows the difference in cost, including labour, at £5,368. An additional contribution, therefore, of £3,790 is recommended and has been approved for loan and subsidy.

It was proposed by Senator Mannion, seconded by Councillor Welby, and resolved:

"That Galway County Council hereby approve the raising of a loan of £3,790 from the Commissioners of Public Works or such other source as may be approved for the payment of a contribution towards the cost of increased pipe sizes for the Aillebrack/Ballyconneely Group Water Supply Scheme, the loan to be repaid over such period and at such interest rate as may be approved."

1644 - ADDITIONAL CAPITAL ALLOCATION OF £430,000 FOR LOCAL AUTHORITY HOUSING:

Copy of Circular letter dated 2nd June, 1982, from the Department of the Environment, together with report dated 24th June, 1982, from the Assistant County Manager regarding the Capital Housing Allocation had been circulated to each Member. Mr. Howlett reported that there were 60 houses in progress at present in Clifden, Portumna, Tuam, Aran, together with some rural houses. He was in consultation with the Department for additional funds and hoped for a further allocation. An advertisement would be issued shortly for a housing scheme in Loughrea and a small scheme in Corofin.

Councillor Welby asked the position about a housing scheme for Moycullen and raised the question of encouraging rural applicants to apply for houses from Galway Corporation. He also suggested altering the internal layout of rural houses. Councillor M. Fahy asked why the Council was not proceeding with a housing scheme at Ardrahan. Senator Killilea enquired about the present cost of providing a rural Council house. Replying, Mr. Howlett stated that the Council had to have regard to areas where there was the greatest need. He said that applicants who had been advised to apply to Galway Corporation are probably applicants who are working in Galway City and could be expected to be rehoused by Galway Corporation. He said that the current cost of providing a rural Council house was between £16,000 and £17,000. Councillor Finnegan said that rural houses were cheaper to provide than town schemes, and therefore, the Council should not be encouraging applicants to apply for town schemes. Mr. Howlett stated that the Council had quite a big rural housing programme but the demand was often greater in the towns and if services existed, this facilitated the development. The design and appearance of Council houses was also discussed. After further discussion, the Chairman suggested that the policy of building rural houses should be discussed at the next housing meeting, and this was agreed.

1645 - ADDITIONAL CAPITAL ALLOCATION OF £150,000 FOR WATER AND SEWERAGE SCHEMES:

Mr. Howlett, Assistant County Manager, stated that the initial Capital Allocation for Water and Sewerage Schemes for 1982 was £1.2 million. An additional allocation of £150,000 had now been sanctioned and this would enable work to commence on the Killimor Sewerage Scheme for which a Tender had been accepted and loan sanctioned.

Councillor J. Burke complained that the Council had no say in the allocation of the additional £150,000 and complained also of a longstanding sewage problem in Tuam. Mr. Howlett stated that the question of the sewage problem in Tuam had been referred to the Council's Consulting Engineers. Replying to Councillor Finnegan about the water quality in Tuam, Mr. Crotty, Acting County Engineer, stated that the position was being monitored at present and while a final answer had not been arrived at, the problem seemed to be related to heavy rainfall. Councillors Kilgannon and Murphy asked that every effort be made to expedite the Derrydonnell Group Water Scheme. Councillor Murphy also mentioned the problem of a water supply for Ballydavid, Athenry, and the five houses adjacent to the Agricultural College.

1646 - REVIEW OF SPEED LIMITS:

The Deputy County Manager explained that it was proposed to commence a Review of Speed Limits in the County. The usual procedure was to establish a Committee for each of the five Electoral Areas. These would be made up of the Elected Members for the area together with representatives from Urbans or Town Commissioners where appropriate. Meetings would then be called which would be attended by Council Officials and Garda representatives.

It was decided that the dates for the meetings would be fixed at the August meeting and in the meantime, Ballinasloe U.D.C., Galway Corporation, Loughrea and Tuam Town Commissioners would be asked to nominate their representatives.

1647 - CASUAL TRADING ACT, 1980:

A copy of the memorandum on the Casual Trading Act, 1980, which had been circulated to each Member of the Council was noted.

1648 - LITTER BILL, 1981:

The memorandum on the Litter Bill, 1981, which was circulated to each Member was noted.

1649 - HOUSING (PRIVATE RENTED DWELLINGS) ACT, 1982:

The memorandum on the Housing (Private Rented Dwellings) Act, 1982, which was circulated to each Member, was noted. Mr. Howlett explained that the Act was expected to come into force within a matter of weeks and that it authorises the Minister to make regulations requiring landlords of rented accommodation to register their tenancies with the housing authority.

1650 - MALICIOUS DAMAGE DECREES:

It was noted that Malicious Damage Decrees, as circulated to Members, had been received.

BUSINESS SUBMITTED BY THE COUNTY MANAGER:1651 - ENVIRONMENT WORKS (YOUTH EMPLOYMENT) SCHEME:

The Deputy County Manager referred to report dated 18th June, 1982, from the Acting County Engineer which had been circulated to each Member and which gave details of Environmental Work Proposals throughout the County totalling in value £753,000. He said that the list had been prepared in order that schemes would be identified should additional monies become available.



He said that the County Manager had in fact already submitted the list to the Department of the Environment and requested the Council's approval to this.

On the proposal of Councillor J. Burke, seconded by Councillor Murphy, the list, as prepared, was approved.

1652 - SPECIAL HOUSING AID FOR THE ELDERLY:

The Deputy Manager referred to a letter which had been received from Mr. Gerard Connolly, Minister of State at the Department of the Environment, in relation to the setting up of The Special Task Force to undertake an emergency programme to improve the living conditions of old people living alone in unfit or insanitary accommodation. The Task Force initially was confined to the Dublin Area and now it was proposed to extend the programme on a national basis. It would be based on Health Board regions with involvement from Community Care Teams and Housing Officials of the Local Authorities. The Chief Executive Officers of the Health Boards had been written to at the same time asking them to set up in each region an Ad hoc Group under the aegis of the Health Board which would work in close liaison with and under the direction of the Task Force in the implementation of the programme. Each group would be chaired by the Community Care Programme Manager. Finance would be made available on the basis of an allocation to each region. The allocations for the current year would be made at the next meeting of the Task Force and therefore, every effort would be made to set up the Ad hoc Groups immediately in order that an application for funds could be made.

Councillor J. Burke referred to the Health Board demand and asked if the Council had paid the reduced figure as provided in the Estimates. Mr. Lusby, Finance Officer, stated that the Council had not made any payment as yet but had discussions with the Health Board and indicated that the Council would make payments by instalments having regard to the Council's cash flow situation.

1653 - AMENITY GRANTS:

Councillor Joyce complained that the Council was withholding cheques for amenity grants in respect of works which were carried out last year. He said the cheques were being withheld until such time as the Chief Fire Officer's requirements were carried out. He disagreed with this arrangement and said that once the work for which the grant was approved was carried out and inspected, the grant should be paid and should not be held up until additional works are carried out. Councillor Kilgannon supported Councillor Joyce.

MEMBERS' NOTICES OF MOTION:

1654 - REPRESENTATION ON COMMITTEES - MOTION BY COUNCILLOR JOYCE:

Proposing the motion, Councillor Joyce stated that representation on Local Authorities and Committees should be as democratic as possible and he was not always satisfied with representation in the past. He was proposing the motion as something to be recommended to future Councils. The motion was seconded by Councillor Kilgannon and agreed.

1655 - AMENDMENT OF ARTICLE 40 OF THE CONSTITUTION - MOTION BY COUNCILLOR BRENNAN:

Proposing the motion, Councillor Brennan said that this was the most important matter facing the Nation. He said that people who were against Abortion would have to come out strongly against it and not just remain silent which was the mistake made in other countries. He also stated that magazines which were on sale in this country advertising Abortion should be banned. The motion was seconded by Councillor Coogan and agreed.

1656 - FUNDING OF WORKS - MOTION BY COUNCILLOR BRENNAN:

Because of the absence of a number of Oireachtas Members, this motion was deferred to the next meeting.

1657 - C.I.E. SERVICES - MOTION BY COUNCILLORS KILGANNON, BRENNAN, CONNAUGHTON, AND JOYCE:

Proposing the Motion, Councillor Kilgannon stated that passengers who could use the Woodlawn and Attymon Stations to travel to Ballinasloe or Dublin can only do so on a Monday and to travel to Dublin on other days, they must travel from Ballinasloe. He said that the people were entitled to the service from these stations every day and urged that C.I.E. be asked to include these in the next timetable being issued. He also complained about the inadequacy of the freight service saying that it took from Wednesdays to the following Monday to get deliveries. The motion was seconded by Councillor Joyce and agreed.

1658 - PRIVATE REFUSE COLLECTION - MOTION BY DEPUTY F. FAHEY:

This motion was deferred to the next meeting, due to the absence of Deputy Fahey.

1659 - PLANNING CONTRIBUTIONS - MOTION BY SENATOR KILLILEA:

In the absence of Senator Killilea, this motion was deferred to the next meeting.

1660 - GORT REGIONAL WATER SUPPLY - MOTION BY DEPUTY F. FAHEY:

It was decided to issue a written reply to this motion.

1661 - UNAUTHORISED CARAVAN PARK - MOTION BY DEPUTY DONNELLAN:

It was decided to issue a written reply to this motion.

1662 - IMPROVEMENT OF TUAM/MILLTOWN ROAD - MOTION BY COUNCILLOR GLYNN:

It was decided to issue a written reply to this motion.

1663 - REMOVAL OF BENDS AT KILGEVRIN CEMETERY - MOTION BY COUNCILLOR GLYNN:

It was decided to issue a written reply on this motion.

1664 - PUBLIC LIGHTING AT CASHEL CHURCH - MOTION BY SENATOR MANNION:

It was decided to issue a written reply to this motion.

1665 - DRAINAGE OF RIVER NANNY - MOTION BY COUNCILLOR J. BURKE:

The Acting Secretary stated that proposals for the drainage of the rivers supplying more than half the water requirements for Tuam Town have been received from the Office of Public Works. These proposals are being examined and a meeting with the Office of Public Works is necessary to clarify a number of issues. This meeting will be arranged as early as possible.

Councillor Burke said that he got the same reply three months and the job was outstanding for the past three years. Mr. Crotty stated that discussions took place with the Office of Public Works about 12 months ago and the Office of Public Works were asked to submit proposals. These proposals were received last April and were under examination by the Council's Engineers. The number of points which needed clarification had been narrowed down to a few and it was proposed to discuss these with O.P.W. within weeks.

1666 - NOTICES OF MOTION - COUNCILLOR MCCORMACK:

It was decided to issue written replies to Councillor McCormack.

1667 - REMOVAL OF BENDS - MOTION BY COUNCILLOR HAVERTY:

The Acting Secretary stated that the improvements requested are desirable but not of high priority. The estimated cost of the work is £4,250. Funds have not been provided for this work in the current year.

1668 - POLLUTION AT ROSSAVEAL - MOTION BY AN COMHAIRLEOIR O CONCHUBHAIR:

The Acting Secretary stated that pollution of Costello Bay is occurring in a limited form due to a discharge source at Rossaveal where a fish processing operation is located. A licence, with conditions, was granted under the Water Pollution Act for the discharge of this effluent in March 1981. All conditions must be complied with not later than December 1982.

The particular effluent referred to above, is organic and amenable to biodegradation and can be treated to permit discharge without injury to the environment.

If there is evidence of more extensive and persistent pollution, (there is no reason to believe so at present) the causes could best be identified through a systematic programme of monitoring rather than a public inquiry.

Councillor O Conchubhair said that the Council was responsible to some degree for pollution at Costello Bay due to sewage discharge and asked if anything could be done about it. He also stated that the dumping of fish was causing a problem. Mr. Howlett stated that the volume of sewage discharge was not great and would not justify expensive treatment but that the matter would be examined. As regards the dumping of fish, he said that this question would be examined but it was unlikely that the Council would have any jurisdiction over it.

1669 - BOTHAR AN RINN, AN CHEATHRU RUA. - MOLADH O'N CHOMHAIRLEOIR O CONCHUBHAIR:

Duirt an Runai nach raibh aon airgead leagtha amach i Sceim Oibreach na mBoithre 1982 chun an bothar seo a dheanamh. Cuirfear san aireamh e i gcomhair 1983. Lionfar na poill agus eile i mbliana muna gcuirfear isteach ar lucht oibre an Comhairle Chontae.

Councillor O Conchubhair asked that provision for the work be made in the 1983 Estimates. He said he would not support the action taken by some local people but there was a degree of frustration in the area because of the bad condition of the roads.

1670 - DEISIU AN BOTHAR AG AN DRUIM AGUS AG AN CALADH BAN - MOLADH O'N CHOMHAIRLEOIR O CONCHUBHAIR:

Duirt an Comhairleoir O'Conchubhair gur cuir Udaras na Gaeltachta airgead ar fail i gcomhair an obair seo.

1671 - CRAUGHWELL WATER SUPPLY - MOTION BY DEPUTY FAHEY:

It was decided to issue a written reply on this motion.

1672 - SEWERAGE SCHEME FOR BARN A - MOTION BY COUNCILLOR WELBY:

The Acting Secretary stated that investigations on the location of a suitable outfall point for this scheme are proceeding. The scheme is not high on the priority list and it is anticipated that it will be some time before funds are available for the scheme.

Councillor Welby said that he did not agree that a sewerage scheme for Barna did not have a high priority and asked the Council to press ahead with the scheme.

1673 - TRAFFIC ROUTE LIGHTING, OUGHTERARD AND MOYCULLEN. - MOTION BY COUNCILLOR WELBY:

The Acting Secretary stated that the design of the traffic route lighting scheme for Oughterard is completed and is at present being estimated by the E.S.B. When we receive the estimate, the scheme will be submitted to the Department of the Environment for final approval. As the E.S.B. inform us that there is a delay of 5 to 6 months from the date of order to installation date, it is unlikely that this scheme will be completed before January next. The Moycullen scheme is at present at the design stage and will not be completed for the coming winter.

Councillor Welby complained about the delay in providing this lighting. He asked if the lighting would extend to the Dispensary Residence in Moycullen. The Acting Secretary stated that he would write to Councillor Welby on this question.

1674 - GALWAY-WEST WATER SCHEME - MOTION BY COUNCILLOR WELBY:

The Acting Secretary stated that sanction to the Tender for the Civil Works for this scheme was received from the Department on the 8th July, 1982. Arrangements were now being made to raise the necessary loan to finance the scheme at the next meeting of the Council. Replying to Councillor Welby, the Acting Secretary stated that work could not commence on the scheme until the necessary loan is sanctioned.

1675 - NOTICE OF MOTION ROADS MONEY - MOTION BY COUNCILLOR BRENNAN:

Proposing the motion, Councillor Brennan said that he felt that Members should be able to spend Notice of Motion money at their own discretion, and in areas other than roads. He said there were many other areas of great need such as housing for the elderly. Councillor J. Burke seconded the motion saying that Councillors would have a good knowledge of where the greatest need was and suggested that public lighting was another area where the money could be spent.

The Deputy County Manager stated that the allocation of Notice of Motion money to Councillors in County Galway was an usual procedure and he would not be in favour of extending it beyond the area of roads. He said that the Council had professional/staff employed to select jobs and that it would not be right to have Councillors deciding what house should be repaired or where a public light should be provided and that, for instance, the provision of a single light in a particular area could lead to a dangerous situation. He said such a procedure would be suspect and would not stand up to scrutiny and it was the County Manager's job to expend money to the best advantage and having regard to the needs of the County as a whole. He said that if Councillors wanted particular things done, they could put their proposals before the Council at Estimates time. In regard to the expenditure of money on Notice of Motion Roads, the Deputy County Manager stated that before a road could be declared public, it had to be of general public utility and that at least there was this general benefit deriving from it.

Councillor Coogan said he was in favour of Councillor Brennan's motion. Councillor Murphy said that roads are not too bad in some areas and if there was any money left over, he would like to be able to spend it on other services such as housing. Councillor Joyce stated that the allocation of funds to Councillors for Notice of Motion Roads was a very good scheme and it was the one area where Councillors felt they could say they had achieved something. There were still a large number of roads to be taken over and Councillors could lose out if the present system was changed. Therefore, he was against the motion. Councillor Kilgannon stated that the work which had been done as a result of Notice of Motion Money was evidence of a Councillor's work in the area and he wished to have it retained. However, he proposed an amendment that further monies be provided which could be used at the discretion of the Members. Councillor Molloy said he was not in favour of the motion but asked that Councillors be allowed to spend their allocation on bog roads. Councillor O Conchubhair said that

he would only agree to extending the Notice of Motion Money to cover essential housing repairs. Councillor Ryan said he was happy with the existing scheme. He said that if it was extended to cover housing, this would be a very wide area and it would be impossible to decide how to allocate the money. Councillor O'Foighil stated that he agreed in principal with the motion which if approved, would enable him to allocate some funds for refuse collection. He referred to the withdrawal of the refuse collection service in the Connemara Area and said that having forced people to build their houses off the main road, the Council is now withdrawing services from them.

The Chairman asked Councillor Brennan if he would agree to defer the motion to a further meeting because of the absence of a number of Members. It was agreed to defer the motion to the August Meeting.

THE MEETING THEN TERMINATED

SUBMITTED, APPROVED & CONFIRMED.

*Edmund A. ...*  
 CHAIRMAN

26/7/82.  
 DATE

COMHAIRLE CHONTAE NA GAILLIMHE

(Galway County Council)

Oifig an Runai,  
 Arus an Chontae,  
 GAILLIMH.

19u Iuil, 1982.

CHUIG GACH BALL DE'N CHOMHAIRLE/

A Chara,

Tarrtar ort leis seo bheith i lathair ag cruinniú de Chomhairle Chontae na Gaillimhe a tionolfar ins na Foirgnithe Chontae, Gaillimh, De Luain, 26u Iuil, 1982, ar a 3.30 a chlog sa trathnóna.

Mise, le meas,

T. O'CAOMHANAIGH,  
 Runai Sealadach.

A G E N D A

1. Resolutions under Section 4 of the City and County Management (Amendment) Act, 1955:
  - (a) "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council requires the County Manager to decide to grant Planning Permission to Mrs. Mary Quinn, B.P. Filling Station, Labane, Co. Galway, for the erection of a Filling Station, Residence, Cafe, Toilet, Garage and Accessory Shop, at Ballylara, Labane, Ardrahan. - Planning Ref. No. 42833."
 

Michael Fahy. Edward Haverty. Tony Murphy.
  - (b) "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council requires the County Manager to decide to grant Outline Permission to Val Butler for the erection of a dwelling house at Petersburg, Clonbur. - Reference No. 42468."
 

P. McCormack. John M. Mannion. Michael Ryan.
  - (c) "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council requires the County Manager to decide to grant Planning Permission to Sean Dolan, Barracks, Barnaderg, Tuam, for the erection of a dwellinghouse. - Planning Ref. No. 42871."
 

Michael P. Kitt. Patrick Finnegan. Mark Killilea.
  - (d) "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council requires the County Manager to decide to grant Planning Permission to Charlie Connolly, c/o R. Monahan, Kinvara, for Outline Planning Permission for a dwellinghouse at Lavally, Gort. - Planning Ref. No. 43264."
 

Michael Fahy. Mark Killilea. Tony Murphy.

- (e) "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council requires the County Manager to decide to grant Outline Planning Permission to Mr. Thomas Killoran, Renmore, Galway, for two dwellinghouses at Cloosh, Kinvara. - Planning Ref. No. 42652."

Michael Fahy. Mark Killilea. Thomas Welby. Nioclas O Conchubhair.

- (f) "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council requires the County Manager to decide to grant Permission to Paul Fleming of No. 9, Grealishtown, Galway, for the erection of a dwellinghouse at Claregalway. - Planning Ref. No. 43120."

Thomas Welby. John Molloy. Nioclas O Conchubhair.

- (g) "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council requires the County Manager to decide to grant Permission to retain works to Dominic Lydon of Brownville, Bushypark, for the retention of workshop. - Planning Ref. No. 42852."

Thomas Welby. John Molloy. Nioclas O Conchubhair.

- (h) "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council requires the County Manager to decide to grant Planning Permission (Outline) to Mrs. Claire Porter of Attyshonock, Moycullen, for the erection of two dwellings and septic tanks at the above address. - Planning Ref. No. 43076."

Thomas Welby. Mark Killilea. Michael Fahy.

- (i) "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to decide to grant Planning Permission to Martin Warde for the erection of a new petrol pump in Ballymoe. - Planning Ref. No. 43487."

Patrick Finnegan. Michael P. Kitt. Mark Killilea.

- (j) "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to decide to grant Permission to Mr. T. Meehan for the erection of a dwellinghouse at Drinagh. - Planning Ref. No. 43290."

John M. Mannion. G. Bartley. Thomas Welby.

- (k) "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council requires the County Manager to decide to erect a local authority house for Mr. Patrick Carter at Wormhole, Roscahill."

Thomas Welby. Mark Killilea. Michael Fahy.

- (l) "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to decide to grant Permission to Nora Bean Uí Laoín of Aillebrack, Ballyconneely, Co. Galway, for a dwellinghouse at Silverhill. - Planning Ref. No. 42774."

John M. Mannion. G. Bartley. Thomas Welby.

- (m) "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council requires the County Manager to decide to grant Planning Permission to Mrs. Anne Martyn, "Villa Maria", Stradbally North, Clarinbridge, Co. Galway, for the erection of advertising signs. - Planning Ref. No. 42549."
2. Minutes.
  3. Raising of loan - Spiddal Regional Water Supply Scheme.
  4. Raising of loan - Galway City Western Water Supply Scheme.
  5. Higher Education Grants Scheme, 1982. - Draft herewith.
  6. Sale of site at Cullairbaun, Athenry to James Cunningham, 3, Clifton Close, Clifton Park, Newcastle, Galway. - Notice dated 15/7/'82 already circulated.
  7. Sale of site at Portumna to Patrick J. Quigley, 49, Shannon Park, Portumna. - Notice dated 15th July, 1982, already circulated.
  8. Filling of vacancy on County Council caused by the death of Deputy J. Callanan.
  9. Appointment of representative on Galway/Mayo Regional Arts Committee.
  10. Request from Tuam Town Commissioners for reception of deputation re Urban Status for Tuam.
  11. Malicious Damage Decrees.
  12. Rehabilitation of Tynagh Mine.
  13. Business submitted by the County Manager.

COUNCILLORS' NOTICES OF MOTION

(a) Adjourned from previous meeting:

COUNCILLOR JOE BRENNAN - I will propose:

1. That the Oireach Members of this Council be asked to use appropriate means within Government to ensure that Galway County Council gets sufficient funds to complete its projected work.

DEPUTY FRANK FAHEY - I will propose:

2. That Galway County Council examine the possibility of having a Refuse Collection Service provided by Private Refuse Collection Firms and paid for by local communities throughout the County.

SENATOR MARK KILLILEA - I will propose:

3. That the County Councillors have a full and frank discussion on the recent policy of the County Council to install on the schedules of Planning permissions sums of money as contributions to be made payable to the Planning Authority.

(b) Other Motions received:

DEPUTY MICHAEL P. KITT - I will propose:

4. That Galway County Council widen the two bad bends on the Currantarmid Road, Monivea.

COUNCILLOR PADRAIC McCORMACK - I will ask:

5. That the County Council mark the carpark and erect a light at Killanin Church, Rosscahill.
6. What is the position of the Ballinvoher/Monard/Ballyglass area of Turloughmore re a water supply from the Mid-Galway Water Scheme.
7. That a number of bad turns be removed on the Grange Road, Turloughmore.

COUNCILLOR THOMAS WELBY - I will propose:

8. That a refuse collection be provided for householders in Gortacleva, Bushypark as has been provided recently in the Corcullen Area.
9. That some proper steps be taken to prevent flooding at Shangort, Knocknacarra Cross as water flows into houses in this area.
10. That gulleys be lowered on the Poul-na-clougha Road so as to bring them down to the same level as the drain that was cleaned under an L.I.S. scheme recently.

COUNCILLOR MICHAEL FAHY - I will ask:

11. That Galway County Council widen the entrance of the road to Ballyglass Village at Ardahan.

DEPUTY FRANK FAHEY - I will propose:

12. That a supply of water be given to the Derrydonnell Group Water Scheme from the Oranmore Region Scheme and that this Group be allowed to commence work as soon as possible.

COUNCILLOR JOE BRENNAN - I will propose:

13. That this Council calls on T.D.s in Dail Eireann to form a National Government for a three year period to bring this country through the present crisis.

M A L I C I O U S    D A M A G E    D E C R E E S

Name and Address	Particulars of Claim	Area of Charge	Amount of Claim	Amount of Decree including costs
Michael Rathcliff, Cornarone Middle, Inverin.	Destroyed a number of Pini Insigni.	County at large.	£60.00	£113.25
Leslie T. Lyons, St. Nicholas' Parochial School, Waterside, Galway.	Damage to window	Borough of Galway.	£26.27	£42.50
Charles McNeill Cauldwell, The Manse, Taylor's Hill, Galway.	Damage to panel glass, book case, filing cabinet, 6 curtains.	Borough of Galway.	£56.00	£110.70
Concepta Feeney, 276 Corrib Park, Galway.	Damage to Opel Kadett City Motor Vehicle.	Borough of Galway.	£50.00	£103.50
Galway Diocesan Trustees, St. Michael's N.S., Mervue, Galway.	Damage to glass in two windows.	Borough of Galway.	£37.35	£66.71
Joseph Lyons, 7, Sherwood's Ave., Taylor's Hill, Galway.	Damage to ground floor front window of house.	Borough of Galway.	£10.00	£39.38
John Tyrell, c/o Crowleys and Co., Eyre Square, Galway.	Damage to Car Reg. No. 5785 IM in Eyre Square.	Borough of Galway.	£200.00	£143.60

COMHAIRLE CHONTAE NA GAILLIMHE

(GALWAY COUNTY COUNCIL)

County Buildings,  
Prospect Hill,  
Galway.

15th. July, 1982.

TO EACH MEMBER OF GALWAY COUNTY COUNCIL/

Re: Proposed sale of land at Cullairbaun, Athenry, Co. Galway.

A Chara:

In accordance with the requirements of Section 83 of the Local Government Act, 1946, and Section 88 of the Housing Act, 1966, notice is hereby given that it is proposed to dispose of a plot of land, as set out hereunder:-

FROM WHOM REQUIRED:

Annie J. Duffy, Villanova, Upper Salthill, Galway.

PERSON TO WHOM LAND IS PROPOSED TO BE SOLD:-

James Cunningham, 3 Clifton Close, Clifton Park,  
Newcastle, Galway.

<u>Site No.</u>	<u>Area of Plot</u>
13	.073 acre

Consideration in respect of Disposal:

<u>Site No:</u>	<u>Price:</u>
13	£3,000

Other Covenants or Conditions in connection with Disposal.

1. The site will be sold in fee simple
2. The County Council will retain wayleaves in respect of watermains and sewers.
3. The erection of a house to be completed by the purchaser within two years.

This matter will be placed on the Agenda for consideration at the next ordinary meeting of the Council which will be held after the expiration of 10 days from the date of this Notice.

T. Kavanagh,  
Acting County Secretary.

COMHAIRLE CHONTAE NA GAILLIMHE

(GALWAY COUNTY COUNCIL)

County Buildings,  
Prospect Hill,  
Galway.

15th July, 1982.

TO EACH MEMBER OF GALWAY COUNTY COUNCIL/

Re: Proposed Sale of land at Portumna, Co. Galway.

A Chara,

In accordance with the requirements of Section 83 of the Local Government Act, 1946, and Section 88 of the Housing Act, 1966, notice is hereby given that it is proposed to dispose of a plot of land as set out hereunder:-

FROM WHOM ACQUIRED:

Mr. William Martyn, Portumna.

PERSON TO WHOM LAND IS PROPOSED TO BE SOLD: Site No. Area of Plot

Mr. Patrick Joseph Quigley, 49 Shannon Park, Portumna.	1	.089 acre approx.
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Consideration in respect of disposal:

<u>Site No.</u>	<u>Price</u>
1	£3,000

Covenant or condition in connection with disposal:

1. The site will be sold in fee simple.
2. The erection of a house to be completed by the purchaser within two years.

This matter will be placed on the Agenda for consideration at the next ordinary meeting of the Council which will be held after the expiration of 10 days from the date of this Notice.

Mise le meas,

T. Kavanagh  
Acting County Secretary.

MINUTES OF PROCEEDINGS AT MONTHLY MEETING OF GALWAY COUNTY COUNCIL HELD  
IN THE COUNTY BUILDINGS, GALWAY, ON MONDAY, 26TH JULY, 1982.

IN THE CHAIR: Councillor E. Haverty.

ALSO PRESENT:

Members: As recorded in the Attendance Book.

Councillors G. Bartley, J. Brennan, J. Burke, U. Burke, Senator T. Byrne, Deputy P. Connaughton, Councillor F. Coogan, Deputies J. Donnellan and F. Fahey, Councillors M. Fahy, P. Finnegan, F. Glynn, Deputy M.D. Higgins, Councillors B. Holland, J. Joyce, M.J. Kilgannon, Senator M. Killilea, Deputy M.P. Kitt, Councillor P. McCormack, Senator J. Mannion, Councillors J. Molloy, T. Murphy, N. O'Conchubhair, P. O'Foighil, M.G. O'Higgins, M. O'Morain, P. Ruane, M. Ryan, and T. Welby. + *Ch. J. Callanan*

Officials: Messrs. P. Kearns, Deputy County Manager; J. Howlett, Assistant County Manager; K. Hays, Acting County Engineer; E. Lusby, Finance Officer; L. Kavanagh, Senior Executive Engineer; H. Kearns, D. Barrett, A. Murphy, and Miss C. Hett, Senior Staff Officers; and Mr. T. Kavanagh, Acting County Secretary.

The Opening Prayer was recited.

1676 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 42833 - MRS. MARY QUINN.

The Deputy County Manager stated that Planning Permission had issued in this case. Replying to Councillor Holland, the Deputy County Manager stated that the applicant had an old Outline Permission for a Filling Station and notwithstanding the new Permission, the development would still be restricted to one Filling Station.

1677 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 42468 - APPLICANT: VAL BUTLER.

The Deputy County Manager submitted the following report which had been circulated to each Member of the Council:

"LOCATION:

The site is located on the southern side of the road from Clonbur to Fenny Bridge in the townland of Cappaghmagapple or Petersburg.

HISTORY:

There have been three previous applications for permission on this site by the present applicant. Planning Ref. No. 36142 in June 1980, Planning Ref. No. 38634 in March 1981, and Planning Ref. No. 41492 in December 1981. These were all refused by the Planning Authority on the grounds of visual amenity and backlands development.

PLANNING CONSIDERATIONS:

The proposed site is elevated on a hillside overlooking Lough Mask, with only 15 ft. wide road frontage. From its elevated and recessed backlands position, the site overlooks a number of potential development sites fronting the roadway.

The applicant was written to in order to establish if there was a housing need involved but the only reply received was that the site was given to the applicant as payment for building work.

RECOMMENDATIONS:

Refusal is recommended for the following reasons:

1. The proposed development would constitute a disorderly development of a backland site having inadequate road frontage and this development would overlook a large area of road frontage from the rear and would therefore be contrary to the proper planning and development of the area.
2. The proposed development would seriously detract from the visual amenity of this area of High Amenity because it would be obtrusively located on an elevated site overlooking Lough Mask, unrelated to the existing settlement pattern on a site which should properly be kept free of development."

The resolution set out on the Agenda was proposed by Councillor McCormack. He said that the applicant was given the site as payment for building works carried out on an old person's house. The applicant had stated these facts to the Council. He said there was no interference with Council lands in the area. The resolution was seconded by Deputy Donnellan. Councillor O'Morain supported the resolution saying that this site was a good distance from Lough Mask.

Councillor Holland proposed that the application be refused and was seconded by Councillor J. Burke. A vote was taken after 4.30 p.m. for or against the resolution set out on the Agenda which resulted as follows:

FOR: Councillors Bartley, Brennan, J. Burke, U. Burke, Senator Byrne, Deputy Connaughton, Councillor Coogan, Deputies Donnellan, F. Fahey, Councillors M. Fahy, Finnegan, Haverty, Kilgannon, Senator Killilea, Deputy Kitt, Councillor McCormack, Senator Mannion, Councillors Molloy, Murphy, O'Conchubhair, O'Foighil, O'Higgins, O'Morain, Ryan, and Welby.

(25)

AGAINST: Councillors Glynn, Holland, Joyce, and Ruane.

(4)

The Chairman then declared the resolution carried.

1678 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 42871 - APPLICANT: SEAN DOLAN.

The Deputy County Manager stated that a request for further information had issued in this case in connection with the access to the site. The resolution set out on the Agenda was not, therefore, proposed.

1679 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 43264 - APPLICANT: CHARLIE CONNOLLY.

The Deputy County Manager submitted the following report which was circulated to each Member of the Council:

"BACKGROUND

The proposed site is located on the Gort to Loughrea National Secondary road at Lavally, approximately  $\frac{1}{2}$  mile east of Gort.

This site forms part of a site on which outline permission has been granted on two occasions for one house, on condition, that only one house be constructed on the entire site.

PLANNING CONSIDERATIONS:

1. The proposed development, located on the National Secondary route would seriously interfere with the free flow and safety of traffic on the said route. The applicant has not claimed any special housing need. Moreover, he has permission for a dwellinghouse on a larger site (including the site, presently under consideration).
2. The proposed development, does not come within the categories to which housing development on National Secondary routes, is limited. Therefore, this development amounts to non-essential housing being located on this route, contrary to the County Development Plan.
3. The proposed development would be contrary to the previous decisions of the Planning Authority which restricted development to one dwellinghouse on a larger site.
4. The proposed site is lowlying and because of its high water table it would be likely to contribute to a health hazard because it is not suitable for the treatment of septic tank effluent. Moreover, a grant of permission in this case would lead to two septic tanks being built in close proximity on these lands.

RECOMMENDATION:

Refusal is recommended for the above reasons."

The resolution set out on the Agenda was proposed by Councillor M. Fahy and seconded by Senator Killilea.

Councillor Holland proposed that Permission be refused and was seconded by Councillor Brennan. A vote was taken after 4.30 p.m. for or against the resolution set out on the Agenda which resulted as follows:

FOR: Councillors Bartley, U. Burke, Deputies Donnellan, F. Fahey, Councillors M. Fahy, Finnegan, Haverty, Joyce, Senator Killilea, Deputy Kitt, Senator Mannion, Councillors Molloy, Murphy, O'Conchubhair, O'Morain, Ruane, Ryan, and Welby. (18)

AGAINST: Councillors Brennan, J. Burke, Glynn, Holland. (4)

The Chairman then declared the resolution carried.

1680 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 42652 - APPLICANT: THOMAS KILLORAN.

The Deputy County Manager submitted the following report which was circulated to each Member of the Council:

"BACKGROUND:

This is the first application on this site. The site is located in an area of high amenity. The applicant has an address in Renmore, Galway, and has made no special housing need claims.

PLANNING CONSIDERATIONS:

The proposed development is located on the seaward side of the public road, in this area of high amenity and would seriously interfere with important scenic views of Aughinish Bay.

The County Development Plan require a minimum site frontage of 165 ft. in areas of high amenity. Even in non-amenity areas, the minimum site frontage required is 66 ft. The two sites in this application have a total frontage of 110 ft. or 55 ft. each. Therefore, this development is contrary to the minimum site requirements in areas of high amenity, as classified by the 1979 County Plan.

An Taisce has objected to this development on the grounds that it would significantly detract from the visual amenities of the area.

RECOMMENDATION:

As above."

Councillor M. Fahy proposed the resolution set out on the Agenda and was seconded by Senator Killilea.

Councillor Glynn stated that there was a lot of the Council's time and money being wasted on Section 4 resolutions. These decisions were now being appealed by An Taisce or by private individuals and Councillors should tell applicants who come to them that there is no point in putting forward Section 4s.

Councillor Brennan proposed that the application be refused saying that if Councillors were not satisfied with the County Development Plan, they should amend it. Councillor J. Burke seconded Councillor Brennan's proposal saying that no case had been made for granting the Permission. A vote was taken after 4.30 p.m. for or against the resolution set out on the Agenda and resulted as follows:

FOR: Councillor Bartley, Senator Byrne, Councillor Coogan, Deputies Donnellan, F. Fahey, Councillors M. Fahy, Finnegan, Haverty, Joyce, Kilgannon, Senator Killilea, Deputy Kitt, Councillors McCormack, Molloy, Murphy, O'Conchubhair, O'Foighil, O'Higgins, O'Morain, Ruane, Ryan, and Welby. (22)

AGAINST: Councillors Brennan, J. Burke, Deputy Connaughton, Councillors Glynn and Holland. (5)

The Chairman then declared the resolution carried.

1681 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 43120 - APPLICANT: PAUL FLEMING.

The Deputy County Manager stated that a request for further information had issued in this case. The resolution set out on the Agenda was not, therefore, proposed.

1682 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 42852 - APPLICANT: DOMINIC LYDON.

The Deputy County Manager submitted the following report which had been circulated to each Member of the Council:

"LOCATION:

The development is located on a narrow winding substandard boreen opening off the Galway/Moycullen road past Bushypark.

HISTORY:

An application was received from Mr. Lydon in March 1981, Ref. No. 38693, for the present factory. This application was refused by the Planning Authority on 22nd July, 1981.



A further application was received for the same development in August 1981, Ref. No. 40194 which was granted by Section 4 Resolution in October 1981. This decision was appealed by a third party, and was refused by An Bord Pleanála in March 1982. The appellant in that case has again lodged an objection to the current application.

Despite the many refusals, the applicant built the factory and the present application is for retention of this unauthorised development.

It is recommended that the present application be refused for the following reasons:

1. The development is located in an area with serious infrastructural deficiencies which render it unsuitable for the land use proposed. In particular, the road network is incapable of accommodating the very heavy traffic which would be generated without causing serious injury to the amenities of the area.
2. The development would lead to the establishment of an industrial/commercial complex in a rural area where agriculture is the predominant economic activity and which would represent an incongruous form of land use, and be in conflict with its proper planning and development."

The Deputy County Manager stated that the objection which had been lodged against the application had now been withdrawn.

Councillor Welby proposed the resolution set out on the Agenda. He said that the applicant had been working out in the open air for the past six years. He now employs eight people and the development had not created any traffic problems over the years. Councillor Molloy seconded the resolution. Councillor McCormack supported the granting of Permission.

As there was no amendment, the Chairman declared the resolution carried.

1683 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 43076 - APPLICANT: MRS. CLAIRE PORTER.

The Deputy County Manager stated that a request for further information had issued in this case. The resolution set out on the Agenda was not, therefore, proposed.

1684 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 43487 - APPLICANT: MARTIN WARDE.

The Deputy County Manager stated that this application was only received on the 7th July, 1982 and the Council had not sufficient time to complete its investigations and report on it, but the decision period would not expire until after the August meeting. He said that apart from the Planning Act, the applicant was facing difficulties as the application did not comply with regulations under the Dangerous Substances Act.

Explaining the reason why he submitted the Section 4 so quickly, Councillor Finnegan stated that because the application was refused previously, he was afraid that when a further application was submitted that it would be refused quickly and he would be unable to submit a Section 4 resolution.

It was agreed to defer the resolution to the next meeting.

1685 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 43290 - APPLICANT: MR. T. MEEHAN.

The Deputy County Manager submitted the following report which had been circulated to each Member of the Council:

"LOCATION:

The site is located on the Errislannan Peninsula in the townland of Drinagh.

HISTORY:

There have been two previous similar applications by the applicant on this site. Planning Ref. No. 35493 in April 1980 and Planning Ref. No. 42782 in April 1982. Both were refused by the Planning Authority and 35493 was refused by An Bord Pleanála on appeal.

PLANNING CONSIDERATIONS

The site is located in open bogland in an area of high scenic amenity some 500 metres off the public road on highly scenic peninsula of Errislannan. No housing need has been claimed by the applicant on any occasion.

RECOMMENDATION:

Refusal is recommended for the following reason:

1. The proposed development would seriously detract from the scenic amenity of the area because it would be an unacceptably intrusive and discordant feature in open hill and bogland terrain and could not be satisfactorily assimilated into its surroundings."

The resolution set out on the Agenda was proposed by Senator Mannion. He said that the applicant was a brother-in-law of the landowner and that Permission should be granted for that reason. The resolution was seconded by Councillor Bartley. As there was no amendment, the Chairman declared the resolution carried.

1686 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - ERECTION OF LOCAL AUTHORITY HOUSE FOR MR. PATRICK CARTER AT WORMHOLE, ROSCAHILL:

The Deputy County Manager stated that irrespective of a Section 4 resolution, the statutory requirements and procedures would have to be complied with in the case of any application for a local authority house. He said the housing authority must satisfy itself that the applicant is in need of housing and unable to provide housing from his own resources. An applicant cannot be picked out of the waiting list and rehoused before somebody else who is higher on the waiting list and in greater need of rehousing. When an applicant is approved for rehousing, the question of where to build the house arises and if the Council feels that an applicant would be rehoused quickly in another location, the applicant is advised accordingly.

Councillor Welby said that this applicant was advised by the Council to apply for a house to Galway Corporation. He said that people living in a rural area were entitled to be rehoused there and the policy of advising applicants to apply to Galway Corporation was crazy. He said the Corporation was unable to provide sufficient houses for applicants living in Galway City.

The Deputy County Manager stated that if the applicant did not want to be housed by Galway Corporation, he would be put on the waiting list in the County.

Councillor Welby stated that if the Council wrote to the applicant to this effect, he would be prepared to withdraw the Section 4 resolution.

Councillor O'Morain stated that it was most important that people be allowed live where they want to. He was aware of people who had been urged to take new houses in towns, but subsequently these people left those houses and returned to live in their home area in unfit conditions.

Some Councillors asked if the Section 4 resolution would help to bring forward this particular application and the Deputy County Manager replied that it would not.

The resolution set out on the Agenda was not proceeded with.

1687 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 42774 - APPLICANT: NORA BEAN UI LAOIN.

The Deputy County Manager submitted the following report which had been circulated to each Member of the Council:

"The site is approximately  $\frac{1}{4}$  mile west of Connemara Golf Links on the road to Slyne Head, one of the most westerly points in the country. It is in an area of Special Amenity, as designated in the County Development Plan, on the seaside of the public road where no houses have been permitted in the  $1\frac{1}{2}$  miles from Bunowen to Keeraunmore since the introduction of the 1963 Planning Act. A permission was granted nearby for a hotel approximately ten years ago when local tourist and development interests put a strong case for such a facility in the interests of the economic benefit of the area. That permission was not availed of, and extinguished on the 1st November last. When a subsequent fresh application was lodged, it was refused on scenic amenity grounds, and is currently on appeal.

The site is in close proximity to a very attractive beach, and would both damage the amenity of this remote visual amenity and recreational facility, as well as creating a precedent in an area surrounding the Golf Course which has come under severe pressure for development in recent years. This is the fourth application for a house on this site. The present applicant was refused in February last, and two other applicants were refused in 1975 and 1980, the former also being refused on appeal.

The application does not come within any of the special categories of housing need which only may be permitted in the area in accordance with the County Development Plan. Representations were made on behalf of the applicant, but no direct consultations took place.

Refusal is recommended for the following reasons:

1. The proposed development would be located in close proximity to an attractive beach and, if permitted, would seriously detract from the scenic and recreational amenities of this area which is one of great natural beauty, and would be contrary to the proper planning and development of the area.
2. The proposed development would contravene the provisions of the County Development Plan as set out in Table 9, page 49, which restricts all development in this area of Special Amenity other than that necessary for special categories of housing need in the interests of visual amenity."

The Deputy County Manager stated that there was an application from Connemara Golf Club for extensions and alterations to the premises including additional living accommodation. The Council understood that the living accommodation was for the applicant, the subject of this Section 4 resolution.

Senator Mannion proposed the resolution set out on the Agenda. He said that he had made the case for it on the last occasion and he produced a letter from the Secretary/Manager of the Golf Club stating that the Golf Club did not intend to provide alternative accommodation for the applicant. Councillor O'Morain seconded the resolution.

Councillor Glynn said that the Council did not seem to have fully investigated the housing need and the proposed alternative accommodation for the applicant

and he was disappointed with this.

As there was no amendment, the Chairman declared the resolution carried.

1688 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 42549 - APPLICANT: MRS. ANNE MARTYN.

The Deputy County Manager stated that a decision granting Permission had issued in this case.

1689 - MINUTES:

On the proposition of Deputy Kitt, seconded by Councillor McCormack, the Minutes of the following Meetings were signed (Numbers 1590 - 1675 incl.):

Special Meeting on 18th June, 1982.  
Annual Meeting on 28th June, 1982.  
Monthly Meeting on 28th June, 1982.  
Special Meeting on 9th July, 1982.

Councillor Joyce referring to Minute No. 1653 said that his proposal that Amenity Grants be paid once the work for which the grant was approved was carried out, was passed and that cheques were still being withheld. The Deputy County Manager stated that he appreciated Councillor Joyce's point and that cases where cheques were being withheld would be reconsidered.

Referring to Minute No. 1657, Councillor Kilgannon asked if there was any response from C.I.E. The Acting Secretary replied that there was not.

Deputy F. Fahey referred to Minute No. 1604 regarding a sewage overflow problem at the Council's Housing Development in Clarinbridge and asked if anything had been done about it. Mr. Howlett replied that arrangements had been made to have the system cleaned out.

Councillor Welby referred to Minute No. 1673 and said that his query in regard to the traffic route lighting extending to the Dispensary Residence referred to Oughterard and not Moycullen.

Referring to Minute No. 1621, Councillor Welby said that he would like information as to when the land in Oranmore was rezoned for housing.

Councillor O'Conchubhair referred to Minute No. 1668 and in particular to the question of the discharge of sewage from Carraroe into the sea and asked if anything was going to be done about it. He also asked if there were any proposals forthcoming arising from the deputation about the curtailment of the refuse collection service. Mr. Howlett replied that he had asked for a report on the discharge of sewage from Carraroe but he felt that the volume of sewage was so small that a treatment plant would not be justified. Referring to the question of refuse collection, he said that any proposals that might emerge would only be a temporary measure to last to the end of the tourist season. Councillor O'Morain asked that any such arrangements extend to the whole of Connemara.

Replying to Councillor Murphy, Mr. Howlett stated that sanction had not yet been received to the tender for Athenry Sewerage Scheme.

Referring to Minute No. 1605, Councillor Welby stated that he would like the County Medical Officer to inspect the Dump at Oughterard and have it closed as soon as possible.

1690 - HOUSING FINANCE AGENCY:

Councillor Brennan raised the question of the Housing Finance Agency and stated that people who had started to build houses with the intention of getting loans from the Agency did not know yet whether or not they were going to get loans. He proposed that the Department be asked to expedite

arrangements for the issue of loans from the Agency.

Senator Killilea stated that there was a volume of opinion which was not in favour of the proposed loans by the Housing Finance Agency and he suggested that the Department be asked to make arrangements for dealing with those applicants who had already started to build their houses. Councillor U. Burke said that the Council was lackadaisical in its approach to the implementation of the loan scheme under the Housing Finance Agency and that people were being held up for months waiting for loans.

Mr. Howlett stated that there was no question of the Council delaying the issue of loans. Details had not yet been received of the type of Mortgage Deed and when these arrangements are completed by the Housing Finance Agency and the Department, the Council will be in a position to proceed with loans.

Councillor Glynn supported Senator Killilea's proposal that the Department be asked to make immediate arrangements for applicants who had started building. This was agreed.

1691 - FILLING OF VACANCY ON COUNTY COUNCIL CAUSED BY THE DEATH OF DEPUTY J. CALLANAN:

The Chairman agreed that this item would be taken next. Senator Kitt proposed Mr. Joe Callanan, Calla, Kilconnell, for the vacancy and was seconded by Councillor Joyce. Senator Mannion proposed Mr. Norman Morgan, Bride Street, Loughrea, for the vacancy and was seconded by Councillor O'Foighil.

Both Mr. Callanan and Mr. Morgan had signed consent forms agreeing to their nomination.

Deputy Higgins stated that when a previous Labour Councillor ceased to be a Member, he was not replaced by another Member from the Labour Party.

Councillor Glynn said that the Party who lost the seat should be entitled to fill the vacancy but this had not happened in the case of the late Councillor Ridge. He said that if he got a commitment from the Fianna Fail Party in regard to casual vacancies that whatever Party lost the seat should be allowed to retain it, the Fianna Fail nominee would get his support. Councillor Holland said that he agreed with Councillor Glynn's policy. Deputy Donnellan said that he also agreed with Councillor Glynn but that the Council had never followed that principle heretofore. Deputy Kitt said that he was willing to give publicly the commitment requested by Councillor Glynn in regard to the filling of future casual vacancies.

The proposer and seconder of Mr. Norman Morgan then stated that they were withdrawing their proposal.

As there was then only proposal before the Council, the Chairman declared Mr. Joe Callanan appointed to fill the vacancy on Galway County Council caused by the death of the late Deputy J. Callanan.

Senator Killilea and all other Members congratulated Mr. Callanan on his appointment and asked that the Officials co-operate in familiarising Mr. Callanan with the various Departments. The Deputy County Manager congratulated Mr. Callanan on his own behalf and on behalf of the staff and said that he would get every co-operation.

Mr. Callanan said that it was a great honour for him to be appointed to fill the vacancy on Galway County Council caused by the death of the late Deputy Callanan. He thanked his proposer and seconder and said that he would carry out his responsibilities to the best of his ability.

1692 - RAISING OF SUPPLEMENTARY LOAN OF £269,000 FOR SPIDDAL REGIONAL WATER SUPPLY SCHEME:

It was proposed by Councillor Welby, seconded by Deputy Fahey, and resolved:

"That Galway County Council hereby approve the raising of a Supplementary Loan of £269,000 from the Commissioners of Public Works for the Spiddal Regional Water Supply Scheme, the loan to be repaid over a period of 30 years with interest at the rate in force at the date of issue of the loan to the Council."

1693 - RAISING OF LOAN OF £3,400,000 FROM THE COMMISSIONERS OF PUBLIC WORKS FOR THE GALWAY CITY WESTERN ENVIRONS WATER SUPPLY SCHEME:

It was proposed by Councillor McCormack, seconded by Councillor Holland, and resolved:

"That Galway County Council hereby approve the raising of a Loan of £3,400,000 from the Commissioners of Public Works for the Galway City Western Environs Water Supply Scheme, the loan to be repaid over a period of 30 years with interest at the rate in force at the date of issue of the loan to the Council"

1694 - HIGHER EDUCATION GRANTS SCHEME, 1982:

The Deputy County Manager referred to the Draft Scheme for Higher Education Grants which had been circulated to each Member of the Council and stated that the scheme had been drafted in accordance with the requirements of the Minister for Education.

The Draft Scheme for 1982, as circulated, was approved, and the Minutes of the Higher Education Grants Committee Meeting held on the 23rd July, 1982, were noted.

1695 - SALE OF SITE AT CULLAIRBAUN, ATHENRY:

It was proposed by Deputy Fahey, seconded by Councillor Murphy and resolved:

"That Galway County Council hereby approve the sale of a housing site at Cullairbaun, Athenry, to Mr. James Cunningham, 3 Clifton Close, Clifton Park, Newcastle, Galway, on the terms set out in Notice dated 15th July, 1982, under the provisions of Section 83 of the Local Government Act, 1946, and Section 88 of the Housing Act, 1966, which had been circulated to each Member of the Council."

1696 - SALE OF SITE AT PORTUMNA:

It was proposed by Councillor U. Burke, seconded by Councillor Haverty, and resolved:

"That Galway County Council hereby approve the sale of a housing site at Portumna to Mr. Patrick Joseph Quigley, 49, Shannon Park, Portumna, on the terms set out in Notice dated 15th July, 1982, under the provisions of Section 83 of the Local Government Act, 1946, and Section 88 of the Housing Act, 1966, which had been circulated to each Member of the Council."

1697 - APPOINTMENT OF REPRESENTATIVE ON GALWAY/MAYO REGIONAL ARTS COMMITTEE:

The Deputy County Manager stated that this appointment was deferred from the Annual Meeting in order to clarify whether the nominee must be a Member of the County Council. This had been checked with the Director of the R.D.O. who stated that the Council had only one representative on the Committee and the purpose of such representation was to link the local authority with the Regional Arts Committee and to convey to the local authority the advice and proposals originating with the Arts Committee for implementation by the Council. In his opinion, the representative should be an elected Member of the County Council.

Councillor Brennan proposed Councillor Coogan as the Council's representative on the Galway/Mayo Regional Arts Committee. This was seconded by Councillor U. Burke.

The Chairman declared Councillor Coogan elected as the Council's representative on the Galway/Mayo Regional Arts Committee.

1698 - DEPUTATION FROM TUAM TOWN COMMISSIONERS:

It was agreed to receive a deputation from Tuam Town Commissioners in regard to Urban status for Tuam at the September meeting of the Council.

1699 - MALICIOUS DAMAGE DECREES:

It was noted that Malicious Damage Decrees as circulated with item 11 on the Agenda had been received.

1700 - REHABILITATION OF TYNAGH MINE:

Councillor U. Burke asked that this item be deferred to the next meeting and this was agreed.

BUSINESS SUBMITTED BY THE COUNTY MANAGER:

1701 - OFFICIAL OPENING OF PORTUMNA LIBRARY AND FIRE STATION:

The Deputy County Manager stated that it was proposed to have an Official Opening of the New Portumna Library and Fire Station on the 23rd August, 1982, which was the date of the August Monthly Meeting. The tentative arrangements were that the official opening would be followed by lunch after which there would be a meeting of the Libraries' Committee followed by the Monthly Meeting of the County Council. The Chairman would discuss with Mr. Keating, County Manager, on his return from annual leave who would perform the official opening.

1702 - ENVIRONMENTAL WORKS (YOUTH EMPLOYMENT) SCHEME:

The Deputy County Manager stated that a further allocation of £117,000 had been notified by the Department of the Environment under the Environmental Works (Youth Employment) Scheme. £72,000 would be allocated to the County Council, £42,000 to Galway Corporation, and £3,000 to Ballinasloe Urban District Council. The following list of schemes totalling £72,000 which had been circulated to each Member of the Council was approved:

NORTH RIDING:

		£
<u>Tuam:</u>	1. Paddling Pool and Fountain at Palace Grounds, Tuam.	5,000
<u>Mountbellew:</u>	1. Moylough - Lay footpath at Square. Construct stone wall to part of area behind footpath.	2,500
	2. Newbridge - remove grass margin.	2,500
<u>Athenry:</u>	1. General improvements to paths, parking areas, etc. in the Rinville area.	5,000
<u>Milltown:</u>	1. Garrafrauns - improve paths and fencing, etc., at Community Centre.	3,000
	2. Williamstown - Hard shoulders towards pitch and proposed Social Centre.	2,000
		-----
	TOTAL FOR NORTH RIDING	20,000
		=====

SOUTH RIDING:

		£
<u>Gort:</u>	1. General improvements on Traught Road, Kinvara.	4,000
<u>Loughrea:</u>	1. Paths at the Mall, Kilchreest	4,000
	2. Clearing Derelict sites	2,000
<u>Portumna:</u>	1. Walls and paths at Kiltormer.	1,500
	2. Car parking, etc., at Ballycrissane, Tieranascragh.	3,000
	3. Clearing weeds and rushes on Shannon Bank.	1,000
<u>Ballinasloe:</u>	1. Footpaths at Kilconnell,	2,000
	2. Improve services at Community Centre, New Inn.	2,000
	3. Paths at Aughrim.	1,000
		-----
	TOTAL FOR SOUTH RIDING	20,500
		=====

WEST RIDING:

<u>Galway:</u>	1. Construct footpaths between Furbo and Spiddal.	7,000
<u>Oughterard:</u>	1. Construct footpaths between Spiddal and Inverin	7,000
<u>Clifden:</u>	1. Construct footpaths in Clifden.	6,000
	2. Construct footpaths in Carna.	4,500
		-----
	TOTAL FOR WEST RIDING	24,500
		=====

SUMMARY:

	£
NORTH RIDING:	20,000
SOUTH RIDING:	20,500
WEST RIDING:	24,500
	-----
GENERAL CLEAN UP OF LITTER	7,000
	-----
TOTAL	72,000
	=====

Councillor Brennan asked if this allocation of funds was coming from the Youth Employment levy and requested that this information be requested from the Department of the Environment.

1703 - COUNCILLORS' NOTICES OF MOTION:

Councillor McCormack asked for written replies to his motions. It was decided to defer all other Motions to the next meeting.

1704 - SYMPATHY:

Resolutions of sympathy were adopted with the following:

Sean O Ceoinin, Ruisin na Mainioch, Carna.  
Mr. & Mrs. Michael Halvey, Cloughnacava, Gort.  
Mr. John Duane, Cooliney, Kilrickle, Loughrea.  
Mrs. Teresa Burke & Family, Abbeyville, Abbey, Loughrea.  
Mr. & Mrs. John Joe Burke, Harbour Bar, Galway.  
Mrs. Maureen Hanrahan, Church Street, Gort, Co. Galway.

Mr. Tom Ryan, Summerhill, Brierfield, Ballinasloe.  
 Mr. John Duane, Kilreekle, Loughrea.  
 Mr. & Mrs. William Rooney, Barna Road, Galway.  
 Mrs. Ann Kelly, Barna, Co. Galway.  
 Mr. Frank Dunleavy, B.E., Castlelambert, Athenry.

THE MEETING THEN TERMINATED

SUBMITTED, APPROVED + CONFIRMED!

John Donnell CHAIRMAN

23 August 1982 DATE

COMHAIRLE CHONTAE NA GAILLIMHE  
 (Galway County Council)

Oifig an Runai,  
 Arus an Chontae,  
 GAILLIMH.

16u Lunasa, 1982.

CHUIG GACH BALL DE'N CHOMHAIRLE/

A Chara,

Iarrtar ort leis seo bheith i lathair ag cruinniú de Chomhairle Chontae na Gaillimhe a tionolfar ins na Foirgnithe Chontae, Gaillimh, De Lusain, 23u Lunasa, 1982, ar a 3.30 a chlog sa trathnóna.

Mise, le meas,

C. O'DUBHGHAILL  
 RUNAI.

A G E N D A

1. Resolutions under Section 4 of the City and County Management (Amendment) Act, 1955:

(a) "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council requires the County Manager to decide to grant Planning Permission to Mr. Tim Cleary, Ennis Road, Gort, for the erection of a shop at Cloonnahaha, Gort - Planning Ref. No. 42302."

Michael Fahy. Thomas Welby. Mark Killilea.

(b) "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council requires the County Manager to decide to grant Planning Permission for the erection of three dwellinghouses to John Joe Mulchair, Barrack Street, Loughrea, at Ballydoogan, Loughrea - Planning Ref. No. 42947."

Michael Fahy. Michael P. Kitt. Edward Haverty.

(c) "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to decide to grant Planning Permission for Shop and Store to Mrs. Leader, Castlegar, Galway - Planning Ref. No. 43373."

John Molloy. Mark Killilea. Thomas Welby.

(d) "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council requires the County Manager to decide to grant Planning Permission (Outline) to Mrs. Claire Porter of Attyshonock, Moycullen, for the erection of two dwellings and septic tanks at the above address - Planning Ref. No. 43076."

Thomas Welby. Mark Killilea. Michael Fahy.

- (e) "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council requires the County Manager to decide to grant Permission to Paul Fleming of No. 9 Grealishtown, Galway, for the erection of a dwelling house at Claregalway - Planning Ref. No. 43120."

Thomas Welby.                      John Molloy.                      Nioclás O Conchubhair.

- (f) "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to decide to grant Planning Permission to Martin Warde for the erection of a new petrol pump in Ballymoe - Planning Ref. No. 43487."

Patrick Finnegan.                      Michael P. Kitt.                      Mark Killilea.

2. Minutes.

(a) Meeting held on 26th July, 1982.

(b) Meeting of Sheep Dipping Committee held on 13th July, 1982.

3. Local Government (Planning and Development) Act, 1982 - Report herewith together with copy of Minister's Directive in relation to Shopping Centres.
4. Filling of vacancy on County Committee of Agriculture caused by the death of Deputy J. Callanan.
5. Filling of vacancy on River Suck Joint Drainage Committee caused by the death of Deputy J. Callanan.
6. Appointment of additional member on Sheep Dipping Committee (Minute No. 1600).
7. Overdraft - Quarter ending 31st December, 1982.
8. Raising of Loan of £169,035 for purchase of trucks.
9. Sale of Housing Site at Ballygar - Notice dated 6th August, 1982.
10. Seminar - Irish Council of the European Movement - Dublin 12th and 13th October, 1982.
11. Local Improvement Schemes - Progress Report herewith.
12. Sceim na mBoithre Aise - Deontas o Roinn na Gaeltachta - £76,334.
13. An Ghaeilge sa tSeirbhis Aitiuil - Comhfhreagras o Bhord na Gaeilge leis seo.
14. Resolutions adopted at Meeting of County Councils' General Council as follows:-
  - (a) "That the Minister for the Environment be requested to provide Polling Stations in hospitals to facilitate patients who wish to exercise their right to vote."
  - (b) "That the General Council call on the Minister for the Environment to prescribe minimum standards for the state and appearance of polling stations and to ensure that, in the revision of local electoral areas, account is taken both of the unity of existing and clearly defined communities and of the recommendations of the Oireachtas Boundaries Commission."
15. Dates of Council Meetings.
16. Fix dates for Meetings of Speed Limits Committees.

17. Housing Finance Agency.
18. Malicious Damage Decrees - List herewith.
19. Business submitted by County Manager.

COUNCILLORS' NOTICES OF MOTION

(a) Adjourned from previous meeting:

COUNCILLOR JOE BRENNAN - I will propose:

- tas
1. That the Oireach/Members of this Council be asked to use appropriate means within Government to ensure that Galway County Council gets sufficient funds to complete its projected work.

DEPUTY FRANK FAHEY - I will propose:

2. That Galway County Council examine the possibility of having a Refuse Collection Service provided by Private Refuse Collection Firms and paid for by local communities throughout the County.

SENATOR MARK KILLILEA - I will propose:

3. That the County Councillors have a full and frank discussion on the recent policy of the County Council to install on the schedules of Planning permissions sums of money as contributions to be made payable to the Planning Authority.

DEPUTY MICHAEL P. KITT - I will propose:

4. That Galway County Council widen the two bad bends on the Currantaraid Road, Monivea.

COUNCILLOR THOMAS WELBY - I will propose:

5. That a refuse collection be provided for householders in Gortacleva, Bushypark as has been provided recently in the Corcullen Area.
6. That some proper steps be taken to prevent flooding at Shangort, Knocknacarra Cross as water flows into houses in this area.
7. That gulleys be lowered on the Poulnaclougha Road so as to bring them down to the same level as the drain that was cleaned under the L.I.S. scheme recently.

COUNCILLOR MICHAEL FAHY - I will ask:

8. That Galway County Council widen the entrance of the road to Ballyglass Village at Ardrahan.

DEPUTY FRANK FAHEY - I will propose:

9. That a supply of water be given to the Derrydonnell Group Water Scheme from the Oranmore Regional Scheme and that this Group be allowed to commence work as soon as possible.

COUNCILLOR JOE BRENNAN - I will propose:

10. That this Council calls on T.D.s in Dail Eireann to form a National Government for a three year period to bring this country through the present crisis.

(b) Other Motions Received:

COUNCILLOR JOE BRENNAN - I will propose:

11. That Councillors be allowed to spend Notice of Motion Roads money on alternative Schemes.

COUNCILLOR M. J. KILGANNON - I will ask:

12. That discretionary expenditure of £2,000 be allowed to each Councillor in addition to N.O.M. for Roads.

SENATOR TODDIE BYRNE - I will propose:

13. That steps be taken to provide a central dump in South Galway to cover the parishes of Kinvara, Ballindereen, Clarenbridge, Ardrahan, Craughwell and Oranmore.
14. That the Housing Finance Agency Bill be implemented by Galway County Council.
15. That the very dangerous bridge east of the village of Kilchreest be replaced at the earliest opportunity.

COUNCILLOR JOSEPH BURKE - I will ask:

16. That Galway County Council give an up-to-date report on the steps being taken to ensure that the water supply to Tuam has no more pollution.
17. What is the current position with regard to the draining of the River Nanny at Birmingham, Tuam. Are the negotiations with the Board of Works complete?
18. That Galway County Council undertake to guarantee the cost of a telephone kiosk at Rushellstown, Milltown P.O.

AN COMHAIRLEOIR NIOCLAS O CONCHUBHAIR - Molaim:

19. Cosan a reiteach o scoil na Mullai chomh fada leis an cross bothair.
20. An Priomh Bothar otheach Sean O h-Eidhin siar go Leitircaladh a reiteach agus a dheisiu.
21. That Galway County Council arrange to have temporary toilet facilities for Doilin Beach, Carraroe.

COUNCILLOR P. FINNEGAN - I will ask:-

22. What effect will the Supreme Court decision have on the valuation question have on the finances of Galway County Council.
23. When is it proposed to carry out the very necessary repairs to Ballinakill Cemetery near Glinsk.
24. What is the usual procedure regarding the admission of people to Election counts.

DEPUTY PAUL CONNAUGHTON - I will propose:

25. That the footpaths in Kilkerrin Village be repaired immediately as they are in a deplorable condition and are a danger to the public.
26. That the Y Junction at Aughiart, Mountbellew be reconstructed to make it safer for all road users.
27. That Galway County Council employ its share of Litter Wardens in its towns and villages thereby reducing litter to a minimum and creating extra jobs.

COMHAIRLE CHONTAE NA GAILLIMHE

(GALWAY COUNTY COUNCIL)

County Buildings,  
Prospect Hill,  
Galway.

6th August, 1982.

TO EACH MEMBER OF GALWAY COUNTY COUNCIL/

Re: Proposed Sale of Land at Ballygar, Co. Galway.

A Chara,

In accordance with the requirements of Section 83 of the Local Government Act, 1946, and Section 88 of the Housing Act, 1966, notice is hereby given that it is proposed to dispose of a plot of land, as set out hereunder:-

FROM WHOM ACQUIRED:

Michael A. Pettit, Ballygar.

PERSON TO WHOM LAND IS PROPOSED TO BE SOLD:    Site No.    Area of Plot

Dermot McDermott, c/o Brian Traynor, Main St.,    1    24 sq. perches  
Ballygar.    approx.

Consideration in respect of disposal:

<u>Site No.</u>	<u>Price</u>
1	£3,500

Other Covenants or Conditions in connection with Disposal:

1. The site will be sold in fee simple.
2. The Erection of a house to be completed by the purchaser within two years.

This matter will be placed on the Agenda for consideration at the next ordinary meeting of the Council which will be held after the expiration of 10 days from the date of this Notice.

K. Doyle,  
County Secretary.

MINUTES OF PROCEEDINGS AT MONTHLY MEETING OF GALWAY COUNTY COUNCIL HELD AT THE COUNTY BUILDINGS, GALWAY, ON MONDAY, 23RD AUGUST, 1982.

IN THE CHAIR:    (a) Deputy J. Donnellan.  
                          (b) Councillor E. Haverty.

ALSO PRESENT:

Members:    As recorded in the Attendance Book.

Councillors G. Bartley, J. Brennan, J. Burke, U. Burke, Senator T. Byrne, Councillors J. Callanan, F. Coogan, Deputy F. Fahey, Councillors M. Fahy, P. Finnegan, F. Glynn, B. Holland, J. Joyce, M.J. Kilgannon, Senator M. Killilea, Deputy M.P. Kitt, Councillor P. McCormack, Senator J.M. Mannion, Councillors J. Molloy, T. Murphy, N. O'Conchubhair, M.G. O'Higgins, M. O'Morain, P. Ruane, M. Ryan, and T. Welby.

Officials:    Messrs. S. Keating, County Manager, J. Howlett, Assistant County Manager; T.J. O'Donoghue, Law Agent; J. Crotty, Acting County Engineer; Miss J. Forde and Miss M. Nolan, Staff Officers; Miss C. Hett, Senior Staff Officer; Messrs. R. Killeen, Senior Executive Engineer; L. Kavanagh, Senior Executive (Planning); B. Callagy, Senior Executive (Planning); D. Commins, Staff Officer; and K. Doyle, County Secretary.

The Opening Prayer was recited.

1705 - CHAIRMAN:

At 3.34 p.m. in the absence of the Chairman and Vice-Chairman, it was proposed by Councillor J. Burke, seconded by Councillor Brennan and resolved that Deputy J. Donnellan take the Chair. Deputy Donnellan then took the Chair - 10 Members being present at this time.

1706 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 42302 - APPLICANT: TIM CLEARY.

The County Manager stated that the incorrect site was shown on this application and that the resolution would, therefore, be ineffective.

The resolution was not proposed.

1707 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 42947 - APPLICANT: JOHN JOE MULCHAIR.

The Chairman asked for a proposer for this resolution. The resolution was not proposed.

1708 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 43373 - APPLICANT: MRS. LEADER.

The County Manager stated that a request for Further Information had issued in this case.

The resolution set out on the Agenda was not proposed.

1709 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 43076 - MRS. CLAIRE PORTER.

The resolution set out on the Agenda was proposed by Councillor Coogan but it was not seconded.



1710 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 43120 - PAUL FLEMING.

The Chairman asked for a proposer for this resolution but it was not proposed.

1711 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION 43487 - MARTIN WARDE.

The Chairman asked for a proposer for this resolution but it was not proposed.

1712 - MINUTES:

On the proposition of Councillor J. Burke, seconded by Councillor Brennan, the Minutes of meeting held on the 26th July, 1982, (Numbers 1676 - 1704, inclusive) were approved and signed by the Chairman.

On the proposition of Councillor Brennan, seconded by Senator Byrne, the Minutes of Sheep Dipping Committee meeting held on the 13th July, 1982, were approved and signed by the Chairman.

1713 - LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT, 1982:

The County Secretary's Report dated 16th August, 1982, together with the Directive - S.I. No. 264 of 1982, given by the Minister for the Environment on the 10th August, 1982, as circulated to each Member, was noted.

Councillor Holland, supported by Councillor Coogan, asked that the interests of small traders would be taken into account in the implementation of the Act and of the Directive.

1714 - FILLING OF VACANCY IN COUNTY COMMITTEE OF AGRICULTURE CAUSED BY THE DEATH OF DEPUTY J. CALLANAN:

It was proposed by Senator Mannion, seconded by Councillor Brennan that Deputy Donnellan be appointed to fill this vacancy.

It was proposed by Councillor Glynn, seconded by Councillor Kilgannon that Mr. Luke Nolan, Ardross, Kilconnell, Ballinasloe, be appointed.

At this stage, Senator Mannion withdrew his proposal and the Chairman declared Mr. Luke Nolan elected to the Committee.

1715 - FILLING OF VACANCY ON RIVER SUCK JOINT DRAINAGE COMMITTEE CAUSED BY THE DEATH OF DEPUTY J. CALLANAN:

It was proposed by Councillor Brennan, seconded by Councillor Ulick Burke that Councillor Michael J. Kilgannon be appointed to the Committee to fill this vacancy.

As there was no other proposal, the Chairman declared Councillor Kilgannon appointed.

1716 - APPOINTMENT OF ADDITIONAL MEMBER ON SHEEP DIPPING COMMITTEE:

On the proposition of the Chairman, seconded by Councillor J. Burke, Mr. T.J. Scanlon, Menlough, Ballinasloe, was appointed to be a Member of the Sheep Dipping Committee.

1717 - OVERDRAFT:

The County Manager requested the approval of the Council to Overdraft amounting to £3 million for the quarter ending 31st December, 1982.

It was proposed by Councillor J. Burke, seconded by Councillor U. Burke and resolved:

"That subject to the sanction of the Minister for the Environment, Overdraft accommodation, not exceeding £3 million, be borrowed on the Council's Revenue and Capital Accounts for the quarter ending 31st December, 1982."

Councillor Kilgannon stated that he was not satisfied that the County Council is getting all the funds to which it is entitled and he complained that notifications of grants and other allocations do not come in good time. It generally happens that the Council is not aware of what finance will be available to it until well into the year. He also complained that much of the Council's finance is going on Overdraft Interest and that because of a shortage of finance, refuse collection service is available only in village areas.

Councillor Haverly entered the Council Chamber at this time - 3.45 p.m. - and took the Chair.

1718 - RAISING OF LOAN OF £169,035 FOR THE PURCHASE OF TRUCKS:

The County Manager requested the approval of the Council to the raising of a loan of £169,035 for the purchase of 10 trucks.

Councillor O'Morain asked for information on the types of trucks which are being bought and from whom they are being purchased.

The County Manager stated that he has received Tenders but he has not yet decided to buy until he ascertains if funds will be available for the purchase of the vehicles in question. He also stated that a Roller would be required but he was deferring this until he finds out if finance is available. He requested the approval of the Council to the loan.

It was proposed by Councillor Brennan, seconded by Councillor Joyce and resolved:

"That Galway County Council hereby approve the raising of a loan of £169,035 for the purchase of trucks, the loan to be obtained from such source and on such terms as may be approved by the Minister for the Environment."

Replying to Deputy Donnellan, the County Manager stated that there is no possibility of extending the refuse collection service this year but the matter will be examined in the light of finances available in 1983. Replying to Councillor J. Burke, he stated that a new refuse collection truck was purchased two years ago as a standby and that one is always held in reserve in the event of a breakdown.

1719 - LEGALITY OF ACTIONS TAKEN IN EARLY PART OF MEETING:

Councillor O'Morain asked for the names of the persons appointed to the Committee of Agriculture, the River Suck Joint Drainage Committee, and Sheep Dipping Committee. The County Secretary stated that the following appointments were made -

County Committee of Agriculture: Mr. Luke Dolan.

River Suck Joint Drainage Committee: Councillor M.J. Kilgannon.

Sheep Dipping Committee: Mr. T.J. Scanlon.

Councillor O'Morain and Deputy Fahey also questioned the legality of the appointment of Deputy Donnellan as Chairman at the commencement of the meeting.

Deputy Fahey proposed that the Meeting was not legal and it should start again. The Secretary read for Members Paragraph 15 of Standing Orders as follows:

" The Chair at each Meeting shall be taken within a quarter of an hour after the time appointed for the start of the meeting. In the absence of the Chairman or Vice Chairman, a Member chosen by a majority of the Members present at the commencement of business shall preside as Chairman of the meeting .....

The Chairman asked the Council's Law Agent for his advice on the question of the legality of the actions taken in the earlier part of the meeting.

Mr. O'Donoghue, Law Agent, stated that under Standing Order numbered 14, the meeting is to start at 3.30 p.m. and that under paragraph 15, a meeting must start within 15 minutes of the time set for the commencement of the meeting, and if the Chairman or Vice-Chairman is not present at that time, the Members present would be entitled to appoint the Chairman even if a quorum is not present but they could not carry on the remainder of the business if a quorum were not present. Under Article 16 of Standing Orders, if a quorum is not present after the expiration of 30 minutes from the time for which a meeting has been summoned, the business shall stand postponed to the next meeting.

Mr. O'Donoghue stated that the meeting had been legally constituted, the decisions taken were legal and the Chairman was properly appointed. Replying to queries regarding the Section 4 resolutions on the Agenda, Mr. O'Donoghue stated that they had been legally dealt with and as there was no proposer and seconder for the resolutions, they were "gone by the board". He stated that the Chairman had called out for a proposer and seconder, individually, in each case.

The Chairman asked what is the position regarding the appointment of a representative on the County Committee of Agriculture as the Secretary had read out the name of the wrong man and that according to the record this was the man who was proposed and seconded as recorded by the Secretary. He considered the appointment null and void. He asked the Solicitor for his advice on this aspect of the matter.

Councillor Glynn stated that the man he had proposed was Luke Nolan and Councillor Kilgannon stated that he had seconded Luke Nolan's appointment. Deputy Donnellan, who was Chairman at the time, stated that the man proposed and appointed was Luke Nolan. Mr. O'Donoghue, Law Agent, stated that what matters is what was proposed, seconded, and passed, and that if the Secretary makes a mistake in recording a name, this does not invalidate the proposal made. He stated that the procedure should be to go back to the Member who proposed the individual and ask him what proposal he made. He stated that if some Member states that somebody else was proposed other than that named by the proposer, it was a matter for that Member to prove the allegation. Councillor Glynn at this stage stated that he was emphatic that he proposed Luke Nolan.

Mr. O'Donoghue stated that Minutes are only a record and they are not decisions and he advised Members that the person who was appointed can be notified of his appointment and he can be recorded in the Minutes as having been appointed. The Motion is correct and only the notes made by the Secretary were incorrect. Replying to Councillor Glynn who proposed that the Minute be now corrected, Mr. O'Donoghue stated that the notes of the Secretary are not Minutes and if he sees that a correction is necessary, he can make it.

Deputy Killilea stated that the Agreement between the Political Parties which had been made regarding the filling of vacancies had been broken.

Deputy Kitt stated that he understood that when the Sheep Dipping Committee was being appointed, it was decided that the successor to the late Deputy Callanan on the Council would be appointed.

The County Manager read Minute No. 1600 and stated that this was not the decision which was made at the time.

1720 - SALE OF HOUSING SITE AT BALLYGAR - NOTICE DATED 6TH AUGUST, 1982:

Deputy Kitt asked the name of the person to whom this site was being sold and the County Manager stated that it is being sold to Mr. Dermot McDermott, c/o Brian Trainor, Main Street, Ballygar.

It was proposed by Councillor Kilgannon, seconded by Councillor Joyce and resolved:

"That Galway County Council hereby approve the sale of a site containing 24 square perches approximately at Ballygar to Mr. Dermot McDermott in accordance with the terms of Notice dated 6th August, 1982, under the provisions of Section 83 of the Local Government Act, 1946, and Section 88 of the Housing Act, 1966, which had been circulated to each Member of the Council."

1721 - SEMINAR - IRISH COUNCIL OF THE EUROPEAN MOVEMENT - DUBLIN - 12TH/ 13TH OCTOBER, 1982:

Copy of letter dated 20th July, 1982, from Mr. Ruari Brugha, Chairman of the Irish Council of the European Movement was circulated to each Member.

The County Manager stated that this letter which was addressed to himself was brought before the Council as he thought that the Council should have at least one Member present at this Seminar.

A number of proposals were made by Members including one that no Member would be sent and another that three representatives of the Council would be sent. Eventually, it was decided that three representatives of the Council would be appointed to attend the Seminar at the September meeting.

1722 - LOCAL IMPROVEMENT SCHEMES:

Mr. Howlett's report of the 17th August, 1982, circulated to each Member together with the schedules enclosed therewith were considered.

Councillor Joyce stated that he was disappointed at the number of offers to which no replies were received.

Councillor McCormack complimented the Council's workers who give very good value for the money expended. Replying to Councillor Molloy, the County Manager stated that estimates amounting to twice the allocation had been prepared.

Councillor Welby gave particulars of two cases, one in which the representative was not now living in the area and he asked that the offer be repeated to a local participant, and in the other case, he stated that while a contribution of £673 had been paid, the Council was now looking for more and he considered this to be too late in the day to be looking for extra money. Mr. Howlett promised to examine those cases. Mr. Howlett also agreed to examine the case of Scheme No. 116/82 - Thomas King, to which reference was made by Councillor Ulick Burke.

Replying to Councillor Finnegan, Mr. Howlett stated that reminders are issued but that it is essential to have a time limit so that the money allocated could be spent. Replying to Councillor J. Burke, Mr. Howlett stated that this year a minimum contribution of 10% is required in all cases and that a higher percentage may be required depending on the average valuations. Mr. Howlett stated that acceptance of offers is very slow this year and that offers amounting to £600,000 have been made although the allocation for the year is £278,000. He stated that the Council will continue to make offers and will bring back report in about two months to the Council on the progress.

Replying to the Chairman who asked that schemes which had been dropped be put back on the list, Mr. Howlett stated this could create difficulties as people who had accepted offers might find themselves without funds.

1723 - SCEIM NA MBOITHRE AISE - DEONTAS O ROINN NA GAELTACHTA £76,334:

The County Manager stated that the allocation for this year is £76,334 compared with £182,000 in 1981. He stated that the list of schemes proposed to be carried out this year will be circulated to Members. He pointed out, however, that a new situation has arisen this year in that the Council is not being allowed the usual 12½% previously allowed for administration of the scheme.

Councillor Joe Burke proposed, and Deputy Donnellan seconded that the Council refuse this condition.

Councillor O'Morain stated that this is money to which the Council has no legal entitlement and that it is used to improve the condition of roads in the Gaeltacht areas which have gone into disrepair. He expressed disappointment with the amount of the grant but he pointed out that the allocation is relieving the drain on the Council's funds in respect of the remainder of the County.

Councillor O'Morain asked if there is any possibility that a grant of the special category for Regional Roads allocated in 1981 could be allocated for Connemara roads 1982.

The County Manager stated that the Council has no information on the involvement of Roinn na Gaeltachta in the allocation of special grants for Regional Roads.

The County Manager stated that he wished to get the Council's support for a request to Roinn na Gaeltachta that the 12½% allowed in previous years would also be allowed in the current year for administration purposes. The Council agreed to support the County Manager in a request to Roinn na Gaeltachta to allow the usual 12½% for administration purposes.

Deputy Donnellan proposed and Councillor J. Burke seconded that the Council send a request to Roinn na Gaeltachta for an allocation of the same amount as was allocated in 1981.

The County Manager agreed that a letter would be sent to Councillor O'Conchubhair and Councillor O'Morain stating when it is expected that the bridge at Muiceanach will be completed.

1724 - AN GHAEILGE SA TSEIRBHIS AITIUIL - COMHFHREAGAS O BHORD NA GAEILGE :

Do mhol an Runai go gcuirfi an cheist seo fe bhraid Coiste na Gaeilge agus na Gaeltachta agus go gcuirfi coiste neamh-oifigiuil ar bun in a mbeadh Comhaltai den Chomhairle ata sa Choiste Gaeltachta agus baill d'fhoireann an Chomhairle Chontae.

The County Secretary suggested that a meeting of Coiste na Gaeilge agus na Gaeltachta would be held to consider this matter and that as suggested in the correspondence from Bord na Gaeilge, a committee of Councillors and staff might be formed to consider furthering the use of the Irish language in the local authority. He pointed out, however, that Members of the staff may not be on an official Committee of the Council and that, therefore, the joint committee would have to be on an unofficial basis. Mhol an Comhairleoir O'Morain agus cuidigh an Comhairleoir O'Conchubhair leis an mholadh a rinne an Runai. Replying to a further query, the County Secretary stated that the following are the Members of Coiste na Gaeilge agus na Gaeltachta: - Councillors O'Morain, O'Conchubhair, Joyce, Deputy Kitt, Councillors Kilgannon, U. Burke, Brennan, O'Foighil, Senator Byrne, and Deputy Higgins.

1725 - POLLING STATIONS IN HOSPITALS, ETC. - RESOLUTIONS ADOPTED AT MEETING OF COUNTY COUNCILS' GENERAL COUNCIL:

The County Manager stated that it appears that there was not a full understanding of the problems involved when this resolution was recently proposed. He pointed out that the rules for the compilation of the Register of Electors must also be taken into account and it is impossible to know in advance what people will be patients in a hospital when the Register comes into force and for the year afterwards. The polling scheme sets out the polling place for each person listed.

Councillor McCormack stated that when this matter was being discussed, it was the question of long-term patients which was considered.

Councillor J. Burke stated that people who are patients of, for instance, the Regional Hospital should be entitled to vote there at an Election. Supporting Councillor Burke, Councillor Joyce stated that voters are issued polling cards at their home address and it should be possible to allow them to vote at a hospital by producing this card if they happen to be a patient in the hospital at the time of an Election.

Councillor Ulick Burke stated that during the recent Bye-Election, it was noted that the lowest poll was in the polling station serving St. Bridget's Hospital, Ballinasloe. He considered that perhaps the hours of rostering of nurses was likely to be a cause but he suggested that a polling station should be provided at that hospital. He also complained that booths are not private and he stated that there is a large number of errors in the Registers. He also stated that a number of people have claimed at the Revision Courts and have their claims allowed are removed from the Register. He considered that some new way should be devised such as the method in carrying out a Census of Population. He stated that if the County Council continues using Rate Collectors, there will be many serious omissions and he recommended that a cubicle should be provided at each station for privacy.

Deputy Donnellan stated that the preparation of the Register is not satisfactory and that it was noted in the recent Bye-Election that some people were allowed on the Register while others in similar circumstances were not. He stated that Polling Stations should be more suitably located and that Presiding Officers are not doing their duty as they permit political literature to be displayed within the precincts of the Station. Councillor Coogan supported the case made by Councillor Ulick Burke. Councillor Kilgannon stated that he agreed with Deputy Donnellan and referred to a previous recommendation which he had made that forms be issued to each householder. He asked why a form such that supplied for the Census should not be supplied to each householder.

The County Secretary stated that last year claim forms for votes were obtained for every householder in the County and were given to Rate Collectors and others engaged in the preparation of this Register and very few Claim Forms were returned. Regarding the Revision Courts, he stated that it happens that very many people lodge Claim forms but they do not all attend the Revision Courts to substantiate their claims. At this stage, Councillor Burke stated that in one particular case a claim was allowed at the Revision Court but the name did not appear on the Register. The County Secretary also stated that while the obligation of the preparation of the Register is on the Local Authority, he considered that individuals should assume some responsibility for ensuring that they were registered. He stated also that the approximate cost of the printing of the Register is about £24,000 and that about £5,000 - £6,000 extra is spent on fees and administration expenses.

1726 - DATE OF COUNCIL MEETING IN OCTOBER:

The County Manager stated that the Minister for the Environment was not available to perform the Opening Ceremony of the Library and Fire Station at Portumna on the date originally fixed, i.e., 23rd August, 1982. He now suggested that the meeting for October might be held in Portumna and that the invitation could be sent to the Minister to perform the Opening Ceremony on that date.

It was agreed that as the fourth Monday is a public holiday, the meeting would be held on Friday, 22nd October, 1982, in Portumna, commencing at 3 p.m. with the Opening of the Fire Station and Library at 5 p.m.

Deputy Donnellan proposed and Senator Byrne seconded that if the Minister is unable to perform the Opening Ceremony, it shall be done by the Chairman.

1727 - SPEED LIMITS COMMITTEES:

The County Secretary stated that the Council is now being asked to appoint Area Committees and to fix dates for meetings of those Committees in order to consider the Revision of Speed Limits throughout the County. He stated that representatives of Galway Corporation, Ballinasloe Urban District Council, and the Town Commissioners of Tuam and Loughrea have also been invited to send a representative or representatives to the Committee meetings dealing with their areas.

It was agreed that all Members of the County Council for each Electoral Area would be Members of the Local Committee and that the arrangements for holding the meetings would be deferred for a decision at the meeting to be held in September 1982.

1728 - HOUSING FINANCE AGENCY:

Mr. Howlett gave an outline of the provisions of the legislation in relation to the Housing Finance Agency and stated that the maximum loan was £22,500 which would be subject to an age qualification. The income limit is £9,000 per annum and the repayments would be based on an interest rate of 3.25% over the inflation rate of the previous year. 18% of the annual income will be repaid by the borrower - loans will not be advanced for a house with a floor area exceeding 1,346 square feet and the County Council will be allowed to keep 7% of receipts to cover costs of administration.

Mr. Howlett stated that an agreement between the National Housing Agency and the County Council had now been received and that in order to protect the interests of the Council, some amendments had been made to the Agreement. If the Agency agrees to the amendments, it is hoped to approve the issue of loans very soon after approval of the Agency is received.

Deputy Killilea stated that he was shocked at the extent of the repayments and expressed the view that the public should be told to keep away from the scheme. Repayments did not take into account ability to pay and he suggested that the normal County Council loans should be made available to the borrowers. In this context, a recommendation should be sent to the Minister to increase the amount of loans allocated by local authorities and the maximum income in order to qualify.

Councillor Kilgannon stated that he agreed that people should be advised initially to apply for a County Council loan but he stated that the National Housing Agency Scheme is for people outside the local authority's loan system. He stated that for the first time the repayments are based on income and the family will not have to pay over 18% of their gross income. He stated that he was aware of people who had loans from Building Societies who had to pay £260 instalments each month and as a result, the man's wife had to go out to work. He considered the scheme could be improved but that it is already a useful scheme.

Deputy Fahey stated that people should stay clear of the scheme. He agrees that there is inadequate provision for people in the income category for whom the scheme is designed but he pointed out that after 12 years in certain circumstances, a borrower could owe more than the value of the house.

Senator Byrne stated that while the scheme is not perfect, the present Government had accepted it. It benefits people in the £7,000 to £9,000 per annum group and is attracting a lot of interest in other countries.

Councillor O'Morain stated that initially the scheme sounds attractive as it provided for people in a certain income bracket. He pointed out, however, that if the 18% repayment does not clear the annual repayments calculated in accordance with the terms of the scheme, it would have to go on to be repaid later and people might never see themselves out of trouble in relation to repayments.

Deputy Fahey stated that there is a need for a proper agency for this income group.

1729 - MALICIOUS DAMAGE DECREES:

It was noted that Malicious Damage Decrees, as circulated with the Agenda, had been received since the last meeting.

1730 - APPEAL AGAINST DECISIONS TO GRANT PLANNING PERMISSION ARISING FROM A SECTION 4 RESOLUTION:

Deputy Killilea referred to an Appeal against a decision to grant Planning Permission under references 41672 and 41671 - Mr. Tom Collins, and he proposed that this matter be placed on the Agenda immediately after the Minutes for the next meeting. This proposal was seconded by Councillor Welby and agreed.

1731 - TYNAGH MINE - REHABILITATION:

Councillor Ulick Burke, referring to the County Manager's Report of the 28th June, 1982, which had been circulated to each Member of the Council, stated that under the terms of the Mining Licence given to the Tynagh Mines, they were supposed to return the land to its original state which was agricultural land. He stated that the County Council had failed to call on the Company to carry out the terms of the Mining Licence, that the Company had been asked to remove poisonous deposits from drains up to a certain point, but that the Company went only to a junction of two streams, stating that only dirt and leaves of trees were beyond this position which was not their responsibility. He stated, also, that the County Council gave them a processing licence and the terms of this were being flouted by the Company and that there are now poisons in great quantities in wells in the area. Councillor Burke stated that one owner of a well was advised not to use the water because cyanide was present in large quantities in it. He stated also that cattle have died and that the onus is on the Mining Company to remedy these problems. He stated also that the County Council produced a plan for the Mining Company but the Company balked at executing it and he felt that the Company could now leave the area anytime they wish and leave the problems there. He stated that what the County Council has done has failed. The County Council did not use the licence to make the Company do what it should do. Much of the work done is a failure and during winter weather the level of lead deposited in the area is alarming. He asked that the Health Board make records available to show the extent of the contamination. He also referred to a rock fall which he stated had occurred in the area during the past few weeks. He asked that An Foras Forbartha come and investigate the extent and level of contamination and fix responsibility for it. He stressed the need for provision of fencing and stated that the County Council had failed to compel the Company to do this. The expenditure which the Company proposed to incur is only a drop in the ocean by comparison with the profits which they had made from the Mine.

Councillor Burke then made the following proposals:

1. That the Company be compelled to comply with the terms of the original mining licence and the licence under the Water Pollution Act.
2. That An Foras Forbartha be called in to investigate the conditions in the area and to bring in a proper report.
3. That other County Councils where this Company operates be encouraged to refuse licences until they carry out what Galway County Council requires them to do.

Mr. Howlett, Assistant County Manager, stated that there are two aspects to this matter -

- (a) A general plan for Rehabilitation of the Mines, and
- (b) Incidents of toxic waste and how they have been dealt with.

At this stage, Councillor Joyce intervened to state that the matter is of serious importance and warrants a special meeting. Deputy Fahey seconded the proposal that a special meeting be held and he felt that the County Council should get on to the Government Department responsible for the Mining Licence.

Councillor O'Morain stated that if a special meeting is to be held, he suggested that a short 20 minute film on pollution might be shown during the meeting.

Councillor Kilgannon, agreeing with Councillor Burke, stressed the importance of having decisions made implemented.

Mr. Howlett stated that since a special meeting is to be held to discuss the matter, he did not propose to go into any further details but he suggested that it would be advisable that some of the statements made should not be published until the matter is fully discussed.

Councillor Ulick Burke stated that this attitude of not publishing information was going on far too long and he objected to it.

It was agreed that the special meeting would be held on Monday, 30th August, and that in addition to considering the Tynagh Mines, the Council would also deal with the Notices of Motion which were not reached at this meeting.

Later, it was agreed that a letter from C.I.E., already circulated in connection with passenger and freight services at Woodlawn and Attymon Stations, would also be considered.

#### 1732 - TUAM BEET FACTORY:

Councillor J. Burke asked for the support of the Council to keep the Tuam Beet Factory open. He stated that a major pull-out was being done in Tuam, that the Manager who was recently transferred is not being replaced, a number of Senior personnel has got Redundancy offers, a number of workers have been transferred from the Engineering Plant to the Sugar Plant and that all of these incidents point to the possibility of an early closure of the factory. He stated that this year as a result of the enterprise of local farmers, the loss will be cut from £2.5 million to £1 million.

Deputy Donnellan, agreeing with Councillor Burke, proposed that the Council call on the Taoiseach to ensure that a Manager is appointed to the Factory and to implement his earlier proposals for keeping the factory open. He asked the support of all T.D.s in the Council to ensure that a meeting would be held with An Taoiseach to clarify the position. Deputy Donnellan seconded Councillor Burke's proposal and asked that the Taoiseach be called on to make a statement on the future of the factory.

At this stage, the Chairman declared the meeting closed and no resolution was put to the meeting.

THE MEETING THEN TERMINATED

SUBMITTED APPROVED + CONFIRMED:

*Edward Fahey* CHAIRMAN

27th September 1982 DATE.

## COMHAIRLE CHONTAE NA GAILLIMHE GALWAY COUNTY COUNCIL

Post Office Box No. 27,  
County Buildings,  
Prospect Hill,  
Galway.

MO THAG  
My Ref. ....  
DO THAG  
Your Ref. ....



BOSCA POIST UIMHIR 27,  
ÁRAS AN CHONTAE,  
CNOC NA RADHARC,  
GAILLIMH.

Telephone:  
(091) 63151  
Ext. ....

25th August, 1982.

#### TO EACH MEMBER OF GALWAY COUNTY COUNCIL/

A Chara,

You are requested to attend a Special Meeting of Galway County Council which will be held at the County Buildings, Galway, on Monday next, 30th August, 1982, at 3.30 p.m.

Mise, le meas,

K. DOYLE,  
County Secretary.

#### A G E N D A

1. Rehabilitation of Tynagh Mine.
2. Letter from C.I.E. dated 16th August, 1982, re Passenger and Freight services - Woodlawn and Attymon Stations (Copy already circulated).
3. Councillors' Notices of Motion (Copy already circulated).

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MINUTES OF PROCEEDINGS AT SPECIAL MEETING OF GALWAY COUNTY COUNCIL HELD AT  
THE COUNTY BUILDINGS, GALWAY, ON MONDAY, 30TH AUGUST, 1982.

IN THE CHAIR: Councillor E. Haverty.

ALSO PRESENT:

Members: As recorded in the Attendance Book.

Councillors G. Bartley, J. Brennan, J. Burke, U. Burke, Senator T. Byrne, Councillor J. Callanan, Deputy P. Connaughton, Councillor F. Coogan, Deputy J. Donnellan, Councillors M. Fahy, P. Finnegan, F. Glynn, B. Holland, J. Joyce, M.J. Kilgannon, Senator M. Killilea, Deputy M.P. Kitt, Councillor P. McCormack, Senator J.M. Mannion, Councillors J. Molloy, T. Murphy, N. O'Conchubhair, M. O'Morain, P. Ruane, M. Ryan and T. Welby.

Officials: Messrs. S. Keating, County Manager; J. Howlett, Assistant County Manager; J. Crotty, Deputy County Engineer; T.J. O'Donoghue, Law Agent; R. Killeen, K. Hays, and S. McMahon, Senior Executive Engineers; T. Kavanagh, Administrative Officer; and K. Doyle, County Secretary.

The Opening Prayer was recited.

1733 - REHABILITATION OF TYNAGH MINE:

The County Manager stated that this matter had been discussed by the Council in December 1980 and a report was presented to the Council at that time. Irish Base Metals had been approached earlier than this date with a view to reaching agreement on a programme of rehabilitation for the entire mining area. The main items needing attention were identified at the time and the County Manager had put a suggestion to the Mining Company that it would be a good idea to have an agreement prepared which would be acceptable to them and to the County Council and to have it signed by both parties. This appeared acceptable to the Mining Company at the time and they promised co-operation. Subsequent to this, there was a major strike in the Company which delayed the question but negotiations were resumed with the Company after the strike and following Mr. Killeen's appointment, he had kept in close touch with the Company ever since and had monitored all activities in the Mining Area. Subsequently, a draft agreement, copy of which has been circulated to Councillors, was prepared with a view to having it signed by the County Council and the Mining Company setting out a programme of rehabilitation. This draft agreement showed details of what the Council required but the Company had been advised that legally they had no obligation to sign this agreement. The Council was anxious that the agreement would be signed as if it were signed, it would comprise one comprehensive plan of rehabilitation and would also provide for future maintenance of fences, etc.

In the absence of an agreement, the Company is proposing to carry out a certain programme of works but in many areas, the Council is not the enforcing authority. Where, however, the Council has statutory powers, those will be used if necessary. There are some planning conditions which will be enforced. If the agreement had been signed, the Council also wished to have a Performance Bond obtained in order to ensure that the place would not become a danger in future years.

Mr. R. Killeen, Senior Executive Engineer (Environment), then submitted a comprehensive report on the action taken by the County Council over the past few years outlining in the first instance the contents of the report dated December 1980 which was circulated to the Members of the Council - this included a description of the mining area which contains 365 acres, and

of the matters of concern to the Council at the time which were subsequently incorporated in the draft agreement which it was proposed to have signed by the Mining Company.

Mr. Killeen then reviewed the progress made up to the 28th June, 1982, as set out in the County Manager's report to the Council on that date and explained the matters of major concern to the Council which had been included in the Draft Agreement, which it had been hoped at the time would be completed by the Mining Company.

Mr. Killeen then submitted the following comments on specific complaints which had been made in relation to the conditions at Tynagh:-

a) Reinstatement of land:

The State Mining Lease issued to Irish Base Metals provided that at the expiration or earlier termination of the Lease, the Company was "to leave all surface lands in a proper state so as not to constitute a danger to public health or to persons or animals traversing the same or in the vicinity thereof to constitute a danger to neighbouring grassland or animals thereon or neighbouring lands or crops therein or to constitute an eye-sore."

Mr. Killeen stated that it would not be possible for the Company to restore the land to beneficial agricultural re-use and the objectives of the restoration work are mainly aesthetic and to provide stability against erosion so as to prevent dust and particulate matter being blown onto adjacent lands.

b) Enforcement of Rehabilitation Plan by the County Council:

The Council's Draft Deed of Rehabilitation was prepared as a basis for discussions and eventual agreement between the Council and the Company. It is worded in legal format and includes 8 main clauses and a detailed specification for carrying out certain works. The objectives of the Deed are to ensure that certain works are carried out immediately to protect the environment against potential hazards which may only manifest themselves in the future, by ensuring that the Company take the necessary protective measures and lastly to provide the local authority with resources to carry out such works if the Company default or dissolve. The Deed, if signed, would provide security in the form of a lodgement in a Bank Account in the joint names of the Mining Company and the County Council of an appropriate sum and secondly, in the registration of certain conditions as a burden on the property. As stated already, Irish Base Metals Limited refused to sign the Deed on the grounds that it was not obliged to do so and they stated that the local authority may use its powers under existing legislation to look after its interest and to protect the environment.

c) Allegation re Poisonous deposits in surface stream leaving the Mine site only partly cleaned:

As part of their programme of Rehabilitation, Irish Base Metals cleared the chemicals of the Barnacullia stream and the Castletown River. Works involved the removal by mechanical digger of sediments, believed to contain high deposits of metal from the stream beds. The Barnacullia stream was cleaned from the boundary of the mine property near Barnacullia Bridge to the confluence with the Castletown River, a total distance of 0.4 miles approximately. The Castletown River was cleaned from the confluence with the Barnacullia Stream to the confluence with the Mill Stream (Lisduff River), a distance of 0.6 miles approximately, giving an overall length of channel cleaned of 1.0 mile approximately. The request for additional works carried out in the Lisduff River, from the confluence with the Castletown River to the Mill, cannot be supported. A biological survey carried out in early 1981 indicated that the quality rating of the Lisduff River at the Mill is reasonably good and showed an improvement on a previous survey carried out in 1979. However, further sampling and testing will be carried out in the near future.

d) Recent Rockfall - Underground:

On the 29th July, Irish Base Metals reported rock movement in the Underground. It would appear that slippage took place in an overhang between the edge of the open pit and an underground stope. The Council are awaiting a full report from the Company. One of the reasons for the slippage is likely to be the pressure from a large stockpile of stone rejects on the surface, and the only effect would appear to be an increase of one metre in the level of water in the open pit.

e) Allegation re Poisonous cyanide in wells due to filling of open pit with water:

Waters from the wells in the vicinity of the mine are sampled on a regular basis by the Western Health Board and analysed by a Public Analyst. A total of 22 wells are sampled at varying intervals and of these 7 wells are monitored more specifically. In the period January 1982 to July 1982, a total of 75 samples, most of which were taken from the waters of the 7 specific wells referred to above, were analysed for the presence of cyanide. Cyanide was found in only one well without a trace being recorded in any of the others. The concentration of cyanide recorded on one occasion gave cause for concern. When the latter results became known, the analyses were repeated within a few days and the concentration of cyanide recorded was at or near drinking water standards. There is no evidence to connect any contamination of wells with the filling of the open pit. The open pit is filling with rain water and inflow of groundwater and is receiving the treated effluent from the silver process operation following the treatment to the standards specified by the Council. The concentration of cyanide in the underground workings is less than 0.05 mg/l drinking water standard. The concentration in the waters of the open pit, which is at a higher level is between 0.05 and 0.08 mg/l and it is expected to be reduced through dilution and natural breakdown.

f) Dust blow and pollution of adjoining lands:

Dust blow onto adjacent lands has occurred in the past and the source consisted of limited areas of the eastern sector of the tailings pond and the exposed beaches of the western sector of the pond. The troublesome areas of the eastern sector of the pond have been soiled. The entire area of the eastern sector is to be grass seeded during the Autumn of 1983. In the western sector, beaches become exposed due to the necessity to lower the level of the water, for purposes of treatment. The monitoring of "grasses in" surrounding lands is included in the overall programme of monitoring submitted by Irish Base Metals.

g) Employment of outside Consultants:

The Council's programme of monitoring of waters is carried out by An Foras Forbartha through the Regional Laboratory. The laboratory is staffed by a Chemist and a Biologist. The advice of the Engineering Inspector of the Department of the Environment has been availed of and regular discussions and meetings with Officers of that Department have taken place as well as with the office of the Geological Survey of Ireland. A systematic programme of monitoring of waters and grasses will continue for as long as is considered necessary but especially during the coming five years. If the programme of monitoring indicates that additional measures need to be taken which demand expert advice, then such advice will be sought as required.

h) Licence issued to Irish Base Metals in 1981:

A Licence under the Water Pollution Act in connection with silver extraction process was issued to Irish Base Metals in 1981 - the terms of this licence are being complied with by the Company.

The treatment of the effluent from silver / processing took longer than was anticipated and the level of water rose in the tailings pond. Following this, the County Council served a notice under Section 12 of the Water Pollution Act, 1977, requiring the Company to treat the effluent and this process is going on satisfactorily.

The present position, therefore, is that the Company refuse to sign the Deed of Rehabilitation as they were not obliged to do so. They produced a work programme of their own but the Council has no means of enforcing this if the Company does not carry it out apart from whatever statutory powers they have.

Deputy Connaughton stated that people in the area are in dread of conditions in the area and that nothing he had heard would alleviate the anxieties of those people. He considered that as the big profits are now gone, the Company does not care about the environment and that the only hold that the Council had on them was when the ore was in the ground.

The County Manager stated that the Council's position was no better than now and that our powers in either case are the same. He stated that the Council has the Water Pollution Act and where ever it is necessary, the powers in that Act will be utilised to the full. He stated that results of water monitoring are available and monitoring will continue but the Council if it is to take legal action must have information which will stand up as evidence in the Court. It had already been explained that the Company pointed out that it had no obligation to sign a Deed of Rehabilitation.

Councillor Ulick Burke stated that mining ceased exactly two years ago and that the Council had taken action within the constraints which operate. The Council had come up with a reasonable document for signature by the Company but the Company would not sign because of a pending Court Action they feel that this document might prejudice them. He stated that the open cast mine is filling up very quickly - much faster than people thought and that there is a very great hazard from pollution. The Mine, he stated, is sited in the north Tynagh Fault and that it is felt locally that water will move along this Fault. He stated that he had a report of water from a well which should not have been used for the past seven years and that the analysis of the water showed that the water was high in metal and cyanide content. He stated that while he is satisfied with recent monitoring, he was not satisfied with that done previously. He stated that the use of chemicals ordered by the County Council is not effective and that the polluted water is flushed into an underground area, and if the water rises again unless the chemicals break down, dangerous conditions could exist. He had on the previous day seen the remains of four seagulls on the Eastern shore.

He criticised the action of the Company in not continuing the cleaning of the river as far as the Mill. The Board of Works had refused to take spoil from this section to spread on the adjoining land and he asked the County Council to force the Company to complete the cleaning of the river below the junction to which cleaning had been done. He stated that lead and cyanide had been taken from snow covered land in January 1982, this material having been blown a half mile from the Mine onto private land. He considered that the site has potential in that it has power and that it has buildings and he asked what is the Council's intention with regard to the future of the site and the buildings. Regarding fencing, he stated that the Company has already commenced erecting fences and he considered that the wire being used is in danger of deterioration and he asked who was to maintain it. He recommended that Galway County Council should circulate all Councils where the Company has operations and make them aware of the factors which might arise if they are not pinned down to commitments before the work commences.

Councillor Burke stated also that grass has concentrates of lead in it and that this extends to a depth of 1 foot in the soil. The only remedy for this is for the Company to remove the soil completely. He asked that the appropriate Government Department be asked to ensure that the Company adhere to the conditions in the Mining Lease. Councillor McCormack asked that An Foras Forbartha be asked to carry out an examination in depth of the soil and waters in the area and that the Company be asked to provide an alternative supply of unpolluted water.

Councillor Murphy stated that it appeared that the Company is complying to the extent of about 90% of the requirements as specified by the County Council and he considered that it is not reasonable to expect anybody to sign the document imposing obligations which it does not have to sign. He considered that the reports represent a reasonable assessment of the situation and he considered that the County Manager and Mr. Killeen are handling the problems effectively in so far as it is possible to do so within the law. Stating that he appreciated the worry of local farmers, Councillor Murphy urged the Co. Manager and Mr. Killeen to continue the efforts on the monitoring of water supplies.

Councillor Joyce stated that he visited the Mine in the previous week and was impressed by the amount of work which had been undertaken by the Company and that which was planned. He did not consider however that everything was perfect and that one dangerous thing which he noted there was the open cast mine filled with water but he saw that a 7 foot fence had been erected around it. He considered that a disservice was being done by statements which cause unjustified worry, he pointed out that rehabilitation could not be done overnight. He had seen cattle and sheep grazing in fields beside the Mine and he did not agree that other Councils should be written to as suggested.

Deputy Kitt stated that he was concerned after statements made at the previous meeting particularly in relation to pollution but that he understood now that the quality of the water in the wells was at or very near <sup>the</sup> standard required for drinking water. He agreed that a better standard of fencing is required. Regarding wildlife, he stated that he had seen hundreds of rabbits around the area and they did not appear to be adversely affected.

Councillor Kilgannon stated that the Council has limited powers and that all we can do now is possibly learn from what has happened. In addition, he stated that the country had handed away a natural resource - it had exported its minerals which is the country's wealth for a short term benefit. The Company had left traces of cyanide and lead in watercourses and he considered that the Company should be required to spell out at the beginning what is to happen when work on mining is finished. The problem is, however, a national one and the Council has little power in the matter.

Councillor O'Morain stated that the Council has nothing to do with the terms on which the Company entered and that while he was not holding a brief for the Mining Company, there are two sides to every story.

Councillor Callanan stated that surveys of other possible mining areas in the County are being carried out and that if ore is discovered, it would be processed in Tynagh. The Company had done a fair amount of rehabilitation and he asked that the Council continue its efforts of monitoring and protecting the interests of farmers. He asked that every possible step be taken to ensure that fencing is completed. He stated that he would not be in favour of taking down the buildings which are on the site as he hoped that use would be found for them within a short time.

Councillor Joe Burke stated that people in the Tynagh area are perturbed at conditions existing there and he asked that the Council bring all its power to bear on the Company to do as the Council requires. He asked that the beneficial knowledge would be passed on to other local authorities, and he asked why the Company was so slow in clearing the river.

Councillor M. Fahy asked that nothing would be done to discourage employment in the Loughrea area as Loughrea needs employment. He expressed every confidence in the work being done by Mr. Killeen.

Councillor Finnegan agreed that the Council should use legislation to improve the condition in Tynagh but he stated that he did not detect from the Manager or Mr. Killeen any alarm regarding imminent or immediate danger in the area.

Councillor Joyce stated that he was informed by a Company spokesman that the Company is preparing a plan of rehabilitation of the mine and are willing to have a plan.

Replying to points made by Councillors, Mr. Killeen made the following comments.

(1) Water movement is very little in the lower depths of the mine. He agreed that the underground pit is filling faster than was originally estimated but he pointed out that the movement of water is into the open pit and not out of it.

There are no large quantities of cyanide - the quantity found is at the approximate level permissible in drinking water.

If water from the pit overflows, the Company will need a new licence and the conditions then to be imposed can cover the treatment, but the Council could not expect a higher quality than the background level. Cyanide had been found only in one well and on only one occasion was the cyanide at an acceptable level.

(2) River: Approximately one mile of surface stream is involved - the river was used during peak operations and many metals would be expected to have settled in that distance of one mile. Water at the Mill was found to be of high quality - monitoring will continue.

(3) Soiling of Tailings Pond: This is not proposed - the only proposal is to seed it so that no "pushing down" of water is involved.

(4) Grasses: Monitoring of grasses has not been extensive in recent years since the problem of air emissions ceased. However, grass monitoring will be undertaken.

(5) Permanent Fences: There may be some legal difficulty about this but pressure will be put on the Company to carry out adequate fencing.

(6) Employment of Outside Consultants, such as An Foras Forbartha:

An Foras Forbartha are involved already. Monitoring of wells and other waters is continuing and there is no necessity at present for bringing in any further assistance. The treatment process of the effluent which has already been carried out has proved most effective. The effluent in the Tailings Pond is expected to break down naturally, - the level rose some time ago and chlorination was used to speed the break down. The effluent was dosed with lime and chlorine and was treated in small ponds. He expressed satisfaction with the results which were monitored by the Company and by the Council in the Pond and on the way to the open pit.

Replying to Councillor Ulick Burke, Mr. Killeen also stated that water in the pit was also monitored and the level of cyanide was found to be low.

Replying to Councillor Ulick Burke regarding monitoring of water 700 feet in depth, Mr. Killeen stated that the least concern is regarding water underground - that all water goes into the pit and not out of it. He is convinced that the quality of water in the pit will improve.

Deputy Connaughton stated that the Company refused to carry out a promise it gave to complete an agreement, and because of this, he did not trust them. He stated that nothing less than a legal agreement should be acceptable to the Council.

Councillor Callanan asked that buildings on the site be not removed as they may be useful later.



The County Manager stated that the agreement with the Company which he had proposed was intended to provide also for a Bond and to provide continuing safety measures a long time into the future. However, the Company apparently, was advised by its legal representative that it need not sign this. Replying to suggestions by Councillors that the plan proposed by the Company should be signed by the Council also, he stated that he would prefer not to sign their plan and he saw no point in doing this unless it involved an agreement and met the requirements of the Council. The Council will have recourse to the law wherever it is available and wherever it seems necessary to follow this course. Regarding employment of other Consultants, he stated that the Council will adopt this course if the need arises.

Replying to Councillor Brennan, the County Manager stated that the question of the local people in the Company getting together should be a matter for themselves and not for the Council. The Council agreed to this.

Councillor Ulick Burke seconded the proposal of Deputy Connaughton that nothing less than a legal agreement would be acceptable.

The County Manager stated that he would like to have an agreement but it was not possible. In view of this, the Council will avail of its statutory powers but some matters which are a problem in Tynagh are matters for the Department of Industry. The Council will continue to watch and monitor activities in the area. He promised to keep the Council informed of developments.

At this stage, the Council, on the suggestion of the Chairman, agreed that the matter would be deferred until further need for a meeting arises.

Deputy Connaughton stated that he would also adjourn his motion.

1734 - C.I.E. SERVICES - ATTYMON AND WOODLAWN:

Councillor Kilgannon asked that this matter would be deferred to the next meeting - that it be put as high as possible on the Agenda after Section 4 resolutions. This was agreed.

1735 - CONGRATULATIONS AND GOOD WISHES:

A vote of congratulations was passed with Dr. William Loughnane, T.D., on the occasion of his recent marriage.

The Council also expressed its good wishes to Mr. R. Copeland, B.E., Executive Engineer, Oughterard Area, on his recent retirement.

1736 - COSAN O SCOIL NA MULLAI GO DTI AN CROS BOTHAIR: - MOLADH O'NCOMHAIRLEOIR O CONCHUBHAIR:

Duirt an Runai nach bhfuil aon airgead ar fail i mbliana don obair seo ach go gcuirfeadh san aireamh e nuair a bheas na Meastachan i gcomhair 1983 a ullmhu.

Replying to a further query by Councillor O Conchubhair, the County Manager stated that no guarantee can be given at this stage that money will be provided in the 1983 Estimates for this purpose.

1737 - AN PRIOMH BOTHAIR O THEACH SEAN O h-EIDHIN GO DTI LEITIRCALADH A REITEACH AGUS A DHEISIU - MOLADH O'NCOMHAIRLEOIR O CONCHUBHAIR:

Duirt an Runai go bhfuil droch bhaile ar an mbothar seo de bharr easpa airgid ach go ndeanfar iarracht rud eigin a dheanamh don chuid is measa dhe chomh luath agus is feidir.

1738 - TEMPORARY TOILET FACILITIES FOR DOILIN BEACH, CARRAROE - PROPOSAL BY COUNCILLOR O CONCHUBHAIR:

The County Secretary stated that enquiries are being made into the possibility of providing toilet accommodation at all beaches in the County.

Councillor O Conchubhair stated that this is a high amenity area and that there is an influx of guests into the area each summer.

The County Manager stated that he is anxious to provide facilities on beaches and he has asked the County Engineer to examine the position and what can be done.

Replying to Councillor Ulick Burke, the County Manager stated that the examination will be extended to provision of facilities on lakeshores.

1739 - LEGALITY OF VALUATION SYSTEM - MOTION BY COUNCILLOR FINNEGAN:

The County Secretary stated that he understood that the situation in this case was that the High Court decision has been made but that the Order has not yet been perfected. No information is at present available as to the question of an Appeal to the Supreme Court.

The County Manager stated that the approximate amount involved as far as Galway County Council is concerned in the valuation issue is about £440,000. He understood that advice is being given by farming organisations to farmers not to pay Rates and he pointed out that if this happens, the Council will have to curtail services.

1740 - REPAIRS TO BALLINAKILL CEMETERY NEAR GLINSK - MOTION BY COUNCILLOR FINNEGAN:

The County Secretary stated that the estimated cost of providing drainage for this Burial Ground is £5,000 and that funds have not been made available in the current year's Estimate to undertake this work.

Councillor Finnegan stressed the urgency of doing the work and he asked that an effort be made to have money provided in 1983 for this purpose.

1741 - ADMISSION OF PEOPLE TO ELECTION COUNTS - MOTION BY COUNCILLOR P. FINNEGAN:

The County Secretary stated that he did not know what is the position with regard to General Elections or Referenda but that in relation to Local Elections, regulations provide that the Returning Officer, his assistants, and Clerks, Members of the Garda Siochana on duty, the Agents of the Candidate duly appointed for the purpose and no other person except with the permission of the Returning Officer may be present at the Counting of the votes. He pointed out, that there is an obligation under the regulations on the Returning Officer to provide all reasonable facilities for overseeing the proceedings of the Counting of the votes including facilities for satisfying Candidates and Agents that the Ballot Papers are correctly sorted and all such information as he can give them consistently with the orderly conduct of the proceedings and the performance of his functions.

Councillor Finnegan stated that there was frustration at the recent By-Election Count in Loughrea where only a small number of people were admitted in the morning and that people who were active in the Election Campaign could not gain admission. He thought that some arrangements could be made whereby people could be admitted at a certain time.

Councillor Callanan supported Councillor Finnegan and suggested that the public might be admitted when the first check of the votes is completed.

1742 - SYMPATHY:

Resolutions of sympathy were adopted with the following:

Mr. Sean Higgins, Lettercallow, Lettermore, Co. Galway.  
Mrs. Nan Hickey, Sconce, Lettermore, Co. Galway.  
Mrs. Geraghty, Carraroe, Co. Galway.  
Mr. Thomas Watters, Harbour Road, Ballinasloe, Co. Galway.  
The Downey Family, Carrabane, Peterswell, Co. Galway.

Mr. John Manifold & Family, The Bridge House, Ardrahan.  
Mr. John Lowery, Monanagh, Lavally, Tuam.  
Mrs. Turley, Knocknacarra, Barna.  
Mr. Ted Scanny, Brierfield, Ballinasloe.

9.

1743 -ADJOURNMENT OF MEETING:

It was agreed that the remaining items on the Agenda be adjourned to the next meeting.

THE MEETING THEN TERMINATED

SUBMITTED, APPROVED & CONFIRMED:

Edward Han CHAIRMAN

27th 8/1982 DATE

COMHAIRLE CHONTAE NA GAILLIMHE  
(Galway County Council)

Oifig an Runai,  
Arus an Chontae,  
GAILLIMH.

21u Mean Fomhair, 1982.

CHUIG GACH BALL DE'N CHOMHAIRLE/

A Chara,

Iarrtar ort leis seo bheith i lathair ag cruinniú de Chomhairle Chontae na Gaillimhe a tionolfar ins na Foirgnithe Chontae, Gaillimh, De Luain, 27u Mean Fomhair, 1982, ar a 3.30 a chlog sa trathnóna.

Mise, le meas,

T. KAVANAGH,  
Runai Sealadach.

A G E N D A

1. Resolutions under Section 4 of the City and County Management (Amendment) Act, 1955:
  - (a) "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to decide to grant full permission to Iarla Mac Aodh Bhui, Colaiste, Gaillimh, for the erection of a dwellinghouse at Aille, Inverin. - Planning Ref. No. 43795."  

Nioclas O Conchubhair. Thomas Welby. G. Bartley.
  - (b) "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to decide to grant full permission to Mrs. Annie Thornton, for the erection of a dwellinghouse at Killough, Spiddal. - Planning Ref. No. 43887."  

Thomas Welby. Nioclas O Conchubhair. G. Bartley.
  - (c) "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council requires the County Manager to decide to grant Planning Permission for the conversion of premises to take away foods to Mr. Martin Aherne, Cosmona, Loughrea, Co. Galway, at Main Street, Loughrea. - Planning Ref. No. 43905."  

Ulick Burke. Tony Murphy. Michael P. Kitt. J. Brennan.
  - (d) "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to decide to grant Planning Permission for a shop and store to Mrs. Patricia Leader, Castlegar, Galway. - Planning Ref. No. 43373."  

John Molloy. Thomas Welby. Mark Killilea.

- (e) "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to decide to grant full permission to John Newell of Ballyglass, Turloughmore, Athenry, for two dwellinghouses at Ballyglass. - Planning Ref. No. 43564."

Mark Killilea. Paddy Ruane. John Molloy.

- (f) "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to decide to grant Outline Planning Permission to Mrs. Claire Porter at Attyshonock for the erection of two dwelling houses and septic tanks. - Planning Ref. No. 43076."

Thomas Welby. Mark Killilea. Michael Fahy.

- (g) "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to decide to grant permission to Paul Fleming for the erection of a dwellinghouse and septic tank at Claregalway. - Planning Ref. No. 43120."

Thomas Welby. Michael Fahy. Nioclas O Conchubhair.

- (h) "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council requires the County Manager to decide to grant Permission for the erection of a house at Ballindooley to Mary Fahy (Pat). - Planning Ref. No. 43697."

P. McCormack. P. O'Foighil. M.J. Kilgannon.

- (i) "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council requires the County Manager to decide to grant Outline Permission for the erection of two houses at Ballyquirke East to James N. Palmer. - Planning Ref. No. 43559."

P. McCormack. John M. Mannion. John Donnellan.

- (j) "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council requires the County Manager to decide to grant Outline Permission for the erection of a dwellinghouse at Barrasheen to Patrick Faherty. - Planning Ref. No. 43619."

John M. Mannion. Thomas Welby. Michael Fahy.

- (k) "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to decide to grant Planning Permission to Mrs. Nora Walsh of Caherhenryhoe, Loughrea, Co. Galway, for a housing development at Ballymore Lower, Laurencetown. - Planning Ref. No. 43544."

John M. Mannion. Michael Ryan. John Donnellan.

- (l) "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to decide to grant Planning Permission to Jack Spelman of Gort, Co. Galway, for a housing development at Gort." - Planning Ref. Number 43978."

John Donnellan. John M. Mannion. Michael Ryan.

- (m) "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to decide to grant Planning Permission to Paraic Cawley of Craughwell for a housing development at Doonard, Craughwell. - Planning Ref. No. 43195."

John M. Mannion. Michael Ryan. John Donnellan.

- (n) "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council requires the County Manager to decide to grant Planning Permission to Jarlath O'Connor for full planning permission for a housing development at Kinvara, Co. Galway. - Planning Ref. No. 42667."

John Donnellan. M.J. Kilgannon. P. McCormack. Michael Ryan. Toddie Byrne.

2. Minutes.
3. Appeal against planning decisions following passing of Section 4 Resolutions - Planning Reference No. 41672 - Tom Collins.
  - Planning Ref. No. 41671 - Tom Collins.
  - Planning Reference No. 42608 - Michael Smith.
4. C.I.E. Rail Services - Attymon and Woodlawn.
5. Reception of deputation from Tuam Town Commissioners re Urbanisation.
6. European Movement Seminar - nomination of three delegates.
7. Report on Council Finances and Special Overdraft Facilities. (Report to follow)
8. Raising of loan of £200,000 for 2 Water Tenders and 1 Light Rescue Tender for Fire Service.
9. Raising of Loan of £10,940 for contribution to Ardaun/Dooroy Group Water Scheme.
10. Raising of Supplementary Loan for Shruffaun/Bungowla Water Supply Scheme.
11. Raising of Supplementary Loan for Brierhill Reservoir.
12. Declaration of Roads to be Public Roads - List herewith.
13. Sale of Industrial Site at Poolboy, Ballinasloe, to Michael Kelly (Printing) Ltd. - Notice dated 15th September, 1982, already circulated.
14. Sale of plot of land at Townparks, Tuam, to Mr. Seamus O'Neill. - Notice dated 3rd September, 1982, already circulated.
15. Sale of house at Croaghill, Williamstown, to John and Mary Foley. - Notice dated 8th September, 1982, already circulated.
16. Litter Act, 1982 - Action Programme.
17. Ireland-West Subvention 1982.
18. Fix dates for meetings of Speed Limit Committees.
19. Resolution from Roscommon County Council re Supplementary Welfare Allowance Demand of Health Board.
20. Joint Committee on Building land.
21. Business submitted by the County Manager.

COUNCILLORS' NOTICES OF MOTION:(a) Adjourned from previous meeting:COUNCILLOR JOE BRENNAN - I will propose:

1. That the Oireachtas Members of this Council be asked to use appropriate means within Government to ensure that Galway County Council gets sufficient funds to complete its projected work.

DEPUTY FRANK FAHEY - I will propose:

2. That Galway County Council examine the possibility of having a Refuse Collection Service provided by Private Refuse Collection Firms and paid for by local communities throughout the County.

SENATOR MARK KILLILEA - I will propose:

3. That the County Councillors have a full and frank discussion on the recent policy of the County Council to install on the schedules of Planning Permission sums of money as contributions to be made payable to the Planning Authority.

DEPUTY MICHAEL P. KITT - I will propose:

4. That Galway County Council widen the two bad bends on the Currantarmid Road, Monivea.

COUNCILLOR MICHAEL FAHY - I will ask:

5. That Galway County Council widen the entrance of the road to Ballyglass Village at Ardrahan.

DEPUTY FRANK FAHEY - I will propose:

6. That a supply of water be given to the Derrydonnell Group Water Scheme from the Oranmore Regional Scheme and that this Group be allowed to commence work as soon as possible.

COUNCILLOR JOE BRENNAN - I will propose:

7. That this Council calls on T.D.s in Dail Eireann to form a National Government for a three year period to bring this country through the present crisis.

8. That Councillors be allowed to spend Notice of Motion Roads money on alternative schemes.

COUNCILLOR M.J. KILGANNON - I will ask:

9. That discretionary expenditure of £2,000 be allowed to each Councillor in addition to N.O.M. for Roads.

COUNCILLOR JOSEPH BURKE - I will ask:

10. That Galway County Council give an up-to-date report on the steps being taken to ensure that the water supply to Tuam has no more pollution.

11. What is the current position with regard to the draining of the River Nanny at Birmingham, Tuam. Are the negotiations with the Board of Works complete?

12. That Galway County Council undertake to guarantee the cost of a telephone kiosk at Rushellstown, Milltown P.O.

DEPUTY PAUL CONNAUGHTON - I will propose:

13. That the footpaths in Kilkerrin Village be repaired immediately as they are in a deplorable condition and are a danger to the public.
14. That the Y Junction at Aughiart, Mountbellew, be reconstructed to make it safer for all road users.
15. That Galway County Council employ its share of Litter Wardens in its towns and villages thereby reducing litter to a minimum and creating extra jobs.

(b) Other Motions Received:DEPUTY MICHAEL P. KITT - I will propose:

16. That Galway County Council accept further extensions to the Barnaderg Group Water Scheme.

DEPUTY FRANK FAHEY - I will propose:

17. That the lights which are being removed from Clarinbridge be erected on the road leading to the New Council Estate at Clarinbridge and also to the Village of Nogra, Kinvara.

COUNCILLOR JAMES JOYCE - I will propose:

18. That Galway County Council press ahead immediately with the fencing of the extension to Clontuskert Burial Ground as there are no vacant plots in the old Burial area.
19. That a field beside the Health Centre in Kiltormer be purchased by the Council from the Western Health Board for a housing development.

COUNCILLOR MICHAEL FAHY - I will propose:

20. When does Galway County Council intend to erect local authority houses in Gort?
21. That Galway County Council require land for housing for serviced sites in Gort.

AN CHOMHAIRLEOIR NIOCLAS O CONCHUBHAIR - Molaim:

22. An Bothar go dti Oilean Rossa, An Cheathru Rua, Co. na Gaillimhe, a dheisiu agus na ballai a thogail.
23. An bhfuil se i gceist ag an Comhairle Condae, Reilig Leitirmoir, Tra Bhan, Coigeal agus Leitirmeallain a reiteach no Reilig nua a thogail.
24. Go dtabharfai cead do Udaras na Gaeltachta airgead a thabhairt den Comhairle Condee chun boithre a dheisiu i gceantair Gaeltachta.

AN CHOMHAIRLEOIR MICHEAL O'MORAIN - Molaim:

25. Ba mhaith liom go deanfai an droichead ag Inblier-Rosmuc a leathnu agus an clai a athru.
26. Ba mhaith liom go leanfai feabhsu an bhothair o loch conairtha siar go Carna.
27. Ba mhaith liom a mholadh go gcuirfi laithrean bruscair amhain i ngach baile beag le freastal ar na bruach bhailte.

COUNCILLOR THOMAS WELBY - I will ask:

28. What is the up-to-date position regarding stage 2 of the Oughterard Regional Water Scheme.
29. What is the present position regarding Rawfee/Caherlistrane Group Water Scheme? When will the organisers be in a position to go ahead?
30. When will work commence on the proposed roundabout in Headford town as had been discussed when I arranged a deputation between Headford Community Council and the County Engineer.

COMHAIRLE CHONTAE NA GAILLIMHE (GALWAY COUNTY COUNCIL)			
<b>DECLARATION OF ROADS TO BE PUBLIC ROADS</b>			
Notice is hereby given that Galway County Council at a Meeting to be held not later than one month from the date of publication of this Notice, will consider the making of a Declaration that the following roads shall be Public Roads.			
Area	From	To	Metres
Oughterard	Co. Rd. 84 Townland of Canrower West.	P. Walsh's gate in Townland of Canrower West.	90
Galway	N.59 in Townland of Killeen.	T. Heffernan's house in Townland of Killeen.	100
Gort	C.R. 312 in Townland of Killeeneran.	Mr. O'Toole's house, in Townland of Killeeneran.	200
Gort	C.R. 327 in Townland of Crushoa.	Opposite M. Leech's house in Townland of Crushoa.	188
Clifden	Jnc. with C.R. 8 in Townland of Bundouglass.	Courseys house in Townland of Bundouglass.	280
Ballinasloe	Jnc. C.R. 513 in Townland of Kilglass.	P. Carty's house in Townland of Kilglass.	100
Mountbellew	C.R. 518 in Townland of Ballyglass.	Towards Geraghty's house in Townland of Ballyglass.	63
Athenry	C.R. 437 in Townland of Knockroe.	B. Mitchell's yard in Townland of Knockroe.	80
Ballinasloe	Jnc. C.R. 475 in Townland of Ballyglass.	Gates serving Lynskay's and Kenny's houses in Townland of Ballyglass.	51
Loughrea	Chn. 70m. beyond Brett's house in Townland of Benbeg.	Towards J. Finnerty's house in Townland of Benbeg.	68
Galway	Co. Rd. 106 in Townland of Shruve.	Concrete bridge in Townland of Shruve.	230
Athenry	Co. Rd. 434 ch. 430 at Uniack's house in the Townland of Carrowrevagh.	Towards Forde's house in the Townland of Dunsandle.	230
Ballinasloe	C.R. 52 in Townland of Kilclooney.	Towards Jnc. C.R. 521 in Townland of Kilclooney.	285
Ballinasloe	C.R. 476 in Townland of Barnaville.	Towards M. Donnellan's house in Townland of Barnaville.	180
Mountbellew	Jnc. C.R. 196 in Townland of Clonkeen Beg.	Jnc. C.R. 416 in Townland of Dangan Beg.	58
Oughterard	Salerno School in Townland of Aille.	B. Feeney's house in Townland of Aille.	340
Athenry	End of public road in Townland of Fahy (Shanballard, Gurteen, Ballinasloe).	Hasting's house in Townland of Fahy (Shanballard, Gurteen, Ballinasloe).	55
Milltown	Co. Rd. 161 in Townland of Ardour.	H. Connern's house in Townland of Ardour.	118
Gort	End of Co. Rd. 324 in Townland of Keamsillagh.	M. Gill's house in Townland of Keamsillagh.	48
Athenry	End of public road by Duffy's house in Townland of Moanbaun, Athenry.	Join public road at Fahy's house in Townland of Moanbaun.	460
Athenry	End of public road in Townland of Caherkinmonwee (Craughwell).	Kennedy's house in Townland of Caherkinmonwee.	60
Tuam	Co. Rd. 149 in Townland of Lackaghbeg.	T. Coppinger's house in Townland of Lackaghbeg.	55
Clifden	Jnc. with C.R. No. 2 in Townland of Knockbrack.	E. McLoughlin's house in Townland of Knockbrack.	150
Clifden	Jnc. with C.R. 13 in Townland of Kingstown, Glebe.	W. Heffernan's house in Townland of Kingstown, Glebe.	212
Milltown	Co. Rd. 212 in Townland of Knockloura East.	Towards cattle grid on road in Townland of Knockloura East.	80
Milltown	Co. Rd. 245 in Cloonmore.	Co. Rd. 253 in Cloonacat.	3,911
Athenry	End of Branch Road, Cappansruhaun.	J. Kilkenny's house in Townland of Cappansruhaun.	181
Athenry	Fox's house, Lenamore, Colemanstown.	Monahan's house, Glenaslat, Monivea.	2,713

A58891-27882

## COMHAIRLE CHONTAE NA GAILLIMHE

(Galway County Council)

County Buildings,  
Prospect Hill,  
GALWAY.

15th September, 1982.

TO EACH MEMBER OF GALWAY COUNTY COUNCIL/

A Chara,

Pursuant to Section 83 of the Local Government Act, 1946, Notice is hereby given that it is proposed to dispose of a plot of land, as set out hereunder:

Land Acquired from: Mr. Thomas Kelly, Church Hill, Ballinasloe.

Location: Poolboy, Ballinasloe.

Area: .153 hectares (.378 acres).

To whom the site is proposed to be sold: Michael Kelly (Printing)Ltd.  
c/o P.J. Noonan,  
Solicitor,  
Ballinasloe.

Sale Price: £10,680

This matter will appear on the Agenda for consideration at the next monthly meeting of the Council which will be held after the expiration of 10 days from the date of this Notice.

Mise, le meas,

T. KAVANAGH,  
ACTING COUNTY SECRETARY.

COMHAIRLE CHONTAE NA GAILLIMHE  
GALWAY COUNTY COUNCIL

County Buildings,  
Prospect Hill,  
Galway.

To Each Member of the County Council. 3rd September, 1982.

Pursuant to section 83 of the Local Government Act, 1946, notice is hereby given that it is proposed to dispose of a plot of land as set out hereunder:

LAND ACQUIRED FROM: Tuam Town Commissioners, Tuam.  
Mr. Austin Melia, Tullinadaly Road,  
Tuam.

LOCATION: Townparks (1st Division) Tuam  
(adjacent to site No. 30 Fairgreen).

AREA: .004 acre approx.

TO WHOM LAND IS TO BE TRANSFERRED: Mr. Seamus O'Neill, Electrical Stores,  
Tullinadaly Hill, Tuam.

CONSIDERATION IN RESPECT OF DISPOSAL: £50 - Land to be used for extension  
of business premises.

This matter will appear on the Agenda for consideration at the next monthly meeting of the Council, which will be held after the expiration of 10 days from the date of this notice.

K. Doyle  
Runai.

COMHAIRLE CHONTAE NA GAILLIMHE  
GALWAY COUNTY COUNCIL

County Buildings,  
Prospect Hill,  
Galway.

Ref. No. 63/4/1409

8th. September, 1982.

To: Each Member:-

Pursuant to Section 83 of the Local Government Act, 1946 and in accordance with Section 90 of the Housing Act, 1966 as amended by Section 4 of the Landlord and Tenant (Ground Rents) Act, 1978, notice is hereby given that it is proposed to sell a dwelling owned by the Council to a tenant.

The particulars are as follows:-

Land Acquired From:- John Foley, Croaghill, Williamstown,  
Co. Galway.

Location:- Croaghill, Williamstown, Co. Galway.

Person to Whom House is Proposed to be Sold:-

John & Mary Foley of: Croaghill, Williamstown, Co. Galway.

The sale will be in fee simple

The sale price after making appropriate deductions is £5,024.

The conditions to be included in the sale will contain, among others:-

the conditions as specified in the Form of Transfer Order prescribed in the Housing Regulations, 1980.

This matter will appear on the Agenda for consideration at the next meeting of the Council which will be held after the expiration of 10 days from the date of this Notice.

K. Doyle,  
Secretary.

MINUTES OF PROCEEDINGS AT MONTHLY MEETING OF GALWAY COUNTY COUNCIL HELD AT THE COUNTY BUILDINGS, GALWAY, ON MONDAY, 27th SEPTEMBER, 1982.

IN THE CHAIR: Councillor E. Haverty.

ALSO PRESENT:

Members: As recorded in the Attendance Book.

Councillors G. Bartley, J. Brennan, J. Burke, U. Burke, Senator T. Byrne, Councillor J. Callanan, Deputy P. Connaughton, Councillor F. Coogan, Deputy J. Donnellan, Councillors M. Fahy, P. Finnegan, F. Glynn, B. Holland, J. Joyce, M.J. Kilgannon, Senator M. Killilea, Deputy M. P. Kitt, Councillor P. McCormack, Senator J.M. Mannion, Councillors J. Molloy, T. Murphy, N. O'Conchubhair, P.O'Foighil, M.G. O'Higgins, M. O'Morain, M. Ryan, and T. Welby.

Officials: Messrs. S. Keating, County Manager; J. Crotty, Deputy County Engineer; K. Doyle, Acting Assistant County Manager; E. Lusby, Finance Officer; T.J. O'Donoghue, Law Agent; W.A. Cahill, Executive Planner; F. Monahan, Senior Executive Engineer; R. Killeen, Senior Executive Engineer; A. Murphy, Senior Staff Officer; M. Nolan, Staff Officer; and T. Kavanagh, Acting County Secretary.

The Opening Prayer was recited.

1745 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 43795 - APPLICANT: IARLA MAC AODH BHUI.

The County Manager submitted the following report which had been circulated to each Member of the Council:

"SITE LOCATION:

The site is located in the townland of Aille, Inverin, between the main road and the sea, almost opposite the old Selerna School. The public road stops some distance short of the site and access is by an unsurfaced bothrin.

HISTORY:

There was a previous application, planning reference number 43178, by the applicant on a site part of which is included with this site. This was refused by the Planning Authority in August, 1982. Discussions were held between the Planning Authority and the applicant. The applicant was told that the Planning Authority would not be disposed to granting planning permission in this location, because it was removed from the existing developments in the area and adjacent to the seashore and it was suggested that the applicant might consider making some local enquiries to see if there were any sites for sale with planning permission.

The applicant is not the owner of this site or the site on which he previously applied.

PLANNING CONSIDERATIONS:

The site is located some distance from the public road and is located between the main tourist route and the sea, adjacent to the sea-shore. The applicant has not claimed any category of housing need as set out in the County Development Plan. He is employed in U.C.G.

2.

RECOMMENDATION:

It is proposed to refuse permission on the grounds:-

1. The proposed development would be located between the public road and the sea, in an area of high scenic amenity and, if permitted, the proposed development would lead to the erosion of the natural characteristics of the landscape and would detract from the scenic amenities of the area, and would be contrary to the proper planning and development of the area.
2. The proposed development is located in an area where it is the stated policy of the Planning Authority to restrict development to particular cases of substantiated housing need and, if permitted, would be contrary to the provisions of the County Development Plan Table No. 7, Area No. 2, and to the proper planning and development of the area."

Councillor O Conchubhair proposed the resolution set out on the Agenda. He said that the applicant was at present living in Galway City but was a native Irish speaker from the Donegal Gaeltacht and wanted to live in the Gaeltacht. He said that the applicant had got the site at a reasonable price and in his opinion, a house on the site would not block any view. The resolution was seconded by Councillor Welby. As there was no amendment, the Chairman declared the resolution carried.

1746 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 43887 - APPLICANT: MRS. ANNIE THORNTON.

The County Manager stated that a request for further information had issued in this case. The resolution set out on the Agenda was not, therefore, proposed.

1747 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 43905 - APPLICANT: MR. MARTIN AHERNE.

The County Manager submitted the following report which had been circulated to each Member of the Council:

"BACKGROUND:

The site of the proposed development is located along the south side of Main Street in the centre of Loughrea town. This is a very sensitive location, as regards locating a food take-away, as there is a problem of traffic congestion along this street and there are residential premises in the near vicinity of the proposed development. Food take-aways, due to their late closing hours generate much activity at night time. This development would conflict with adjoining residential use and would reduce the residential amenity enjoyed by adjoining house-holders. The food take-away would contribute further to the problem of traffic congestion as it would create parking problems arising from double parking, etc.

Refusal is recommended for the following reasons:-

- (i) The proposed development would be contrary to the proper planning and development of the area because (a) it would conflict with the adjoining residential use and would seriously reduce the residential amenity enjoyed by adjoining house-holders.
- (ii) The proposed development would contribute to the existing traffic congestion on the adjoining streets."

The resolution set out on the Agenda was proposed by Councillor U. Burke.

He said that the premises on either side of the proposed development were lock-up non residential premises and the area was commercial rather than residential. It was located on the widest part of the street, and therefore, should not present a parking problem. If there was a problem about noise at night, a condition could be put in the Planning Permission to cover this. Councillor T. Murphy seconded the resolution saying that any man should be entitled to set up a business and that the street was wide enough for parking.

Replying to Councillor J. Burke, the County Manager stated that a condition could be included in the Permission in relation to business hours but that such condition would be very difficult to enforce.

As there was no amendment, the Chairman declared the resolution carried.

1748 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 43373 - APPLICANT: MRS. PATRICIA LEADER.

The County Manager stated that a request for further information had issued in this case. The resolution set out on the Agenda was not, therefore, proposed.

1749 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 43564 - APPLICANT: JOHN NEWELL.

The County Manager stated that a request for further information had issued in this case. The resolution set out on the Agenda was not, therefore, proposed.

1750 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 43076 - APPLICANT: MRS. CLARE PORTER.

The County Manager submitted the following report which had been circulated to each Member of the Council:

"The site is located at Attyshonock on the Galway/Oughterard road approximately half way between Galway City and Moycullen. It adjoins a section of the National Secondary route which is presently being realigned and improved. Mrs. Porter's own house stands on approximately 2.35 acres of ground and this proposal is for two dwellinghouses on the western half of the lands.

In the original submission, it was stated that the houses were sought for her children and a request for further information was sent out to verify same and establish the extent of her lands. Mrs. Porter stated that the original information submitted through an employee of her company was incorrect and that in fact she wished to sell the sites on receipt of Permission.

Since the application does not come within any of the categories permissible along this National route refusal is recommended as follows:

1. The proposed development would constitute a traffic hazard because it would be located on a National Secondary traffic route where the maximum speed limit applies, and the traffic generated by the development would interfere with the safety and free flow of traffic along the route.
2. The proposed development would contravene Section 6.02 table number 3 of the County Development Plan which seeks to restrict development along this route to the housing needs of local farm holders families. Such a need is stated not to exist in this case."

The resolution set out on the Agenda was proposed by Councillor Welby who said that the applicant proposed to give the sites to her family. The resolution was seconded by Senator Killilea.

As there was no amendment, the Chairman declared the resolution carried.

1751 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 43120 - APPLICANT: PAUL FLEMING.

The County Manager submitted the following report which had been circulated to each Member of the Council:

"The site is located on N.17 (Galway/Tuam Road) approximately 600 metres on the city side of Claregalway village. It has been the subject of three previous applications.

Ref. No. 21987: Outline Permission for a house refused to Mr. Thomas Casserly, who is believed to be a relative of the present applicant's wife. Mr. Casserly stated that he held ownership jointly with three other members of the family, Martin, John and Patrick.

Ref. No. 25217: Outline Permission for a house refused to Mr. Thomas Casserly. An appeal to An Bord Pleanala was subsequently withdrawn.

Ref. No. 26140: Outline Permission for house refused to Mrs. Agnes Delaney by the Planning Authority and also subsequently on appeal by An Bord Pleanala. Mrs. Delaney stated she was an intended buyer of the site from Mr. Casserly.

In the current application, a letter from the applicant's wife states that her family were from this area and that when the family farm was sold, two sites were retained, one for herself and one for her nephew.

The claim would not be regarded as being within the classes of development which may be permitted along this route outside speed limit areas and refusal is recommended as follows:

The proposed development would constitute a traffic hazard because it would be located on a National Primary Route where the maximum speed limit applies and the traffic generated by the development would interfere with the safety and free flow of traffic along the route."

Councillor Welby proposed the resolution set out on the Agenda. He said that the applicant's wife came from the area and sites were retained for the family, one for her. She wished to return to the area. The resolution was seconded by Councillor Molloy.

Councillor Brennan asked if the applicant's wife had stated that she intended to live in the house to be built on the site. The County Manager replied that according to the application form, the application did not come within any of the three special categories. Councillor Brennan proposed that the application be refused and was seconded by Councillor J. Burke.

A vote was taken after 4.30 p.m. for or against the resolution set out on the Agenda and resulted as follows:

FOR: Councillors Bartley, U. Burke, Callanan, Coogan, Deputy Donnellan, Councillors M. Fahy, Finnegan, Haverty, Joyce, Kilgannon, Senator Killilea, Deputy Kitt, Councillor McCormack, Senator Mannion, Councillors Murphy, O'Conchubhair, O'Foighil, O'Higgins, O'Morain, Ryan, and Welby.

(21)

AGAINST: Councillors Brennan, J. Burke, and Holland.

(3)

The Chairman declared the resolution carried.



1752 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 43697 - APPLICANT: MARY FAHY (PAT).

The County Manager stated that a request for further information had issued in this case. The resolution set out on the Agenda was not, therefore, proposed.

1753 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 43559 - APPLICANT: JAMES N. PALMER.

The County Manager submitted the following report which had been circulated to each Member of the Council:

"The site of the proposed development is located adjacent to the Galway/Moycullen National Secondary Route in the townland of Ballyquirke East approximately 120 yards from Clydagh Bridge.

There have been a number of applications made to the Planning Authority in relation to lands owned by the current applicant in this area which are as follows:

Ref. No. 39754: Outline Permission was refused for the erection of a dwellinghouse on a site which formed part of the current sites under consideration. The applicant was a prospective buyer and no housing need was claimed.

Ref. No. 40609: Outline Permission for three dwellinghouses was refused on approximately the same site area as current application. The present applicant was the owner. There was no housing need claim.

Ref. No. 41337: Permission was granted for one dwellinghouse on a site which comprises the greater part of the southern site which is submitted with the current application. The applicant was Mr. Johnny Palmer, son of the owner. A housing need was claimed, the applicant stating that the proposed dwellinghouse was to be for his parents. The permission was granted with an Enurement Clause.

The current application is for two dwellinghouses. The applicant's son Johnny Palmer, attended at the Planning Office and stated that it was his intention to sell the sites. He would consider building a house for his father on one site if he sold the other one. There is, however, as stated above full planning permission attaching to a site which forms part of the current sites, this permission may still be availed of.

Refusal is recommended for the following reasons:

1. The proposed development is situated on a heavily trafficked National Secondary Road where the maximum speed limit applies and if permitted, the traffic generated by the proposed development would interfere with the safety and free flow of traffic on the said route and would be contrary to the proper planning and development of the area.
2. The proposed development is situated on a National Secondary Road where housing development is restricted to certain categories of substantiated housing need which need has not been demonstrated by the applicant and the proposed development, if permitted, would be contrary to the provisions of the County Development Plan and be contrary to the proper planning and development of the area."

Senator Mannion proposed the resolution set out on the Agenda and was seconded by Deputy Donnellan. Councillor Brennan proposed that the resolution be refused and was seconded by Councillor Burke. A vote was taken after 4.30 p.m. for or against the resolution set out on the Agenda which resulted as follows:

FOR: Councillors Bartley, U. Burke, Callanan, Deputy Connaughton, Councillor Coogan, Deputy Donnellan, Councillors Haverty, Kilgannon, Senator Killilea, Councillor McCormack, Senator Mannion, Councillors Molloy, Murphy, O'Conchubhair, O'Foighil, O'Higgins, O'Morain, Ryan and Welby.

(19)

AGAINST: Councillors Brennan, J. Burke, and Holland.

(3)

The Chairman declared the resolution carried.

1754 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 43619 - APPLICANT: PATRICK FLAHERTY.

The County Manager stated that a request for further information had issued in this case. The resolution set out on the Agenda was not, therefore, proposed.

1755 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 43544 - APPLICANT: MRS. NORA WALSH.

The County Manager stated that a decision to grant Planning Permission had issued in this case.

1756 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 43978 - APPLICANT: JACK SPELMAN.

The County Manager stated that the land involved in this application was zoned for industry and that the granting of permission would result in a material contravention of the County Development Plan. Because of this, it was necessary to follow the procedure laid down in the Planning Act including the publication of a notice in the press and allowing a certain period for objections to be lodged. The resolution, therefore, could not be dealt with at the meeting but would be brought back before another meeting.

Deputy Donnellan stated that if the land was zoned for industry that it should be purchased by the local authority. The County Manager stated that the purpose of zoning land was to ensure that areas are developed properly and that development takes place in an orderly fashion. Before land is zoned, the draft plan is put on the public display and the draft plan for Gort was published in this manner. He said that it would be unreasonable to expect the local authority to have to purchase all land zoned for industrial purposes.

1757 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 43195 - APPLICANT: PADRAIC CAWLEY.

The County Manager stated that a decision to grant Planning Permission in this case had issued.

1758 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 42667 - APPLICANT: JARLETH O'CONNOR.

The County Manager stated that a decision to grant Planning Permission in this case had issued.

1759 - MINUTES:

On the proposition of Councillor Brennan, seconded by Deputy Kitt, the Minutes of meetings held on the 23rd August, 1982, and 30th August, 1982, (numbers 1705 - 1743, inclusive) were approved and signed by the Chairman.

Arising out of the Minutes, Councillor U. Burke asked if the County Manager was aware of the work taking place at Tynagh at present where material was being taken from streams, chips being put down on the bed of the stream and the material put on top of it. He said that this method was unsatisfactory

and he called for action to be taken. The County Manager said that the matter would be investigated.

1760 - RETIREMENT OF MR. P. CARNEY, HEALTH INSPECTOR:

Councillor Welby referred to the retirement of Mr. P. Carney, Health Inspector Western Health Board, and wished him every happiness in his retirement. Councillor O h-Uiginn and other Members joined in the good wishes. The County Manager, on his own behalf and on behalf of the staff, wished Mr. Carney many years of happiness in retirement saying that he had previously worked for the County Council and was a very efficient and courteous official.

1761 - APPEALS AGAINST PLANNING DECISIONS FOLLOWING PASSING OF SECTION 4 RESOLUTIONS:

Many Councillors expressed their objections that an Officer working in the Planning Section was appealing planning decisions made after the passing of Section 4 Resolutions. They stated that this Officer should not be entitled to appeal because of the position he holds. It was stated that he was frustrating the wishes of the Councillors and that he should refrain from appealing. The members asked that legal opinion be sought on the matter for the next meeting.

The County Manager stated the person concerned was an Officer of the highest integrity who clearly believes he is exercising his right as a private citizen. The County Manager said that he disagreed in principle with what was happening and the Official concerned was aware of this. As requested, he agreed to consult the Law Agent for advice.

1762 - C.I.E. RAIL SERVICES - ATTYMON AND WOODLAWN:

Councillor Kilgannon rejected letter dated 16th August, 1982, from C.I.E. regarding rail services to Dublin from Attymon and Woodlawn station. He said there was no morning service from these stations and the people were being denied their rights. He said there was a 30 mile distance between Athenry and Ballinasloe and it was over 5 years since C.I.E. had said that they would reconsider the position. Only 4 minutes in time would be lost if the train stopped at Attymon and Woodlawn. If C.I.E. could build a new station in Athlone where there already is one, surely the people of Attymon and Woodlawn are entitled to avail of a passing train service where stations already exist. Many people with whom he had consulted agreed that he was right and he asked for the support of the Council, R.D.O., and Development Team in his campaign. He said that passengers who had return tickets to Dublin were left standing in the station when the train did not stop. He proposed that C.I.E. be informed that their letter was unacceptable and that the Council wanted the service restored from the next timetable change. Deputy Donnellan seconded Councillor Kilgannon's proposal which was also supported by other Members and agreed.

1763 - DEPUTATION FROM TUAM TOWN COMMISSIONERS RE URBANISATION:

The Chairman welcomed the deputation which consisted of Commissioner M. O'Grady, J. Keane, K. Dwyer, M. Kelly and Paul Mannion, Acting Town Clerk.

Commissioners O'Grady, Dwyer, Keane and Kelly then addressed the meeting making the following points:

- 1) The question of extending the town boundary was proposed as far back as 1934.
- 2) In 1938, it was reported in the local press that the only obstacle to Urbanisation was the completion of the Sewerage Scheme, and that this is not now an issue.

- 3) The area within the present town boundary is 603 acres, and the area being considered for the extended boundary would amount to approximately 3,100 acres.
- 4) Local Government in Ireland was out of date, successive Governments had failed to modernise the system with the result that towns like Tuam have suffered.
- 5) One of the main factors, which has encouraged the Commissioners to seek Urban status has been the rapid growth in the population of Tuam, and the fact that about thirty towns with a smaller population than Tuam have Urban status.
- 6) Under the present system, the elected representatives of the people of Tuam administer virtually no services. A report by the Municipal Authorities of Ireland on Local Government state that the smaller units of Local Government have provided leadership in their area, which cannot be replaced by larger bodies.
- 7) As local representatives, the Commissioners are more aware of the needs of the people of Tuam more than the Council as a large body would be aware.
- 8) The Board is aware of the implications of Urbanisation and the effect of such change on the existing financial relationship with the Council, but they feel that most of the services such as housing, water and sewerage are funded by the Central Government, and therefore, will not involve much **cost**.
- 9) The growth of towns like Tuam is guaranteed and such continued growth should be met by improved local representation instead of an erosion of powers, discretion and responsibility.
- 10) In recent years the Commissioners visited many other Urban District Councils, and discussed with them the pros and cons of Urbanisation, and discovered that the advantages outweighed the disadvantages.
- 11) The present status of the town was not conducive to encouraging industry, tourism, etc.
- 12) That Building Societies are influenced by the size and status of towns in considering loan applications.
- 13) That only about 40% of the income from rates in the town is being put back into the town.
- 14) Shannon town, which has recently only achieved Town Commissioner status was already seeking Urban Status.
- 15) The Commissioners did not agree with some of the points made by the County Manager in his letter to the Members.

The Commissioners asked the Council to consider their case very carefully, and they looked forward to their unanimous support.

The Chairman said that no discussion would be allowed on the subject unless on points of clarification. Most of the Members spoke in favour of giving Tuam Urban status. They said that the town had expanded alot over the years, had a bigger population than other urban districts and giving it urban status would create an environment for attracting industry and tourism to the town. It was also suggested that **when the matter is being discussed again that it be done at a Council meeting to be held in Tuam.**

The County Manager welcomed the Town Commissioners to the meeting. He said that the request for Urbanisation has been made for several years but the big obstacle is the question of finance. Most local authorities are experiencing financial difficulties and some urban authorities in particular. In the event of Urbanisation, there would be many start-up expenses including compensation. Housing was a loss making service, water and sewerage schemes needed to be extended, office staff and accommodation would have to be provided. The County Manager said that a detailed assessment of the implications would have to be made and if it was found that Urbanisation was not the proper course to follow, then it should not be undertaken. He said that he would endeavour to compile notional figures for the two local authorities and come back to the Council in the new year.

Commissioner O'Grady thanked the Members and Officials for meeting them and then left.

1764 - KILTIERNAN GROUP WATER SCHEME:

With the permission of the Chairman, Councillor M. Fahy raised the question of a special contribution for Kiltiernan Group Water Scheme which he said was approved by the Department.

Mr. Doyle stated that the request for a special contribution was being examined and the costs of the scheme were being assessed. The matter would be on the Agenda for the next meeting.

Deputy Connaughton recommended a special contribution for Tobberone Group Water Scheme.

1765 - KINVARA DUMP:

With the permission of the Chairman, Councillor M. Fahy raised the question of Kinvara Dump and proposed that it be closed immediately.

1766 - ADJOURNMENT OF MEETING:

At this stage, Councillor O'Morain proposed that the meeting adjourn and resume after 1 hour. This was seconded by Councillor O Conchubhair. Councillor McCormack proposed that a special meeting be called to deal with the remaining business on the Agenda and this was seconded by Deputy Donnellan. It was agreed then that a special meeting would be held in conjunction with the meeting arranged for the 8th October to receive the three Members of the European Parliament for the Connacht/Ulster Constituency. It was decided that the special Council Meeting would start at 2.30 p.m. commencing with Notices of Motion and that the three Members of the European Parliament would be received at 4.30 p.m.

The Chairman decided to deal with the following items before adjourning the meeting.

1767 - FOOEY BRIDGE:

The County Manager said that Fooey Bridge on County Road No. 56 at the Western end of Lough na Fooey collapsed on the 10th September, 1982, as a truck loaded with gravel was crossing it. As a result of the collapse, a detour of 20 miles is necessary and this is a cause of great inconvenience to local people including landowners and school children. A permanent bridge could take up to 18 months to erect and the best solution was to provide a temporary bridge as quickly as possible, and the County Engineer had recommended that a bailey bridge be provided. The cost of supply and erection of a bailey bridge, including land compensation and construction of bridge approaches was estimated at £21,769. The weekly rent of the bridge units would be £125 plus 30% V.A.T. The County Manager stated that it was a very urgent matter but there was no provision in the Estimates for the work and requested approval for excess expenditure of £23,300 in the current year. He said that an application would be made to the Department

of the Environment for a special grant to cover the cost of the works. If a grant was not forthcoming, the cost would be a first charge on next year's Roads Estimates.

It was proposed by Councillor O'Conchubhair, seconded by Councillor Ryan and resolved:

"That Galway County Council hereby authorise excess expenditure in the current year amounting to £23,300 for the erection of a temporary bridge to replace the collapsed Fooey Bridge and that an application be made to the Minister for the Environment for a special grant of £23,300 to cover the costs of the works."

1768 - RAISING OF LOAN OF £10,940 FOR CONTRIBUTION TO ARDAUN/DOOROY GROUP WATER SCHEME:

It was proposed by Councillor McCormack, seconded by Councillor J. Burke and resolved:

"That subject to the sanction of the Minister for the Environment, Galway County Council hereby approve the raising of a loan of £10,940 to finance a special contribution towards the cost of increased pipe sizes for the Ardaun/Dooroy Group Water Supply Scheme, the loan to be raised from the Commissioners of Public Works or such other source as may be approved by the Minister and to be repaid over such period and at such interest rate as may be approved."

1769 - RAISING OF SUPPLEMENTARY LOAN OF £12,600 FOR SHRUFFAUN/BUNGOWLA WATER SUPPLY SCHEME:

It was proposed by Councillor McCormack, seconded by Councillor J. Burke and resolved:

"That Galway County Council hereby approve the raising of a supplementary loan of £12,600 for Shruffaun/Bungowla Water Supply Scheme, the loan to be raised from the Commissioners of Public Works or such other source as may be approved by the Minister and repaid over such period and at such interest rate as may be approved."

1770 - DECLARATION OF ROADS TO BE PUBLIC ROADS:

It was proposed by Councillor Ulick Burke, seconded by Councillor Brennan, and resolved:

"That the list of roads circulated with item 12 on the Agenda be declared public roads, the necessary procedures as regards publication having been complied with."

1771 - SALE OF INDUSTRIAL SITE AT POOLBOY, BALLINASLOE:

It was proposed by Councillor Brennan, seconded by Councillor J. Burke, and resolved:

"That Galway County Council hereby approve the sale of an industrial site at Poolboy, Ballinasloe, to Michael Kelly (Printing) Ltd., in accordance with the terms of Notice dated 15th September, 1982, under the provisions of Section 83 of the Local Government Act, 1946, copy of which had been circulated to each Member of the Council."

1772 - SALE OF PLOT OF LAND AT TOWNPARKS, TUAM, TO MR. SEAMUS O'NEILL:

It was proposed by Councillor Brennan, seconded by Councillor J. Burke and resolved:

"That Galway County Council hereby approve the sale of a plot of land at Townparks, (1st Division) Tuam, to Mr. Seamus O'Neill, Electrical Stores, Tullinadaly Hill, Tuam, in accordance with the terms of Notice dated 3rd September, 1982, under Section 83 of the Local Government Act, 1946, as circulated to each Member of the Council."

## 1773 - SALE OF HOUSE AT CROWE HILL, WILLIAMSTOWN, TO JOHN AND MARY FOLEY:

It was proposed by Councillor Brennan, seconded by Councillor J. Burke, and resolved:

"That Galway County Council hereby approve the sale to John and Mary Foley of the house occupied by them at Crowe Hill, Williamstown, Co. Galway, in accordance with the terms of Notice dated 8th September, 1982, under Section 83 of the Local Government Act, 1946, and Section 90 of the Housing Act, 1966, as amended by Section 4 of the Landlord and Tenant (Ground Rents) Act, 1978, circulated to each Member of the Council."

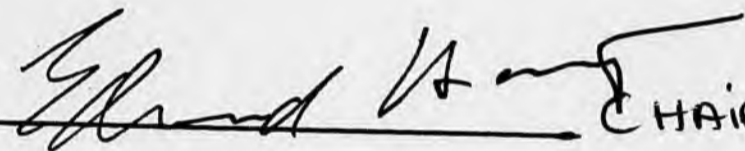
## 1774 - SYMPATHY:

Resolutions of sympathy were adopted with the following:

Miss Rose Lee, "Killora", Highfield Park, Galway.  
 Mr. Eamon Geary, Business Consultants, 49, William Street, Galway.  
 The Monaghan Family, Cloughanower, Headford, Co. Galway.  
 Mrs. A. Gleeson, Shanballymore, Durmore, Co. Galway.  
 The Burke Family, Church Street, Gort, Co. Galway.  
 The Nestor Family, Laughshaughnessy, Gort, Co. Galway.  
 Mrs. Luke Finnegan, Clonberne, Ballinasloe, Co. Galway.  
 Mrs. M. Fahy, St. Grellan's Terrace, Ballinasloe, Co. Galway.  
 Mrs. Mary Lee, Ugool, Moycullen, Co. Galway.  
 The Glynn Family, Kiltulla, Castlegar.  
 Mr. Ted Murphy, Two Mile Ditch, Castlegar, Galway.

THE MEETING THEN TERMINATED

SUBMITTED, APPROVED & CONFIRMED:

 CHAIRMAN

22/10/82 DATE

## COMHAIRLE CHONTAE NA GAILLIMHE

### GALWAY COUNTY COUNCIL

Post Office Box No. 27,  
 County Buildings,  
 Prospect Hill,  
 Galway.

MO THAG TK/MC  
 My Ref. ....  
 DO THAG  
 Your Ref. ....



BOSCA POIST UIMHIR 27.  
 ÁRAS AN CHONTAE,  
 CNOC NA RADHARC,  
 GAILLIMH.

Telephone:  
 (091) 83151  
 Ext. ....

1st October, 1982.

#### TO EACH MEMBER OF GALWAY COUNTY COUNCIL/

A Chara,

I attach summons for special meeting of Galway County Council being held on Friday, 8th October, 1982. The meeting will commence at 2.30 p.m. starting with the Councillors' Notices of Motion.

As you are aware, the three Members of the European Parliament for the Connacht/Ulster Constituency have accepted an invitation from the Council to address the Members of the Council at this meeting. We have ascertained that the time arranged at the last meeting (4.30 p.m.) is too late for at least one of the Members. The Chairman has accordingly decided that the three Members would be received at 3.30 p.m.

Mise, le meas,

T. KAVANAGH,  
 ACTING COUNTY SECRETARY.

COMHAIRLE CHONTAE NA GAILLIMHE  
(Galway County Council)

Oifig an Runai,  
Arus an Chontae,  
GAILLIMH.

Iu Deire Fomhair, 1982.

CHUIG GACH BALL DE'N CHOMHAIRLE/

A Chara,

Iarrtar ort leis seo bheith i lathair ag cruinniu speisialta de Chomhairle Chontae na Gaillimhe a tionolfar ins na Foirgnithe Chontae, Gaillimh, De h-Aoine, 8u Deire Fomhair, 1982, ar a 2.30 a chlog sa trathnóna.

Mise, le meas,

T. KAVANAGH,  
Runai Sealadach.

A G E N D A

1. European Movement Seminar - nomination of three delegates.
2. Report on Council Finances and Special Overdraft facilities.
3. Raising of loan of £200,000 for 2 Water Tenders and 1 Light Rescue Tender for Fire Service.
4. Litter Act, 1982. - Action Programme.
5. Ireland-West Subvention 1982.
6. Fix dates for meetings of Speed Limit Committees.
7. Resolution from Roscommon County Council re Supplementary Welfare Allowance Demand of Health Board.
8. Joint Committee on Building land.
9. Business submitted by the County Manager.

COUNCILLORS' NOTICES OF MOTION:

(a) Adjourned from previous meeting:

COUNCILLOR JOE BRENNAN - I will propose:

1. That the Oireachtas Members of this Council be asked to use appropriate means within Government to ensure that Galway County Council gets sufficient funds to complete its projected work.

DEPUTY FRANK FAHEY - I will propose:

2. That Galway County Council examine the possibility of having a Refuse Collection Service provided by Private Refuse Collection Firms and paid for by local communities throughout the County.

SENATOR MARK KILLILEA - I will propose:

3. That the County Councillors have a full and frank discussion on the recent policy of the County Council to install on the schedules of Planning Permission sums of money as contributions to be made payable to the Planning Authority.

DEPUTY MICHAEL P. KITT - I will propose:

4. That Galway County Council widen the two bad bends on the Currantarmid Road, Monivea.

COUNCILLOR MICHAEL FAHY - I will ask:

5. That Galway County Council widen the entrance of the road to Ballyglass Village at Ardrahan.

DEPUTY FRANK FAHEY - I will propose:

6. That a supply of water be given to the Derrydonnell Group Water Scheme from the Oranmore Regional Scheme and that this Group be allowed to commence work as soon as possible.

COUNCILLOR JOE BRENNAN - I will propose:

7. That this Council calls on T.D.s in Dail Eireann to form a National Government for a three year period to bring this country through the present crisis.

8. That Councillors be allowed to spend Notice of Motion Roads money on alternative schemes.

COUNCILLOR M.J. KILGANNON - I will ask:

9. That discretionary expenditure of £2,000 be allowed to each Councillor in addition to N.O.M. for Roads.

COUNCILLOR JOSEPH BURKE - I will ask:

10. That Galway County Council give an up-to-date report on the steps being taken to ensure that the water supply to Tuam has no more pollution.

11. What is the current position with regard to the draining of the River Nanny at Birmingham, Tuam. Are the negotiations with the Board of Works complete?

12. That Galway County Council undertake to guarantee the cost of a telephone kiosk at Rushellstown, Milltown P.O.

DEPUTY PAUL CONNAUGHTON - I will propose:

13. That the footpaths in Kilkerrin Village be repaired immediately as they are in a deplorable condition and are a danger to the public.
14. That the Y Junction at Aughiart, Mountbellew, be reconstructed to make it safer for all road users.
15. That Galway County Council employ its share of Litter Wardens in its towns and villages thereby reducing litter to a minimum and creating extra jobs.

(b) Other Motions Received:

DEPUTY MICHAEL P. KITT - I will propose:

16. That Galway County Council accept further extensions to the Barnaderg Group Water Scheme.

DEPUTY FRANK FAHEY - I will propose:

17. That the lights which are being removed from Clarinbridge be erected on the road leading to the New Council Estate at Clarinbridge and also to the Village of Nogra, Kinvara.

COUNCILLOR JAMES JOYCE - I will propose:

18. That Galway County Council press ahead immediately with the fencing of the extension to Clontuskert Burial Ground as there are no vacant plots in the old Burial area.
19. That a field beside the Health Centre in Kiltormer be purchased by the Council from the Western Health Board for a housing development.

COUNCILLOR MICHAEL FAHY - I will propose:

20. When does Galway County Council intend to erect local authority houses in Gort?
21. That Galway County Council require land for housing for serviced sites in Gort.

AN CHOMHAIRLEOIR NIOCLAS O CONCHUBHAIR - Molaim:

22. An Bothar go dti Oilean Rossa, An Cheathru Rua, Co. na Gaillimhe, a dheisiu agus na ballai a thogail.
23. An bhfuil se i gceist ag an Comhairle Condae, Reilig Leitirmoir, Tra Bhan, Coigeal agus Leitirmeallain a reiteach no Reilig nua a thogail.
24. Go dtabharfai cead do Udaras na Gaeltachta airgead a thabhairt den Comhairle Condae chun boithre a dheisiu i gceantair Gaeltachta.

AN CHOMHAIRLEOIR MICHEAL O'MORAIN - Molaim:

25. Ba mhaith liom go deanfai an droichead ag Inbher-Rosmuc a leathnu agus an clai a athru.
26. Ba mhaith liom go leanfai feabhsu an bhothair o loch conairtha siar go Carna.
27. Ba mhaith liom a mholadh go gcuirfi laithrean bruscair amhain i ngach baile beag le freastal ar na bruach bhailte.

COUNCILLOR THOMAS WELBY - I will ask:

28. What is the up-to-date position regarding stage 2 of the Oughterard Regional Water Scheme.
  29. What is the present position regarding Rawfee/Caherlistrane Group Water Scheme? When will the organisers be in a position to go ahead?
  30. When will work commence on the proposed roundabout in Headford town as had been discussed when I arranged a deputation between Headford Community Council and the County Engineer.
- .....

MINUTES OF PROCEEDINGS AT SPECIAL MEETING OF GALWAY COUNTY COUNCIL HELD AT THE COUNTY BUILDINGS, GALWAY, ON FRIDAY, 8TH OCTOBER, 1982.

IN THE CHAIR: Councillor E. Haverty.

ALSO PRESENT:

Members: As recorded in the Attendance Book.

Councillors Bartley, Brennan, J. Burke, U. Burke, Senator T. Byrne, Councillor Callanan, Deputy Connaughton, Councillors Coogan, M. Fahy, Finnegan, Glynn, Holland, Joyce, M.J. Kilgannon, Senator Killilea, Deputy Kitt, Councillors McCormack, Molloy, Murphy, O'Conchubhair, O'Higgins, O'Morain, Ruane, Ryan, and Welby.

Officials: Messrs. S. Keating, County Manager; J. Crotty, Acting County Engineer; K. Doyle, Acting Assistant County Manager; F. Monahan, R. Killeen, and S. McMahon, Senior Executive Engineers; E. Lusby, Finance Officer; H. Kearns, Senior Staff Officer; T.A. Smyth, R.D.O.; D. Commins, S.O., and T. Kavanagh, Acting County Secretary.

The Opening Prayer was recited.

1775 - PROCEDURE:

In view of the fact that the Members of the European Parliament were due to attend the meeting at 3.30 p.m., Senator Killilea proposed that the meeting start with the business part of the Agenda rather than starting with Notices of Motion. This was seconded by Councillor M. Fahy and agreed.

1776 - EUROPEAN MOVEMENT SEMINAR - NOMINATION OF DELEGATES:

Deputy Kitt proposed that Councillors Bartley and M. Fahy be nominated to attend the Seminar and was seconded by Councillor Callanan. Deputy Connaughton proposed that Councillors Kilgannon and Ryan be nominated and was seconded by Senator Byrne.

Although it was decided at a previous meeting of the Council that three delegates would attend, it was decided to nominate the four delegates, i.e., Councillors Bartley, M. Fahy, Kilgannon and Ryan.

1777 - CANISTERS OF TOXIC WASTE:

With the permission of the Chairman, Councillor O'Morain raised the question of the canisters of toxic material which were being washed up along the shoreline of Galway Bay and other places on the West Coast. He said that there was one of the canisters at Mweenish and nothing had been done to collect it. He stated that if the waste from these canisters was discharged in a fishfarming area, it would have disastrous results and he asked whose responsibility it was to have the canisters collected.

The County Manager stated that the Council first became aware of the problem from the media and as soon as it came to our notice, arrangements were made to deal with it. The Council did not go into the question of whose responsibility it was but decided to collect the canisters and store them in a safe place, and this was being done. Mr. R. Killeen, Senior Executive Engineer, also explained that the Gardai and the Army were dealing with the problem before it came to the notice of the local authority. He said that they had been cleared as being non-radioactive or explosive and a report on an analysis of the material was still awaited from the I.I.R.S.

Councillor O'Conchubhair raised the question of pollution of the water source for the Carraroe Water Supply. He was informed by the Acting County Engineer that due to very heavy rain, there was an overflow at one of the manholes but immediate precautions were taken to protect the quality of the water by increasing the chlorine dosage and that the water was being checked constantly.

1778 - REPORT ON COUNCIL FINANCES:

Report dated 22nd September, 1982, signed by the County Manager setting out the Council's financial position had been circulated to each Member. The County Manager drew attention to some important points in the report. He said that there was a total debit balance of £3,263,746 at the beginning of 1982. In regard to the Domestic Rate Relief Grant, the expected legislation to authorise the Council to levy charges for certain services had not materialised. More than 3/4 of the year had now gone, and therefore, it was unlikely that any of the shortfall could be collected which would result in a deficit of £260,000. As a result of the recent High Court decision on land valuation, most farmers were not paying rates on land and this would leave a further shortfall of £407,000. The report showed an expenditure of £37,300 on snow clearance but the Department had recently paid an instalment equal to half that figure. There is not sufficient funds to enable the Craftsmen and Mates to be retained on a three day week to the end of the year, and therefore, it is proposed to transfer the sum of £52,000 from Roads for this purpose. Added to this, there is a further shortfall of £93,000 in the Roads Account which means that lay offs will have to be introduced in order to keep within the estimate. The County Manager stated that the proposals in regard to lay-offs was set out in the Report. There would have to be lay-offs in 8 out of the 11 Engineering Areas. As regards Local Improvement Schemes, the take up rate was slow particularly in West Galway because of the 10% contribution requirement. This would not result in a deficit in the Council's Accounts but it meant a loss of funds for employment purposes. The promoters of the schemes has been visited and this had resulted in some schemes being taken up but it looked as if the full grant would not be spent.

The County Manager stated that the total shortfalls were estimated at £849,300. It was proposed to deal with this by deferring some statutory demands and introducing lay-offs. It is proposed that the full amount in the 1982 Estimates be paid to the Western Health Board because of the further substantial balance that will remain when that is paid. To make good the shortfall of £704,300 mentioned at the top of page 3 of the report, the County Manager said that he proposed to defer payment of £124,740 to ACOT and £579,560 to the Office of Public Works until the Council is put in funds to the extent of the shortfall. In regard to Higher Education Grants, it was proposed to pay the students maintenance fees in the normal course and withhold payment of the college fees until the Council is put in funds by the Department of Education to make payment.

The County Manager stated that the Council had to take corrective action at this point as it looked as if no help would be forthcoming from any quarter. If assistance is forthcoming, the position will be reviewed.

Senator Killilea agreed with the County Manager's proposals to defer payment of demands to ACOT and the Office of Public Works. He said that ACOT was an advisory service and should be funded by the Department of Agriculture. In regard to the Drainage demands, he said that when the drainage of the Islands River arose, the O.P.W. did not offer much assistance.

Deputy Connaughton agreed that the Council would have to resolve the difficulties itself as no help would be forthcoming and next year would be even worse. He was worried about the deferral of payment would have on ACOT and that it might interfere with farm development plans, etc. Referring to the putting of employees on short-time, he said that he wanted it placed on record how ridiculous it was that employees could earn more on Social Welfare and he could not understand why monies could not be transferred from Social Welfare to keep the men employed and get work done.

He also asked the position about the payment of Rates on land. The County Manager replied that the point about Social Welfare payments was put to the Department on the last deputation. As regards farmers Rates, he stated that generally speaking, farmers were not paying Rates as a result of the High Court decision.

Councillor Ryan stated that the roads were deteriorating very quickly and a lot more money needed to be spent on them. He considered that the Western Health Board was even in a worse financial position than the Council. Reference was made to the proposal by the Health Board to request the Minister to deduct from monies payable by the Department to the Council sums to cover the amounts owing to the Health Board. It was proposed by Senator Killilea, seconded by Councillor Glynn that the Minister be asked not to implement this request. This was agreed.

Senator Byrne said that the report clearly shows the serious position the Council is in and while he has some reservations about the recommendations, he could see no alternatives. He was very disappointed over the loss of domestic rate recoupment and he said it would be the first time in the history of the Council that roadworkers would have to be laid off. He said there was no way the Council could raise the sum of over £1 million owing to the Health Board. Councillor O'Morain agreed that payments be deferred to ACOT and the O.P.W. but said that the provision in the Estimates for the Health Board should be paid. He also complained about the condition of roads in West Galway.

With the permission of the Chairman, Councillor O'Morain raised item 5 on the Agenda - the Council's Subvention to Ireland West for 1982. He said that at Estimates time, the Council had reduced the demand from Ireland West by £7,090 and he said that it was imperative that the full Subvention be paid this year. It was proposed by Councillor O'Morain, seconded by Councillor Holland and resolved:

"That in accordance with the provisions of Section 11 of the City and County Management (Amendment) Act, 1955, as amended by Section 11 of the Local Government (Financial Provisions) Act, 1978, Galway County Council hereby authorise excess expenditure in the current year amounting to £7,090 in Programme Group 4.3, the amount to be financed from savings under Programme Group 8.3."

1779 - RECEPTION OF MEMBERS OF THE EUROPEAN PARLIAMENT FOR THE CONNACHT/ULSTER CONSTITUENCY:

The Chairman, County Manager and Members welcomed Mr. Blaney, Mr. Flanagan, and Mr. McCartin, the three Members of the European Parliament for the Connacht/Ulster Constituency, to the Meeting. The Chairman said that it gave the Members a rare opportunity to ask questions and give information about grants and the working of the E.E.C. It was decided that a question and answer type session would be the best approach to adopt and the County Manager and Members then put questions and proposals on various matters including -

That substantial funds were required for the development of County Galway in the widest sense, for the provision of infrastructure including water, sewerage, roads, etc.

That the West of Ireland does not seem to be getting its fair share of the Regional Development Fund compared to the eastern part of the country.

That there is no input or vice from Local Government in the E.E.C. and that County Councils should be recognised at Agencies with access to the E.E.C.

The problems of the Connemara Gaeltacht were outlined - the bad condition of the roads and the lack of a proper roads system to facilitate the factories which have been provided, the development of Rossaveal Harbour, the lack of a proper telephone system, that the Irish language could not survive along side

several English television channels and that an Irish language channel for at least three hours per day was required to preserve the language.

That while some schemes in County Galway did qualify for E.E.C. funding, it did not increase the amount of Capital monies being made available for Capital Schemes.

That a greater part of County Galway including <sup>the whole of</sup> the Tuam, Dunmore, and Glenamaddy areas be included in the severely handicapped areas for the purpose of headage payments.

In view of the growing problem of unemployment world wide, what was the thinking within the E.E.C. on this problem.

That while the Western Package seemed a good scheme initially, the affect of inflation on costings was now making drainage unattractive.

That funds be provided for the drainage of the Dunkellin River and that drains be included in the Local Improvements Scheme.

That the E.E.C. and Members of the European Parliament had done nothing to aid Regional Development which was one of its primary functions, and that rich areas were getting richer and poor areas getting poorer.

That boats were unloading cargo from the U.S.A. in Dublin Port which should properly be unloaded at Galway Port if it was properly developed and the necessary infrastructure provided which in turn would provide jobs in the West.

That because of the bad condition of the roads and inadequacy of the roads system, transport costs in the West were greater than in the eastern part of the <sup>country</sup> or in E.E.C. countries and that truck drivers would be faced with an unfair disadvantage as regards the tackergraph compared to drivers on the Continent.

The operation of Section 31 of the Broadcasting Act.

That special aid was required for Connemara Roads to facilitate the tourist and fishing industries and also assistance for hill farmers.

That the Members of the European Parliament should work within the E.E.C. to try and solve the Northern problem.

That the levy on milk production was unfair.

That a special case should be made to keep the railways in the west of Ireland in operation.

Were there any funds available from the E.E.C. for Environmental Protection?

That the E.E.C. funding to AnCO should be extended to include the erection of factories.

That afforestation should be encouraged and assisted.

Measures to ensure the survival of the Tuam Sugar Factory.

Assistance for cleaning Lough Corrib and the erection of the New Corrib Bridge.

That portion of the E.E.C. Grants should be allocated directly to County Councils.

That little was being done to aid and promote horticultural development.

That the Members of the European Parliament for the Constituency should come



together twice a year to meet Members of County Councils in the Constituency to discuss problems affecting their areas

The Members of the European Parliament then responded to the Members' questions.

Mr. McCartin explained how the Regional Development Fund operated. He said the Fund was set up to help reduce Regional disparities in the Community and the whole of Ireland was regarded as a disadvantaged area for the purpose of the scheme. Projects had to be located in the areas and regions eligible for regional aid and the fund was divided on a quota basis. The Government submits more than enough schemes to take up the full grant and when the grant is received, it is used to supplement the National Exchequer.

Mr. Blaney elaborated further on the Regional Fund. He said it was the biggest source of funding in the E.E.C. and he had great hopes of the benefits that could accrue from it. In the seven years of its existence, Ireland had got grants to the extent of £226 m. However, only £41 m. found its way to Western Counties. In the early stages, it was noticeable that the Government allocated additional Capital monies for projects but successive Governments were now using the grants as a substitute to providing its own funds for the purpose. When he questioned this, he was advised that there was nothing wrong with it because the whole country was regarded as disadvantaged and the same practice was occurring in other E.E.C. countries. He felt that the funds were not going to the really disadvantaged areas as a result of which relatively speaking the poorer areas were getting poorer in comparison to the wealthier areas. The grants could be distributed in a more equitable fashion if the Government directed them towards poorer areas. He agreed that County Councils should have access to the E.E.C. and said that this was a battle which would have to be fought at home rather than in Europe. He agreed entirely about the need to develop the roads in Connemara for tourism, industry and fishing. As regards the Tuam Sugar Factory, he understood that a commitment had been given to keep the factory open and he was surprised to hear that the factory was now operating without a local manager.

Mr. Flanagan, speaking about accessibility to the E.E.C., said that as our European Institutions developed that there would have to be greater access to Brussels for County Councils and more direct lines of communication. On the question of the Regional Fund, he said that the European Parliament was aware of our problems and he had suggested a meeting of the Dail and Seanad representatives at which the distribution of the fund in a more equitable manner could be sorted out. He said the Common Agricultural policy was under attack but the Members would fight for it. The success of the C.A.P. in the West of Ireland could be seen but there was no comparable success rate in relation to the Regional Fund. Speaking about the European Social Fund, Mr. Flanagan stated that this year's figure amounted to £70 m. The fund was established originally to improve employment opportunities for workers by providing vocational training, etc. Most of the Grant which came to Ireland was channelled to AnCO with some very good results. The scope of the fund had been widened since it was originally established because of the serious deterioration in the employment situation especially for young people. On the question of the Irish language, he felt that this was something on which a special case for grant assistance could be made and the main basis for the case would have to be the Government's policy on the language. He believed that the country had made the right decision in joining the E.E.C. and that Membership was not just a question involving finance. He said he would do whatever he could by way of getting assistance for islands and suggested that any plans for bog road development be forwarded to them.

Mr. McCartin referred to the questions raised about the Gaeltacht and said that his grouping had agreed to put a proposal to Parliament on this. He also went into greater detail on the financing of the E.E.C. institutions. He said there was assistance available for afforestation and he felt that more assistance could be got for food processing and headage payments.

However, the Budget was limited and a revision of the Treaty at this time was not realistic. He said that there was no fund available for Environmental Protection.

Referring to the suggestion that the Members of the European Parliament should come together twice a year to meet Councillors, Mr. Blaney stated that on his appointment as a Member of the European Parliament, he had circularised all local authorities and Chambers of Commerce offering his assistance. The distribution of Regional Fund aid seemed to be the biggest area of complaint and he explained again how schemes are submitted for E.E.C. approval, etc., and agreed that there should be direct access to the Regional Fund. Referring to the Western Drainage Package, he said that the scheme was based on 70% of the estimated costings but these costings had not been up-dated since 1979 with the result that the assistance provided could now be as low as 25%. He had got promises that the costings would be up-dated. He said he would pursue the request to have drainage included under the Local Improvement Scheme.

At the end of the discussion, all agreed that the meeting had been most useful and informative. The Chairman again thanked the three European Parliamentarians for coming to the meeting and providing so much information for them and he also thanked the Members for their contributions.

As it was now after 7.30 P.M., the Chairman declared the meeting ended.

#### SYMPATHY:

Resolutions of sympathy were adopted with the following:

Mr. Patrick Divinney, Magdalen Terrace, Forster Street, Galway.  
Mr. Michael Thornton, Spiddal, Co. Galway.  
The Bowes Family, Foxhall, Gurtymadden, Loughrea, Co. Galway.  
Mrs. Gloster & Son, Ballingarry, Kilchreest, Loughrea, Co. Galway.

THE MEETING THEN TERMINATED

SUBMITTED, APPROVED & CONFIRMED!

Edmund H. J. CHAIRMAN

22/10/82 DATE

COMHAIRLE CHONTAE NA GAILLIMHE  
(Galway County Council)

Oifig an Runai,  
Arus an Chontae,  
GAILLIMH.

15u Deire Fomhair, 1982.

CHUIG GACH BALL DE'N CHOMHAIRLE/

A Chara,

Iarrtar ort leis seo bheith i lathair ag cruinniú de Chomhairle Chontae na Gaillimhe a tionolfar ins an Leabharlann Nua i bPortomna, De h-Aoine, 22u Deire Fomhair, 1982, ar a 3.00 a chlog sa trathnóna.

Mise, le meas,

T. KAVANAGH,  
Runai Sealadach.

A G E N D A

1. Resolution under Section 4 of the City and County Management (Amendment) Act, 1955:  
"That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to decide to grant full permission to Mrs. Annie Thornton, for the erection of a dwellinghouse at Killough, Spiddal. - Planning Ref. No. 43887."  
Thomas Welby. Nioclás O Conchubhair. G. Bartley.
2. Resolution under Section 4 of the City and County Management (Amendment) Act, 1922:  
"That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to decide to grant Planning Permission for a shop and store to Mrs. Patricia Leader, Castlegar, Galway.- Planning Ref. No. 43373."  
John Molloy. Thomas Welby. Mark Killilea.
3. Resolution under Section 4 of the City and County Management (Amendment) Act, 1955:  
"That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council requires the County Manager to decide to grant Permission for the erection of a house at Ballindooley to Mary Fahy (Pat). - Planning Ref. No. 43697."  
P. McCormack. P. O'Foighil. M.J. Kilgannon.
4. Resolution under Section 4 of the City and County Management (Amendment) Act, 1955:  
"That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to decide to grant Planning Permission to Gerard Cahill of Tonaroasty, Loughrea, for a housing development at Tonaroasty.

- Planning Reference number 43831."  
John Donnellan. John M. Mannion. Michael Ryan.
5. Resolution under Section 4 of the City and County Management (Amendment) Act, 1955:  
"That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council requires the County Manager to decide to grant Permission to Michael Maloney of Anbally, Cummer, Tuam, for the erection of petrol and diesel pumps at Caheravoley, Cummer. - Planning Reference Number 43890."  
Mark Killilea. John Molloy. Patrick Finnegan.
6. Resolution under Section 4 of the City and County Management (Amendment) Act, 1955:  
"That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to decide to grant full Planning Permission to Tom McCabe at Mirehill for the erection of a dwellinghouse and septic tank. - Planning Ref. No. 44171."  
Mark Killilea. Thomas Welby. Patrick Finnegan.
7. Resolution under Section 4 of the City and County Management (Amendment) Act, 1955:  
"That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to decide to grant full Planning Permission to Tony Dixon for the erection of a dwellinghouse and septic tank at Currevagh. - Planning Ref. No. 43865."  
Thomas Welby. Mark Killilea. G. Bartley.
8. Resolution under Section 4 of the City and County Management (Amendment) Act, 1955:  
"That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to decide to grant Planning Permission to Gerard Walsh for a dwellinghouse at Laragan, Shrúle. - Planning Ref. No. 44041."  
John Donnellan. John M. Mannion. Michael Ryan.
9. Resolution under Section 4 of the City and County Management (Amendment) Act, 1955:  
"That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council requires the County Manager to decide to grant Permission to Gerry Walsh for the erection of a dwellinghouse at Laragan. - Planning Ref. No. 44041."  
Padraic McCormack. Mark Killilea. Patrick Ruane.
10. Resolution under Section 4 of the City and County Management (Amendment) Act, 1955:  
"That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to decide to grant Planning Permission to Padraig Heneghan, Killeen, Castlegar, Galway, for a dwellinghouse at Killeen. - Planning Ref. No. 44097."  
John Molloy. Mark Killilea. Thomas Welby.

11. Resolution under Section 4 of the City and County Management (Amendment) Act, 1955:

"That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to decide to grant Planning Permission to Patrick Murphy of Headford, Co. Galway, for a housing development at Ballydonnellan. - Planning Reference number 43988."

John Donnellan. John M. Mannion. Michael Ryan.

12. Material Contravention of the County Development Plan arising from the following Section 4 Resolution -

That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to decide to grant Planning Permission to Jack Spelman of Gort, Co. Galway, for a housing development at Gort. - Planning Reference number 43978.

John Donnellan. John M. Mannion. Michael Ryan.

13. Minutes.
14. Financial resolutions for Overdraft facilities, etc.
15. Raising of loan of £200,000 for 2 Water Tenders and 1 Light Rescue Tender for Fire Service.
16. Raising of loan for special contribution to Toberowen Group Water Scheme.
17. Raising of loan of £10,975 for special contribution for:-
- Kiltiernan Group Water Supply Scheme.
  - Kilchreest Group Water Supply Scheme.
18. Proposals for new Library Headquarters in Galway City.
19. Amenity Grants 1982.
20. Abstract of Accounts for 1981.
21. Additional Capital Allocation of £300,000 for Sanitary Services.
22. Litter Act, 1982. - Action Programme.
23. Fix dates for meetings of Speed Limit Committees.
24. Resolution from Roscommon County Council re Supplementary Welfare.
25. Joint Committee on Building Land.
26. Malicious Damage Decrees.
27. Business submitted by the County Manager.

COUNCILLORS' NOTICES OF MOTION:

- (a) Adjourned from previous meeting:

COUNCILLOR JOE BRENNAN - I will propose:

1. That the Oireachtas Members of this Council be asked to use appropriate means within Government to ensure that Galway County Council gets sufficient funds to complete its projected work.

DEPUTY FRANK FAHEY - I will propose:

2. That Galway County Council examine the possibility of having a Refuse Collection Service provided by Private Refuse Collection Firms and paid for by local communities throughout the County.

SENATOR MARK KILLILEA - I will propose:

3. That the County Councillors have a full and frank discussion on the recent policy of the County Council to install on the schedules of Planning Permission sums of money as contributions to be made payable to the Planning Authority.

DEPUTY MICHAEL P. KITT - I will propose:

4. That Galway County Council widen the two bad bends on the Currantaraid Road, Monivea.

COUNCILLOR MICHAEL FAHY - I will ask:

5. That Galway County Council widen the entrance of the road to Ballyglass Village at Ardahan.

DEPUTY FRANK FAHEY - I will propose:

6. That a supply of water be given to the Derrydonnell Group Water Scheme from the Oranmore Regional Scheme and that this Group be allowed to commence work as soon as possible.

COUNCILLOR JOE BRENNAN - I will propose:

7. That this Council calls on T.D.s in Dail Eireann to form a National Government for a three year period to bring this country through the present crisis.

8. That Councillors be allowed to spend Notice of Motion Roads money on alternative schemes.

COUNCILLOR M.J. KILGANNON - I will ask:

9. That discretionary expenditure of £2,000 be allowed to each Councillor in addition to N.O.M. for Roads.

COUNCILLOR JOSEPH BURKE - I will ask:

10. That Galway County Council give an up-to-date report on the steps being taken to ensure that the water supply to Tuam has no more pollution.

11. What is the current position with regard to the draining of the River Nanny at Birmingham, Tuam. Are the negotiations with the Board of Works complete?

12. That Galway County Council undertake to guarantee the cost of a telephone kiosk at Rushellstown, Milltown P.O.

DEPUTY PAUL CONNAUGHTON - I will propose:

13. That the footpaths in Kilkerrin Village be repaired immediately as they are in a deplorable condition and are a danger to the public.
14. That the Y Junction at Aughiart, Mountbellew, be reconstructed to make it safer for all road users.
15. That Galway County Council employ its share of Litter Wardens in its towns and villages thereby reducing litter to a minimum and creating extra jobs.

DEPUTY MICHAEL P. KITT - I will propose:

16. That Galway County Council accept further extensions to the Barnadery Group Water Scheme.

DEPUTY FRANK FAHEY - I will propose:

17. That the lights which are being removed from Clarinbridge be erected on the road leading to the New Council Estate at Clarinbridge and also to the Village of Nogra, Kinvara.

COUNCILLOR JAMES JOYCE - I will propose:

18. That Galway County Council press ahead immediately with the fencing of the extension to Clontuskert Burial Ground as there are no vacant plots in the old Burial area.

19. That a field beside the Health Centre in Kiltormer be purchased by the Council from the Western Health Board for a housing development.

COUNCILLOR MICHAEL FAHY - I will propose:

20. When does Galway County Council intend to erect local authority houses in Gort?
21. That Galway County Council require land for housing for serviced sites in Gort.

AN CHOMHAIRLEOIR NIOCLAS O CONCHUBHAIR - Molaim:

22. An Bothar go dti Oilean Rossa, An Cheathru Rua, Co. na Gallimhe, a dheisiu agus na ballai a thogall.
23. An bhfuil se i gceist ag an Comhairle Condae, Reilig Leitirmoir, Tra Bhan, Coigeal agus Leitirmeallain a reiteach no Reilig nua a thogall.
24. Go dtabharfaí cead do Udaras na Gaeltachta airgead a thabhairt den Comhairle Condae chun boithre a dheisiu i gceantair Gaeltachta.

AN CHOMHAIRLEOIR MICHEAL O'MORAIN - Molaim:

25. Ba mhaith liom go deanfaí an droichead ag Inbher-Rossac a leathnu agus an clai a athru.
26. Ba mhaith liom go leanfaí feabhsu an bhothair o loch consairtha siar go Carra.
27. Ba mhaith liom a mholadh go gcuirfi laithrean bruscair amháin i ngach baile beag le freastal ar na bruach bhailte.

OTHER MOTIONS RECEIVED.

COUNCILLOR MICHAEL J. KILGANNON - I will propose:

28. That this Council carry out its responsibility to the people of Fohenagh by making provision for adequate and reasonable access to Fohenagh Parish Cemetery; this to be done by providing and maintaining a proper road to enable Funerals to take place there in a dignified way. The present position is no longer acceptable to the Fohenagh Community.
29. That a full report be furnished on the L.I.S Application in the name of Patrick Noone, Carhoon, Gurteen, together with an explanation of the guidelines and norms applicable to L.I.S.

DEPUTY JOHN DONNELLAN and SENATOR TODDIE BYRNE - We will propose

30. That Galway County Council provide the necessary markings at the Square, Gort, Co. Galway to facilitate orderly parking.

SENATOR JOHN MANNION AND DEPUTY JOHN DONNELLAN - We will propose.

31. That Galway County Council erect Signs at Clonbur indicating the direction of Finney and Maam and the milage involved.

CLR. PADRAIC McCORMACK - I will ask.

32. That Galway County Council provide a Pier on the Corrib at Linnagh Corrandulla, or that this Project be included in the Amenity Grant System as it is a High Amenity Tourist Area, and considerable damage is done to boats there due to lack of a Pier.
33. That Galway County Council declares Public the road starting at Curraduff West on the Glan Road through the Forestry and joining the Oughterard/Maam Cross main road near Mrs. Joyces railway cottage.
34. That Galway County Council erect lights on the old Ballybane road past Cullinans, Connors and Walsh's houses. This is a heavily used road by people from the Ballybane houses to the shops.

CLR. TOM WELBY - I will propose

35. That the County Council repair a section of road at Magheramore, Oughterard and that a restriction be put on the trucks taking gravel from a nearby gravel pit.
36. That immediate steps be taken to prevent flooding opposite Cooneys house at Barna, which is interfering with children going to school and also the general public.
37. The provisions be made in the 1983 Estimates for the proposed works at Derrenmeel, Oughterard.

MALICIOUS DAMAGE DECREES

Name and Address	Particulars of Claim	Area of Charge	Amount of Claim	Decree including Costs
S. Boylan, 13 Shop Street, Galway.	Damage to windows	Borough of Galway	£250	£112.60
Joseph Kissane, c/o Sandys & Co., Solicitors.	Damage to windscreen of car	Borough of Galway	£50	£187.31
Patrick O'Hara, Monksfield, Salthill.	Damage to panes of glass in bedroom window	Borough of Galway.	£100	£143.55
Connacht Mineral Water Co. Ltd., Bohermore, Galway.	Damage to office equipment	Borough of Galway	£825.88	£750.15

MINUTES OF PROCEEDINGS AT MONTHLY MEETING OF GALWAY COUNTY COUNCIL HELD AT THE LIBRARY BUILDING, PORTUMNA, ON FRIDAY, 22ND OCTOBER, 1982.

IN THE CHAIR: Councillor E. Haverty.

ALSO PRESENT:

Members: As recorded in the Attendance Book.

Councillors G. Bartley, J. Brennan, U. Burke, Senator T. Byrne, Councillors J. Callanan, F. Coogan, Deputies J. Donnellan and F. Fahey, Councillors M. Fahy, P. Finnegan, F. Glynn, B. Holland, J. Joyce, M.J. Kilgannon, Senator M. Killilea, Deputy M. Kitt, Councillor P. McCormack, Senator J.M. Mannion, Councillors J. Molloy, T. Murphy, N. O'Conchubhair, P. O'Foighil, M.O'Morain, P. Ruane, M. Ryan, and T. Welby.

Apologies for inability to attend were received from Deputies M.D. Higgins, and P. Connaughton.

Officials: Messrs. S. Keating, County Manager; P. Kearns and J. Howlett, Assistant County Managers; J. Crotty, Acting County Engineer; T. Kavanagh, Administrative Officer; R. Killeen, and S. O' Neill, Senior Executive Engineers; L. Kavanagh and B. Callagy, Senior Executives (Planning); H. Kearns and D. Barrett, Senior Staff Officers; T. Sharkey, County Librarian, and K. Doyle, County Secretary.

The Opening Prayer was recited.

1781 - FAILTE O CHOISTE FORBARTHA PORT OMNA:

Chuir Sean O Riain, Runai, Coiste Forbartha Port Omna failte roimh baili agus oifigi an Chomhairle Chontae chuig Port Omna.

Extending a welcome to the Members and Officials of the County Council to Portumna, Mr. Ryan thanked Members of the Council and Officials for the work they had done for Portumna over the years and in particular for the construction of the new Library and Fire Station. He expressed the hope that the Members of the Development Company and the Council could work together in close co-operation for the benefit of Portumna and he stated that the Portumna Development Company was prepared to do its share in the development of the town.

On the proposition of Councillor Ulick Burke, seconded by the Chairman, the Council congratulated the Portumna Tidy Towns Committee on being adjudged the Tidiest Town in the County.

1782 - CONGRATULATIONS:

Councillor Ryan proposed that the Council congratulate the Members of Sinn Fein who were elected in the Northern Ireland Assembly Elections.

1783 - SYMPATHY:

Councillor O'Morain proposed and Councillor M. Fahy seconded that the Council extend its sincere sympathy to the wife and family of the late Bill Loughnane who was a former T.D. for Galway West.

Resolutions of sympathy were also adopted with the following:

Mrs. Kathleen Lee, Cill Chiaran, Carna.  
Mr. Patrick Keane, Cahermore, Gort.  
Mr. P. Kirrane, Sylau, Dunmore.  
Mrs. Conneely, Shanbally, Williamstown.

Referring to a recent tragic accident in the area, Councillor Finnegan, supported by Deputy Donnellan, stressed the need for carrying out improvements at an early date near Browns Grove School. They asked that the possibility of doing something in this area be examined as a matter of urgency.

1784 - TEMPORARY LAY-OFF OF COUNCIL WORKERS:

The Chairman agreed to a request from Mr. Christy Cullen of the Federated Workers' Union and Mr. Frank Gannon of the Irish Transport and General Workers' Union to address the Members of the Council on the proposed lay-off of County Council roadworkers.

Mr. Cullen stated that his Members were very perturbed at the proposed lay-off for a period of up to 4 weeks and that they got very little notice of this. He stressed that roads were in bad need of repair and it did not make sense to have able bodied and willing workers laid off in circumstances which resulted in a loss of money to the State by reason of payment of Social Welfare benefits and loss of tax revenue. He asked the Council to request the County Manager to defer the lay-offs in order to give the Unions a chance of making representations to the appropriate Ministers.

Mr. Frank Gannon stated that the Council workers do not want lay-offs or to go on Dole. He could not understand why some Social Welfare funds which apparently are available for payment of Social Welfare benefits could not be transferred to the Department of the Environment to enable such workers to be kept on full time. He stated that this is a basic loss to the State Revenues and he asked why the Social Welfare funds could not be transferred to local authorities to enable much needed work on roads to be carried out. He asked that if the lay-offs could not be avoided that an alternative arrangement would be negotiated with the Unions as they understood the difficulties under which local authorities were operating at present. He asked that the Council would agree as an alternative to a three day week.

Mr. Gannon and Mr. Cullen stated that one of the main problems about total lay-offs for up to four weeks is that there is a long delay in such circumstances getting the Department of Social Welfare to pay benefits due to the men after lay-off.

1785 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 43887 - APPLICANT: MRS. ANNIE THORNTON.

The County Manager stated that a decision to grant Permission in this case had been made.

1786 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 43373 - MRS. PATRICIA LEADER.

The County Manager stated that a decision to grant Permission in this case had been made.

1787 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 43697 - MARY FAHY (PAT).

The County Manager stated that this application is the subject of discussions with the applicant and that, if necessary, the resolution can be put on the Agenda for the November Meeting. The resolution was not, therefore, proposed.

1788 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 43831 - GERARD CAHILL.

The County Manager stated that a request for further information had issued in this case regarding the question of a water supply for the 20 houses involved.

The resolution set out on the Agenda was not accordingly proposed.

1789 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 43890 - MICHAEL MALONEY.

The County Manager submitted the following report which had been circulated to each Member of the Council:

"BACKGROUND:

The proposed site is that of the Anbally Inn, formerly called the Dew Drop Inn, which is close to a bend on the Galway to Tuam National Primary Route, approximately one mile south of Corofin Cross. This stretch of the Galway to Tuam Route has been improved, and is heavily trafficked. The maximum speed limit applies and traffic travels along this part of the road at speed.

PREVIOUS APPLICATIONS:

Planning Ref. No. 10708, granted permission for extension of this public house, provided additional car parking accommodation be provided for not less than 20 vehicles.

There have been four previous applications for petrol and diesel pumps on this site, all of which, have been refused by the Planning Authority for traffic safety reasons, (Planning Ref. Nos. 38105, 40567, 41153 and 42044). None of these decisions have been appealed to An Bord Pleanála.

PLANNING CONSIDERATIONS:

1. The proposed development would endanger public safety and constitute a traffic hazard because (a) it would generate considerable additional turning movements which would cause a traffic conflict with vehicles using the National Primary Route and (b) sight distances are inadequate in the Tuam direction.
2. The proposed development would be unsatisfactory because it would significantly reduce available car parking for the existing licensed premises, thereby resulting in parking on the margin of the public road. This would interfere with the free flow of traffic on the National Route and constitute a traffic hazard, particularly at night.
3. The proposed development, would constitute a material contravention of the 1979 County Development Plan, because it constitutes commercial development on a National Route, which is totally restricted by Table No. 3 of the Plan.

RECOMMENDATION:

Refusal is recommended for the following reason:

The proposed development located on a National Primary route where the maximum speed limit applies and where sight distances are restricted, would by reason of the conflicting traffic movements it would generate, be liable to endanger public safety by reason of a traffic hazard."

The resolution set out on the Agenda was proposed by Councillor Welby who stated that the proposed site of the petrol pump station is 7 miles from Tuam and that there is no pump within a distance of 2½ miles. A Public House already exists on the site and there is a forecourt - the people in the area are demanding this service.

Deputy Donnellan seconded Councillor Welby's proposal.

Councillor Brennan proposed that the Permission sought be refused.

Councillor Glynn stated that he had discussed this matter with the applicant and had advised him against going ahead with the project on economic and safety grounds.

Councillor Holland seconded Councillor Glynn's proposal.

It was agreed to defer taking a vote on those proposals until after 4.30 p.m.

A vote taken after 4.30 p.m. for or against the resolution set out on the Agenda resulted as follows:

**FOR:** Councillors Bartley, Callanan, Deputy Donnellan, Deputy Fahey, Councillors M. Fahy, Finnegan, Haverty, Joyce, Senator Killilea, Deputy Kitt, Senator Mannion, Councillors Molloy, Murphy, O'Conchubhair, Ryan and Welby.

(16)

**AGAINST:** Councillors Brennan, Holland, Kilgannon.

(3)

The Chairman declared the resolution carried.

Councillor Ulick Burke, Senator Byrne, Councillors Coogan, Glynn, McCormack, O'Foighil and Ruane did not vote.

1790 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 44171 - APPLICANT: TOM MCCABE.

The County Manager stated that the application in this case had been received on the 7th October and the Section 4 resolution on the 14th.

Councillor O'Morain stated that prior information sought is sometimes not given in time and for this reason, Section 4 resolutions may be sent in early. It was agreed to defer consideration of this motion to a later meeting.

1791 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 43865 - APPLICANT: TONY DIXON.

The County Manager submitted the following report which had been circulated to each Member of the Council:

**"SITE LOCATION:** The site is located in the townland of Gorterwulla, directly on the shores of Lough Corrib in Annaghbeg Bay.

**HISTORY:** There was a previous application Planning Ref. No. 42877 by the applicant on the same site in May 1982 which was refused by the Planning Authority.

**PLANNING CONSIDERATIONS:**

The site is located directly on the shores of Lough Corrib in an area designated as being of Special Amenity Value in the County Development Plan. The dwellinghouse will be situated approximately 370 yards off the public road and access to the site is by means of a right-of-way. No claim for any particular case of housing need has been claimed by the applicant and so the provisions of the County Development Plan, as set out in Table 9, provide for the total restriction of this and like development.

**RECOMMENDATION:** It is proposed to refuse the application on the following grounds:-

1. The proposed development, located in an area of Special Amenity as classified in the County Development Plan 1979, on the shoreline of Lough Corrib would be seriously visually obtrusive and would detract from the visual and recreational amenities of the area.

2. The proposed development would contravene the provisions of the 1979 County Development Plan because the development does not come within the categories to which permission is restricted by the County Development Plan in Areas of Special Amenity."

Replying to Councillor Brennan, the County Manager stated that no consultations had taken place with the applicant in this case.

Councillor Welby proposed the resolution set out on the Agenda and he stated that this site which was purchased by the applicant is near an inlet on the lake and there is a tract of land in front of it. It is the only site which the applicant has and it is at the back of a hill.

Councillor Bartley seconded Councillor Welby's proposal.

Councillor Brennan proposed and Councillor Kilgannon seconded that the Permission sought be refused.

It was agreed to defer taking a vote on those proposals until after 4.30 p.m.

A vote taken after 4.30 p.m. for or against the resolution set out on the Agenda resulted as follows:

**FOR:** Councillors Bartley, Callanan, Deputies Donnellan, F. Fahey, Councillors M. Fahy, Finnegan, Haverty, Joyce, Senator Killilea, Deputy Kitt, Councillor McCormack, Senator Mannion, Councillors Molloy, Murphy, O'Conchubhair, Ryan and Welby.

(17)

**AGAINST:** Councillors Brennan, U. Burke, Senator Byrne, Councillors Glynn, Holland, Kilgannon, Ruane.

(7)

The Chairman declared the resolution set out on the Agenda carried.

Councillors Coogan and O'Foighil did not vote.

1792 - RESOLUTIONS UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 44041 - GERARD WALSH.

The County Manager stated that two resolutions numbered 8 and 9 on the Agenda related to the same development. He stated that a request for further information had issued in this case. The resolution set out on the Agenda was not accordingly proposed.

1793 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 44097 - APPLICANT: PADRAIC HENEGHAN.

The County Manager submitted the following report which had been circulated to each Member of the Council:

"The site is located on the Galway/Tuam road N.17 approximately three miles outside the city boundary. It is on the inside of a realigned road curve where sight distance is just about adequate for emergency stops at maximum permissible speed. The accommodation road leading to the family house abuts the site and the family house itself is approximately ¼ mile from the National Route. This is the only frontage shown on the holding which abuts the route but there is 800 yards frontage along the eastern boundary of the land which is served by a blacktopped road which is in good condition. One house was granted to a Mr. Wally on an adjacent site in 1965 but there have been numerous refusals for residential and commercial development along the National Route since then and some of the application forms listed Mr. Martin Heneghan as the landowner although the applications were made by various people.

The housing need claimed could be located along the minor road frontage where good sites are available and where, as is the case with the family house, panoramic views are obtainable over a wide range of countryside. A house located here would be no more than 500 metres from the National Route and traffic access would be safer via the public road junction south of McHugh's Public House. This would also be in keeping with the stated policy of the Planning Authority of encouraging local housing needs onto County road frontages where such reasonable alternatives exist.

REFUSAL IS RECOMMENDED FOR THE FOLLOWING REASONS:

1. The proposed development would constitute a traffic hazard because it would be located on a heavily trafficked National Primary Route where the maximum speed limit applies and the traffic generated by the development would interfere with the safety and free flow of traffic along the said route.
2. The proposed development is situated on a National Primary route where it is the policy of the Planning Authority to restrict development to certain substantiated cases of particular housing need, which need has not been substantiated as alternative house sites are available to the applicant on the family holding in locations off the National Primary route."

Councillor Molloy proposed the resolution set out on the Agenda and he stated that this is a second family dwelling and the intended entrance is by an avenue to an existing house. There will be no new entrance to the road.

Mr. L. Kavanagh, S.E.E., stated that he considered that there is an alternative suitable site available to the applicant.

Councillor Welby seconded Councillor Molloy's proposal.

The County Manager stated that the development would involve an opening to a National Primary Route while there is a perfectly suitable site on the family land nearby.

Councillor Brennan asked that the matter would be deferred to the November meeting so that consultations could take place in the meantime with the applicant. The County Manager stated that he would be glad to have consultations with the applicant on the matter.

Councillor Molloy stated that the applicant did not want to move his site to a back road where he felt the County Council wished the house to be constructed.

Councillor Brennan proposed that in the absence of consultation the permission sought be refused.

Councillor Kilgannon seconded Councillor Brennan's proposal.

It was decided to defer taking a vote on those proposals until after 4.30 p.m.

A vote taken after 4.30 p.m. for or against the resolution set out on the Agenda resulted as follows:

FOR: Councillors Bartley, U. Burke, Senator Byrne, Councillor Callanan, Deputy Donnellan, Deputy F. Fahey, Councillors M. Fahy, Finnegan, Haverty, Joyce, Senator Killilea, Deputy Kitt, Councillor McCormack, Senator Mannion, Councillors Molloy, Murphy, O Conchubhair, Ruane, Ryan and Welby. (20)

AGAINST: Councillors Brennan, Glynn, Holland, Kilgannon. (4)

The Chairman declared the resolution set out on the Agenda carried. Councillors Coogan and O'Foighil did not vote.

1794 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 43988 - PATRICK MURPHY.

The County Manager stated that a request for further information had issued in this case.

The resolution set out on the Agenda was accordingly not proposed.

1795 - MATERIAL CONTRAVENTION OF THE COUNTY DEVELOPMENT PLAN - PLANNING APPLICATION NUMBER 43978 - JACK SPELLMAN:

The County Manager stated that this matter was on the Agenda because the proposal involved a material contravention of the County Development Plan, it was necessary to carry out the special procedure set out in the 1976 Planning Act instead of treating the matter as an ordinary Section 4 resolution. The land had been zoned for industrial purposes in the County Development Plan and he considered it desirable that such land should be available for industrial purposes in a town such as Gort. He submitted the following report which had been circulated to each Member of the Council:

"BACKGROUND:

The proposed site is located on the Gort/Galway road within the speed limit area of the town. This application is the second application for housing development on this site, by Mr. Spellman. The first application was refused by the Planning Authority and is currently on appeal to An Bord Pleanála.

The proposed site is zoned in the 1979 Gort Plan as "suitable for industry" and the Plan has a specific development control objective to restrict development on these lands to industrial uses only.

There is a public water supply adjacent to the site on the main road but there is no public sewer. It is possible to drain this site by gravity to the town sewerage system but this would require the provision of a private sewer 360 metres in length.

ADJACENT DEVELOPMENT:

Permission has been granted to Mr. Pat Fahey of Diamond Fireplaces Ltd., to erect a factory for the manufacture of fireplaces, on the site immediately to the south of this proposed site.

On the southern corner of the lands zoned for industry, there is a slaughterhouse owned by Mr. Sean Duffy, The Square, Gort.

ZONING CONSIDERATIONS:

This site is part of the only undeveloped area zoned for Industry in the Gort Town Plan. The entire industrial area is 22 acres in area, but only has a narrow road frontage on the Galway Road of 290 feet. The area is zoned for industry because of the I.D.A. policy of locating prestigious industrial enterprises on the major approach routes to cities and towns, inside speed limits where possible. In their experience, major industrialists often decide to locate their projects in towns which have such sites available in preference to towns with more secluded locations but with superior infrastructural services.

The site is the only available location for industry within the speed limits on the Galway road out of Gort. The remaining frontages are either already developed or have planning permission for housing development. Locations outside the speed limit would be unacceptable on the grounds of traffic safety and remoteness from water supply and drainage services.



PLANNING CONSIDERATIONS:

If Planning Permission were granted for housing development on those land -

- (a) The adjoining lands to the rear of the Spellman site, which are also zoned for industry would be seriously affected as regards suitability because of inadequacy of access and the constraints which would be imposed on any industrial premises by nearby houses.
- (b) Those lands to the rear would not be attractive for housing development because of the proximity of a slaughterhouse, a sewage pumping station and treatment works and a proposed fire-place factory.

RECOMMENDATION:

Refusal is recommended as follows:

1. The proposed housing development, would be a material contravention of the 1979 Gort Plan, because these lands are zoned for Industrial use and the Plan has a specific development objective to restrict any other type of development on these lands.
2. The proposed housing development would be contrary to the proper planning and development of the area, because -
  - (a) it would not be compatible with an existing permission for a factory for the manufacture of fireplaces which has been granted on the site immediately adjacent to the southern boundary of this site;
  - (b) the proposed industrial use of surrounding lands would seriously interfere with the amenities of the proposed houses."

The County Manager stated that if the proposed development takes place, it would effectively knock out the remainder of the site for industrial purposes as householders would object to the location of industry beside their houses.

Deputy Donnellan stated that he would withdraw his proposal if the Council would purchase the site.

The County Manager stated that the Council would be prepared to approach the I.D.A. in an effort to have the I.D.A. purchase the site.

Councillor O'Morain stated that an individual has no rights under Planning Law. The County Manager replied that in making a plan, the Council must look at all of the activities which are necessary in a town like Gort and prepare for it and plan for it in the long term and in the short term.

After further discussion, Deputy Donnellan withdrew his proposal in order to give an opportunity to the County Council and the I.D.A. to purchase the land in question, but he stated that he would introduce the motion if necessary early next year.

Replying to Councillor Brennan, the County Manager stated that the Development Plan is reviewed at least once every five years but it can be done more frequently than this if necessary.

1796 - MINUTES:

On the proposition of Deputy Donnellan, seconded by Councillor Molloy, the Minutes of meetings held on 27th September and 8th October, 1982, (numbers 1745 - 1780, inclusive) were approved and signed by the Chairman.

1797 - FINANCIAL RESOLUTIONS:

The County Manager requested the approval of the Council to transfer the sum of £52,000 from Programme Group 2 - County Road Upkeep to Programme Group 1 - Housing Maintenance in order to maintain the Housing Maintenance squads on a three day week to the 31st December, 1982.

It was proposed by Councillor Kilgannon, seconded by Councillor Holland, and resolved:

"That Galway County Council hereby approve the transfer of £52,000 from Programme Group 2 - County Road Upkeep to Programme Group 1 - Housing Maintenance in 1982 Accounts."

The County Manager also requested the approval of the Council to a special Overdraft facility of £410,000 and payment of interest subsidy thereon in respect of the Housing Capital Allocation shortfall in 1982. It was proposed by Councillor Kilgannon, seconded by Councillor Holland and resolved:

"That special Overdraft accommodation amounting to £410,000 be borrowed on the Council's Capital Account for the quarter ending 31st December, 1982, with payment of interest subsidy thereon by the Minister."

Referring to the deputation from two Unions received at the beginning of the meeting, the County Manager stated that the Unions had been met by him during the past week and had been told that the Council have had to start lay-offs of Council roadworkers for periods of up to 4 weeks between now and the 31st December since sufficient funds are not available to pay them for full-time work. The lay-offs had been arranged so that they would be back at work in sufficient time to earn the maximum holiday pay over the Christmas period. If funds become available in the meantime, the men will be re-employed immediately.

Councillor Callanan asked what would be the effect of the lay-offs on the men's pensions. The County Manager stated that the effect would be very small and that in fact, the sum mentioned to him would be about 1p to 2p per week. He stated that the lay-offs would affect about 350 workers and that putting them on a three-day week would be totally unsatisfactory.

Councillor Joyce stated that many of those people had young families and this would cause hardship on them. He stressed that it takes the Department of Social Welfare a very long time - sometimes up to 8 weeks before they pay Social Welfare benefit in cases such as this. It appeared to him that the Portumna Area was the worst off and he asked why some of the men could not be employed from Monday to Wednesday and the others from Wednesday to Friday.

The County Manager stated that this solution is not acceptable to the Unions as those working from Wednesday to Friday would be adversely affected in Social Welfare benefits.

Replying to further queries about putting the men on a three day week as had been done with the Housing Maintenance staff, the County Manager stated that this is a totally different situation, that the Housing Maintenance staff are on a three day week for a period of 7 months while the maximum period for which roadworkers would now be laid off is 3 weeks. He stressed that it should be necessary to have some roadworkers employed at all times, and for this reason, it was decided that half the gang in each area would be laid off for one period while the remainder would be laid off for another - it would, therefore, take a total of 6 weeks for the lay-off arrangements to be completed.

He stated also that it had now been found that the lay-off period for the Portumna workers could be reduced to 3 weeks.

Councillor Ulick Burke stated that it seemed to him that the present arrangement was made for organisational and general convenience purposes and would result in a financial loss to the men. He asked that the County

Manager would again look at the possibility of having a three-day week instead of a total lay-off.

Councillor Kilgannon felt that money is being spent on machinery which could be used to keep men employed. He mentioned the hedge cutting machines and suggested that this work could be done by workmen instead.

Councillor O'Morain asked if advance notice could be given to the Department of Social Welfare of the men who are to be laid off and the dates on which they would be laid off so that there would be no delay in arranging payment of their Social Welfare benefit. The County Manager stated that everything possible will be done by the County Council in this respect.

Replying to Deputy Fahey, the County Manager stated that it would take about £140,000 to keep the men fully employed until the end of the year. Replying to Councillor Brennan, he stated that while the Council has some machinery hired, this is taken on only when Council machinery is not available and that when the pressure is on, the hired machinery is let go in order to make as much money as possible available for payment of workers.

Councillor Welby stated that he had been informed that men are still going on Overtime and that too much machinery is being employed in cases where the work done by the machines could be done by workmen. He stated that he was not accepting the invitation to the dinner in Portumna that evening while men were being laid off. The County Manager replied that the Council is in Portumna at the invitation of the Contractor and that no Council funds whatever are involved.

Deputy Donnellan proposed and Senator Byrne seconded that the Council pass a vote of no confidence in the Government. The Chairman stated that he would not accept this proposal as it had nothing to do with the matter under discussion.

Replying to further queries, the County Manager stated that following an intensive follow-up carried out in relation to the Local Improvement Schemes, additional money had come in and arising from this, it had been possible to reduce the lay-offs in Portumna from 4 weeks to 3 weeks.

Senator Killilea asked the Councillors to canvass the promoters for such schemes in order to keep more men employed.

Councillor Bartley stated that local quarries should be used instead of transporting materials a long distance from Galway.

Replying to Councillor Michael Fahy, the County Manager stated that all Road Grants available to the Council had been taken into account in deciding on the lay-offs and that money allocated for the Labane By-Pass would be expended this year.

Councillor Kilgannon proposed that the lay-offs be not implemented and that adjustment in the Council's finances be made in order to keep the men employed. Deputy Donnellan seconded this proposal.

The County Manager stated that no money is available to him no matter what he does about adjusting finances.

The Chairman stated that the proposal made by Councillor Kilgannon entails the expenditure of money which the County Council has not got. He could not, therefore, accept the proposal.

Councillor Ulick Burke proposed and Senator Byrne seconded that the Council implement a three-day week as in the case of Craftsmen.

The County Manager stated that he had already explained that the lay-offs would be for a maximum of three weeks and less in many other cases. This would enable work to go on until the end of the year and get the best possible value for money. The three-day week has been found to be most unsatisfactory

in relation to the Craftsmen and the Council need some workers on the roads at all times.

It was eventually agreed on the proposition of Councillor Glynn, seconded by Councillor Brennan that a Telex message be sent to the Minister for Finance and the Taoiseach asking that the necessary funds, whether by way of direct Government assistance or by way of transfer from the Department of Social Welfare funds, to keep the men employed to the end of the year be made available to the County Council and that the Secretary be authorised to put the name of the Dail Deputies on the County Council to the Telex message.

1798 - LOAN OF £200,000 FOR FIRE SERVICE VEHICLES:

It was proposed by Councillor Finnegan, seconded by Senator Killilea, and resolved:

"That Galway County Council hereby approve the raising of a loan of £200,000 for the purchase of 2 Water Tenders and 1 Light Rescue Tender for the Fire Service, the loan to be obtained from such source and on such terms as may be approved by the Minister for the Environment."

1799 - RAISING OF LOAN OF £30,000 FOR A SPECIAL CONTRIBUTION TO TOBEROWEN GROUP WATER SCHEME:

It was proposed by Councillor Finnegan, seconded by Senator Killilea, and resolved:

"That Galway County Council hereby approve the raising of a loan of £30,000 in respect of a special contribution towards the cost of headworks for the Tobcrown Group Water Supply Scheme - the loan to be obtained from such source and on such terms as may be approved by the Minister for the Environment."

1800 - RAISING OF LOAN OF £10,125 FOR KILTIERNAN AND KILCHREEST GROUP WATER SUPPLY SCHEMES

The County Manager requested the approval of the Council to the raising of a loan of £10,125 for the above scheme.

It was proposed by Councillor Finnegan, seconded by Senator Killilea and resolved:

"That Galway County Council hereby approve the raising of a loan of £10,125 for the purpose of making special contributions towards the cost of Kiltiernan and Kilchreest Group Water Supply Schemes - the loan to be obtained from such source and on such terms as may be approved from the Minister for the Environment."

1801 - PROPOSAL FOR NEW LIBRARY HEADQUARTERS IN GALWAY CITY:

The County Manager stated that a difficulty had arisen in relation to the Library headquarters in Galway Courthouse. The premises in question are unsuitable for the purpose and apart from this, the Council are under considerable pressure from the Courts to make additional accommodation available for them in the Courthouse. A greater number of sittings are now being held, the jurisdiction of the Circuit and District Courts have been extended, and both the Courts including the Bar and the Judges have been asking the County Council if they could obtain alternative accommodation for the Library. Proposals are on hand for the construction of a new Library Headquarters on a site which is available from Galway Corporation. However, this would not be likely to be constructed for a period of about 5 years and even if the planning were now done, there would be no possibility of having finance allocated for it for a period of 3 to 4 years. In the short term, however, it has been found possible to obtain a premises for renting known as Island House near the Cathedral in Galway. The rent at £6.50 per square foot would be about £33,000 per annum, half of which would be recouped by An Comhairle Leabharlanna. The Council would have the option of leaving this premises

after a period of 7 years or of staying on there. The County Manager also stressed the importance of the Courts to the economy of Galway City, referring to the number of people who come there, the business which they bring to hotels and other premises, and he considered it important that if possible, the Courts should be facilitated.

The County Manager replying to Deputy Fahey who stated that the present situation arose from lack of planning, stated that the Council would have stayed on in the Courthouse and would have made no effort to leave it until the new permanent headquarters would be constructed were it not for the fact that under recent legislation the functions of the Courts have been extended, the jurisdiction of the Courts had also been widened but that in any event, the Council can stay where it is for the time being. He stressed that no money would be available for the construction of a new building for a period of from 3 to 5 years.

Replying to Deputy Kitt, he stated that the Council can possibly defer a decision on the matter to the next meeting but the owners of the property had asked the Council to let them know the Council's decision very soon. He repeated, however, that the Council can stay on in the Courthouse and it will cost less money but he asked the Council to consider whether or not the expenditure of £16,000 approximately per annum would be a worthwhile investment in the economic activity generated by the Courts. He again stressed that even if the Council had its plans prepared and were ready to go for Tender to-morrow, there would be a waiting period of from 3 to 5 years for money. The Council would have to take its place in the queue for Capital for this purpose.

Councillor Callanan proposed and Councillor Welby seconded that the Council remain on in the Courthouse.

After further discussion, it was decided that the decision on the matter would be deferred and that it be put on the Agenda for the November Meeting.

1802 - ADJOURNMENT OF MEETING:

It was agreed to adjourn the remaining items on the Agenda to the November Meeting and that replies to Motions submitted by them would be sent to Councillors O'Conchubhair, Welby, McCormack, Deputies Donnellan and Kitt.

THE MEETING THEN TERMINATED  
=====

SUBMITTED, APPROVED & CONFIRMED:

  
CHAIRMAN

22nd November 1982 DATE

COMHAIRLE CHONTAE NA GAILLIMHE  
(Galway County Council)

Oifig an Runai,  
Aras an Chontae,  
GAILLIMH.

16u Samhain, 1982.

CHUIG GACH BALL DE'N CHOMHAIRLE/

A Chara,

Iarrtar ort leis seo bheith i lathair ag cruinniú de Chomhairle Chontae na Gaillimhe a tionolfar ins na Foirgnithe Chontae, Gaillimh, De Luain, 22u Samhain, 1982, ar a 3.30 a chlog sa trathnona.

Mise, le meas,

C. O'DUBHGHAILL,  
Runai.

A G E N D A

(a) SECTION 4 RESOLUTIONS:

1. "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council requires the County Manager to decide to grant Outline Permission for the erection of a dwellinghouse at Barrasheen to Patrick Faherty. - Planning Ref. No. 43619."  
  
John M. Mannion. Thomas Welby. Michael Fahy.
2. "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to decide to grant Outline Permission to Thomas Gavin of Munga, Clifden, Co. Galway, for a housing development at Munga, Co. Galway. - Planning Reference number 44337."  
  
G. Bartley. Padraic McCormack. John Donnellan.
3. "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to decide to grant Permission to Michael Whelan of Loughdown, Ballinasloe, for the erection of a dwellinghouse at Loughdown. - Planning Ref. no. 44290."  
  
Joe Callanan. Michael P. Kitt. Paul Connaughton.
4. "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to decide to grant Permission to Fatsy Kinneavy for the retention of access at Ross, Roscahill. - Planning Ref. No. 44224."  
  
Thomas Welby. G. Bartley. John Molloy.
5. "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to decide to grant Planning Permission to Mr. Sean Kelly, Carrowmoneen, Tuam, Co. Galway, for change of house design from bungalow type to 2-storey dwellinghouse in the townland of Carrowmoneen, Tuam, Co. Galway. - Planning Ref. No. 44301."  
  
Patrick Finnegan. Michael Kitt. Mark Killilea.

6. "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to decide to grant Permission to Mr. Sean Boyle of Dangan, Tuam. - Planning Reference No. 43793."

Paul Connaughton. Michael Ryan. Michael P. Kitt.

7. "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to decide to grant Permission to Stephen Fahy for the erection of petrol and diesel pumps at Ballindooley. - Planning Ref. No. 44147."

John Molloy. Thomas Welby. Mark Killilea.

8. "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to decide to grant Permission to Frank Daniels of 7, Fahy Gardens, Loughrea, Co. Galway, for a Service Station and septic tank at Cloonoo East, Loughrea. - Planning Ref. No. 44087."

Edward Haverty. Michael Fahy. Tony Murphy.

9. "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to decide to grant Planning Permission to Miss Anne Cooley, Glenascaul, for the erection of a dwelling at Glenascaul. - Planning Ref. No. 44026."

John Molloy. Thomas Welby. Mark Killilea.

(b) OTHER ITEMS:

10. Minutes.
11. Bye-Pass Road, Loughrea.
12. Proposals for New Library Headquarters in Galway City.
13. Election of representative on Governing Body of University College, Galway.
14. Overdraft- quarter ending 31st March, 1983.
15. Fix date of December Meeting (4th Monday is 26th - St. Stephen's Day).
16. Fix date for Meetings of Speed Limit Committees.
17. Amenity Grants 1982 - Proposals circulated.
18. Abstract of Accounts 1981 - Summary already circulated.
19. Additional Capital Allocation of £569,000 for Sanitary Services.
20. Litter Act, 1982 - Action programme already circulated.
21. Resolution from Roscommon County Council re Supplementary Welfare - Copy circulated.
22. Joint Committee on Building Land - Circular from Department already circulated.
23. Development Control - copy of letter PD 9/82 dated 26th October, 1982, from Department of the Environment herewith.
24. Request from Royal National Lifeboat Institution for financial assistance - copy of correspondence herewith.

25. Rates on Agricultural Land (Relief) Act, 1967 - waiver of conditions under Section 7.
26. Raising of Loan of £78,000 for Stage 1, Phase 1, Galway City Western Environs Regional Water Supply Scheme - Improvement of Barna Water Supply Scheme.
27. Raising of Loan of £786,000 for Athenry Sewerage Scheme.
28. Raising of Loan of £15,000 for Special Contribution towards Ballinakill/Moyard Group Water Scheme.
29. Malicious Injury Decrees - list herewith.
30. Business submitted by the County Manager.

COUNCILLORS' NOTICES OF MOTION:

4.

(a) Adjourned from previous meeting:

COUNCILLOR JOE BRENNAN - I will propose:

1. That the Oireachtas Members of this Council be asked to use appropriate means within Government to ensure that Galway County Council gets sufficient funds to complete its projected work.

DEPUTY FRANK FAHEY - I will propose:

2. That Galway County Council examine the possibility of having a Refuse Collection Service provided by private refuse collection firms and paid for by local communities throughout the County.

SENATOR MARK KILLILEA - I will propose:

3. That the County Councillors have a full and frank discussion on the recent policy of the County Council to install on the schedules of Planning Permission sums of money as contributions to be made payable to the Planning Authority.

DEPUTY FRANK FAHEY - I will propose:

4. That a supply of water be given to the Derrydonnell Group Water Scheme from the Oranmore Regional Scheme and that this Group be allowed to commence work as soon as possible.

COUNCILLOR JOE BRENNAN - I will propose:

5. That this Council calls on T.D.s in Dail Eireann to form a National Government for a three year period to bring this country through the present crisis.

6. That Councillors be allowed to spend Notice of Motion Roads money on alternative schemes.

COUNCILLOR M.J. KILGANNON - I will ask:

7. That discretionary expenditure of £2,000 be allowed to each Councillor in addition to N.O.M. for Roads.

COUNCILLOR JOSEPH BURKE - I will ask:

8. That Galway County Council give an up-to-date report on the steps being taken to ensure that the water supply to Tuam has no more pollution.

9. What is the current position with regard to the draining of the River Nanny at Birmingham, Tuam. Are the negotiations with the Board of Works complete?

10. That Galway County Council undertake to guarantee the cost of a telephone kiosk at Rushellstown, Milltown P.O.

DEPUTY PAUL CONNAUGHTON - I will propose:

11. That the footpaths in Kilkerrin Village be repaired immediately as they are in a deplorable condition and are a danger to the public.

12. That the Y junction at Aughiart, Mountbellew, be reconstructed to make it safer for all road users.

13. That Galway County Council employ its share of Litter Wardens in its towns and villages thereby reducing litter to a minimum and creating extra jobs.

5.

DEPUTY FRANK FAHEY - I will propose:

14. That the lights which are being removed from Clarinbridge be erected on the road leading to the new Council Estate at Clarinbridge and also to the village of Nogra, Kinvara.

COUNCILLOR JAMES JOYCE - I will propose:

15. That Galway County Council press ahead immediately with the fencing of the extension to Clontuskert Burial Ground as there are no vacant plots in the old Burial area.

16. That a field beside the Health Centre in Kiltormer be purchased by the Council from the Western Health Board for a housing development.

AN COMHAIRLEOIR MICHEAL O'MORAIN - Molaim:

17. Ba mhaith liom go ndeanfai an droichead ag Inbhar-Rosmuc a leathru agus an clai a athru.

18. Ba mhaith liom go leanfai feabhsu an bhothair o loch conairtha siar go Carna.

19. Ba mhaith liom a mholadh go gcuirfi laithrean bruscair amhain i ngach baile beag le freastal ar na bruach bhailte.

COUNCILLOR MICHAEL J. KILGANNON - I will propose:

20. That this Council carry out its responsibility to the people of Fohenagh by making provision for adequate and reasonable access to Fohenagh Parish Cemetery; this to be done by providing and maintaining a proper road to enable funerals to take place there in a dignified way. The present position is no longer acceptable to the Fohenagh community

21. That a full report be furnished on the L.I.S. application in the name of Patrick Noone, Carhoon, Gurteen, together with an explanation of the guidelines and norms applicable to L.I.S.

SENATOR TODDIE BYRNE - I will propose:

22. That Galway County Council provide the necessary markings at the Square, Gort, Co. Galway, to facilitate orderly parking.

SENATOR JOHN MANNION - I will propose:

23. That Galway County Council erect signs at Clonbur indicating the direction of Finney and Maam and the mileage involved.

(b) Other Motions Received:

AN COMHAIRLEOIR NIOCLAS O CONCHUBHAIR - Molaim:

24. What is the position of Gleannachmurrin Regional Water Scheme?

25. That Galway County Council take over the Camus Group Water Scheme.

26. Cen uair a bheas an bothar ag tosnu o scoil Salerno, Indreabhain o dheas i dtreo teach Bertie Feeney?

DEPUTY MICHAEL P. KITT - I will propose:

27. That a source for the Annaghbeg/Creggane Group Water Scheme be provided as soon as possible, to allow this scheme to proceed.

COUNCILLOR P. RUANE - I will propose:

28. That this Council demand from the Department enough of funds to complete the Claregalway to Carnmore Road in 1983.

COUNCILLOR P. RUANE (CONTINUED)

- 29. That this County Council continue removing clay banks from the Carnmore/Coshla County Road.
- 30. That Galway County Council take over and maintain the road leading to Tom Keaney's house at Waterdale, Claregalway.

AN COMHAIRLEOIR POL O'FOIGHIL - Molaim:

- 31. Ce'n staid in a bhfuil ceist deontais speisialta do ghrup-sceim na Forbacha?

SENATOR MARK KILLILEA - I will propose:

- 32. To ask Galway County Council to repair the water line of the existing Public Water Scheme at Lackaghmore, Claregalway, before they ask the Group Water Scheme to supply water to it, or alternatively that the Council sanction a Special Grant to the Group Water Scheme to repair this existing main.

COUNCILLOR MICHAEL FAHY - I will ask:

- 33. Galway County Council to purchase a site for a new refuse Dump to accommodate Gort and the surrounding area, and I will also ask the County Council to close the old Dump in Gort.

COUNCILLORS E. HAVERTY, F. COOGAN, AND J. CALLANAN - We will propose:

- 34. That this Council investigate the possibility of handing over the Council housing sites to private developers with a view to providing additional houses.

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November Meeting

DECLARES

DAMAGE

MALICIOUS

NAME AND ADDRESS	PARTICULARS OF CLAIM	AREA OF CHARGE	AMOUNT OF CLAIM	AMOUNT OF DECREE INCLUDING COSTS
John Murphy, 25, Whitestrand Park, Salthill, Galway.	Damage to Motor Bike by burning.	Borough of Galway.	£550.00	£129.72
Sean Nolan, 10, Elm Park, Renmore, Galway.	Damage to Motor Car 1644 ZM	County at Large	£72.85	£ 72.85
Michael John Cannon, Oranhill, Oranmore, Co. Galway.	Contamination of diesel oil.	County at Large.	£794.57	£860.34
May Browne, Ballyowen, Cughterard, Co. Galway.	Damage to goods, clothes, glass and furniture.	County at Large.	£2,000.00	£1,396.60

MINUTES OF PROCEEDINGS AT MONTHLY MEETING OF GALWAY COUNTY COUNCIL  
HELD AT THE COUNTY BUILDINGS, GALWAY, ON MONDAY, 22ND NOVEMBER, 1982.

IN THE CHAIR: Councillor E. Haverty.

ALSO PRESENT:

Members: As recorded in the Attendance Book.

Councillor J. Brennan, Senator T. Byrne, Councillors J. Callanan, P. Connaughton, J. Donnellan, F. Fahey, M. Fahy, P. Finnegan, F. Glynn, M.D. Higgins, B. Holland, J. Joyce, M.J. Kilgannon, Senator M. Killilea, Senator J.M. Mannion, Councillors J. Molloy, N. O'Conchubhair, P. O'Foighil, M.G. O'Higgins, M. O'Morain, P. Ruane, M. Ryan and T. Welby.

Officials: Messrs. S. Keating, County Manager; J. Howlett, Assistant County Manager; J. Crotty, Deputy County Engineer; E. Lusby, Finance Officer; T. Kavanagh, Administrative Officer; M. Tierney, F. Monahan, L. Kavanagh, J. Kineen, R. Killeen, Senior Executive Engineers; H. Kearns, A. Murphy and D. Barrett, Senior Staff Officers; D. Commins, Staff Officer; T. Sharkey, County Librarian and K. Doyle, County Secretary.

The Opening Prayer was recited.

1803 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 43619 - PATRICK FAHERTY.

The County Manager submitted the following report which had been circulated to each Member of the Council:

"SITE LOCATION:

The site is located on the island of Inishdauwee which is the first island encountered on the Glann road, opposite the Barrusheen peninsula.

HISTORY:

A previous application by the applicant was refused by the Planning Authority on the same site, in July, 1970, and by the Minister for Local Government on appeal in July, 1971, on the grounds of injury to the visual amenities of the area.

PLANNING CONSIDERATIONS:

The proposed site is located on an island of designated special amenity value and the island itself is in the field of view of one of the views of special amenity value, as set out in the County Development Plan.

In response to a query in relation to a housing need, the applicant who was originally given the site by his father, stated the proposed house is to be occupied by his father. The father is, and has been for at least 12 years, residing in County Waterford and has now apparently retired from business. However, the applicant has not established that there is in fact a need for the proposed development.

RECOMMENDATION: It is proposed to refuse the application on the grounds that:-

1. The proposed development would be located on an island on the shores of Lough Corrib in an area of Special Amenity Value and would not be capable of being assimilated into its surroundings, and if permitted, would seriously detract from the scenic amenities of the area and would be contrary to the proper planning and development of the area.

2. The proposed development is located in an area of special amenity value where it is the stated policy of the Planning Authority to limit development to substantiated cases of particular housing need. The Planning Authority are not satisfied that any such particular need exists and the proposed development, if permitted, would be contrary to the provisions of the County Development Plan and the proper planning and development of the area."

The County Manager also informed the Council that an objection to the issue of Permission in this case had been received from An Taisce.

Councillor Welby proposed the resolution set out on the Agenda and stated that this man is retiring from a post which he has held in Waterford and wants to return to reside in the house which he proposes to erect on this site. He stated that this is a very secluded site not visible even from the lake and he also stated that the Vice Chairman of An Taisce has a house erected nearby.

Senator Mannion seconded Councillor Welby's proposal.

Replying to a query, the County Manager stated that the Council was not satisfied that this man had established the need for a house for a Member of the family.

Councillor Brennan stated that since the housing need had not been proven, he was proposing that the Permission sought be not granted.

There was no seconder to Councillor Brennan's proposal and the Chairman declared the resolution proposed by Councillor Welby passed.

1804 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 44337 - THOMAS GAVIN.

The County Manager stated that reports on this application had not yet been received and that if necessary, the resolution can be put on the Agenda for the December Meeting.

The resolution set out on the Agenda was not, therefore, proposed.

1805 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 44290 - MICHAEL WHELAN:

The County Manager stated that a request for further information had issued in this case. The resolution set out on the Agenda was not proposed.

1806 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 44224 - PATSY KINNEVEY.

The County Manager submitted the following report which had been circulated to each Member of the Council:

"The applicant, Mr. Patsy Kinnevey, was granted permission for a dwellinghouse on this site adjacent to the National Secondary Route, 4 miles south of Oughterard by a Section 4 Resolution, planning Ref. no. 32319. At that time, the Planning Authority and the Chief Road Design Engineer regarded the site as an unsuitable one, because of the inadequate sight distances available to the northern side of the proposed access due to the road curvature and the presence of existing fences and outbuildings. For these reasons, it was considered

that the development of a dwellinghouse on this site would create a serious road hazard. Condition no. 4 of the grant of permission stipulated that before development commenced on the site, exact details of the entrance onto the National Secondary Route would be agreed with the Planning Authority. A subsequent inspection of the site on the 19/9/'80 revealed that work had proceeded on the site in contravention of condition no. 4 and a vehicular access had been opened directly onto the National Secondary Route.

A warning letter was issued to Mr. Kinnevey on 2/10/'80 and he was requested to close the access immediately and construct an alternative access in accordance with the original drawings which he had submitted with his planning application. The warning letter was ignored and legal proceedings were initiated against Mr. Kinnevey under Section 24 of the Local Government (Planning and Development) Act, 1963. This case is to be heard in December, 1982.

Since the time legal proceedings were initiated, Mr. Kinnevey had made an application to the Planning Authority for retention of the access to his site. This application was refused permission under Planning Ref. No. 43652 on the grounds that it would constitute a traffic hazard. A letter was sent to the applicant with the above decision which advised him that the Planning Authority would be prepared to consider an application for an alternative access adjacent to the southern corner of the site.

PLANNING CONSIDERATIONS:

Refusal is recommended for the following reason:-

1. The vehicular access to this site constitutes a traffic hazard because it is located too close to a bend on the Galway to Oughterard National Secondary Route where sight distances are seriously inadequate."

Councillor Welby proposed the resolution set out on the Agenda and stated that the report read by the County Manager was correct except that it did not state that the applicant had built an expensive stone wall outside his house and that difficulties would arise if the alternative exit suggested by reason of the existence of E.S.B. and P & T poles. He considered there was no difference between the exits proposed in so far as the view is concerned and the applicant could not afford any further development work.

Councillor Molloy seconded Councillor Welby's proposal.

The County Manager referred to condition no. 4 of the previous permission granted which required the applicant to consult with the Planning Authority regarding the exit in view of the dangerous conditions. He pointed out that the applicant did not attempt to consult with the Planning Authority and ignored a warning notice issued to him.

When Councillor Welby stated that there is a dispute with the family regarding the alternative exit, the County Manager replied that the applicant had never informed the Council of that.

Councillor Brennan stated that this case was evidence of bringing the Section 4 procedure into ridicule. The applicant in this case had got Permission under Section 4 and refused to comply with the conditions specified therein. He proposed that the Permission now sought be refused.

As there was no seconder, the Chairman declared the resolution set out on the Agenda passed.

1807 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 44301 - SEAN KELLY:

The County Manager submitted the following report which had been circulated to each Member of the Council:

"BACKGROUND:

The proposed site is located at Carrowmoneen on the Tuam to Dublin Road one mile south-east of Tuam. There have been two previous planning applications on this site. Planning Ref. No. 26197 granted permission to Mr. Sean Kelly to erect a single storey gabled type dwellinghouse on this site. Planning Ref. No. 41123 refused permission to Mr. Sean Kelly to erect a large two storey house. This decision of the Planning Authority was appealed to An Bord Pleanála which upheld the decision.

PLANNING CONSIDERATIONS:

There are three dwellinghouses on adjacent sites, all of which are single storey gabled type houses. There are no modern two storey houses along this stretch of the Tuam to Dublin Road. The proposed site is not large and a two storey dwellinghouse on the same building line as adjacent houses (i.e. 50 ft. from boundary fence) would be seriously out of character with adjacent houses because of its large size and disproportionate mass and would effectively dwarf the existing houses.

The decision of the Planning Authority has been upheld by An Bord Pleanála on appeal. Since there has been no material change in the development proposed, the Planning Authority have no option but to recommend refusal, based on the appeal decision.

RECOMMENDATIONS:

Refusal is recommended for the following reason:

The proposed house is of a design and character which would not be in keeping with existing bungalow type houses in the immediate area and would, therefore, be visually injurious to the amenities of this rural area and be contrary to its proper planning and development.

There have been no consultations."

Replying to Councillor Finnegan, the County Manager stated that assuming the Council fixed the date of the December meeting at the 20th which is the recommendation to be put to the Council later in the meeting, this resolution could be taken at the December Meeting as the latest date for a decision is the 23rd December.

Councillor Finnegan agreed that the resolution be adjourned to the December Meeting. The resolution set out on the Agenda was not, therefore, proposed.

1808 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 43793 - SEAN BOYLE.

The County Manager submitted the following report which had been circulated to each Member of the Council:

"BACKGROUND:

The proposed site is located on the Galway to Roscommon National Secondary route, at Dangan Beg, just south of Horseleap Crossroads. There has been one previous application on this site, to the same applicant, which was refused by the Planning Authority. This decision was not appealed.

PLANNING CONSIDERATIONS:

The proposed development site is located on the Galway to Roscommon National Secondary route. Development on this route is restricted to the provision of dwellinghouses for members of a farm holder's family, on the family holding of land, where no suitable vehicular access is available onto another roadway. This policy exists in order to preserve



the carrying capacity of National Routes, to protect public investment on their improvement and reduce the traffic hazard caused by additional vehicular accesses.

The Planning Authority have examined the Boyle Family holding, and there are suitable alternative sites in Sunhill, which would not involve an extra vehicular access on the National route. For this reason, development on this site would be contrary to the provisions of the 1979 County Development Plan.

RECOMMENDATION:

Refusal is recommended for the following reasons:

1. The proposed development located on the Galway to Roscommon National Secondary route would seriously interfere with the free flow and safety of traffic on the said route because of the traffic turning movements generated by the development.
2. The proposed development would be contrary to the provisions of the 1979 County Development Plan which restricts development for housing purposes on this route, to specific categories of farming applicants, provided no alternative housing sites are available to them. This applicant has suitable alternative housing sites, not fronting onto the National Secondary route."

Councillor Ryan proposed the resolution set out on the Agenda and stated that the alternative site suggested is unsuitable as it is a long way off the main road on a by road and is in a swampy area. This is a case of a second family dwelling and it is necessary to have it convenient to Church and School. He pointed out that four new houses had been built in the last 1½ years with exits onto the same road. He stated that the applicant would comply with any reasonable conditions which might be imposed in the Permission.

Councillor Connaughton seconded Councillor Ryan's proposal and stated that the site at Sunhill is totally unsuitable and it would be expensive to raise the level of the site to a point at which it would be possible to erect a house on it.

As there was no amendment, the Chairman declared the resolution passed.

1809 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 44147 - STEPHEN FAHY.

The County Manager submitted the following report which had been circulated to each Member of the Council:

"BACKGROUND:

The site of the proposed development is situated adjacent to a heavily trafficked National Secondary Route, approximately three hundred yards from Ballindooly Cross-Roads on the Galway/Headford Road. The proposed petrol and diesel pumps would be sited in the forecourt of the existing workshop which is being used as a car repair garage. The grant of permission for the initial development on this site was by way of Section 4 Motion for an agricultural machinery workshop, and its use was confined to this purpose by a condition of that permission.

Mr. Fahy has previously submitted two applications to the Planning Authority for permission to erect petrol and diesel pumps, Planning Reference Numbers 39727 and 43435. He was refused permission on both occasions on the grounds that the proposed development would endanger public safety by reason of a traffic hazard.

It is considered that the Galway/Headford National Secondary Route is already well catered for in respect of Service Stations, and there are petrol pumps located at Woodquay which is only two miles to the south of the site and also at Clonboo which is approximately four and a half miles to the North.

RECOMMENDATION:

Refusal is recommended for the following reason:

1. The proposed development would give rise to a substantial increase in traffic movements to and from the site which is on a heavily trafficked National Secondary Route at a point where the maximum speed limit applies. These additional traffic movements would interfere with the safety and free flow of traffic on the said route thereby endangering public safety by reason of a traffic hazard."

The County Manager reminded the Council that this is on a National Secondary Route and that the existing use permitted was for agricultural machinery repair only. Now the applicant is endeavouring to extend the use which would endanger public safety by reason of a traffic hazard. He pointed out that there is a petrol station within 2½ miles in the Galway direction and within 4½ miles at Clonboo.

After further discussion, Councillor Molloy stated that he would ask the applicant to submit an application for extension of time to enable consultations to take place, and in the circumstances, it was agreed to adjourn the proposal for further consideration.

1810 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 44087 - FRANK DANIELS:

The County Manager submitted the following report which had been circulated to each Member of the Council:

"BACKGROUND:

The proposed development is located on the Galway to Loughrea National Primary Route about 2 miles west of Loughrea. The site is a low lying site with a high water table and it becomes waterlogged in parts. There has been a number of planning applications made to the Planning Authority in respect of this site. The previous applicant, Mr. Brendan Callanan was granted Outline Permission and approval for a dwellinghouse on this site on the basis of a second family claim made by him. This permission was granted on condition that:-

- (a) an enurement agreement was entered into with the Planning Authority,
- (b) not more than one dwellinghouse should be erected on the entire site.

Planning Ref. No. 34901 refused permission to the same Mr. Callanan for a further house on this site. Three previous applications have been made to the Planning Authority for permission to erect a service station and septic tank on this site. In all three cases, the applicant was Mr. Brendan Callanan.

Planning Ref. No. 37740 refused permission to Mr. Callanan for the proposed development on:-

- (a) traffic grounds,
- (b) because the County Development Plan prohibits all commercial development on National Primary Routes. Mr. Callanan appealed this decision to An Bord Pleanála which upheld the decision of Galway County Council.

Planning Ref. No. 40066. A decision to grant permission was made in this case for a service station and septic tank as a result of Section 4 Resolution. This decision was appealed to An Bord Pleanala and was refused on the 4/2/'82 on the grounds of traffic hazard.

Planning Ref. No. 41584 - A decision to grant permission was made as a result of Section 4 Resolution. This decision was appealed to An Bord Pleanala and permission was refused by the Bord on 15/9/'82.

The development proposed in the current application submitted by Mr. Frank Daniels is similar in all respects to the development as proposed by the previous applicant, Mr. Callanan. Refusal is recommended for the following reasons:-

1. The proposed development would endanger public safety by reason of a traffic hazard because the site is located on a heavily trafficked National Primary Route at a point where the maximum speed limit applies and the traffic movements generated by the development would interfere with the free flow and safety of traffic on the said road.
2. The proposed development located on a National Primary Route would be contrary to the provisions of the 1979 County Development Plan because it constitutes commercial development on the National Primary Route, which is wholly restricted by Table No. 3 of the Plan."

The resolution set out on the Agenda was proposed by Councillor Michael Fahy and seconded by Councillor Haverty.

Councillor Glynn expressed disappointment that the Chairman had supported this Section 4 resolution as he considered that the Chairman should not be directly involved in Section 4 proposals.

Councillor O'Morain stated that when this matter was before the Council previously, the majority of Members supported it as it was the case of a young man trying to improve his lot in life.

The Chairman stated that he had previously expressed disagreement with the provisions of the County Development Plan in relation to buildings adjoining public roads.

Councillors O'Morain and Donnellan stated that they expected that appeals will be lodged in any event in this case as was done previously.

Councillor Brennan proposed that the Permission sought be refused and this proposal was seconded by Councillor Holland.

Councillor Connaughton stated that Permission had already been given for a dwellinghouse on this site and that the applicant wants to take his family to live there and to make a living out of the operation of a service station.

It was decided that a vote would be taken on those proposals after 4.30 p.m.

A vote taken after 4.30 p.m. for or against the proposal set out on the Agenda resulted as follows:

**FOR:** Councillors Callanan, Connaughton, Donnellan, F. Fahey, M. Fahy, Finnegan, Haverty, Joyce, Senator Killilea, Councillors Molloy, O'Conchubhair, O'Higgins, O'Morain, Ryan and Welby.

(15)

**AGAINST:** Councillor Brennan, Senator Byrne, Councillors Glynn, Holland, O'Foighil, Ruane.

(6)

The Chairman declared the Resolution set out on the Agenda carried. Councillors Higgins, Kilgannon, and Senator Mannion did not vote.

1811 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 44026 - MISS COOLEY:

The County Manager stated that a request for Further information had issued in this case.

The resolution set out on the Agenda was not, therefore, proposed.

1812 - MINUTES:

The County Manager stated that it was necessary to amend Minute No. 1782 of the Meeting of the 22nd October, 1982, to the extent that Councillor Ruane's name should be substituted for Councillor Ryan's name in that Minute.

Subject to this amendment, the Minutes of the Meeting held on the 22nd October, 1982, (Numbers 1781 - 1802, inclusive), were approved and signed by the Chairman on the proposition of Councillor O'Morain, seconded by Councillor Ryan.

1813 - HARD SHOULDERS - KILTIERNAN:

Councillor F. Fahey stated at a previous meeting he had proposed that hard shoulders be provided for a distance of half of a mile on each side of Kiltiernan School and he has received no reply to this proposal. He stated that he had asked that money be switched, if necessary, from National Primary Roads in the Gort Area to do this work, and as a near fatal accident occurred recently, he again made the proposal that money be made available from National Primary Road Funds to have this work done for a distance of half a mile at each side of the school.

Councillor Michael Fahy seconded this proposal and it was supported also by Councillor Donnellan.

The County Engineer stated that no allocations had been made in the current year's Estimates for hard shoulders on this route but that if such funds were made available, it might have been easier to have this work done. He stated that the proposal made by Councillor Fahey will be included in the Roads Estimates for 1983 but he pointed out that it will need approval of the Department of the Environment.

1814 - ROAD AT MAHERAMORE, OUGHTERARD.

Councillor Welby stated that he had written to the County Engineer pointing out the bad condition of a road at Oughterard and he pointed out that the condition was so bad that the school driver refused to take his bus on the road in question. He said that he had not yet received a reply to his representations.

The County Engineer stated that the proposal had been examined and that a reply would be available within the next week.

1815 - BYE-PASS ROAD, LOUGHREA:

The County Manager referred to earlier discussions which he had with public representatives in connection with this matter and stated that the design had now been prepared and he wished to supply detailed explanation of the proposals to public representatives.

It was agreed that a meeting would be held with the Councillors of the Loughrea and Ballinasloe Areas together with Dail Deputies on the Council on a date to be arranged with the Chairman.

1816 - PROPOSALS FOR NEW LIBRARY HEADQUARTERS IN GALWAY CITY:

The County Manager referred to the discussion in connection with this matter at the Council meeting in Portumna and stated that in the meantime, a letter

dated 19th November, 1982, had been received from the County Galway Solicitors Bar Association in connection with the problems in Galway Courthouse - copy of this letter had been circulated to all Members of the Council.

Referring to the suggestion at the previous Council Meeting that funds might be available for a permanent Library Headquarters, he stated that he had written to the Department of the Environment and had now received a letter from that Department stating that the Capital available for approval to the raising of loans for Libraries is very limited in relation to the large number of applications currently in hand and that the Department is unlikely to be in a position to issue financial approval for our proposal for a permanent library headquarters in Galway for a number of years. It was for this reason that a term of the proposed Lease was that the Council would have the option of leaving the premises after a period of 7 years.

Councillor Higgins proposed that the Council agree to the proposals for leasing of the alternative premises as outlined by the County Manager, particularly in view of the hardship to families who are experiencing extraordinary difficulties in having cases heard in the Galway Courthouse.

This proposal was seconded by Councillor Donnellan.

Councillor Fahey stated that the Council should say to the Department of Justice that they will take the Library Headquarters out of the Courthouse if the Department finance courthouses or gives some other financial contribution towards the cost. He agrees there is an urgent need for additional Courthouse accommodation if the Courts are to act efficiently but he considered that the Council might be hasty in giving up possession too easily.

Councillor Higgins stated that no provision whatsoever had been made by the Department of Justice following the decision to add additional functions to both Courts, and having regard to the need to provide accommodation for Family Law cases while at the same time, funds were available for improvement of the Kings Inns in Dublin and for other similar projects while making no provision whatever for financing the additional functions assigned to the Courts.

Stating that the points made by Councillors were valid, the County Manager stated that the Council has been asking the Department of Justice to take on responsibility for financing the running of Galway Courthouse. He understood that fines over £2 million have been imposed there during the past year and it was not too much to ask that the Department of Justice would give a small proportion of this towards financing of the running of the Courthouse. He pointed out, however, the need for additional accommodation because of the expanded jurisdiction of the Courts and also the importance to Galway City from the economic point of view of catering for the efficient running of the Courts in the Galway Courthouse. He suggested that the Council might take a decision to take the Library Headquarters out of the Courthouse but to continue to press the Department of Justice to take over at least the running of Galway Courthouse. He stated that the offer of alternative premises is available for only a few weeks and that rent demanded is reasonable having regard to local rents for ground floor premises of the type on offer.

Councillor Joyce considered it unreasonable that the Council should be asked to leave the premises which it owns.

Councillor Kilgannon asked how this proposal could be reconciled with cut-backs on roadworks and that while roadworkers are being laid off on short time, it is unreasonable for the Department of Justice to expect the Council to leave its own premises.

Councillor Glynn stated that he agreed that the centralisation of the Courts from Dublin was a step in the right direction and that it would bring business to Galway.

If he could get a guarantee that the Department of Justice would make a fair contribution towards the cost of the Courts, he would agree to the present proposal and he agreed that Libraries should be on the ground floor.

After further discussion, the County Manager stated that he has been pressurised to give an answer this week in relation to the leasing of the new premises and he did not believe that he could have an answer in sufficient time from the Department of Justice assuming liability for the cost of running Galway Courthouse. He stated it was hoped to finance the cost of equipment out of next year's Estimates for Libraries. Councillors Killilea and Welby stated that the Council should not leave the Courthouse or rent the alternative premises.

Councillor Connaughton asked if this proposal goes ahead, would it make it more difficult in the coming year to keep Council workers employed. The County Manager stated that he had no information on the finances for next year but there is no connection between the two headings which are separately provided for in the Estimates. He stated, however, that if it is decided to lease the premises at Island House, the sum of £16,000 for rent would not be taken from funds provided for roads.

Councillor Callanan stated that he would withdraw his objection if a guarantee were given that there would be no lay-off of Council workers in 1983. The County Manager stated that he had pointed out that the sum of £16,000 would not be taken off the Roads Estimate in 1983.

Councillor Higgins then proposed that the premises at Island House be leased on the terms outlined by the County Manager and this proposal was seconded by Councillor Holland.

Councillor Callanan proposed that the premises in question be not rented and the proposal was seconded by Councillor Kilgannon.

A vote was then taken for or against the proposal that the premises at Island House be leased on the terms outlined by the County Manager and this resulted as follows:

FOR: Councillor Brennan, Senator Byrne, Councillors Connaughton, Donnellan, Glynn, Higgins, Holland, Councillor Mannion, Councillors O'Foighil, O'Higgins, Ruane, Ryan, (12)

AGAINST: Councillors Callanan, F. Fahey, M. Fahy, Finnegan, Haverty, Joyce, Kilgannon, Senator Killilea, Councillors Molloy, O'Conchubhair, O'Morain, and Welby. (12)

As the votes for and against were equal, the Chairman stated that he was giving his casting vote against the proposal, and he, therefore, declared the proposal to lease the premises defeated.

1817 - ELECTION OF REPRESENTATIVE ON GOVERNING BODY OF UNIVERSITY COLLEGE GALWAY:

The County Manager informed the Council that the following four Members of the Council had handed in nomination papers within the time specified in the appropriate statutes of the University:

Councillor Michael D. Higgins  
Councillor Micheal O'Morain  
Councillor Padraic McCormack  
Councillor Michael J. Kilgannon

Councillor Kilgannon expressed his thanks to his proposer and seconder but stated that he was withdrawing his nomination in deference to Councillor Higgins.

It was decided to take a vote on the remaining three candidates and it was agreed that if no candidate received a vote in excess of 50% of the Members present and voting, the lowest candidate would be eliminated and a further vote taken between the remaining two candidates.

A vote taken on the three candidates resulted as follows:

FOR COUNCILLOR HIGGINS: Councillor Brennan, Senator Byrne, Councillors Connaughton, Donnellan, Glynn, Higgins, Holland, Kilgannon, Senator Mannion, Councillors O'Foighil, Ruane, Ryan. (12)

FOR COUNCILLOR O'MORAIN: Councillors Callanan, F. Fahey, M. Fahy, Finnegan, Haverty, Joyce, Senator Killilea, Councillors Molloy, O'Conchubhair, O'Higgins, O'Morain, Welby. (12)

FOR COUNCILLOR McCORMACK: Nil.

In accordance with the procedure already agreed, it was decided to hold a further vote between the remaining candidates, i.e., Councillor Higgins and Councillor O'Morain. This resulted as follows:

FOR COUNCILLOR HIGGINS: Councillor Brennan, Senator Byrne, Councillors Connaughton, Donnellan, Glynn, Higgins, Holland, Kilgannon, Senator Mannion, Councillors O'Foighil, Ruane, Ryan. (12)

FOR COUNCILLOR O'MORAIN: Councillors Callanan, F. Fahey, M. Fahy, Finnegan, Haverty, Joyce, Senator Killilea, Councillors Molloy, O'Conchubhair, O'Higgins, O'Morain, Welby. (12)

As the votes were equal for both candidates, the Chairman stated that he was exercising his right to give a casting vote and he gave this in favour of Councillor O'Morain. He then declared Councillor O'Morain elected representative of the Council on the Governing Body of University College Galway.

Dhein an Comhairleoir Micheal O h-Uiginn comhghairdeachas leis an Comhairleoir O'Morain <sup>as ucht</sup> a thoghadh agus duirt se go raibh se cinnte go ndeanfaidh se deagh-obair mar bhall de Chomhlucht Rialuchain an Cholaiste.

Do ghabh an Comhairleoir O'Morain buiochas <sup>dos</sup> na Comhairleoiri a thug tacaiocht do agus don Comhairleoir O h-Uiginn as ucht a duirt se. Mhol se an obair a rinne an Comhairleoir O h-Uiginn, agus duirt se go raibh suil aige go bhfeadfadh se cabhru leis an obair ata a dheanamh ag an Staisiun Taighde i Mara i gCarna.

Replying to a query by Councillor O'Morain, the County Manager stated that some Higher Education Grants have been paid and that others are in the course of being paid in accordance with the normal time scale.

1818 - BRIDGE AT FINNEY:

Councillor Donnellan stated that a decision had been made by the Council previously that a bridge would be constructed at Foey or Finney and that pending the construction of a permanent bridge, a Bailey Bridge would be erected. Now, he understood that a footbridge had been erected instead.

The County Manager stated that he had suggested that a Bailey Bridge be provided originally but that following investigations, it was now hoped that the permanent bridge could be erected in a much shorter time and

because of this, it was decided to erect a footbridge in the short term. The County Engineer stated it was considered that it was probably <sup>not</sup> worth the expense of providing a Bailey Bridge since it is hoped that a new bridge could be erected within a shorter time than was originally expected. He hoped that the new bridge might be completed by the end of March or early in April. The estimated cost would be about £40,000 to £45,000.

Senator Mannion stated that some concern had been expressed locally at the change in the proposals.

It was proposed by Councillor Donnellan, seconded by Senator Mannion, and resolved:

"That the Minister for the Environment be requested to make a special grant available for the construction of the bridge at Foey."

1819 - OVERDRAFT:

It was proposed by Councillor Glynn, seconded by Councillor Joyce and resolved:

"That subject to the sanction of the Minister for the Environment, Overdraft accommodation not exceeding £3 million be borrowed on the Council's Revenue and Capital Accounts for the quarter ending 31st March, 1983."

1820 - MONTHLY MEETING - DECEMBER, 1982:

It was agreed that this meeting would be held on Monday, 20th December, since the fourth Monday is a public holiday.

1821 - DATE OF MEETING OF SPEED LIMIT COMMITTEES:

It was agreed that this date would be selected in consultation with the Chairman.

1822 - AMENITY GRANTS 1982:

On the proposition of Councillor Brennan, seconded by Councillor Joyce, the proposals for the allocation of Amenity Grants 1982, already circulated to Members, were approved.

At the request of Councillor Joyce, the Council agreed to have an item on the Agenda for the next meeting to consider the arrangements for presentation of prizes totalling £1,000 for Tidy Towns in County Galway.

1823 - ABSTRACT OF ACCOUNTS - REALLOCATION OF EXPENDITURE:

The Abstract of Accounts for 1981, a summary of which had already been circulated to Members was approved on the proposition of Councillor Joyce, seconded by Councillor Brennan.

On the proposition of Councillor Joyce, seconded by Councillor Brennan, the Council also approved the following transfers in the accounts for 1981:

AMOUNT	FROM	TO
£11,364	1.2 Assistance to Persons Housing themselves	1.8 Housing Administration and Miscellaneous
£32,534	2.2 Road Improvement	2.8 Roads Administration and miscellaneous
£12,759	3.1 Public Water Supply Schemes	3.8 Administration and Miscellaneous
£ 984	4.1 Land Use Planning	4.8 Administration and Miscellaneous

£15,799	5.8 Administration and Miscellaneous.	5.2 Burial Grounds
£ 9,695	5.3 Safety of Structures and Places.	5.5 Pollution Control
£ 5,329	6.3 Parks, Open Spaces, etc.	6.1 Swimming Pools
£ 9,680	6.3 Parks, Open Spaces, etc.	6.2 Libraries
£15,656	6.3 Parks, Open Spaces, etc.	6.8 Administration and Miscellaneous
£18,989	7.2 Education	7.8 Administration and Miscellaneous
£ 1,609	8.8 Administration and Miscellaneous.	8.5 Administration of Justice, etc.
£ 147	8.8 Administration and Miscellaneous.	8.7 Markets, Fairs, Abbatoirs.

1824 - ADDITIONAL CAPITAL ALLOCATION FOR SANITARY SERVICES:

The County Manager informed the Council that an additional Capital Allocation of £569,000 had been sanctioned by the Minister for the Environment bringing the total Capital Allocation for 1982 to £1,919,000. He stated that the additional allocation would be used as follows:

	£
Spiddal Water Supply .....	269,000
Galway City Western Environs .....	300,000

Councillor Joyce stated that it appeared to him that large amounts of Capital had been allocated to schemes in West Galway while nothing had been allocated to the eastern part of the County. He also referred to the Housing Scheme at Laurecetown and asked that attention would be given to the septic tank which is overflowing. He also urged that every effort be made to provide sewerage scheme for Laurecetown and that it be kept as high as possible on the priority list.

Councillor Kilgannon urged that progress would be continued as quickly as possible with the Mid-Galway Water Supply Scheme so that additional Group Schemes could be catered for.

Councillor O'Conchubhair referred to recent problems regarding the Carraroe Water Supply Scheme and he asked if the water from the public scheme is suitable for drinking.

Mr. Crotty, Deputy County Engineer, stated that he would give information to Councillor O'Conchubhair on the matter.

1825 - REQUEST FROM ROYAL NATIONAL LIFEBOAT INSTITUTION FOR FINANCIAL ASSISTANCE:

The County Manager referred to letter dated 22nd October, 1982, from this Institution but stated that no particulars of their financial position had been submitted and he suggested that in the absence of information on this matter, a contribution of £500 might be made.

The Council approved this contribution pending information on the financial position of the Irish section of the Institution.

1826 - RATES ON AGRICULTURAL LAND (RELIEF) ACT, 1967:

The County Manager requested that the Council would pass the appropriate resolution under Section 7 of the Rates on Agricultural Land (Relief) Act, 1967, so that farmers who had not paid the Rates by the end of the year would not lose any remission granted.

It was proposed by Senator Mannion, seconded by Councillor Glynn and resolved:

"That subject to the consent of the Minister for the Environment, Galway County Council hereby determine that allowances granted under the Rates on Agricultural Land (Relief) Acts, 1929-1974, in respect of land which is subject to assessment for Rates by the Council shall not be subject to a condition that the said Rates are payable not later than the 31st December, 1982."

1827 - RAISING OF LOAN OF £78,000 - IMPROVEMENT OF BARNÁ WATER SUPPLY SCHEME:

It was proposed by Councillor Molloy, seconded by Councillor Brennan, and resolved:

"That subject to the sanction of the Minister for the Environment, Galway County Council hereby approve the raising of a loan of £78,000 from the Commissioners of Public Works to finance Stage 1, Phase 1 of the Galway City Western Environs Regional Water Supply Scheme - Improvement of Barna Water Supply Scheme, the loan to be repaid over such period and on such terms as may be approved by the Minister."

1828 - RAISING OF LOAN OF £786,000 FOR ATHENRY SEWERAGE SCHEME:

It was proposed by Councillor Glynn, seconded by Councillor Joyce, and resolved:

"That subject to the sanction of the Minister for the Environment, Galway County Council hereby approve the raising of a loan of £786,000 from the Commissioners of Public Works for the construction of a Sewerage Scheme at Athenry - the loan to be repaid over such period and on such terms as may be approved by the Minister."

1829 - RAISING OF LOAN OF £15,000 AS A SPECIAL CONTRIBUTION TOWARDS BALLINAKILL/MOYARD GROUP WATER SCHEME:

It was proposed by Senator Mannion, seconded by Councillor Brennan, and resolved:

"That Galway County Council hereby approve the raising of a loan of £15,000 from the Commissioners of Public Works or from such other source and on such terms as may be approved by the Minister - for the purpose of making a special contribution towards the Ballinakill/Moyard Group Water Scheme."

1830 - SYMPATHY:

Resolutions of sympathy were adopted with the following:

- Mr. Eddie Hanley, Carnmore, Oranmore, Co. Galway.
- Mrs. F. Egan, Brackernagh, Ballinasloe, Co. Galway.
- Mr. Furse Whyte, Ballymana, Laurecetown, Ballinasloe, Co. Galway.
- The Barrett Family, Moat, Aghrim, Ballinasloe, Co. Galway.

THE MEETING THEN TERMINATED

SUBMITTED, APPROVED & CONFIRMED:

[Signature] CHAIRMAN

20/12/82 DATE

COMHAIRLE CHONTAE NA GAILLIMHE  
(Galway County Council)

Oifig an Runai,  
Arus an Chontae,  
GAILLIMH.

13u Nollag, 1982.

CHUIG GACH BALL DE'N CHOMHAIRLE/

A Chara,

Tarrtar ort leis seo bheith i lathair ag cruinniú de Chomhairle Chontae na Gaillimhe a tionolfar ins na Foirgnithe Chontae, Gaillimh, De Luain, 20u Nollag, 1982, ar a 3.30 a chlog sa trathnóna.

Mise. le meas,

C. O'DUBHGHAILL,  
Runai.

A G E N D A

(a) SECTION 4 RESOLUTIONS:

1. "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to decide to grant full permission to John Newell of Ballyglass, Turloughmore, Athenry, for two dwellinghouses at Ballyglass. - Planning Ref. No. 43564."  
Mark Killilea. Paddy Ruane. John Molloy.
2. "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to decide to grant full Planning Permission to Tom McCabe at Mirehill, for the erection of a dwellinghouse and septic tank. - Planning Ref. No. 44171."  
Mark Killilea. Thomas Welby. Patrick Finnegan.
3. "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to decide to grant Planning Permission to Miss Mary Flanagan, Ballyclery, Kinvara, Co. Galway, for Permission for the erection of a garage and private entrance to dwellinghouse at Ballyclery. - Planning Ref. No. 44339."  
Michael Fahy. Joe Callanan. John Molloy.
4. "In accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to decide to grant Outline Permission to Richard Geraghty at Balrickard for the erection of a dwellinghouse and septic tank. - Planning Ref. No. 43751."  
Thomas Welby. Mark Killilea. G. Bartley.
5. "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to decide to grant Planning Permission to Mr. Sean Kelly, Carrowmoneen, Tuam, Co. Galway, for change of house design from bungalow type to 2-storey dwellinghouse in the townland of Carrowmoneen, Tuam, Co. Galway. - Planning Ref. No. 44301."  
Patrick Finnegan. Michael Kitt. Mark Killilea.

2.

6. "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to decide to grant Planning Permission to Patrick Murphy of Headford, Co. Galway, for a housing development at Ballydonnellan. - Planning Reference number 43988."  
John Donnellan. John M. Mannion. Michael Ryan.
  7. "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to decide to grant Permission to Michael Whelan of Loughdown, Ballinasloe, for the erection of a dwellinghouse at Loughdown. - Planning Ref. No. 44290."  
Joe Callanan. Michael P. Kitt. Paul Connaughton.
  8. "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to decide to grant Permission to Mr. Tony Gavin of Milltown Road, Tuam, Co. Galway, for the erection of serviced residential apartments at Townparks 1st Division, Tuam. - Planning Ref. No. 44441."  
Mark Killilea. Patrick Finnegan. Thomas Welby.
  9. "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to grant Planning Permission to Mr. Michael Hehir, Barratreana, Ardrahan, for a dwellinghouse at Barratreana, Ardrahan, Co. Galway. - Planning Ref. No. 44519."  
Michael Fahy. Gerald Bartley. Michael P. Kitt.
  10. "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to decide to grant Planning Permission to Gerard Walsh for a dwellinghouse at Laragan, Shrule. - Planning Ref. No. 44041."  
John Donnellan. John M. Mannion. Michael Ryan.
  11. "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council requires the County Manager to decide to grant Permission to Gerry Walsh for the erection of a dwellinghouse at Laragan. - Planning Ref. No. 44041."  
Padraic McCormack. Mark Killilea. Patrick Ruane.
- (b) Other Items:
12. Minutes.
  13. Relief Road at Loughrea - Report of Committee Meeting, herewith.
  14. Arrangements for presentation of prizes totalling £1,000 for Tidy Towns in the County - proposal herewith.
  15. Litter Act, 1982. - Action Programme already circulated.
  16. Development Control - Copy of Circulars from Department of the Environment already issued to Members.
  17. Planning Regulations under Local Government (Planning and Development) Act, 1982 - Report herewith.
  18. Declaration of Roads to be public roads - List herewith.

19. Agreement with Galway Corporation under Section 59 of the Local Government Act, 1959, for acquisition by the Corporation of land for road construction at Ballybanebeg, Ballybanemore and Ballybrit, in the County Health District on behalf of Galway County Council.
20. Raising of loan of £3 million for construction of Local Authority houses.
21. Raising of loan of £4 million for advancing loans under Section 39 of the Housing Act, 1966.
22. Lease of plot of land with factory thereon at Pollboy, Ballinasloe, to Warrior Shoes Ltd. - Notice dated 3rd December, 1982.
23. Raising of Supplementary Loan of £2,400 for Clarinbridge/Kilcolgan Water Scheme.
24. Applications for partial remission of Rates on Factories:
  - (i) John Loughnane & Sons, Monivea.
  - (ii) Transduktor Teoranta, Derrynea.
  - (iii) Elkay Ireland Ltd., Derrynea.
  - (iv) Engineered Components Ltd., Gortrevagh, Oughterard.
25. Sale of house to Francis Daly, Poppyhill, Killoran, Ballinasloe. - Notice dated 9th December, 1982.
26. Major Emergency Plan - Copy to follow.
27. Malicious Damage Decrees. - List herewith.
28. Business submitted by the County Manager.

## COUNCILLORS' NOTICES OF MOTION:

(a) Adjourned from previous meeting:

SENATOR MARK KILLILEA - I will propose:

1. That the County Councillors have a full and frank discussion on the recent policy of the County Council to install on the schedules of Planning Permission sums of money as contributions to be made payable to the Planning Authority.

COUNCILLOR M.J. KILGANNON - I will ask:

2. That discretionary expenditure of £2,000 be allowed to each Councillor in addition to N.O.M. for roads.

COUNCILLOR JOSEPH BURKE - I will ask:

3. That Galway County Council give an up-to-date report on the steps being taken to ensure that the water supply to Tuam has no more pollution.
4. What is the current position with regard to the draining of the River Nanny at Birmingham, Tuam. Are the negotiations with the Board of Works complete?
5. That Galway County Council undertake to guarantee the cost of a telephone kiosk at Rushellstown, Milltown P.O.

DEPUTY PAUL CONNAUGHTON - I will propose:

6. That the footpaths in Kilkerrin Village be repaired immediately as they are in a deplorable condition and are a danger to the public.
7. That the Y junction at Aughiart, Mountbellew, be reconstructed to make it safer for all road users.
8. That Galway County Council employ its share of Litter Wardens in its towns and villages thereby reducing litter to a minimum and creating extra jobs.

COUNCILLOR JAMES JOYCE - I will propose:

9. That Galway County Council press ahead immediately with the fencing of the extension to Clontuskert Burial Ground as there are no vacant plots in the old Burial area.
10. That a field beside the Health Centre in Kiltormer be purchased by the Council from the Western Health Board for a housing development.

AN COMHAIRLEOIR MICHEAL O'MORAIN - Molaim:

11. Ba mhaith liom go ndeanfai an droichead ag Inbher-Rosmuc a leathnu agus an clai a athru.
12. Ba mhaith liom go leanfai feabhsu an bh-thair o Loch Con Aortha siar go Carna.
13. Ba mhaith liom a mholadh go gcuirfi laithrean bruscair amhain i ngach baile beag le freastal ar na bruach bhailte.

COUNCILLOR MICHAEL J. KILGANNON - I will propose:

14. That this Council carry out its responsibility to the people of Fohenagh by making provision for adequate and reasonable access to Fohenagh Parish Cemetery; this to be done by providing and maintaining a proper road to enable funerals to take place there in a dignified way. The present position is no longer acceptable to the Fohenagh Community.

(COMHAIRLE CHONTAE NA GAILLIMHE) (Galway County Council)  
**DECLARATION OF ROADS TO BE PUBLIC ROADS**

NOTICE IS HEREBY GIVEN that Galway County Council at a Meeting to be held not later than one month from the date of publication of this Notice, will consider the making of a Declaration that the following roads shall be Public Roads:—

AREA	FROM	TO	METRES
Tuam	Curragh Park Housing Estate Roads from N.83	Westwards to townland boundary in Townland of Mweeloon	169
Athenry	— Bishop Street in Townparks 5th Division	to and including Greenfield car park in Townland of Curraghmore	380
Athenry	Prospect Hill (Maree, Oranmore)	Graveyard in Townland of Kiltuvia	100
Miltown	Ower house in Townland of Curraghmore	Mrs. Mitchell's house (Ballyconneely) in Townland of Callow	249
Clifden	C.R. 249 in Townland of Kiltuvia	Towards John Cummins' house in Townland of Kippaunagh	90
Clifden	Main Road 180 in Townland of Callow	Kelly's house in the Townland of Tallawroe	100
Miltown	Co. Road 255 in Townland of Kippaunagh	P. Connolly's house in Townland of Craughwell	250
Athenry	Jnc. N.6 in Townland of Tallawroe, Craughwell	Corteen Graveyard in Townland of Newtown	106
Athenry	From public road 384 in Townland of Craughwell	Towards Jnc. C.R. 521 in Townland of Killooney	92
Miltown	Co. Road 212 in Townland of Newtown	Donnellan's house, Barnaville	90
Ballinasloe	C.R. 521 in Townland of Killooney	National Primary N.6 in Townland of Coldwood	180
Ballinasloe	C.R. 476 in Townland of Barnaville	J. Healy's house in Townland of Clerhann	584
Gort	Co. Road 301 in Townland of Coldwood	O'Toole's shop in Townland of Caltragh	90
Leighrea	C.R. 397 in Townland of Killooney	J. Clarke's house in Townland of Eyrecourt Demesne	120
Tuam	C.R. 116 in Townland of Clerhann	S. Ryder's house in Townland of Annacallow	884
Tuam	C.R. 152 in Townland of Caltragh	towards M. Treacy's house in Townland of Springfield	447
Portumna	C.R. 585 in Townland of Eyrecourt Demesne	Northwards towards Reynolds' house	245
Portumna	M.R. 430 in Townland of Annacallow	towards P. J. Costello's house in Townland of Garrylaurice	746
Portumna	C.R. 553 in Townland of Kellygrove	J. Miskell's house in Townland of Addergoole Beg	145
Portumna	C.R. 526 25 paces north of J. J. Treacy's shop in Townland of Springfield	Mrs. Hoult's house in Townland of Letterbrickaun	200
Portumna	Jnc. with Co. Road in Townland of Feaghmore Elghter		120
Portumna	C.R. 555 at J. Shiel's house in Townland of Gorteenavella		
Miltown	Co. Rd. 235 in Townland of Addergoole Beg		
Clifden	N.S. N.56 in Townland of Letterbrickaun		

GALWAY COUNTY COUNCIL

Secretary's Office  
 County Buildings  
 GALWAY

3rd December 1982.

TO: - EACH MEMBER OF GALWAY COUNTY COUNCIL/

A Chara.

In accordance with Section 83 of the Local Government Act, 1946 notice is hereby given to you of a proposal to lease a plot of land with the factory thereon at Pollboy Ballinasloe particulars of which are given hereunder viz: -

LAND: Plot of land area - .220 hectares approximately with factory thereon situated in the townland of Pollboy Ballinasloe.

LANDS ACQUIRED FROM: Thomas Kelly Church Hill. Ballinasloe.

TO WHOM LAND IS PROPOSED TO BE LEASED: Messrs. Warrior Shoes Ltd., Ballinasloe. Co. Galway.

CONSIDERATION IN RESPECT OF DISPOSAL: Rent of £6.900 per annum.

OTHER COVENANTS OR CONDITIONS: The Lease shall be for a term not exceeding 2 years and 9 months.

This proposal will be considered at the next meeting of the Council to be held after the expiration of 10 clear days from the date hereof.

Mise le meas.

K. DOYLE  
 COUNTY SECRETARY.



COMHAIRLE CHONTAE NA GAILLIMHE  
GALWAY COUNTY COUNCIL

County Buildings,  
Prospect Hill,  
Galway.

Ref. No. 63/1/1428

Date: 9th December, 1982.

To: Each Member:-

Pursuant to Section 83 of the Local Government Act, 1946 and in accordance with Section 90 of the Housing Act, 1966 as amended by Section 4 of the Landlord and Tenant (Ground Rents) Act, 1978, notice is hereby given that it is proposed to sell a dwelling owned by the Council to a tenant.

The particulars are as follows:-

Land Acquired From:- Francis Daly, Poppyhill, Killoran,  
Ballinasloe, Co. Galway.

Location:- Poppyhill, Killoran, Ballinasloe, Co. Galway.

Person to whom house is proposed to be sold:-

Francis Daly of: Poppyhill, Killoran, Ballinasloe, Co. Galway.

The sale will be in fee simple

The sale price after making appropriate deductions is £9,483.

The conditions to be included in the sale will contain, among others:-

the conditions as specified in the Form of Transfer Order prescribed in the Housing Regulations, 1980.

This matter will appear on the Agenda for consideration at the next meeting of the Council which will be held after the expiration of 10 days from the date of this Notice.

K. Doyle,  
Secretary.

MALICIOUS DAMAGE DECREES

NAME AND ADDRESS	PARTICULARS OF CLAIM	AREA OF CHARGE	AMOUNT OF CLAIM	AMOUNT OF DECREE INCLUDING COSTS
Minister for Posts and Telegraphs.	Damage to telephone kiosk.	Borough of Galway.	£160.30	£250.98
Minister for Posts and Telegraphs.	Damage to telephone kiosk.	Borough of Galway.	£180.00	£274.28
Mrs. Della Walsh, The Stella Maris Hotel, Salthill, Galway.	Damage to premises and dwellinghouse.	Borough of Galway.	£146.50	£208.92
Minister for Posts and Telegraphs.	Damage to telephone kiosk.	Borough of Galway.	£180.00	£278.35
Minister for Posts and Telegraphs.	Damage to telephone kiosk.	Borough of Galway.	£700.00	£278.35
Minister for Posts and Telegraphs.	Damage to telephone kiosk.	Borough of Galway.	£180.00	£278.57
Minister for Posts and Telegraphs.	Damage to telephone kiosk.	Borough of Galway.	£180.00	£277.08
Minister for Posts and Telegraphs.	Damage to telephone kiosk.	Borough of Galway.	£157.91	£274.17
Minister for Posts and Telegraphs.	Damage to telephone kiosk.	Borough of Galway.	£140.00	£235.40
Minister for Posts and Telegraphs.	Damage to telephone kiosk.	Borough of Galway.	£140.00	£274.28
Mr. William Hogan, 55, Threadneedle Road, Salthill, Galway.	Smashed windows.	Borough of Galway.	£200.00	£ 59.76
Vincent Costello, Galway Road, Roscommon.	Damage to bonnet of car.	Borough of Galway.	£100.00	£188.35

MINUTES OF PROCEEDINGS AT MONTHLY MEETING OF GALWAY COUNTY COUNCIL HELD AT  
THE COUNTY BUILDINGS, GALWAY, ON MONDAY, 20TH DECEMBER, 1982.

IN THE CHAIR: Councillor Pol O'Foighil.

ALSO PRESENT:

Members:

As recorded in Attendance Book.

Councillors G. Bartley, J. Brennan, J. Burke, U. Burke, J. Callanan, Deputy P. Connaughton, Councillor F. Coogan, Deputies J. Donnellan and F. Fahey, Councillors M. Fahy, P. Finnegan, F. Glynn, E. Haverty, B. Holland, J. Joyce, Senator M. Killilea, Deputy M.P. Kitt, Councillor P. McCormack, Senator J.M. Mannion, Councillors J. Molloy, T. Murphy, N. O'Conchubhair, M.G. O'Higgins, M. O'Morain, P. Ruane, M. Ryan, and T. Welby.

An apology for inability to attend was received from Councillor M.D. Higgins,

Officials:

Messrs. S. Keating, County Manager; J. Howlett, Assistant County Manager; J. Crotty, Acting County Engineer; E. Lusby, Finance Officer; J. Kinneen, L. Kavanagh, F. Monahan, R. Killeen, Senior Executive Engineers; T. Kavanagh, Administrative Officer; D. Barrett, Senior Staff Officer; D. Commins, Staff Officer; and K. Doyle, County Secretary.

In the absence of the Chairman at this time, Councillor Pol O'Foighil, Vice-Chairman, took the Chair.

The Opening Prayer was recited.

1831 - RUIN COMHGHAIRDEACHAIS AGUS DEAGH-GHUI:

Ar mholadh an Chathaoirligh, do ghlac an Comhairle le run comhghairdeachais leis na Teachtaí O'Domhnallain agus O'Connachtain as ucht a gceapadh mar Airi Soisearacha Stait.

The Council, on the proposition of the Chairman, also extended its good wishes and thanks to Messrs. R. Copeland, B. Noonan, and P.C. O'Connor on their recent retirement as Engineers with the County Council.

All other Members of the Council present joined in the congratulations and good wishes proposed by the Chairman.

On the proposition of Councillor Ryan, the Council also congratulated Councillor F. Coogan on the election of his son as a Dail Deputy, and on the proposition of Councillor Joyce, it extended its congratulations to Deputies Kitt and F. Fahey on their re-election to the Dail.

The County Manager, on his own behalf and on behalf of the staff of the Council, joined in the expression of congratulations to Deputies Donnellan and Connaughton and in the good wishes expressed to Messrs. Copeland, Noonan, and O'Connor, Retired Engineers.

The Council also congratulated Messrs. Tomy Murphy and Mark Scully on their election to Bord na gCapall.

Deputies Donnellan and Connaughton expressed their thanks for the votes of congratulations conveyed to them.

1832 - SYMPATHY:

The Council, on the proposition of Councillor Kitt, extended its sincere sympathy to the wife and family of the late Mr. Luke O'Brien of Tuam, a Member

of Tuam Town Commissioners. All other Members of the Council, as well as the County Manager on his own behalf and on behalf of the staff of the Council joined in the expression of sympathy to the O'Brien family.

Resolutions of sympathy were also adopted with the following:

Mr. Tony Mannion, c/o Vocational School, Athenry.  
Mrs. Margaret Moran, Carna.  
Mr. John Keary, Woodford.  
Mrs. J.J. Shiel, Kylebrack, Loughrea.  
Mr. John Joe Kirwan, Brackernagh, Ballinasloe.  
Mrs. A. Ward, Ward's Hotel, Lower Salthill.  
Mr. P.J. Ward, Devon Park, Salthill, Galway.  
Mr. Frank Donoghue, Ballinastack, Moylough.  
Mrs. Sonny Healy, Oranmore P.O.  
Mr. Richard and Mrs. Fahy, Woodquay, Galway.  
Mrs. Barry, Devon Park, Salthill.

1833 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 43564 - JOHN NEWELL.

The County Manager submitted the following report which had been circulated to each Member of the Council:

"BACKGROUND:

The proposed site is located on the Galway to Roscommon National Secondary Route, one mile north of Turloughmore. This is the second application on this site by Mr. Newell, Planning Ref. 40323 was refused by the Planning Authority because of traffic reasons on a National Route, in accordance with the County Plan Policy.

The applicant made a second family claim on the previous application but did not submit a map of the entire family holding, although requested to on two occasions. In the current application, the applicant was requested on two more occasions to submit a map of the entire family holding and again insisted on only showing lands in his own ownership. The County Development Plan requires that the whole family farm holding must be considered in cases of second family housing need claims. It would be impossible to enforce a policy on National Routes, if applicants were allowed to sub-divide a family farm holding and then to make second family claims for dwellinghouses on small patches of land remaining.

Mr. Newell also made a claim for replacement of a sub-standard thatched house in which his sister-in-law, father-in-law and uncle-in-law are presently living. However, having made this claim on three occasions, he withdrew it on the 16th of November, after the Section 4 motion had been received by the Planning Authority.

PLANNING CONSIDERATIONS:

The proposed development is contrary to the Planning Authority's policy of restricted development on National Secondary Routes. This policy exists in order to reduce the traffic hazard caused by new vehicular accesses, to preserve the carrying capacity of these trans-national routes and to protect public investment in improvement of national routes.

The second family claim cannot be fully investigated because Mr. Newell has only shown seven and a quarter acres of the family holding, which according to the Rates Dept. amounts to thirty eight acres.

RECOMMENDATION:

Refusal as already recommended."

The resolution set out on the Agenda was proposed by Senator Killilea who complained about the volume of documentation which is being sought from applicants and he stated that the Council should encourage people to build on the Galway/Mountbellew Road.

Councillor Ruane seconded Senator Killilea's proposal.

The County Manager stated that what is in the report circulated to the Members is what is in the County Plan and what was also set out in a recent memo from the former Minister for the Environment.

Mr. Killilea stated that applicants are being asked for documentation which they do not understand.

Councillor Brennan stated that the applicant had been requested on two occasions to give information and the least he might do is to reply on or to come in and give the information. He proposed, in the circumstances, that the Permission sought be refused.

This proposal was seconded by Councillor J. Burke. It was agreed to defer taking a vote on those proposals until after 4.30 p.m.

A vote taken after 4.30 p.m. for or against the resolution set out on the Agenda resulted as follows:

FOR: Councillor Callanan, Deputy F. Fahey, Councillors M. Fahy, Finnegan, Haverty, Joyce, Senator Killilea, Deputy Kitt, Councillors Molloy, Murphy, O'Conchubhair, O'Morain, Ruane, Ryan and Welby. (15)

AGAINST: Councillors Brennan, J. Burke, and Glynn. (3)

The Chairman declared the resolution set out on the Agenda carried.

Councillors U. Burke, Coogan, McCormack, and O'Foighil did not vote.

1834 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 44171 - TOM McCABE.

The County Manager submitted the following report which had been circulated to each Member of the Council:

"BACKGROUND:

The proposed site is located on the Headford to Shrule National Secondary Route, approximately two miles north of Headford. This stretch of road is narrow and unaligned and is in an area where the maximum speed limit applies.

Mr. McCabe has made two previous applications on this site, both of which have been refused because of traffic hazard in accordance with County Plan Policy. Planning Reference Number 39365 was appealed and An Bord Pleanála upheld the Planning Authority's decision.

PLANNING CONSIDERATIONS:

The proposed development would endanger public safety and reduce the carrying capacity of this National Route because it is located at a point where the maximum speed limit applies and the traffic turning movements generated by the development would interfere with free flow and safety of traffic on the said road. These detrimental effects of development on National Routes have been documented by An Foras Forbartha in a number of reports.

The proposed development is contrary to the provisions of the 1979 County Development Plan which restricts development on such routes to specific local housing need categories. The applicant has confirmed in writing that this application is not for a new farmhouse, nor a second family house nor a replacement of a sub-standard house. He has also confirmed that he has a house and other lands at Carrowmore, Caherlistrane. In view of this, there are no grounds for consideration of this application, as a second family or other housing need claim as specified in the County Plan.

RECOMMENDATION:

The proposed development located on a National Secondary Road would endanger public safety by reason of traffic hazard because it is located at a point where the maximum speed limit applies and the traffic turning movements generated by the development would interfere with the free flow and safety of traffic on the said road."

Senator Killilea proposed the resolution set out on the Agenda and stated that the applicant had got a small area of land from the Land Commission and he decided to sell one site to use the proceeds to pay the Land Commission for the land. An existing entrance to the land would be used for the proposed development.

Councillor Finnegan seconded this proposal.

Councillor Brennan stated that the applicant has other lands on which the house might be built and he proposed that the Permission sought be refused. This proposal was seconded by Councillor J. Burke. Senator Killilea stated that the other portion of land referred to by Councillor Brennan was that given to the applicant by the Land Commission and that it would be seven years before it would be vested in him and he could not, therefore, build on it now.

It was decided to take a vote on those proposals after 4.30 p.m.

A vote taken after 4.30 p.m. for or against the resolution set out on the Agenda resulted as follows:

FOR: Councillors Bartley, U. Burke, Callanan, Coogan, Deputy F. Fahey, Councillors M. Fahy, Finnegan, Haverty, Joyce, Senator Killilea, Deputy Kitt, Councillors Molloy, Murphy, O'Conchubhair, O'Morain, Ruane, and Welby. (17)

AGAINST: Councillors Brennan, J. Burke, and Glynn. (3)

The Chairman declared the resolution set out on the Agenda carried.

Councillors McCormack, O'Foighil, and Ryan did not vote.

Referring to recent newspaper report setting out statistics in connection with Section 4 resolutions coming before the Council, Councillor O'Morain stated that the fact that such resolutions had been reduced by 33% last year was not referred to in the Article and no reference was made to the total number of applications received. He pointed out that the number passed was only 45 in that year and stated that full information was not given to the public. He believed that a biased report will be given on the matter in the proposed programme by R.T.E.

1835 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 44339 - MISS MARY FLANAGAN.

The County Manager submitted the following report which had been circulated to each Member of the Council:

"BACKGROUND:

The proposed site is located approximately one mile north of Kinvara on the Kilcolgan to Lisdoonvarna National Secondary route. There was a previous grant of permission on a site, including this site to Mr. Patrick Flanagan and the house has been built. This application, is the third application on this site, which is the northern part of the site, on which permission was previously granted to Mr. P. Flanagan.

Planning reference number 40313 refused permission to Miss Flanagan on traffic grounds in accordance with the County Plan policy, as no special housing need claim had been made.

Planning reference number 41047 granted permission to Miss Flanagan, on the basis of a second family claim, as there were no suitable alternative sites available. A condition of this grant was, that a vehicular access would be shared with her brother who occupies the house on the adjacent site.

PLANNING CONSIDERATIONS:

The proposed site is located on a very narrow unrealigned section of the National Secondary route where the maximum speed limit applies.

On the basis of a second family claim, Miss Flanagan was granted permission for a dwellinghouse on part of the site, on which permission had already been granted to Mr. Patrick Flanagan. The condition re: using the existing vehicular access to her brother's dwellinghouses was inserted in the interest of traffic safety. An Foras Forbartha has shown that there is a direct relationship between the number of accidents and the number of vehicular accesses on National routes. This condition is held to be reasonable in this case because both dwellinghouses would be occupied by members of the same family and be located in the same field.

RECOMMENDATION: Refusal is recommended for the following reasons:

The proposed development, located on a narrow unrealigned section of the National Secondary route where the maximum speed limit applies, would endanger public safety by reason of traffic hazard because the traffic turning movements generated by the proposed development would interfere with the free flow and safety of traffic on the said route.

No consultation took place in this case."

Councillor M. Fahy proposed the resolution set out on the Agenda and stated that as this girl is going to marry, it was considered necessary that a separate entrance should be provided for her family independent of the entrance to her brother's house.

Councillor Callanan seconded Councillor Fahy's proposal.

Councillor Brennan proposed and Councillor J. Burke seconded that the Permission sought be refused.

It was decided to take a vote on those proposals after 4.30 p.m.

A vote taken after 4.30 p.m. for or against the resolution set out on the Agenda resulted as follows:

FOR: Councillors Bartley, Callanan, Deputy F. Fahey, Councillors M. Fahy, Finnegan, Haverty, Joyce, Senator Killilea, Deputy Kitt, Councillors Molloy, Murphy, O'Conchubhair, O'Morain, and Welby.

AGAINST: Councillors Brennan, J. Burke, U. Burke, Coogan, Glynn, McCormack, O'Foighil, Ruane.

(8)

The Chairman declared the resolution set out on the Agenda carried.

Councillor Ryan did not vote.

1836 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 43751 - RICHARD GERAGHTY.

The County Manager stated that the notice of the intention to propose this Section 4 resolution came before a decision to refuse this application was made. The time for making a decision, however, would have expired before the date of the meeting and it was not possible to arrange for an extension of time in this case as an extension had already been granted.

1837 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 44301 - SEAN KELLY.

The County Manager submitted the following report which had been circulated to each Member of the Council:

"BACKGROUND:

The proposed site is located at Carrowmoneen on the Tuam to Dublin Road one mile south-east of Tuam. There have been two previous planning applications on this site. Planning Ref. No. 26197 granted Permission to Mr. Sean Kelly to erect a single storey gabled type dwellinghouse on this site. Planning Ref. No. 41123 refused permission to Mr. Sean Kelly to erect a large two storey house. This decision of the Planning Authority was appealed to An Bord Pleanála which upheld the decision.

PLANNING CONSIDERATIONS:

There are three dwellinghouses on adjacent sites, all of which are single storey gabled type houses. There are no modern two storey houses along this stretch of the Tuam to Dublin Road. The proposed site is not large and a two storey dwellinghouse on the same building line as adjacent houses (i.e., 50 ft. from boundary fence) would be seriously out of character with adjacent houses because of its large size and disproportionate mass and would effectively dwarf the existing houses.

The decision of the Planning Authority has been upheld by An Bord Pleanála on appeal. Since there has been no material change in the development proposed, the Planning Authority have no option but to recommend refusal, based on the appeal decision.

RECOMMENDATIONS:

Refusal is recommended for the following reason:

The proposed house is of a design and character which would not be in keeping with existing bungalow type houses in the immediate area and would, therefore, be visually injurious to the amenities of this rural area and be contrary to its proper planning and development.

There have been no consultations."

Councillor Finnegan proposed the resolution set out on the Agenda and stated that further on this road, there is a planning permission given for a two-storey house and that in this case, the applicant is being asked to reduce the height of his house to one storey. The County Manager stated that this man has storey house on this site would be detrimental to the amenity of the area and out of character.

This decision had previously been upheld by An Bord Pleanala.

Deputy Kitt seconded Councillor Finnegan's proposal.

Councillor Brennan stated that the Council should accept the view of the Planning staff in this case which is also the view of An Bord Pleanala. He proposed that the Permission sought be refused. Councillor J. Burke seconded Councillor Brennan's proposal.

It was decided to take a vote on those proposals after 4.30 p.m..

A vote taken after 4.30 p.m. for or against the resolution set out on the Agenda resulted as follows:

**FOR:** Councillors Bartley, Callanan, Deputy F. Fahey, Councillors M. Fahy, Finnegan, Haverty, Joyce, Senator Killilea, Deputy Kitt, Councillors Molloy, Murphy, O'Conchubhair, O'Morain, Ryan and Welby.

(15)

**AGAINST:** Councillors Brennan, J. Burke, Glynn, McCormack, O'Foighil, Ruane.

(6)

The Chairman declared the resolution set out on the Agenda carried.

Councillors U. Burke and Coogan did not vote.

1838 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 43988 - PATRICK MURPHY.

The County Manager submitted the following report which had been circulated to each Member of the Council:

"This site is located approximately two miles south of Headford on County Road No. 133 near Kilcoona. The proposal should be considered in conjunction with another current application from the same applicant a short distance away, seeking Outline Permission for five houses - Planning Ref. No. 43987.

PREVIOUS PLANNING BACKGROUND:

- Ref. No. 1922 Permission granted to applicant for dwellinghouse now occupied by applicant and his wife.
- Ref. No. 23824 Permission granted to daughter and son-in-law of applicant for a dwellinghouse.
- Ref. No. 41763 Outline Permission granted to applicant for five dwellinghouses a short distance north of the present site in April of this year.

PLANNING CONSIDERATIONS:

The applicant intends to sell off almost all of his farm holding fronting this public road leaving only narrow access to the good quality agricultural land at the rear. He has made the case that he intends giving a site to each of his children, but only specifically refers to two of them who live in Dublin with their own families and a daughter-in-law who requires separate accommodation because of illness in the family. His wife has a medical condition which incurs heavy expenditure and he requires to sell "one or two sites" to defray expenses.

Taking into account that a recommendation is being made to grant four houses in the case of the other current application 43987, the applicant will have Outline Permission for nine houses which can readily be availed of and should be sufficient to meet family needs.

The further erosion of this good quality agricultural land for non-necessary housing development would be regrettable, particularly as there is a demand by local farmers for such additional land if it were to come on the market as agricultural land. The Regan Estate which was acquired by the Land Commission and subdivided among local farmers about two years ago is approximately two miles away and in fact adjoins the main portion of this applicant's holding.

RECOMMENDATION:

Because of the number of unavailed-of applications already in possession of the applicant and the proposed septic tank concentration in this case a recommendation to grant four of the six houses is being made in the interests of public health and an acceptable rural housing density.

Consultation has taken place with the applicant."

Deputy Donnellan stated that he was not aware of the circumstances of previous applications in this case and he asked that consideration of the resolution be deferred to the meeting to be held in January 1983. This was agreed.

1839 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 44290 - MICHAEL WHELAN.

The County Manager submitted the following report which had been circulated to each Member of the Council:

"BACKGROUND:

This application is for a house located on the National Primary Route, approximately 2 miles from Ballinasloe.

PLANNING REF. NO. 18526:

In 1975, Outline Permission for two houses was refused on appeal by the Minister for Local Government to Mr. Michael Whelan, reference no. 18526. The site in question included the presently proposed site, i.e., this site has already been refused on appeal. The reason for refusal was:-

The proposed development would endanger public safety by reason of traffic hazard because the sites are located on the heavily trafficked Dublin to Galway National Primary road, at a point where the maximum speed limit applies, and the traffic movements generated by the development would interfere with the safety and free flow of traffic on the road. Mr. Whelan said on investigation of second family claim at that time that he wishes to sell two sites to obtain money to send his child to the U.S.A. for an operation.

Planning Ref. No. 25984:

Permission was refused to a Mr. Patrick Ridge for three houses on a site to the east of the currently proposed Whelan site.

PLANNING REF. NO. 27219:

Permission was granted to a Mr. Patrick Ridge for one house on a site (one of those refused in case of 25984, i.e., east of site currently proposed by Mr. Whelan). In his second family claim on that file, Mr. Ridge showed his lands which lands included part of those lands now claimed 21/10/1982 as belonging to Mr. Whelan. An enurement clause formed condition no. 4 of this grant of planning permission. This house has not been built.

PLANNING REF. NO. 31005:

Permission was granted to a Mr. Patrick Ridge for 3 houses on the site previously refused (ref. no. 25984). Site C. appeared to be the same as that site granted by virtue of reference no. 27219. In his second family

claim, Mr. Ridge showed his lands somewhat overlapping those shown as belonging to Mr. Whelan on 21st October, 1982. Again Condition 2 of the grant of permission imposed an enurement clause on these 3 houses. These 3 houses have not been built.

PLANNING REF. NO. 42124:

Mr. Whelan applied for permission for a house on a site which was (as far as maps submitted showed) the same as one of the sites on which Outline Permission was previously refused on appeal to Mr. Whelan. His second family claim submitted 4/5/'82 showed his lands, part of which lands were the same as these claimed by Mr. Ridge in applications, ref. nos. 27219 and 31005. It is notable that Mr. Whelan has sent maps of his holding to the Planning Authority on the following dates:-

1. Ref. 18526 (10/2/'75)
2. (a) Ref. 42124 (24/2/'82)  
(b) Ref. 42124 (4/5/'82)
3. Ref. (this current application) 21/10/'82 and 2/12/'82 and except that land holding in 21/10/'82 and 2/12/'82 are almost identical to each other, only NO OTHER SUBMISSION OF HIS LANDS IN MAP FORM ARE THE SAME.

Mr. Whelan's present claim, which was also advanced in the case of No. 42124, is that he wishes to replace his existing house, which he does not regard as suitable for old people. It requires a new back kitchen and repairs to windows and roof. "The cost of such work", he says "would not be very much less than building the proposed new house". The applicant was not very clear on what he intended to do with the old house if the new house were permitted. It might be left vacant but, if friends were to come home from England he might give it to them.

It is not considered that any real housing need exists in this case which could not be remedied by repairs to and improvement of the present house, which looks to be in good and well kept condition. The likelihood is that the existing house will be re-inhabited when the new house is built and occupied. Consultation has taken place with the applicant in this case. Refusal is recommended as follows:

1. The proposed development would constitute a traffic hazard because it would be located on a National Primary Route where the maximum speed limit applies, and the traffic generated by the development would interfere with the safety and free flow of traffic along the route. The claim that an existing inhabited substandard dwelling is to be replaced has not been convincingly substantiated.
2. The proposed development would contravene a previous decision of the Minister on appeal refusing permission for housing development on these lands, ref. no. 7/5/30719.

The resolution set out on the Agenda was proposed by Councillor Callanan who stated that if necessary, Mr. Whelan will close the gate on the western part of the site and open one on the eastern side leaving only one entrance to serve three houses.

After a short discussion, it was agreed to defer this matter for consideration at the January Meeting of the County Council in relation to the possibility of a single entrance as suggested.

1840 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 44441 - TONY GAVIN:

The County Manager submitted the following report which had been circulated to each Member of the Council:

"BACKGROUND:

The proposed site is located at the Northern end of Tullinadaly Road, to the rear of the Tuam to Milltown Relief Road and National Primary Route. There have been two previous applications on this site. Permission was granted to Mr. Christopher Higgins for a dwellinghouse and permission was refused to Mr. Tony Gavin for the same development, as that currently proposed on four grounds. This Refusal was not appealed.

PLANNING HISTORY OF SITE:

This site, which has a narrow frontage of 50 feet, was the proposed vehicular access to a housing development which was the subject of permissions granted to Mr. Anthony Gavin and Mr. P.J. Gavin, Planning Reference Numbers 25015, 29142, 29155). This development was not carried out in accordance with these permissions. The dwellinghouses were built to face the National Primary Route and vehicular access was taken from it, and not from Tullinadaly Road (through this site) as permitted.

A Section 4 Motion was proposed to grant Permission for an access onto the National Primary Road, which was defeated. This Refusal was appealed and supported by An Bord Pleanala (Planning Reference Number 34408). Mr. Gavin again applied for permission to open an access onto the National Primary Road, which the Planning Authority was directed to grant, by a Section 4 Motion. Finally, Planning Reference Number 37700, granted permission for the Retention of the dwelling houses as built.

To date, no financial contributions have been paid in respect of this development. Moreover, the estate has not been finished in accordance with the permissions granted. The Planning Authority are considering legal proceedings under Section 24 of the Local Government (Planning and Development) Acts for failure to comply with the permissions granted.

PLANNING CONSIDERATIONS:

The proposed development consists of a flat roofed single storey block of six apartments, each with a floor area of approximately 600 square feet. The building has windows on each side and overlooks the rear of dwellinghouses on adjacent sites.

The Planning Authority are not in favour of granting Permission for this development for the following reasons:-

- (a) The building design is out of character with adjacent development because it is a large flat roofed single storey building in an area of conventional gabled type dwellinghouses. It would be prominent and visually incongruous when viewed from the National Primary Route.
- (b) Its layout on site leaves insufficient space around the building for circulation, storage of household goods, fuels, refuse, etc., and there is no provision of private garden space.
- (c) The apartment block with windows overlooking the rear of adjacent sites, on both sides, would interfere with the residential amenities of adjacent dwellinghouses.
- (d) The existing combined sewer in the area is overloaded, and any major additional connections to same would result in serious overflow and consequently, unsatisfactory discharges to the River Nanny. For this reason, it is necessary that all surface water be disposed of within the proposed site. This is not possible due to the excessive site coverage proposed.

PRECEDENTS IN THE AREA:

During consultations with Councillor Finnegan, he claimed that there was a precedent for this type of development in the area. The development referred to, is adjacent to the access road to Thomas Monaghan's housing estate on Tullinadaly Road, approximately 200 yards south of Mr. Gavin's development.

The Planning Authority have examined this development and noted the following material facts:-

- (a) The development was granted permission in 1979, as a gabled type apartment development. It has been built with a flat roof and the Planning Authority are to consider enforcement proceedings.
- (b) This development does not significantly interfere with the amenities of adjacent lands because it overlooks the developers lands on the southern side and the access road to a housing estate on the northern side.
- (c) Only 22% of the site is covered by buildings in this case, as compared with 43% site coverage in Mr. Gavin's application.

RECOMMENDATION:

A considerable amount of Planning Officers' time has been spent in dealing with this proposal. In a number of consultations with Councillor Finnegan and the applicant, it was stated that the Planning Authority were not against apartment development on this site, and requested the applicant to submit revised proposals. It was stated that sympathetic consideration would be given to a gabled type (possibly dormer) building with sufficient floor area for four apartment units, similar to those proposed. The Planning Authority recommends that a revised application should be made on this basis.

On this application, it is recommended that it be refused, as previous in Planning Reference Number 43850."

Senator Killilea proposed the resolution set out on the Agenda and stated that this is a worthwhile development being provided by a young man. He considered that a flat roof would be less obtrusive than the conventional type roof and did not consider that it would be out of character with other development in the area. Regarding surface water drainage, he stated that there is another housing development going on further down the road and this would have the same problem and he did not consider that the surface water problem relating to Gavin's development would be as serious as the report before the Council indicated.

The County Manager stated that this is a serious problem as the sewer is overloaded and the existing sewers cannot take this development. The Council cannot allow the sewerage to be overloaded.

Senator Killilea and Councillor Finnegan stated that if development contributions are due in respect of a previous permission, they would bring the matter to the attention of the applicant but in that case, the application for Permission was not made by him.

Councillor Finnegan seconded Senator Killilea's proposal.

Replying to a comment by Councillor Finnegan, the County Manager stated that the site covered by buildings in this case is 43% which eliminates the possibility of disposing of surface water on the site by soakage. Mr. Kavanagh, Planning Officer, stated that he had had a number of consultations with the applicant in this case in an effort to get him to modify the design as he considered that the present proposal looks ugly. He stated that with a different design, it might be possible to get up to 5 units on the site.

He stated that the proposed development together with provision for car-parking covers approximately 50% of the site with a paved area. Spillage of surface water from the development could affect other development in the area.

Senator Killilea stated that if the applicant does not get Permission for 6 units, it would not be economical for him to construct the building.

Councillor Glynn stated that he thought the building as proposed would look out of character and he suggested the applicant should call in to the Planning Officer who has adopted a very reasonable approach on the matter.

Councillor Burke also suggested that further consultation should take place and stated that the sewer has been overflowing in this area for the past two years and he considered that the Council should take steps to provide the necessary infrastructure for development in the area.

Deputy Kitt stated that he was not aware that the sewage problem was as serious as has been indicated by the Manager.

The County Manager stated that the applicant should try to settle for four apartments and to improve the design. He stated that the problem in this case is surface water and that this cannot be disposed of on the site.

Councillor Brennan proposed that the Permission sought be refused. He considered that the Council has been generous in the matter and that the applicant should take the offer of four apartments which has been suggested by the County Manager.

Councillor J. Burke seconded Councillor Brennan's proposal.

It was decided that a vote would be taken on those proposals after 4.30 p.m.

A vote taken after 4.30 p.m. for or against the proposal set out on the Agenda resulted as follows:

**FOR:** Councillors Bartley, Callanan, Deputy F. Fahey, Councillors M. Fahy, Finnegan, Haverty, Joyce, Senator Killilea, Deputy Kitt, Councillors Molloy, Murphy, O'Conchubhair, O'Morain, Ryan, and Welby.

(15)

**AGAINST:** Councillors Brennan, J. Burke, U. Burke, Coogan, Glynn, McCormack, O'Foighil, and Ruane.

(8)

The Chairman declared the resolution set out on the Agenda carried.

Deputy Connaughton did not vote.

1841 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 44519 - MICHAEL HEHIR.

The County Manager stated that a request for further information had issued in this case. The resolution set out on the Agenda was not, therefore, proposed.

1842 - RESOLUTIONS UNDER SECTION 4 (NUMBERS 10 AND 11 ON THE AGENDA) OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 44041. - GERARD WALSH.

The County Manager submitted the following report which had been circulated to each Member of the Council:

"BACKGROUND:

The proposed development is located on the Headford to Shrulc National Secondary Route, approximately two miles north of Headford. This is a narrow unrealigned section of the said road, where the maximum speed limit applies.

There was one previous application on this site by Mr. Walsh, which was refused on traffic grounds in accordance with County Plan Policy. Mr. Walsh did not appeal this.

PLANNING CONSIDERATIONS:

The proposed development is located on the Headford to Shrulc National Secondary Route, approximately two miles north of Headford. This is a narrow unrealigned section of the said road, where the maximum speed limit applies.

The proposed development is contrary to the plan policy to restrict development on National Routes. This policy is required to comply with Ministerial circulars and exists in order to keep traffic hazards to a minimum, preserve the carrying capacity and to protect public investment in improvement of these routes.

The applicant is from Shrulc and is currently living in Tuam. He has stated, that he is buying the site and that the development does not come within the categories, to which development is restricted on National Routes, by the County Plan.

RECOMMENDATION:

Refusal as already recommended."

The resolution set out on the Agenda was proposed by Senator Killilea who stated that this is a young man who needs a house. He is living in a flat which is in a bad condition.

This resolution was seconded by Councillor McCormack who stated that he agreed with the position as set out by Senator Killilea.

As there was no amendment, the Chairman declared the proposal carried.

1843 - RESTRUCTURING OF MEETINGS:

Councillor Glynn stated that some action must be taken by the Council on the question of disposal of the items on the Agenda at meetings. He stated that it is not fair to rush through the business of the Members after wasting so much time on Section 4 resolutions. Motions submitted by Members have not been reached for several months and this is mainly due to the time spent in dealing with Section 4 resolutions.

The Chairman agreed with Councillor Glynn's statement and it was agreed that this matter would be put on the Agenda for consideration at the meeting to be held in January 1983.

Councillor Ryan stated that too much time is being taken up with Section 4 resolutions and he stated that a meeting should be held every two months to consider these resolutions.

1844 - MINUTES:

Referring to Minute No. 1816 of the Meeting of the 22nd November, Councillor Welby stated that the record was not correct as it was he (Councillor Welby) who had proposed that the County Library Headquarters be not moved from the Courthouse in Galway.

Councillor Welby also stated that he had not yet received a report from the County Engineer which was promised to him as recorded in Minute No. 1814 of the same meeting.

Subject to the above, the Minutes of Meeting held on the 22nd November, 1982, (numbers 1803 to 1830, inclusive), were approved and signed by the Chairman on the proposition of Councillor Brennan and seconded by Deputy Kitt.

1845 - RELIEF ROAD FOR LOUGHREA:

The report of a meeting of a Committee of Members for Loughrea and Ballinasloe Electoral Areas, Members of the Oireachtas on the County Council, which was held on the 9th December, 1982, circulated to each Member, was submitted.

Councillor Burke stated that he had some reservations about the proposals and that he could not get any information on the estimated cost of the work. At the Committee Meeting, it was suggested that it would not be good for Loughrea if this plan were to be dropped from the programme for road improvements in the 80s.

The County Manager stated that there is a Government Plan which is the first of its kind setting out a programme of road improvements in the 80s - this is a scheme which the Department would finance. It is unlikely that the Loughrea Relief Road could be done in 1983 and at the Committee Meeting, the County Engineer was merely saying that he would not like to have it taken out of the Roads Programme for the 1980s. He was anxious that the planning would go ahead.

After further discussion, it was agreed that the proposal would be put on display at the Engineer's Office in Loughrea and that public notice of this would be given. It was also agreed that the matter would come up again for consideration at the February Meeting of the Council.

1846 - PRESENTATION OF PRIZES FOR TIDY TOWNS IN THE COUNTY:

On the proposition of Councillor Joyce, seconded by Deputy Kitt, the arrangements set out in Report dated 14th December, 1982, from the County Secretary to each Member, i.e., that the presentation of prizes totalling £1,000 would be made by the Chairman at the Council Chamber, County Buildings, Galway, on Friday, 14th January, 1983, at 4 p.m. were approved.

1847 - ACTION PROGRAMME UNDER THE LITTER ACT, 1982, ALREADY CIRCULATED TO MEMBERS:

It was agreed that this matter would be put on the Agenda for the Meeting to be held in January 1983.

1848 - DEVELOPMENT CONTROL - CIRCULARS FROM THE DEPARTMENT OF THE ENVIRONMENT:

The contents of those Circulars, copies of which were issued to all Members, were noted.

1849 - PLANNING REGULATIONS UNDER LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT, 1982:

The report on the Act dated 16th August, 1982, and a report on the Regulations dated 14th December, 1982, from the County Secretary, which had been circulated to all Members were noted.

1850 - DECLARATION OF ROADS TO BE PUBLIC ROADS:

The County Secretary informed the Council that a letter dated 18th December, 1982, objecting to declaration of road to be public road at Curragh Park had been received from Mr. William O'Connor of Bishop Street, Tuam. He stated, however, that he did not consider that any rights which Mr. O'Connor may have would be affected by declaring the road to be a public road.

It was proposed by Councillor Brennan, seconded by Councillor M. Fahy and resolved:



"That Galway County Council hereby declare the roads set out in the list in the schedule to item no. 18 on the Agenda to be public roads."

Councillor U. Burke asked what is the position regarding monies in respect of roads nominated by County Councillors for taking over but not yet published in any list. Deputy Fahey also referred to estates in Oranmore which are not on the list as well as two further estates, one at Sycamore Cove, Maree, and the other, Roscam Park. Deputy Fahey proposed that these be advertised as soon as possible for taking in charge.

Replying to Councillor Ulick Burke, the County Engineer stated that where money is allocated and where there is no reason why roads cannot be taken over, the money will not be lost.

Councillor Welby stated that there have been considerable delays of up to 2 years in carrying out work for which money was allocated in respect of roads taken over.

1851 - ACQUISITION OF LAND FOR ROAD CONSTRUCTION AT BALLYBANE, BALLYBANEMORE AND BALLYBRIT - AGREEMENT WITH GALWAY CORPORATION:

The County Manager stated that it was necessary to acquire land for road construction in the above townlands in the County Health District and at the same time, it is necessary for Galway Corporation to acquire land adjoining those areas in the Borough. He requested the approval of the Council to the completion of an Agreement under Section 59 of the Local Government Act, 1955, between the County Council and the Corporation whereby the Corporation would acquire the land in the County Health District on behalf of the County Council.

It was proposed by Deputy Fahey, seconded by Councillor U. Burke, and resolved:

"That in accordance with the provisions of Section 59 of the Local Government Act, 1955, Galway County Council hereby agree to enter into an Agreement with Galway Corporation on the following terms:-

THIS AGREEMENT Made the  
One thousand Nine hundred and Eighty-Two  
BETWEEN THE COUNTY COUNCIL OF THE COUNTY OF GALWAY of County  
Buildings, Prospect Hill, Galway (hereinafter called "the Council")  
of the one part and THE MAYOR ALDERMEN AND BURGESSES OF THE BOROUGH  
OF GALWAY Having their offices at 47, Dominick Street, Galway, in  
the County of Galway (hereinafter called "the Corporation") of the  
other part WHEREAS:-

1. The Council is desirous of acquiring lands in the Townlands of Ballybane, Ballybanemore, and Ballybrit (hereinafter called "the Townlands") for the purpose of providing land for the EASTERN APPROACH ROAD, and whereas the Townlands are situate on or near the boundary between the Council and the Corporation.
2. The Corporation is in the course of acquiring lands within its own boundary immediately adjacent to one or more of the Townlands also for the purpose of providing land for the EASTERN APPROACH ROAD.
3. The Council are of the opinion that it would be more convenient that the power, duty or function of acquiring these lands, which may be exercised or performed by them, should be exercised or performed in relation to acquiring the lands in the Townlands for the EASTERN APPROACH ROAD by the Corporation and the Corporation are able and willing so to exercise or perform the said power, duty or function in accordance with Section 59 of the Local Government Act, 1955.
4. The Council and the Corporation have agreed that they, the Corporation, will carry out the power, duty or function of acquiring the lands in the Townlands under the said section.

5. The Council shall pay to the Corporation such sum as shall be agreed between the Corporation and the Council to re-imburse the Corporation for all the expense incurred by it in carrying out the powers, duties or functions referred to in paragraph 4 of this agreement.

6. The Council hereby agrees that it will effectually indemnify and keep indemnified the Corporation, their servants, agents or employees against any liability which may be incurred by the Corporation in the exercise of the aforesaid powers, duties or functions.

IN WITNESS whereof the Parties hereto have hereunto affixed their respective Seals the day and year first herein written."

1852 - RAISING OF LOAN OF £3 MILLION FOR LOCAL AUTHORITY HOUSING:

It was proposed by Deputy Connaughton, seconded by Councillor Finnegan, and resolved:

"That subject to the sanction of the Minister for the Environment, Galway County Council hereby approves the raising of a loan of £3 million from the Commissioners of Public Works for the purpose of constructing local authority houses - the loan to be repaid over a period of 35 years with interest at the rate in force at the date of issue of the loan to the Council."

Replying to Councillors, the County Manager stated that the Council had entered into certain commitments for house building in 1983 and that any further building in that year would depend on the amount of money to be allocated.

Councillor Glynn stated that the Council purchased a site to erect a house for a man in the Corofin area but because six houses are now proposed to be built on the scheme there, the Council is refusing to build a house for him on the site acquired.

Mr. Howlett stated that if a scheme is going on in an area, the tendency is to ask the applicant for a rural house to go into the scheme rather than build an individual house for him. He stated if particulars were given to him about the individual case, he will have it re-examined.

Replying to Councillor Burke, the County Manager stated that the provision of additional houses in Killimor could be on the programme for 1983 subject to the adequacy of the Capital Allocation.

1853 - RAISING OF LOAN OF £4 MILLION FOR ADVANCING LOANS UNDER SECTION 39 OF THE HOUSING ACT, 1966:

It was proposed by Deputy Fahey, seconded by Councillor Finnegan and resolved:

"That subject to the sanction of the Minister for the Environment, Galway County Council hereby approve the raising of a loan of £4 million from the Commissioners of Public Works for the purpose of advancing loans under Section 39 of the Housing Act, 1966, - the loan to be repaid over a period of 25 years with interest at the rate in force on the date of issue of the loan to the Council."

Deputy Fahey asked that the Minister be requested to ensure that the Government would not increase the rate to 15½% for those loans as was previously proposed.

1854 - LEASE OF PLOT OF LAND WITH FACTORY THEREON AT POLLBOY, BALLINASLOE, TO WARRIOR SHOES LTD.:

It was proposed by Councillor Joyce, seconded by Councillor Callanan, and resolved:

"That Galway County Council hereby approve the lease of a plot of land at Pollboy, Ballinasloe, containing 0.220 hectares with a factory thereon to Warrior Shoes Ltd., Ballinasloe, for a term not exceeding 2 years and 9 months in accordance with the terms of Notice under Section 83 of the Local Government Act, 1946, circulated to each Member of the Council on the 13th December, 1982."

1855 - RAISING OF SUPPLEMENTARY LOAN OF £2,400 FOR CLARINBRIDGE/KILCOLGAN WATER SCHEME:

It was proposed by Deputy Fahey, seconded by Councillor Glynn and resolved:

"That Galway County Council hereby approve the raising of a supplementary loan of £2,400 for Clarenbridge/Kilcolgan Water Supply Scheme from the Commissioners of Public Works or such other source as may be approved by the Minister, the loan to be repaid on such terms and over such period as may be approved by the Minister."

Replying to Deputy Fahey, Mr. Howlett stated that the Council has no proposal made to increase the amount of water which the Council is entitled to take under a Proposal made already under the Water Supplies Act, 1942, in this case. Deputy P. Fahey stated that there is a demand for more water from this source.

1856 - APPLICATION FOR PARTIAL REMISSION OF RATES ON A FACTORY:

It was proposed by Councillor O'Conchubhair, seconded by Deputy Connaughton, and resolved:

"That Galway County Council, in accordance with the provisions of the Industrial Development Acts, 1969-1981, hereby remit two-thirds of the Rates leviable by the Council on the valuation of the Industrial premises occupied by Messrs. John Loughnane & Sons, at Glenagloughaun North, Monivea, the remission to have effect in respect of the years, 1982-1990 inclusive, the appropriate certificate under the Acts having been issued by the Industrial Development Authority."

1857 - APPLICATION FOR PARTIAL REMISSION OF RATES ON A FACTORY:

It was proposed by Councillor O'Conchubhair, seconded by Deputy Connaughton, and resolved:

"That Galway County Council in accordance with the provisions of Udaras na Gaeltachta Act, 1979, hereby approve the remission of two-thirds of the rates leviable in respect of the factory at Derrynea, occupied by Transduktor Teoranta in respect of the local financial years 1982-1990, inclusive, the appropriate certificate under the Act having been issued by Udaras na Gaeltachta."

1858 - APPLICATION FOR PARTIAL REMISSION OF RATES ON A FACTORY:

It was proposed by Councillor O'Conchubhair, seconded by Deputy Connaughton, and resolved:

"That Galway County Council in accordance with the provisions of Udaras na Gaeltachta Act, 1979, hereby approve the remission of two-thirds of the Rates leviable in respect of the factory at Derrynea occupied by Elkay Eireann, in respect of the local financial years 1982-1991, inclusive, the appropriate certificate under the Act having been issued by Udaras na Gaeltachta."

1859 - APPLICATION FOR PARTIAL REMISSION OF RATES ON A FACTORY:

It was proposed by Councillor O'Conchubhair, seconded by Deputy Connaughton, and resolved:

"That Galway County Council in accordance with the provisions of the Industrial Development Acts, 1969-1981, hereby remit two-thirds of the Rates leviable by the Council on the valuation of the Industrial premises occupied by Engineered Components Ltd. at Gortrevagh, Oughterard, the remission to have effect in respect of the local financial years 1981-1990, inclusive, the appropriate certificate under the Acts having been issued by the Industrial Development Authority."

1860 - REMISSION OF RATES ON FACTORIES - GENERAL:

The County Manager stated in reply to Councillors that the legislation permitting partial remission of Rates on factories is enabling legislation only and that local authorities are in a difficulty when such legislation exists in that pressure is put on them to grant those remissions. He considered that the I.D.A. or Udaras na Gaeltachta as appropriate should pay any incentives towards the establishment of industry in any area.

On the proposition of Councillor Glynn, seconded by Councillor Ruane, it was resolved:

"That the appropriate Ministers be asked to have this enabling legislation repealed and that all incentives to the establishment of industry be provided by the I.D.A. or Udaras na Gaeltachta as appropriate."

1861 - SALE OF HOUSE AT POPPYHILL, KILLORAN, BALLINASLOE, TO TENANT:

It was proposed by Deputy Fahey, seconded by Councillor Callanan and resolved:

"That Galway County Council hereby approve the sale of the house occupied by him as tenant to Mr. Francis Daly, Poppyhill, Killoran, Ballinasloe, in accordance with the terms of Notice dated 9th December, 1982, under Section 83 of the Local Government Act, 1946, and Section 90 of the Housing Act, 1966, as amended by Section 4 of the Landlord and Tenant (Ground Rents), 1978, which has been circulated to each Member of the Council."

1862 - MAJOR EMERGENCY PLAN:

The County Manager referred to the draft of the Major Emergency Plan, copy of which had been circulated to each Member of the Council. He stated that guidelines in relation to such plans had been received from the Department of the Environment during the past week practically all of which had been included in the Council's Plan. He stated that he was anxious that the Plan would be approved as early as possible so that it be given to the outdoor staff to implement in the event of any emergency occurring and he proposed that the Plan would be reviewed at the end of the winter in the light of our experience in the meantime.

On the proposition of Councillor M. Fahy, seconded by Councillor Joyce, the Council approved the draft of the Major Emergency Plan as circulated. Replying to queries by Councillors, the County Manager stated that everybody down to Overseer level throughout the County had authority to take effective action including the hiring of plant when an emergency arose in his own area.

1863 - MALICIOUS INJURY DECREES:

The County Manager drew the attention of the Council to the fact that there were nine claims on the list circulated to Members in relation to damages to telephone kiosks and the total cost of those decrees was £2,421.

After a discussion during which Members condemned strongly this type of vandalism, it was agreed that the Minister for Posts and Telegraphs would be asked if any advances had been made in designing telephone kiosks which could not be so easily damaged. It was also suggested that the Department of Posts and Telegraphs should arrange with the Department of Education to have circulars sent to schools pointing out the serious consequences and the risk to life involved where telephones are out of order and required in the event of serious accidents or where life is in danger due to other emergencies.

1864 - FLOODING AT GLINSK:

Councillor Ryan asked that some steps be taken to relieve flooding at Glinsk as he stated that it has been necessary on numerous occasions to use tractors to have cars hauled out of floods.

Councillor Finnegan, referring to a motion on the Agenda in his name in connection with this matter asked that the matter would be dealt with urgently.

1865 - DERRYDONNELL GROUP WATER SUPPLY SCHEME:

Deputy Fahey proposed that the Council sanction a loan of £49,000 as a contribution to the Derrydonnell Group Water Supply Scheme as he stated that a recommendation that this contribution be paid had been issued by the Department of the Environment. Failing this, he asked that a road opening licence would be given.

The County Secretary stated that the recommendation from the Department of the Environment had not yet been examined and the County Manager stated that the question of issuing the road opening licence would be examined.

1866 - EXTENSION OF DUMPING SITE AT GORT:

Replying to a query by Councillor M. Fahy, Mr. Howlett stated that the work which was promised to the deputation when they called had been done. The necessary land had been purchased and alternative sites for a dump had been sought.

Deputy Fahey stated that it had been promised at the deputation that money would be provided in the Estimates for 1983 for the Gort Dump.

The County Manager stated that he would wish to do this but he did not know yet what way the County Council's finances would be when the Estimate is being adopted. Mr. Howlett stated that he had informed the deputation the intention was to provide a site for a new dump in the coming year's Estimates but that he could not have given a commitment to have this money provided in the Draft Estimates.

1867 - SEWER AT CARRAROE:

Councillor O'Conchubhair asked that steps be taken to ensure that the site of the sewer extension in Carraroe be made safe over the Christmas period.

1868 - MEETING OF BALLINASLOE ITINERANT SETTLEMENT COMMITTEE:

Councillor Brennan asked that a meeting of this Committee be held in the month of January.

1869 - DEAGH-GHUI DO'N NOLLAIG:

Ghui an Cathaoirleach Nollaig shona ar hhaill agus ar fhoireann na Comhairle.

THE MEETING THEN TERMINATED  
SUBMITTED, APPROVED + UNFIRMED!

*John M. Mannion* CHAIRMAN

*24 January 1983* DATE.

COMHAIRLE CHONTAE NA GAILLIMHE

(Galway County Council)

Oifig an Runai,  
Arus an Chontae,  
GAILLIMH.

17u Eanair, 1983.

CHUIG GACH BALL DE'N CHOMHAIRLE/

A Chara,

Tarrtar ort leis seo bheith i lathair ag cruinniú de Chomhairle Chontae na Gaillimhe a tionolfar ins na Foirgnithe Chontae, Gaillimh, De Luain, 24u Eanair, 1983, ar a 3.30 a chlog sa trathnóna.

Mise, le meas,

C. O'DUBHGHAILL,  
Runai.

A G E N D A(a) SECTION 4 RESOLUTIONS:

1. "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to decide to grant Outline Permission to Thomas Gavin of Munga, Clifden, Co. Galway, for a housing development at Munga, Co. Galway. - Planning Reference Number 44337."
 

G. Bartley. Padraic McCormack. John Donnellan.
2. "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to decide to grant Permission to Stephen Fahy for the erection of petrol and diesel pumps at Ballindooley. - Planning Ref. No. 44147."
 

John Molloy. Thomas Welby. Mark Killilea.
3. "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to decide to grant Planning Permission to Patrick Murphy of Headford, Co. Galway, for a housing development at Ballydonnellan. - Planning Reference Number 43988."
 

John Donnellan. John M. Mannion. Michael Ryan.
4. "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to decide to grant Permission to Michael Whelan of Loughdown, Ballinasloe, for the erection of a dwellinghouse at Loughdown. - Planning Ref. No. 44290."
 

Joe Callanan. Michael P. Kitt. Paul Connaughton.

5. "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to grant Planning Permission to Mr. Michael Hehir, Barratreana, Ardrahan, for a dwellinghouse at Barratreana, Ardrahan, Co. Galway. - Planning Ref. No. 44519."

Michael Fahy. Gerald Bartley. Michael P. Kitt.

6. "In accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to decide to grant Permission to Martin Cooney of Bolebeg, Barna, for the erection of a dwellinghouse and septic tank at Bolebeg. - Planning Reference Number 44181."

Thomas Welby. John Molloy. Mark Killilea.

7. "In accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to decide to grant Permission to Thomas McDonagh of Ballyquirke, Moycullen, for a housing development at Ballyquirke, Moycullen. - Planning Ref. No. 44456."

Thomas Welby. John Molloy. Mark Killilea.

8. "In accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to decide to grant Permission to Michael Walsh of Doon East, Rosscahill, for the erection of a Workshop for panel beating at Doon East. - Planning Reference Number 44453."

Fintan Coogan. Padraic McCormack. Michael Ryan.

(b) OTHER ITEMS:

9. Minutes.
10. Allocation of responsibility for inland transport functions - Copy of Circular from Department of the Public Service circulated to Members with County Manager's letter of 11th January, 1983.
11. Restructuring of Meetings - Minute No. 1843.
12. Action programme under the Litter Act, 1982, - already circulated to Members.
13. Report of the Irish Council of European Local Authorities - copy enclosed.
14. Report of County Development Team for 1982 - circulated.
15. Sale of land at Kilclooney, Ballinasloe to Ballinasloe Urban District Council - Notice dated 13th January, 1983.
16. Creation of Office of Executive Solicitor - report to follow.
17. Creation of Office of Clerk/Typist.
18. Revision of remuneration of Library Van Drivers.
19. Joint Committee on Building Land.
20. Amenity Plan for Spiddal. - Report herewith.
21. Assistance for Disabled.
22. Malicious Damage Decrees. - List herewith.
23. Business Submitted by the County Manager.

COUNCILLORS' NOTICES OF MOTION:

(a) Adjourned from previous meeting:

SENATOR MARK KILLILEA - I will propose:

1. That the County Councillors have a full and frank discussion on the recent policy of the County Council to install on the schedules of Planning Permission sums of money as contributions to be made payable to the Planning Authority.

COUNCILLOR M.J. KILGANNON - I will ask:

2. That discretionary expenditure of £2,000 be allowed to each Councillor in addition to N.O.M. for roads.

COUNCILLOR JOSEPH BURKE - I will ask:

3. That Galway County Council give an up-to-date report on the steps being taken to ensure that the water supply to Tuam has no more pollution.
4. What is the current position with regard to the draining of the River Nanny at Birmingham, Tuam. Are the negotiations with the Board of Works complete?
5. That Galway County Council undertake to guarantee the cost of a telephone kiosk at Russellstown, Milltown P.O.

DEPUTY PAUL CONNAUGHTON - I will propose:

6. That the footpaths in Kilkerrin Village be repaired immediately as they are in a deplorable condition and are a danger to the public.
7. That the Y junction at Aughiart, Mountbellew, be reconstructed to make it safer for all road users.
8. That Galway County Council employ its share of Litter Wardens in its towns and villages thereby reducing litter to a minimum and creating extra jobs.

AN COMHAIRLEOIR MICHEAL O'MORAIN - Molaim:

9. Ba mhaith liom go ndeanfai an droichead ag Inbher-Rosmuc a leathnu agus an clai a athru.
10. Ba mhaith liom go leanfai feabhsu an bhothair o Loch Con Aortha siar go Carna.
11. Ba mhaith liom a mholadh go gcuirfi laithrean bruscair amhain i ngach baile beag le freastal ar na bruach bhailte.

COUNCILLOR MICHAEL J. KILGANNON - I will propose:

12. That this Council carry out its responsibility to the people of Fohenagh by making provision for adequate and reasonable access to Fohenagh Parish Cemetery; this to be done by providing and maintaining a proper road to enable funerals to take place there in a dignified way. The present position is no longer acceptable to the Fohenagh Community.
13. That a full report be furnished on the L.I.S. application in the name of Patrick Noone, Carhoon, Gurteen, together with an explanation of the guidelines and norms applicable to L.I.S.

SENATOR TODDIE BYRNE - I will propose:

14. That Galway County Council provide the necessary markings at the Square, Gort, Co. Galway, to facilitate orderly parking.

SENATOR JOHN MANNION - I will propose:

15. That Galway County Council erect signs at Clonbur indicating the direction of Finney and Maam and the mileage involved.

DEPUTY MICHAEL P. KITT - I will propose:

16. That a source for the Annaghbeg/Creggane Group Water Scheme be provided as soon as possible, to allow this scheme to proceed.

COUNCILLOR P. RUANE - I will propose:

17. That this Council demand from the Department enough of funds to complete the Claregalway to Carnmore Road in 1983.

18. That this County Council continue removing clay banks from the Carnmore/Coshla County Road.

19. That Galway County Council take over and maintain the road leading to Tom Keaney's house at Waterdale, Claregalway.

AN COMHAIRLEOIR POL O'FOIGHIL - Molaim:

20. Ce'n staid in a bhfuil ceist deontais speisialta do ghrup-sceim na Forbacha?

SENATOR MARK KILLILEA - I will propose:

21. To ask Galway County Council to repair the water line of the existing public water scheme at Lackaghmore, Claregalway, before they ask the Group Water Scheme to supply water to it, or alternatively that the Council sanction a Special Grant to the Group Water Scheme to repair this existing main.

COUNCILLOR MICHAEL FAHY - I will ask:

22. Galway County Council to purchase a site for a new refuse dump to accommodate Gort and the surrounding area, and I will also ask the County Council to close the old dump in Gort.

COUNCILLORS E. HAVERTY, F. COOGAN, J. CALLANAN AND J. BRENNAN - We will propose:

23. That this Council investigate the possibility of handing over the Council housing sites to private developers with a view to providing additional houses.

DEPUTY FRANK FAHEY - I will propose:

24. That the Carnmore No. 2 Water Scheme be extended to include the Carnmore No. 1 Scheme, the Coshla Group Water Scheme and the proposed Cartymore Group Water Scheme.

DEPUTY JOHN DONNELLAN - I will ask:

25. That immediate steps be taken by the Council to prevent any further flooding from the Clybaun river on to the Knocknacarra road.

COUNCILLOR THOMAS WELBY - I will propose:

26. That this Council take immediate steps to prevent flooding at Shangort, Knocknacarra, where residents had to place sand bags outside their doors to prevent their houses being flooded in recent heavy rain.

27. That this Council take immediate steps to prevent flooding of road at Doon East, Roscahill.

COUNCILLOR THOMAS WELBY - I will propose:

28. That this Council make provisions for the erection of concrete block wall around the public carpark in Oughterard, a promise had been given that the proceeds from the sale of the site to the Western Health Board would be used towards the erection of this wall.

DEPUTY FRANK FAHEY - I will propose:

29. That Galway County Council carry out a review of the development plan for the Eastern Environs of Galway City in order to monitor progress being made in the implementation of the plan in the context of land acquisition, provision of infrastructural services, liaison with other statutory agencies.

30. COUNCILLOR P.J. FINNEGAN - I will ask:

That improvements be carried out immediately to the Kilbeg road and Moneen (Bridle Road), Williamstown.

(b) Other Motions Received:

DEPUTY FRANK FAHEY - I will propose:

31. That the County Council proceed with the erection of a pedestrian crossing at the Convent gates, Oranmore, as a matter of urgency.

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