

2152 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 55499
- APPLICANT: PADDY FORD:

The resolution as set out on the Agenda was proposed by Senator Padraic McCormack and seconded by Councillor Michael Fahy.

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

"LOCATION:

The site is located on the Oranmore to Dublin National Primary Road, N.6, approximately 4 miles east of Oranmore.

HISTORY:

Ref. No. 32366: Permission was granted to Mr. Paddy Forde for erection of a dwellinghouse on the basis of a second family dwelling on the family farm. The site layout plan submitted by the applicant indicated that access from the dwellinghouse to the public road was to be via the existing avenue serving the family farmhouse, Moyveela Lodge. The applicant did not indicate a desire for a direct access from the site to the National Primary Road. Condition No. 2 of the grant of permission was as follows:- "Access from the site to the National Primary Route shall be by means of the existing access serving Moyveela Lodge." The applicant did not appeal this condition.

The Planning Authority became aware that a direct access had been constructed from the site onto the National Primary Route in contravention of Condition No. 2 of the grant of permission and Enforcement Notice was served on Mr. Forde requiring that the said means of access be permanently closed and that the lands be restored to their condition before development took place within 35 days of the date of service of the Enforcement Notice.

PLANNING CONSIDERATIONS:

The access is located on a heavily trafficked section of the National Primary Road where the maximum speed limit applies and is within 50 metres of the pre-existing access serving the family farmhouse. There is no valid reason, on planning or engineering grounds, why the applicant should not make use of the original access serving the family farmhouse.

RECOMMENDATIONS:

It is proposed to refuse the application on the grounds that:

1. The development would endanger public safety by reason of a traffic hazard because the site

is located on a heavily trafficked section of the National Primary Road where the maximum speed limit applies and the traffic movements generated by development would interfere with the safety and free flow of traffic on the road. In addition, the development would militate against the objectives of the Planning Authority

- (a) to preserve the level of service and carrying capacity of the road so that it can fulfill its function as a through road for heavy traffic.
- (b) protect the public investment in the national road network.

2. The development is in breach of Condition No. 2 of the original planning permission granted to the applicant, Re. No. 32366, which stipulated that access from the site to the National Primary Road should be via the access serving the family farmhouse."

The County Engineer stated that this application was in breach of the agreement among the parties regarding Section 4 resolutions for planning permission on National Primary Routes. He stated that the Planning Authority became aware that the applicant had constructed a direct access from the site onto the National Primary Route and that an Enforcement Notice was served on the applicant requiring that the access be permanently closed off. The applicant had then applied for Planning Permission to try and regularise the position. The County Engineer stated that this was a clear case of an unnecessary entrance onto the National Primary Route. A serious traffic hazard would be created in that there would be two entrances off the National Primary Road close beside each other at a point of the road where the speed of traffic could be far in excess of the legal limits which in consequence could lead to a serious accident. There was a risk of a very serious fatal accident if this entrance was allowed and the granting of the Permission in this case would be building up potential trouble for the future. He was opposed to granting Permission in this case because of the very serious risk of a fatal accident at the location involved.

Senator Padraic McCormack stated that he had visited the site before he had signed the Section 4 Notice. He referred to the map attached to the report and stated that the house in question had been built for three years and there had been no accident since the house was built. He stated that no extra traffic would be generated by leaving the entrance as it was and stated that it was much safer to leave it as it was than to revert to the access from the old house. There was a better view altogether when turning on to the new access and it was alot safer to turn into the new entrance that was there when travelling from the Craughwell side, than to turn in to the old entrance. Senator McCormack stated that there were semi-mature trees along the avenue from the old house and if the applicant had to use the old entrance, the trees would have to be rooted up. Councillor Martin Lynch supported Senator McCormack. He stated that the new entrance constructed by the applicant was safer to use than the entrance to the old house. He also referred to the fact that trees at the old entrance would have to be cut to improve visibility. Councillor Michael Fahy also supported and stated that the new entrance was much safer than the old one.

The County Engineer stated that he had seen the site and that based on his best professional view, he did not accept the argument regarding the sight distance available for the new entrance. The trees referred to had nothing to do with the application on hands and the applicant had volunteered to take

down the trees in the original application and to come out by the old access. The County Engineer asked if the applicant would accept one agreed entrance at the safest point.

Councillor McCormack stated that the map shows clearly that the new entrance which was the subject of the planning application, was alot safer than the one which the Council wanted the applicant to use. There was no justification in asking the applicant to use the farm entrance.

Councillor Joe Brennan stated that he would not support any Section 4 resolution which attempted to regularise anything done illegally in connection with a Planning Permission. He proposed that Planning Permission not be granted in this case.

In reply to Deputy R. Molloy, the County Manager stated that the legal adviser had not yet been consulted regarding this particular case. The County Manager stated that he would take into account the points made by the Councillors and would have them checked out, and having done so, the case might well be referred to the Law Agent, if the legal validity of the decision needed to be considered.

There was no seconder for Councillor Brennan's amendment and as there were no further amendments, the Chairman declared the resolution as set out on the Agenda carried.

2153 - NOTICE OF MOTION BY DEPUTY FRANK FAHEY RELATING TO LANDS AT KILTIERNAN EAST, CO. GALWAY, PROPERTY OF SEAN AND PATRICIA KILRAINE, WHICH ARE THE SUBJECT OF A CHARGE, REGISTERED WITH THE LAND REGISTRY IN FAVOUR OF GALWAY COUNTY COUNCIL:

It was agreed at the request of Deputy Frank Fahey that this matter would be placed on the Agenda for discussion at the next Monthly Meeting of the Council on the 28th March, 1988.

2154 - LEGAL ADVICE - SECTION 4 RESOLUTIONS:

Councillor T. Welby stated that there should be a Planning Committee established where problem cases in relation to Planning Applications could be discussed. He referred to the fact that a number of Section 4 resolutions were not being implemented on the basis of legal advice. It was agreed that this matter would be placed on the Agenda for the next Planning Meeting.

2155 - VOTES OF SYMPATHY:

On the proposal of the Chairman, Councillor Micheal O'Morain, the Council passed a vote of sympathy with the wife and family of the late Mr. Martin Finn, Member of Mayo County Council, who died suddenly on the previous Monday. The Chairman paid tribute to the work of Councillor Finn, who was a Member of the Western Health Board, the R.D.O., and a number of Committees. Councillor Joe Brennan seconded the Chairman's proposal and all the Members associated themselves with the vote of sympathy. The County Manager, on his own behalf and on behalf of the staff also associated himself with the vote of sympathy. The Chairman adjourned the Meeting for a short period as a mark of respect.

Resolutions of sympathy were also adopted with the following:

Mr. Paddy O'Neill, Derrygimlagh, Ballyconneely, Co. Galway.
Mr. Anto Pettit, Ballygar, Co. Galway.
Mrs. Molly Clarke, Killeroran, Ballygar, Roscommon.
T. O'Neachtain, Uasal, Baile Liam, An Spideal, Co. na Gaillimhe.

2156 - TALAMH AR INIS OIRR A DHIOL CHUIG UDARAS NA GAELTACHTA CHUN AERSTRAICE A THOGAIL - FOGRA D'REIR ALT 83 AR AN 29U LA FEABHRA, 1988:

Ar ath-thosnu an cruinniu, agus ar mholadh an Seanadoir Nioclas O'Conchubhair, agus cuidiu an Comhairleoir Peadar O'Tuathail, udaraidh do Chomhairle Chontae na Gaillimhe 43.869 acra ag Inis Oirr a dhiol d'Udaras na Gaeltachta ar phraghas £37,050 chun Aerstraiice agus saoraidi eile a chur ar fail ar an oilean de reir mar a bhi leagtha amach sa Fogra den data 29u la Feabhra, 1988, faoi Alt 83 den Acht Rialtas Aitiuil, 1946, a sheoladh do gach ball den Chomhairle.

2157 - REPORT ON REGIONAL AND COUNTY ROADS:

A number of Councillors expressed the view that the Meeting should deal with the condition of the roads in the Connemara area. Councillor Michael Ryan stated that he had handed in a request at a previous meeting calling for a special Meeting to deal with road problems. He was dissatisfied that this Meeting was not a special Roads Meeting to deal with road problems only. It was agreed following a discussion that the Members discuss the question of roads in the Connemara Area at this Meeting and that a date be fixed at the Monthly Meeting of the Council for a Special Meeting to deal with road matters in respect of the other Electoral Areas.

The County Engineer submitted his report dated 3rd March, 1988, on County and Regional Roads, a copy of which had been circulated to each Member. The report set out the details of County Road funding for the years 1978-1987 and showed the shortfalls relative to inflation over these years. The County Engineer indicated that because of the overall shortage of funds, it had been necessary to eliminate all realignments of County Roads and he regretted to say that the cutback in funds did not even allow the Council to carry out routine maintenance of carriageways on many of the County Roads. The County Engineer stated that the most unfortunate aspect of the fall-off in funds was that no surface dressing of County Roads had been carried out in 1987, and none was programmed for 1988. Surface dressing was the single most important factor in preserving and maintaining road surfaces and the fabric of roads in general. The County Engineer indicated that there were of the order of 3,300 miles of County Road in the County and that a 10 year programme would cost of the order of £77 million or £10.5 million per annum to allow proper maintenance of County Roads to be carried out. Given that the allocation for County Roads in 1988 including Rates and Grants was £2.7 million, the problem of maintaining County Roads was at crisis point.

In relation to Regional Roads, the County Engineer also gave details of the Rates and Grants available for the years 1978-1987, and indicated that the accumulated shortfall was £2.62 million. There were 470 miles of Regional Road in the County and the cost of a 10 year improvement programme would be of the order of £2.5 million per year. The County Engineer stated that unless funding for the roads improved, the roads would deteriorate even further. He stated that the roads were worse in the Connemara area than in other areas of the County.

Councillor M. Loughnane stated that the condition of the roads in the County were at crisis point and that the Council should examine new sources of funding. He suggested that the Departments of the Environment and the Marine be asked to make a joint submission to the E.E.C. for funds to improve the roads in the County. He also asked if the improved Western Package

as announced recently would be another source of funding for roads. The Council's case for additional funding should be based on proposals specifically for the surface dressing of County Roads.

Ghlac an Seánadóir Nioclás O'Conchubhair buíochas do mhuintir Charna as ucht an cuireadh don Chomhairle an cruinniu a thionól i gCarna.

Senator O'Conchubhair referred to the County Engineer's report and stated that the same problems regarding the condition of roads existed throughout the County. He stated that it was unfortunate that the Council were unable to fill potholes as they arose on a regular basis before roads deteriorated beyond repair. He stated that some progress had been made on the funding of Regional Roads but that the Council should look at the possibility of getting funds for County Roads in the European context. He referred to a proposal which he had made at a previous meeting, and which had been seconded by Councillor Mannion that a deputation go to the E.E.C. to seek funds and proposed that the Chairman, County Manager, and the County Engineer, go on a deputation to the E.E.C. to seek funds for roads. The Council agreed with Senator O'Conchubhair's proposal.

Councillor T. Welby stated that there was a substantial amount of money collected in car tax and other Revenue in the County and the Council were entitled to a better share in the allocation of funds. The roads in the Connemara area were in a desperate state and he proposed that an immediate deputation go to the Minister for the Marine and the Minister for the Environment seeking Special Grants for Roads in Connemara. Councillor Welby also stated that he would like to see more efficient methods being applied by the Council in the carrying out of road improvement work.

Councillor Tiarnan Walsh stated that the Council should make more efficient use of the funds available and said that he had been informed that lorries with 8 cubic yard capacity were being used by the Council to draw chips long distances from County Tipperary to various locations in County Galway. He also stated that chips were being brought to the Mayo border while there was a quarry available near the border in County Mayo for the supply of chips.

Councillor John Mannion referred to the roads in the Gaeltacht area which he stated were in a deplorable condition. He referred in particular to a road at Bothar na Strathog, and stated that even if all the monies available in the Connemara area were allocated to the Gaeltacht areas, there would still not be sufficient funds to improve the roads. He proposed that a deputation go from the Council immediately to An Taoiseach, demanding additional funds for roadworks and that Gaeltacht Grant allocations be restored.

Senator Padraic McCormack referred to the County Engineer's report and stated that it was false economy to allow the roads to deteriorate by not carrying out surface dressing as if surfaces were not repaired, foundations of roads would wear away and the cost of restoration would be much greater. Senator McCormack stated that the Connemara situation was a special case and he stated that he was appealing to the Minister for the Environment to allocate additional funds to the Connemara area. He asked if the Council would supply material to local people who would fill the potholes themselves.

Ghabh an Teachta Roibeard O' Maoillai buíochas do Muintir Charna as ucht an failte do na Comhairleoirí.

Deputy Molloy referred to the serious situation in relation to the deterioration of roads in the Connemara area. He stated that people of the area were unable to do their ordinary business of travelling to school, work, and Church, without

the risk of major damage to their cars. The roads had deteriorated terribly in the last 7 or 8 years. He stated that this Meeting should be a watershed and that the Council should decide that something would be done after the Meeting. He hoped that the Councillors would make a definite decision to do something positive about the condition of the roads at the Meeting.

Deputy Molloy stated that the provision of adequate roads to the homes of people living in rural Ireland had always been of top priority and that good work had been done down through the years. Millions of pounds invested in roads over the years were now being eroded because of the lack of funds to maintain roads.

In reply to Deputy R. Molloy, the County Engineer stated that the special grants available for road strengthening on strategic roads could not be used for potholing and that the limit of expenditure on any particular stretch of road improved under the Grants scheme should be not less than £40,000. The County Engineer stated that he had made representations on a number of occasions to the Department regarding the constraints imposed by the manner in which the Grant was to be spent. Deputy R. Molloy quoted from a reply which he had received to a Dail question on the 9th March, 1988, stating that local authorities could as far as practicable spend monies from the strengthening grants on potholes if the cost of strengthening was more than half the cost of the work involved. He stated that the Council should make a decision at the Meeting to re-allocate some of the funds from road strengthening to the filling of potholes in the Carna Area. Senator P. McCormack seconded Deputy Molloy's proposal.

Councillor James Joyce stated that the Council should endeavour to find out what funds were available from the E.E.C. He stated that the Council should designate an Officer to examine what funds were available through E.E.C. channels and to look at the possibility of getting funds from the E.E.C. for road improvements.

Do ghabh an Teachta Proinnsias O Fathaigh buíochas don Chathaoirleach agus muintir Charna ar son an cuireadh dona Chomhairleoirí chun an cruinniu a thionóladh i gCarna. Ghabh se onoir don Chathaoirleach agus duirt se go ndearna se cas laidir go gcuirfi airgead ar fail chun na boithre sa cheanntar a dheisiú.

Deputy Frank Fahey stated that the kernel of the problem was that there was not enough money to carry out the improvements required on roads. He referred to the severe cutbacks on many Government Programmes and stated that the Government had to establish priorities in relation of spending of scarce resources. He stated that the Minister for the Environment had indicated that local authorities would be given discretion in the spending of the Grants for strengthening of roads and he expected that this would be communicated by the Department to local authorities in the very near future.

Deputy F. Fahey stated that he was determined that a substantial extra amount of money would be made available from the recently announced Western Package. He did not agree with the proposal of Deputy Molloy that all of the money available be spent in the Carna area as other areas were equally and urgently in need of additional funds.

Councillor P. McHugh stated that the roads in the Moycullen area were in a deplorable state also. He referred to the

condition of the roads in the Carna area and stated that the Ard Thiar road was particularly bad. He had been shown this road by members of the local community on the day of the Meeting.

The County Engineer replied to some of the queries raised. He stated that the Council were trying to stretch the funds as far as possible and that new methods of carrying out works were under constant review. He stated that the chips being drawn from Tipperary were of a high polished stone value and were required on National Roads.

The County Manager, in reply to queries raised, stated that the Council could not allow private people to repair roads and there were major risks involved for people who carried out such repairs. He stated that the Council through its Aquaculture Committee had prepared proposals for road improvements to facilitate the aquaculture industry in Connemara. He stated that a recent Meeting had been held between Officials of the Department of the Environment and the Marine and proposals were being prepared for submission for E.E.C. funds. He hoped that some funds would be made available. The County Manager stated that the Council would be in touch with the Department of the Environment to clarify the requirements in relation to the spending of the Roads Strengthening Grants and he would report back to the Council on any changes in the present arrangements. The purpose of the Meeting to-day was to inform the public at large of the magnitude of the problem. The Council would put forward the needs of the County at all times and other avenues such as E.E.C. funds were being explored to see if funds might become available.

Deputy R. Molloy submitted the following proposal:

"That the 1988 Grant for strengthening County Roads be utilised for emergency repairs to potholes with particular reference to the needs of the Connemara Area."

Councillor O'Morain stated that the terms of Deputy Molloy's resolution would be subject to clarification by Department of the Environment in relation to any changes proposed. Deputy Molloy stated that it was the responsibility of the County Manager to clarify the position and to establish whether the terms of his proposal could be implemented. Following further discussion the Council agreed with Deputy Molloy's proposal.

- 2158 - INFORMATION ON COUNTY COUNCIL WORK ON ROAD THROUGH BALLINA BOG TO BALLYGLUNIN: - MOTION BY COUNCILLOR JARLATH McDONAGH:
(Details supplied)

The following reply was given to Councillor Jarlath McDonagh:

"This is not a public road and there are no records of any work done in 1944."

- 2159 - THAT THE COUNTY COUNCIL REPLACE SIGN AT CARTYMORE CROSS WITH UPDATED NEW SIGN (DETAILS SUPPLIED) - MOTION BY CLR. JARLATH McDONAGH:

The following written reply was given to Councillor Jarlath McDonagh:

"The outdated information sign at Cartymore Cross will be removed in the near future. A fingerpost directional sign indicating route and distance to Turloughmore has been ordered and will be erected in the next few weeks."

- 2160 - THAT THE COUNTY COUNCIL HAVE POTHOLES REPAIRED IN THE TUAM ENGINEERING AREA (DETAILS SUPPLIED) - MOTION BY COUNCILLOR JARLATH McDONAGH:

The following written reply was given to Councillor Jarlath McDonagh:

"Surface repairs and filling of potholes are being carried out in the Tuam Engineering Area under routine maintenance and as resources permit."

- 2161 - THAT FLOODING BE RELIEVED AT KILTULLA, ATHENRY, BETWEEN FINN'S AND McINERNEYS - MOTION BY COUNCILLOR MATT LOUGHNANE:

The following written reply was given to Councillor Matt Loughnane:

"The road in question is a County Road. A small amount of ponding occurs on this road in the townland of Clougharevaun. This flooding, ponding on road, is really insignificant and has already been relieved by opening the water tables."

- 2162 - THAT A HARDSHOULDER BE CONSTRUCTED ALONG THE N.6 AT COLDWOOD, CRAUGHWELL (DETAILS SUPPLIED): - MOTION BY COUNCILLOR MATT LOUGHNANE:

The following written reply was given to Councillor Matt Loughnane:

"The estimated cost of providing 390 metres of Hard Shoulder as requested is £10,920. The previous hard shoulder work done at this location was carried out under a Department of the Environment Grant for Hard Shoulder work. No money has been provided in the current year's grant for such work and it is not possible to do this work from any other source. If the Board of Management would indicate where they propose to provide the sanded footpath, we would examine their proposal and report back. (There would be a problem of insurance if we allowed any outside body to undertake work along the busy N.P. route). A contribution from the Board of Management might be possible with the Council doing the work."

- 2163 - THAT GALWAY COUNTY COUNCIL PUT LARGE CHILDREN CROSSING SIGNS OF THE ROADS AT COLDWOOD N.S.: - MOTION BY COUNCILLOR MARTIN LYNCH:

The following written reply was given to Councillor Martin Lynch:

"Coldwood National School fronts directly on to the N.6 approximately half way between Craughwell and Oranmore. The advance direction sign No. 125 is erected already on both approaches to the school at approximately 110 metres from the school on each side. This is the legal statutory sign for school approaches and its size is fixed in the relevant Road Act, i.e., bigger signs would be unstatutory and could lead to legal difficulties in the event of an accident. In view of the present difficult financial position, it is not recommended that we install further signs here."

- 2164 - THAT GALWAY COUNTY COUNCIL PUT CHILDREN CROSSING SIGNS ON THE ROAD FROM FARMYARD TO ROCKFIELD, ATHENRY: - MOTION BY COUNCILLOR MARTIN LYNCH:

The following written reply was given to Councillor Martin Lynch:

"The road in question here is County Road No. 379 in the townland of Mulpit about 1½ miles south west of Athenry. There are 14 houses fronting on to this road over a stretch of ½ mile. It is a quiet County Road. It is not recommended to erect children crossing signs here as such signs are only erected where there is a concentration of activity such as at schools, etc. If such signs were erected on quiet County Roads, they would lose their effectiveness."

- 2165 - THAT GALWAY COUNTY COUNCIL CARRY OUT IMMEDIATE REMEDIAL WORKS TO ALLEVIATE THE COSTANT REGULAR FLOODING OCCURRING AT KILLIMOR ROAD, TYNAGH, BETWEEN TWO HOUSES (DETAILS SUPPLIED):
- MOTION BY DEPUTY NOEL TREACY:

The following written reply was given to Deputy Noel Treacy:

"There is a problem with flooding at the location mentioned above. The only realistic solution would be to provide a soakpit in the adjoining land and to drain the road surface water to it. The nearest drain is over 100 metres from this location. It is intended to try to obtain permission from the land owner for this proposal in the next week or so and then this work will proceed very shortly after that."

- 2166 - THAT GALWAY COUNTY COUNCIL CARRY OUT IMMEDIATE REPAIRS TO THE ROAD (DETAILS SUPPLIED): - MOTION BY DEPUTY NOEL TREACY:

The following written reply was given to Deputy Noel Treacy:

"Flooding occurs at this location on C.R. 574 periodically due to water from the adjoining land. Pipes have been laid to allow the water to cross under the road at the lowest point but these have become blocked. The situation will be rectified as soon as possible."

- 2167 - THAT THE LANDS AT KILTIERNAN, ARDRAHAN, WHICH WAS OWNED BY SEAN KILRAINE BE RELEASED IMMEDIATELY: - MOTION BY DEPUTY FRANK FAHEY:

The following written reply was given to Deputy Frank Fahey:

NOTICE OF MOTION BY DEPUTY FRANK FAHEY RELATING TO LAND AT KILTIERNAN EAST, CO. GALWAY, PROPERTY OF SEAN AND PATRICIA KILRAINE, WHICH WAS THE SUBJECT OF A CHARGE, REGISTERED WITH THE LAND REGISTRY IN FAVOUR OF GALWAY COUNTY COUNCIL

"The Charge was provided by the above named developers in order to comply with the requirements of Condition No. 2 of Planning Approval Register No. 20725 granted on 3rd May, 1976, for a housing development at Oranmore, now known as Cloonarkin Drive. The Condition requires that the developer provide an acceptable security to ensure the construction, satisfactory completion and maintenance until taken in charge by the County Council, of services to the development.

The Deed of Charge executed by the above named developers, provides that they will pay to the County Council, on demand, the sum of £9,000 or such additional sum as may be required in the event of their failure to provide, satisfactorily complete, and maintain the services until taken in charge by the County Council and the Charge was provided as security in support of that undertaking.

The roads and footpaths servicing the housing estate have been taken in charge by the County Council but the sewage treatment plant has not. The treatment plant has not been provided and maintained to the satisfaction of the County Council.

A statutory notice under the Public Health Acts was served on the developers in 1984, requiring them to take measures to abate a nuisance arising because the sewage treatment plant had failed to function properly and an Order was obtained in the District Court on 21st August, 1984, requiring the developers to take appropriate measures to abate the nuisance.

The developers failed to take the necessary measures and the County Council took emergency measures to abate the nuisance in the interests of public health. The County Council has continued, since 1984, to take measures as necessary to prevent a public health nuisance arising from the treatment plant serving Cloonarkin Drive and also in relation to another treatment plant serving a nearby housing estate which is also the responsibility of the developers. These measures include the continued payment since 1984 of electricity charges for current consumed in the operation of these treatment plants.

Demands for reimbursement of the Council's expenditure in these cases have been made on the developers but no payment has been received. Direct expenditure to 31st December, 1987, in respect of the treatment plant at Cloonarkin Drive amounted to £20,638.09 and the corresponding expenditure in relation to the other treatment plant was £1,689.27.

In view of the foregoing and because the sewage treatment plant serving Cloonarkin Drive requires to be brought up to a proper standard, the County Council would not be entitled to release the Charge on the lands at Kiltiernan East."

- 2168 - THAT GALWAY COUNTY COUNCIL REPAIR A ROAD LEADING FROM CLONABRICKA, BALLINAMONA, ON TO ROOKHILL AND FLOODING BE RELIEVED ON THIS ROAD: - MOTION BY DEPUTY MICHAEL P. KITT:

The following written reply was given to Deputy Michael P. Kitt:

"The proposed work has been done as part of our routine maintenance."

- 2169 - TAKE-AWAYS IN COUNTY GALWAY: - MOTION BY DEPUTY MICHAEL P. KITT:

The following written reply was given to Deputy Michael P. Kitt:

"In general, a 12 midnight closing time has been imposed as a condition of Planning Permission for "Take Away" food premises in towns throughout the County, where the premises is situated in close proximity to dwelling-houses or mixed residential/commercial buildings.

There may be a few instances where Permissions were granted in the nineteen seventies without this restrictive condition, but experience has shown that those food outlets can be the focus of very unsociable behaviours after licensed premises or dancehalls close. There are constant complaints to the Planning Office from

residents of various parts of the County in regard to the disturbances which arise in the early hours of the morning. Hence the necessity for imposing the restriction.

Should the "Take-Away" be situated away from residences, there would be no reason to restrict opening hours."

- 2170 - THAT IMMEDIATE REPAIRS BE CARRIED OUT TO THE ROAD LEADING FROM MIKE WALSH'S HOUSE AT AILLE, INVERIN, TO JIMMY CARR'S HOUSE: - MOTION BY DEPUTY ROBERT MOLLOY:

The following written reply was given to Deputy Robert Molloy:

"The road in question is a cul-de-sac road in need of major repairs. Only minor repairs can be carried out to County Roads, and then on a priority basis, under routine maintenance and as resources permit. The road to Mr. Jimmy Carr's house is not a priority road."

- 2171 - THAT URGENT REPAIRS BE CARRIED OUT TO THE ROAD LEADING FROM THE MAIN ROAD TO NICHOLAS BYRNE'S HOUSE AT CLAREMOUNT, OUGHTERARD: - MOTION BY DEPUTY ROBERT MOLLOY:

The following written reply was given to Deputy Robert Molloy

"The above road is a minor non-strategic County Road serving three houses. Due to lack of funds only minor repairs can be carried out to County Roads, and then only on a priority basis under routine maintenance and as resources permit. Repair of the road to Nicholas Byrne's house at Claremount, Oughterard, is not considered a priority."

- 2172 - THAT GALWAY COUNTY COUNCIL REMOVE DANGEROUS WALL IN ORDER TO IMPROVE VISABILITY AT JOHN SMITH'S HOUSE, BAWNMORE, CORRANDULLA: - MOTION BY COUNCILLOR PADDY MCHUGH:

The following written reply was given to Councillor Paddy McHugh:

"The remains of the roadside wall has been reduced in height by the landowner to approximately 5'0" above road level. Further reduction in height is desirable but improvement in sight distance would require removal/cutting of roadside trees/hedging. The work is not considered a priority in the circumstances."

THE MEETING THEN TERMINATED

Submitted, approved and confirmed.

M. J. B. Moran
CHAIRMAN

25th Cúlneam 1988
DATE

COMHAIRLE CHONTAE NA GAILLIMHE
(Galway County Council)

Oifig an Runai,
Arus an Chontae,
GAILLIMH.

31u la Marta, 1988.

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 h-Aoine, an 8u la Aibreain, 1988, ar a 3.00 a chlog sa trathnóna.

Mise, le meas,

E. O'GLIASAIN,
RUNAI.

A G E N D A

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

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 Planning Permission to Martin Sullivan of Curraghduff West, Oughterard, Co. Galway, for retention of mobile home at Curraghduff West. - Planning Reference Number 55487."
John Molloy. Michael Fahy. Mark Killilea.
2. "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. John Sullivan, The Square, Gort, to convert existing building into Cafe, Take-Away, Kitchen, Store, Toilets and Offices, and erection of signs. - Planning Ref. No. 54968."
Michael Fahy. Joe Lember. John Molloy.

Other Business:

3. Arrangements for discussing Planning Applications which might be the subject of Section 4 Resolutions.
4. Local Government (Planning and Development) Fees Regulations, 1984. - Fees payable in relation to Planning Applications for Mushroom Tunnels.

COUNCILLORS NOTICES OF MOTION:

DEPUTY FRANK FAHEY: - I will propose:

5. That the lands at Kiltiernan, Ardrahan, which was owned by Sean Kilraine and are held in bond by the Council in respect of the housing estates at Beech Grove, Oranmore, and Cloonarkin Drive, Oranmore, be released immediately to Mr. Kilraine.
6. That the County Manager grant Planning Permission to Mr. John Burke for a dwelling house at Garraun South, Oranmore.
7. Other Business.

MINUTES OF PROCEEDINGS OF SPECIAL MEETING OF GALWAY COUNTY COUNCIL HELD AT THE COUNTY BUILDINGS, GALWAY, ON FRIDAY, 8TH APRIL, 1988.

IN THE CHAIR: Councillor O'Morain.

ALSO PRESENT:

Members: As recorded in the Attendance Book.

Cllrs J. Brennan, U. Burke, M. Fahy, Sen. T. Hussey, Deputy M. Kitt, Cllrs J. Lambert, M. Loughnane, M. Lynch, Sen. P. McCormack, Cllrs. J. McDonagh, J. Molloy, P. Raftery, M. Ryan, T. Walsh and T. Welby.

Officials: Messrs. S. Keating, County Manager; P. Flood, County Engineer; L. Kavanagh, S.E.E. (Planning); D. Barrett, S.S.O. and T. Kavanagh Acting County Secretary.

The Opening Prayer was recited.

2222 - RESOLUTION UNDER SECTION 4 OF THE CITY & COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 55487
APPLICANT: MARTIN SULLIVAN.

The resolution as set out on the Agenda was proposed by Councillor J. Molloy and seconded by Councillor M. Fahy. The County Manager submitted the following report, a copy of which had been circulated to each Member:

"LOCATION

The site is located on the Glann road approximately 6 Miles north west of Oughterard.

HISTORY

55241: Permission refused for retention of mobile home on this site in December, 1987, on the grounds of no essential housing need and visual amenity.

PLANNING CONSIDERATIONS

The site is located on the edge of the public road on a wooded section of the Glann road. This is an area of outstanding scenic amenity and is listed as such in the County Development Plan. The mobile home is located in a fenced off hardstand where woodlands have been cleared and is an extremely obtrusive feature on the landscape. It is clear from the documents submitted that no essential housing need exists in this case and therefore the development would be contrary to the provisions of the County Development Plan.

RECOMMENDATION:

1. The site proposed to be developed is located in an area of outstanding scenic amenity where it is the general policy of the Planning Authority to limit development to cases of essential housing need. No such need exists and the proposed development, if permitted, would be contrary to the provisions of the County Development Plan and to the proper planning and development of the area.
2. The proposed development would be an obtrusive feature on the landscape which would not be capable of being assimilated into its surroundings and would, if permitted seriously detract from the scenic amenities of the area and would be contrary to the proper planning and development of the area.

The County Engineer said that the Council's main objection was on amenity grounds as the caravan was located in an area of outstanding scenic amenity. He said that the mobile home can be seen from the road and no housing need exists. The applicant had said that the mobile home would only be used for sleeping accommodation and the County Engineer said that some sanitary facilities would be required.

Councillor Molloy enquired if temporary permission could be granted. The County Manager said that he would not recommend a temporary permission.

Councillor Welby said that if the mobile home was pushed further back, it would not be as obtrusive and it might be possible to provide a septic tank. The County Engineer said this may result in locating the mobile home on higher ground.

Councillor Brennan proposed that the application be refused. Councillor J. Molloy proposed that the resolution be deferred to the monthly meeting and this was agreed.

2223 - RESOLUTION UNDER SECTION 4 OF THE CITY & COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 54968
APPLICANT : JOHN SULLIVAN.

The resolution as set out on the Agenda was proposed by Councillor M. Fahy and seconded by Councillor J. Molloy. The County Manager submitted the following report, a copy of which had been circulated to each Member:

LOCATION

The proposed site is located in Crow Lane leading into Gort on the West side of the road and some 80 yards to the north of Sullivans Hotel. This is primarily a mixed residential/retail area and there are over a dozen houses within 50 yards of the site.

PROPOSAL

The proposed development will involve the conversion of an existing old storage building into a takeaway.

PLANNING CONSIDERATIONS

Experience has shown that fast food takeaways have given rise to serious disturbances late at night, particularly at weekends. Despite general planning restrictions to close at 12 midnight these are invariably ignored and it has proved difficult to enforce the Planning law in the matter.

There are two existing takeaways in Gort and both have persistently been open for business well after midnight. Serious disturbances have taken place and we have been repeatedly asked by residents and the Gardai to enforce the Planning laws.

In this case the business will be an adjunct to an existing hotel business which now runs late night dances and has a car park to the rear of existing houses. It is almost certain that the proposal will result in congregations of people to the front and rear of the houses late at night, giving rise to noise nuisance and disturbance of residential amenity.

There are strong objections from the local residents.

RECOMMENDATIONS

1. The proposed development would be liable to give rise to disturbance and noise late at night and owing to the presence

of a number of residential properties in the vicinity, the proposed development would be detrimental to the residential amenities of the area and contrary to the proper planning and development of the area.

2. The proposed facade is considered to be out of keeping with the character of the existing streetscape which includes a number of traditional shopfronts and vernacular dwellings and the development as proposed would be detrimental to the visual amenities of the area."

Councillor Fahy said that his reason for putting forward the Section 4 resolution was that the applicant Mr. Sullivan had purchased a hotel in Gort in 1960 and had spent £1 million developing it and had given more employment than any other business. He said that at weekends up to 40 people were employed by the applicant. He said that the applicant has a large car park and allows it to be used for public use when required. Councillor Fahy said that the planning laws should be used to promote employment. Referring to discos in the Hotel, Councillor Fahy said that there never are rows after discos because the applicant polices the place with his own staff. He said that most local people favoured the development and that the objections arose from begrudgery and that the objectors were not living near it.

The County Manager read the following letter of objection from seven objectors:

"With regards to application for planning permission for "Takeaway" advertised in Irish for Mr. John Sullivan, Crowe St., Gort in The Irish Independent, Sept 9th, we the residents of Crowe St wish to lodge a complaint.

We are already disturbed by the noise and sometimes brutal fighting which goes on after the disco which is located at the rear of our houses and owned by Mr. Sullivan. A large gate had to be erected to prevent the Disco goers entering to our right away, where they knocked stones from the garden walls, broke outside house lights, interfered with clothes lines, graffiti left in lane way and all kinds of bottles such as whiskey, gin and vodka scattered around.

We feel this proposed "Take-Away" which we understand will have an entry from Crowe St to the Disco which has a bar extensior till 1 p.m. will cause sleepless nights, physical hardship to both young and old. We hope you can see our point. We are not objecting to offices or buildings that are closed at a reasonable hour."

Councillor M. Fahy said that the objections were not genuine. Councillor Brennan said that the objectors had a very strong case and that people seemed to hang around for hours after pubs closed etc. and that there was a similar situation in Ballinasloe. Councillor Brennan proposed that the application be refused.

Councillor Walsh said that people in residential areas were entitled to peace and quiet at night. Councillor U. Burke said that he also sympathised with the objectors. Councillor Lynch said that if the applicant had a restaurant licence up to 1.00 a.m., perhaps he could be granted planning permission for the same hours.

Councillor Lambert said that in other towns, premises are opened at all hours of the night with litter scattered all over the place. He said that the owners of such premises had an obligation to control litter. He said that the present applicant was being penalised for the sins of others.

As there no seconder for Councillor Brennan's proposal, the Chairman declared the resolution carried.

2224 - ARRANGEMENTS FOR DISCUSSING PLANNING APPLICATIONS.

Councillor Welby said that he made a proposal at the last meeting that a Committee of all or some of the Council members be set up to discuss planning applications. He said the members could meet in Committee for about a hour before planning meetings.

The County Manager said that there was already an arrangement in existence whereby on the day of planning meetings, planning staff were available to discuss particular applications with members who may have an interest in them.

Councillor Welby said that alot of Counties have planning committees and he proposed that a Committee be established and meet for one hour before planning meetings. Councillor Brennan said that he could not see the purpose of establishing a committee as proposed by Councillor Welby. He said that consultation arrangements were available for Section 4 cases and he noted from some of the reports that no consultations took place.

At this point a group of people from Comhacht entered the Council Chamber carrying plaque cards. One member of the group addressed the Council and was followed by others. They were protesting at the imprisonment of Councillor Peadar O'Tuathail.

The Chairman asked the group to desist from speaking and interrupting the meeting, otherwise he would have to adjourn the meeting. Members of the group refused to do this and continued speaking. The Chairman then adjourned the Meeting.

2225 - VOTES OF SYMPATHY

Votes of sympathy were adopted with the following:

Ms Ita Sheil, Kylebrack, Loughrea.
Mr. Jack Kenny, Newtowndaly, Loughrea.
Mr. Thomas J. Sheil, The Hill, Kylebrack, Loughrea.

THE MEETING THEN TERMINATED.

Submitted, approved and confirmed.

M. Brennan
Chairman

25th April 1988.
Date

COMHAIRLE CHONTAE NA GAILLIMHE
(Galway County Council)

Oifig an Runai,
Arus an Chontae,
GAILLIMH.

3lu la Marta, 1988.

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 h-Aoine, an 8u la Aibreain, 1988, ar a 3.00 a chlog sa trathnona.

Mise, le meas,

E. O'GLIASAIN,
RUNAI.

A G E N D A

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

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 Planning Permission to Martin Sullivan of Curraghduff West, Oughterard, Co. Galway, for retention of mobile home at Curraghduff West. - Planning Reference Number 55487."
John Molloy. Michael Fahy. Mark Killilea.
2. "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. John Sullivan, The Square, Gort, to convert existing building into Cafe, Take-Away, Kitchen, Store, Toilets and Offices, and erection of signs. - Planning Ref. No. 54968."
Michael Fahy. Joe Lumbert. John Molloy.

Other Business:

3. Arrangements for discussing Planning Applications which might be the subject of Section 4 Resolutions.
4. Local Government (Planning and Development) Fees Regulations, 1984. - Fees payable in relation to Planning Applications for Mushroom Tunnels.

COUNCILLORS NOTICES OF MOTION:

DEPUTY FRANK FAHEY: - I will propose:

5. That the lands at Kiltiernan, Ardrahan, which was owned by Sean Kilraine and are held in bond by the Council in respect of the housing estates at Beech Grove, Oranmore, and Cloonarkin Drive, Oranmore, be released immediately to Mr. Kilraine.
6. That the County Manager grant Planning Permission to Mr. John Burke for a dwelling house at Garraun South, Oranmore.
7. Other Business.

MINUTES OF PROCEEDINGS OF SPECIAL MEETING OF GALWAY COUNTY COUNCIL
HELD AT THE COUNTY BUILDINGS, GALWAY, ON FRIDAY, 8TH APRIL, 1988.

IN THE CHAIR: Councillor O'Morain.

ALSO PRESENT:

Members: As recorded in the Attendance Book.

Cllrs J. Brennan, U. Burke, M. Fahy,
Sen. T. Hussey, Deputy M. Kitt, Cllrs J.
Lambert, M. Loughnane, M. Lynch, Sen. P.
McCormack, Cllrs. J. McDonagh, J. Molloy,
P. Raftery, M. Ryan, T. Walsh and T. Welby.

Officials: Messrs. S. Keating, County Manager; P.
Flood, County Engineer; L. Kavanagh, S.E.E.
(Planning); D. Barrett, S.S.O. and T. Kavanagh
Acting County Secretary.

The Opening Prayer was recited.

2222 - RESOLUTION UNDER SECTION 4 OF THE CITY & COUNTY MANAGEMENT
(AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 55487
APPLICANT: MARTIN SULLIVAN.

The resolution as set out on the Agenda was proposed by Councillor J. Molloy and seconded by Councillor M. Fahy. The County Manager submitted the following report, a copy of which has been circulated to each Member:

"LOCATION

The site is located on the Glann road approximately 6 Miles north west of Oughterard.

HISTORY

55241: Permission refused for retention of mobile home on this site in December, 1987, on the grounds of no essential housing need and visual amenity.

PLANNING CONSIDERATIONS

The site is located on the edge of the public road on a wooded section of the Glann road. This is an area of outstanding scenic amenity and is listed as such in the County Development Plan. The mobile home is located in a fenced off hardstand where woodlands have been cleared and is an extremely obtrusive feature on the landscape. It is clear from the documents submitted that no essential housing need exists in this case and therefore the development would be contrary to the provisions of the County Development Plan.

RECOMMENDATION:

1. The site proposed to be developed is located in an area of outstanding scenic amenity where it is the general policy of the Planning Authority to limit development to cases of essential housing need. No such need exists and the proposed development, if permitted, would be contrary to the provisions of the County Development Plan and to the proper planning and development of the area.

2. The proposed development would be an obtrusive feature on the landscape which would not be capable of being assimilated into its surroundings and would, if permitted seriously detract from the scenic amenities of the area and would be contrary to the proper planning and development of the area.

The County Engineer said that the Council's main objection was on amenity grounds as the caravan was located in an area of outstanding scenic amenity. He said that the mobile home can be seen from the road and no housing need exists. The applicant had said that the mobile home would only be used for sleeping accommodation and the County Engineer said that some sanitary facilities would be required.

Councillor Molloy enquired if temporary permission could be granted. The County Manager said that he would not recommend a temporary permission.

Councillor Welby said that if the mobile home was pushed further back, it would not be as obtrusive and it might be possible to provide a septic tank. The County Engineer said this may result in locating the mobile home on higher ground.

Councillor Brennan proposed that the application be refused. Councillor J. Molloy proposed that the resolution be deferred to the monthly meeting and this was agreed.

2223 - RESOLUTION UNDER SECTION 4 OF THE CITY & COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 54968
APPLICANT: JOHN SULLIVAN.

The resolution as set out on the Agenda was proposed by Councillor M. Fahy and seconded by Councillor J. Molloy. The County Manager submitted the following report, a copy of which had been circulated to each Member:

"LOCATION

The proposed site is located in Crow Lane leading into Gort on the West side of the road and some 80 yards to the north of Sullivans Hotel. This is primarily a mixed residential/retail area and there are over a dozen houses within 50 yards of the site.

PROPOSAL

The proposed development will involve the conversion of an existing old storage building into a takeaway.

PLANNING CONSIDERATIONS

Experience has shown that fast food takeaways have given rise to serious disturbances late at night, particularly at weekends. Despite general planning restrictions to close at 12 midnight these are invariably ignored and it has proved difficult to enforce the Planning law in the matter.

There are two existing takeaways in Gort and both have persistently been open for business well after midnight. Serious disturbances have taken place and we have been repeatedly asked by residents and the Gardai to enforce the Planning laws.

In this case the business will be an adjunct to an existing hotel business which now runs late night dances and has a car park to the rear of existing houses. It is almost certain that the proposal will result in congregations of people to the front and rear of the houses late at night, giving rise to noise nuisance and disturbance of residential amenity.

There are strong objections from the local residents.

RECOMMENDATIONS

1. The proposed development would be liable to give rise to disturbance and noise late at night and owing to the presence

of a number of residential properties in the vicinity, the proposed development would be detrimental to the residential amenities of the area and contrary to the proper planning and development of the area.

2. The proposed facade is considered to be out of keeping with the character of the existing streetscape which includes a number of traditional shopfronts and vernacular dwellings and the development as proposed would be detrimental to the visual amenities of the area."

Councillor Fahy said that his reason for putting forward the Section 4 resolution was that the applicant Mr. Sullivan had purchased a hotel in Gort in 1960 and had spent £1 million developing it and had given more employment than any other business. He said that at weekends up to 40 people were employed by the applicant. He said that the applicant has a large car park and allows it to be used for public use when required. Councillor Fahy said that the planning laws should be used to promote employment. Referring to discos in the Hotel, Councillor Fahy said that there never are rows after discos because the applicant polices the place with his own staff. He said that most local people favoured the development and that the objections arose from begrudgerly and that the objectors were not living near it.

The County Manager read the following letter of objection from seven objectors:

"With regards to application for planning permission for "Takeaway" advertised in Irish for Mr. John Sullivan, Crowe St., Gort in The Irish Independent, Sept 9th, we the residents of Crowe St wish to lodge a complaint.

We are already disturbed by the noise and sometimes brutal fighting which goes on after the disco which is located at the rear of our houses and owned by Mr. Sullivan. A large gate had to be erected to prevent the Disco goers entering to our right away, where they knocked stones from the garden walls, broke outside house lights, interfered with clothes lines, graffiti left in lane way and all kinds of bottles such as whiskey, gin and vodka scattered around.

We feel this proposed "Take-Away" which we understand will have an entry from Crowe St to the Disco which has a bar extension till 1 p.m. will cause sleepless nights, physical hardship to both young and old. We hope you can see our point. We are not objecting to offices or buildings that are closed at a reasonable hour."

Councillor M. Fahy said that the objections were not genuine. Councillor Brennan said that the objectors had a very strong case and that people seemed to hang around for hours after pubs closed etc. and that there was a similar situation in Ballinasloe. Councillor Brennan proposed that the application be refused.

Councillor Walsh said that people in residential areas were entitled to peace and quiet at night. Councillor U. Burke said that he also sympathised with the objectors. Councillor Lynch said that if the applicant had a restaurant licence up to 1.00 a.m., perhaps he could be granted planning permission for the same hours.

Councillor Lambert said that in other towns, premises are opened at all hours of the night with litter scattered all over the place. He said that the owners of such premises had an obligation to control litter. He said that the present applicant was being penalised for the sins of others.

As there no seconder for Councillor Brennan's proposal, the Chairman declared the resolution carried.

2224 - ARRANGEMENTS FOR DISCUSSING PLANNING APPLICATIONS.

Councillor Welby said that he made a proposal at the last meeting that a Committee of all or some of the Council members be set up to discuss planning applications. He said the members could meet in Committee for about a hour before planning meetings.

The County Manager said that there was already an arrangement in existence whereby on the day of planning meetings, planning staff were available to discuss particular applications with members who may have an interest in them.

Councillor Welby said that alot of Counties have planning committees and he proposed that a Committee be established and meet for one hour before planning meetings. Councillor Brennan said that he could not see the purpose of establishing a committee as proposed by Councillor Welby. He said that consultation arrangements were available for Section 4 cases and he noted from some of the reports that no consultations took place.

At this point a group of people from Comhacht entered the Council Chamber carrying plaque cards. One member of the group addressed the Council and was followed by others. They were protesting at the imprisonment of Councillor Peadar O'Tuathail.

The Chairman asked the group to desist from speaking and interrupting the meeting, otherwise he would have to adjourn the meeting. Members of the group refused to do this and continued speaking. The Chairman then adjourned the Meeting.

2225 - VOTES OF SYMPATHY

Votes of sympathy were adopted with the following:

- Ms Ita Sheil, Kylebrack, Loughrea.
- Mr. Jack Kenny, Newtowndaly, Loughrea.
- Mr. Thomas J. Sheil, The Hill, Kylebrack, Loughrea.

THE MEETING THEN TERMINATED.

Submitted, Approved
& Confirmed.
Signed: M. J. Brennan
Chairman.
Date: ~ 20th Bealtaine 1988.

COMHAIRLE CHONTAE NA GAILLIMHE.
(Galway County Council)

Oifig an Runai,
Arus an Chontae,
GAILLIMHE.

18u Aibrean, 1988.

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, an 25u la Aibrean, 1988, ar a 3.30 a chlog sa trathnóna.

Mise, le meas,

E. O'GLIASAIN,
RUNAI.

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 Planning Permission to Martin Sullivan of Curraghduff West, Oughterard, Co. Galway for retention of mobile home at Curraghduff West - Planning Ref. No. 55487"

John Molloy. Michael Fahy. Mark Killilea.
2. Consideration of Minutes of the following Meetings.
 - (a) Special Meeting held on 11th March, 1988.
 - (b) Monthly Meeting held on 28th March, 1988.
 - (c) Special Meeting held on 8th April, 1988.
3. Disposal of plot of land at Barryderry, Carraroe to Mr. Patrick Wallace, Killeen Road, Carraroe under Section 83 of the Housing Act, 1966 - Section 83 Notice dated 14th April, 1988 already circulated.
4. Tuam Town Boundary Extension - Report enclosed.
5. Spiddal Regional Water Scheme - Flooding of lands.
6. Circular Letter EL 15/87 from Department of the Environment regarding Controls on Travelling and Subsistence Expenses.
7. Environment Campaign 1988 - Details enclosed.
8. Nomination of Member to the Western Regional Tourism Organisation for year 1988/89.
9. Annual Conference of General Council of County Councils' - Athlone - 9th - 11th June, 1988.

- 10. Letter from Galway-Mayo Regional Development Organisation regarding Sligo/Limerick Railway Line.
- 11. Malicious Injury Decrees.
- 12. Business submitted by the County Manager.

COUNCILLORS' NOTICES OF MOTION.

(a) Adjourned from previous Meeting.

DEPUTY NOEL TREACY: - I will propose:

- 13. That immediate action be taken to alleviate the serious difficulties being encountered by motorists close to the Hill of Aughrim and adjacent to a house (details supplied) that this action should include termination and prevention of any water accumulating or flowing from the Hill of Aughrim down along this stretch of road which is making the road dangerous for motorists, cyclists and pedestrians alike, and that these works would be carried out forthwith.

COUNCILLOR JOE BRENNAN - I will propose:

- 14. That a reasonable amount of time be allocated to discuss health matters relating to County Galway; that motions be forwarded from the County Council to the Western Health Board - to be supported by the Galway representatives on the Health Board and that they report back to the Council on their deliberations within a reasonable time and that Health Board Officials be invited to discuss specific matters to meetings.

COUNCILLOR THOMAS WELBY: - I will ask:

- 15. What is the total amount of money paid out to members of Inverview Boards for the past seven years.

COUNCILLOR PADDY McHUGH: - I will ask:

- 16. What monies allocated for roadworks projects in the Moycullen area from June, 1985 to date were subsequently reallocated to other areas? - What amounts of money were involved? - to which areas they were re-allocated? For what reasons? On whose authority?

(b) Other Motions Received:

COUNCILLOR JARLATH McDONAGH: - I will propose

- 17. That the County Council utilise Social Employment Schemes to carry out amenity work at Headford (Details enclosed).
- 18. That the County Council utilise Social Employment Schemes to carry out badly needed repair works at Claregalway (Details enclosed).
- 19. That the County Council carry out small but essential works at Cahernahoon, Cumber.

DEPUTY NOEL TREACY: - I will propose.

- 20. That Galway County Council immediatly and adequately compensate a couple for the compulsory acquisition of their property at a place in County Galway (Details enclosed).
- 21. That Galway County Council carry out immediate repairs to a house at a location (details supplied), in view of the serious deterioration and peculiar situation pertaining to this property, that these works be carried out without delay and that the dates and works to be carried out be outlined in detail immediatly.

COUNCILLOR JOE LAMBERT: - I will propose

- 22. That something be done to make safe the dangerous house at Main Street, Kinvara.

DEPUTY ROBERT MOLLOY: - I will propose:.

- 23. That provision be made in the design of the proposed Oranmore Sewerage Scheme to ensure pipe sizes are adequate to cater for development of lands between Oranmore and Merlin Park.
- 24. That members be provided with a copy of the Council's submission to the Offshore Islands Committee.

DEPUTY ROBERT MOLLOY (contd)...

25. That a school traffic warden be appointed to do duty outside Barna National School.
- SENATOR PADRAIC McCORMACK - I will ask.
26. Why a person (details supplied) of Truskey East, Barna is being refused a water connection to the Truskey West/Aille Group Water Scheme.
27. That Galway County Council request adequate monies from the National Lottery funds, to restart the work on the development of the City and County Park at Rinville.
- DEPUTY MICHEAL KITT - I will propose
28. That two drains at Killure, Ahascragh, be cleaned by Galway County Council (details enclosed).
29. That Galway County Council repair potholes and carry out resurfacing on the Ballagh Road, Menlough, Ballinasloe.
- COUNCILLOR MARTIN LYNCH - I will propose.
30. That Galway County put a public light outside Mrs. Moylans (Winkles Hotel in Kinvara). This is the only hotel in Kinvara and its right in the centre of the Square in Kinvara. There is a Weighbridge in the Square and this is being used as a toilet at night, so if there was a public light there it may stop this.
31. That Galway County Council put a skip for rubbish on the Pier at Blackweir in Maree, as there is a lot of rubbish being dumped there everyday.
- COUNCILLOR ULICK BURKE - I will propose
32. That Galway County Council extend sewerage facilities along St. Joseph's Road, Portumna.
- COUNCILLOR P. McHUGH - I will propose.
33. What improvement works have been carried out on the treatment plant at Headford over the past two years? What improvement works are to be carried out this year to eliminate pollution problems caused by the inadequate sewage treatment facilities? What progress has been made in carrying out preliminary report for new sewage treatment plant and sewer lines.
34. That Galway County Council extend the speed limit on the Galway Road, Headford to 100 yds beyond Joyces Hardware Store, Galway Road, Headford.
- COUNCILLOR MATT LOUGHNANE - I will propose.
35. That overhead barriers be erected at entrance to S.E.S. site at Shanbally, Craughwell.
- COUNCILLOR MICHAEL FAHY - I will propose.
36. That Galway County Council will close Lay-By at Lissatunna, Ardrahan to prevent area from traders parking and camping for weeks on this Lay-By.
- COUNCILLOR THOMAS WELBY - I will propose.
37. That an application be made to the Department for traffic route lighting for Leenane Village.
38. That signs be erected on both ends approaching Leenane National School warning motorists of children crossing.
39. What is the present position regarding the proposed extension to the High Cashel Burial Ground, has the land owner signed for the transfer of land.

MALICIOUS DAMAGES DECREES

Name and Address	Particulars of Claim	Area of Charge	Amount of Claim	Amount of Decree including costs.
Eileen Monaghan, Ballinderry Park, Mayfield, Cork.	Damage to Property	County at large	£50,000	£34,416.00
John Donnellan, Briar Hill,, Galway.	Damage to Vehicle	County at large	£900	£814
Michael Monaghan, Immaunmore, Barnaderng, Tuam. Co. Galway.	Damage to property	County at large	£4,000	£5,101.31
Irish Wool Producers Ltd.	Damage to property	County at large	£3,245.00	£1,956.75
Roache Transport Ltd. 178 Corrib Pk., Newcastle.	Damage to property	County at large	£1425.00	£2121.30

MINUTES OF PROCEEDINGS OF MONTHLY MEETING OF GALWAY COUNTY COUNCIL HELD AT THE COUNTY BUILDINGS, GALWAY, ON MONDAY, 25TH APRIL, 1988.

IN THE CHAIR: Councillor M. O'Morain.

ALSO PRESENT:

Members: As recorded in the Attendance Book.

Councillors J. Brennan, J. Burke, U. Burke, J. Callanan, Deputy F. Fahey, Councillors M. Fahy, P. Finnegan, Senator T. Hussey, Councillors J. Joyce, M. Killilea, Deputy M. Kitt, Councillors J. Lambert, M. Lynch, M. Loughnane, J. McDonagh, P. McHugh, J. Mannion, J. Molloy, Deputy R. Molloy, Senator N. O'Conchubhair, Councillors P. O'Tuathail, P. Raftery, M. Ryan, T. Walsh and T. Welby, Senator P. McCormack and Deputy N. Treacy.

Officials: Messrs S. Keating, County Manager; J. Howlett, Asst. County Manager; P. Flood, County Engineer; L. Kavanagh, S.E.E. (Planning); E. Gleeson, County Secretary; E. Lusby, Finance Officer; T. Kavanagh, Administrative Officer; D. Barrett, S.S.O. Planning; J. Crotty, Deputy County Engineer.

The Opening Prayer was recited.

2226 - RESOLUTION UNDER SECTION 4 OF THE CITY & COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 55487 APPLICANT: MARTIN SULLIVAN.

The Resolution as set out on the Agenda was proposed by Councillor J. Molloy and seconded by Cllr. M. Fahey. The County Manager submitted the following report, a copy of which had been circulated to each Member:

"LOCATION

The site is located on the Glann road approximately 6 miles north west of Oughterard.

HISTORY

55241: Permission refused for retention of mobile home on this site in December, 1987, on the grounds of no essential housing need and visual amenity.

PLANNING CONSIDERATIONS:

The site is located on the edge of the public road on a wooded section of the Glann road. This is an area of outstanding scenic amenity and is listed as such in the County Development Plan. The mobile home is located in a fenced off hardstand where woodlands have been cleared and is an extremely obtrusive feature on the landscape. It is clear from the documents submitted that no essential housing need exists in this case and therefore the development would be contrary to the provisions of the County Development Plan.

MONTHLY MEETING OF 25TH APRIL, 1988.

2.

RECOMMENDATIONS:

1. The site proposed to be developed is located in an area of outstanding scenic amenity where it is the general policy of the Planning Authority to limit development to cases of essential housing need. No such need exists and the proposed development, if permitted, would be contrary to the provisions of the County Development Plan and to the proper planning and development of the area.

2. The proposed development would be an obtrusive feature on the landscape which would not be capable of being assimilated into its surroundings and would, if permitted seriously detract from the scenic amenities of the area and would be contrary to the proper planning and development of the area."

The County Engineer stated that the mobile home was situated on the Glann Road, northwest of Oughterard, in an area of high scenic amenity. The mobile home had been put in an area which had been cleared of trees the clearance of which had done a certain amount of damage to the area. When the applicant had been asked regarding the method of sewerage disposal, he had indicated that a dwelling house nearby would be used and that the mobile home would be used only for sleeping accommodation in the summer months. The area where the mobile home was situated was one of exceptional scenic amenity and no essential housing need had been claimed.

Councillor M. Killilea, M.E.P., stated that the area which had been cleared consisted of scrub and not of trees and that a lay-by had been provided in front of the mobile home which was not visible from the roadway. He said that a septic tank could be located further back into the scrub and if the caravan was causing a problem it could be moved back further. There was already an existing septic tank serving the house in the area. Councillor Killilea stated that the mobile home would be used only occasionally and stated that planning permission should be granted in this case. The County Engineer stated that if the caravan was to be moved back further this would constitute a completely different planning application. The County Engineer also stated that the house referred to by Councillor Killilea was not immediately adjoining the mobile home.

It was proposed by Councillor J. Brennan, seconded by Councillor J. Burke that planning permission not be granted in this case.

A vote taken after 5 p.m. for or against the resolution as set out on the Agenda resulted as follows:

FOR: Councillors U. Burke, J. Callanan, Dep. F. Fahey, Councillors M. Fahy, P. Finnegan, Sen. T. Hussey, Councillors J. Joyce, M. Killilea, Dep. M. Kitt, Councillors M. Lynch, P. McHugh, J. Molloy, Sen. O'Conchubhair, M. O'Morain, P. Raftery, Dep. N. Treacy and Councillor T. Welby. (17)

AGAINST: Councillors J. Brennan, J. Burke and P. O'Tuathail (3)

Councillors J. Lambert, J. McDonagh, M. Ryan and T. Walsh, abstained from voting. The Chairman declared the resolution as set on the Agenda carried.

2227 - MINUTES

On the proposition of Councillor J. Mannion, seconded by

Councillor P. Finnegan, the Minutes of the following Meetings of the Council were adopted and signed by the Chairman:

- (a) Special Meeting held on 11th March, 1988.
- (b) Monthly Meeting held on 28th March, 1988.
- (c) Special Meeting held on 8th April, 1988.

Section 4 resolution - Planning application number 55688 - Applicant: Sean Kenny - Councillor U. Burke referred to Minute 2174 of the Monthly Meeting of the Council held on 28th March, 1988 where a resolution under Section 4 of the City & County Management (Amendment) Act, 1955, had been passed directing the County Manager to grant planning permission to Mr. Sean Kenny for the erection of dwelling house at Crinnage or Ballywulash - planning application number 55688. Councillor Burke referred to the fact that the County Manager having sought legal advice had decided to refuse planning permission in this case. He referred to the County Law Agent's letter of advice dated 14th April, 1988, a copy of which had been circulated to each member. Councillor Burke took issue with the Law Agent's interpretation of the discussion at the Meeting of 28th March, 1988. He asked for the definition of a second family house. He also referred to the third paragraph of the Law Agent's letter which stated that two Councillors speaking for the motion said that the speed limit should be moved out. He stated that the statement made by the Law Agent was not an accurate account of that aspect of the discussion and stated that what was said at the Meeting was that there was a proposal in the past that the speed limit be moved out because of the existence of a National School nearby.

The County Engineer read the following definition in relation to a second family house:-

"Individual houses only shall be permitted which are in the essential housing need category as at (a) below and where an alternative vehicular access is not available on to another roadway from family lands. All such claims must be fully substantiated in writing.

- (a) a house for a member of a farmholder's immediate family which may include a son, daughter, brother or sister."

The County Engineer stated that alternative lands were available in this case.

Councillor Burke stated that the fiancée of the applicant was a daughter of the landowner. He went on to state that the alternative lands referred to by the Council Officials had been shown not to be available. The County Manager stated that the Planning Officer had indicated in his report to the Council Meeting of 28th March, 1988, that there were alternative lands available.

Councillor Burke requested that the Council seek further clarification and legal advice on the matter. Deputy M. Kitt supported Councillor Burke and stated that another daughter and her fiancée had applied for planning permission and he understood that two houses could be built using one entrance. The County Manager stated that he had no information on the second application referred to by Deputy Kitt and that such application would be dealt with in the normal way.

Councillor Burke requested that the Council seek further legal advice on the matter and the County Manager stated that the matters referred to in this discussion would be referred to the Law Agent for comment.

CRAUGHWELL SEWERAGE SCHEME

Councillor M. Loughnane stated that the reference to Craughwell Water Scheme at Minute No. 2175 of the Council Meeting of 28th March, 1988, should read Craughwell Sewerage Scheme. It was agreed that this amendment would be recorded.

2228 - DISPOSAL OF PLOT OF LAND AT BARRYDERRY, CARRAROE TO PATRICK WALLACE.

It was proposed by Senator N. O'Conchubhair, seconded by Councillor P. O'Tuathail, and resolved:

"that Galway County Council hereby approve the transfer of a plot of land at Barryderry, Carraroe to Mr. Patrick Wallace, measuring 0.14 acres in accordance with the terms set out in the Notice under Section 83 of the Local Government Act, 1946, which had been circulated to each Member on 14th April, 1988."

2229 - SPIDDAL REGIONAL WATER SUPPLY SCHEME - WATER ABSTRACTION ORDER.

The following report was circulated to each member of the Council:

"The position in this case is that a Water Abstraction Order was made to provide a supply of water for the Spiddal Regional Water Supply Scheme. The Water Abstraction Order involved the raising of the level of the lake. A total of 21 landowners were listed in the Book of Reference and the statutory notices were served on them.

Only 3 landowners applied for compensation within the statutory time period of 1 year. The Council was consequently unable to deal with the question of compensation with persons who did not apply for compensation within the statutory period under the provisions of the Water Supplies Act, 1942. Nevertheless, the Council has entered into negotiations with the landowners affected by the raising of the level of the lake with a view to purchasing the lands in question. An Offer has been made and a meeting has taken place with the landowners involved. Agreement has not yet been made with any of the landowners and negotiations are continuing. Any agreement reached will be subject to the required capital finance being made available by the Department of the Environment and a request for approval to the Council's proposal has been made. It is hoped that the matter will be satisfactorily resolved shortly."

Councillor N. O'Conchubhair referred to objections by the owner of the lake and stated that this matter had been going on for a number of years. Mr. J. Howlett stated that the Council had got a Water Supply Abstraction Order in respect of the lake and that some riparian landowners had made claims for compensation after the statutory time has expired. Negotiations were going on at the moment with the persons concerned and every effort would be made to expedite the matter. Any agreement reached would be subject to the required finance being made available from the Department of the Environment.

2230 - PLANNING COMMITTEE

Councillor T. Welby referred to a proposal which he had made

at the Council Meeting of the 8th April, 1988, that a Planning Committee consisting of all the members of the Council be set up and that the Committee meet one hour before the Special Planning Meeting every month. The Chairman stated that the suggestion was that the Council should meet in Committee to discuss planning problems of a confidential nature outside of the public meeting and that the first hour of the Meeting to deal with planning matters should be held in Committee. The public meeting could then be held immediately afterwards. The Council would meet in Committee at 3.00 p.m. and the first hour would be held in Committee. The public meeting would start at 4.00 p.m. The Council agreed with the proposals outlined by the Chairman.

2231 - CONTROLS ON TRAVELLING AND SUBSISTENCE EXPENSES.

The Council considered a report dated 22nd April, 1988, a copy of which had been circulated to each member regarding controls on travelling and subsistence. The report indicated that the Minister for the Environment had directed by Circular Letter EL 15/87 of 19th October, 1987, that local authorities take the necessary steps to ensure that expenditure on travelling and subsistence in local authorities in 1988 did not exceed 80% of the estimated outturn for 1987. The Council were informed that a review of the Council's situation had been carried out in accordance with the requirements of the Minister's direction. In the case of officers severe difficulties would be encountered in that to achievement a 20% expenditure reduction a considerably greater percentage of mileage reduction would have to be achieved. The Council's difficulties in this area were compounded by the fact that the farm pollution survey was requiring substantial mileage over and above last year's levels. It was proposed however to impose the necessary cuts even if it meant that officers would be unable to carry out duties requiring travelling expenses.

In the case of members expenses, 80% of last year's outturn amounted to £56,000. This figure covered expenses for all council and committee meetings and expenses of members attending meetings and conferences outside the County also. In order to live within the budget, it appeared to be crucial that the number of council meetings should be settled. A total of 28 meetings in 1988 would allow for two meetings per month plus three estimates meetings and one roads meeting. The estimated cost of 28 meetings was £36,400.

A schedule setting out proposals for the consideration of the Council in relation to the various committees was circulated to each member. The estimated cost of expenses for the meetings listed on the schedule was £9,195. It was considered that a sum of about £2,500 should be set aside to cover contingencies leaving a balance of £7,905 to cover the cost of members expenses for attendance at Irish Public Bodies Mutual Insurances Annual Meeting, General Council of County Councils, and Conferences. Of this figure of £7,904, a sum of £4,800 has been committed to date leaving a balance of £3,105 to cover expenses for the above three purposes for the remainder of 1988. The Council were informed that it was essential that the Council make a decision in relation to the issues contained in the memorandum circulated as soon as possible. If the Council agreed to a total of 28 meetings for the year, decisions about future conferences must be taken in the light of the unexpended balance available for 1988. It was proposed in future to have information at each council meeting as to the amount unexpended on foot of conferences so that the Council would remain within the budget for the year.

Councillor J. Burke proposed that the number of council meetings be fixed at 24 for 1988. He stated that some meetings had very small Agendas and a total of 24 meetings would be

sufficient to deal with the business of the Council. Councillor Burke stated that he understood that there were severe cutbacks in relation to officers travelling expenses and that the reductions in mileage in County Galway were much greater than the reductions in Roscommon and Mayo. Councillor Burke stated that realistic mileage allocations should be allowed to the Council's Engineers as work would be seriously affected by the lack of supervision. Councillor Burke stated that the Council's Engineers should get a realistic allocation to enable them to carry out their duties effectively. Councillor Burke's proposal that the number of council meetings be fixed at 24 for 1988 was seconded by Councillor J. Brennan.

Sen. T. Hussey stated that he agreed with the County Manager's suggestion that the number of meetings of the council be fixed at 28. He said that a number of committees had not met and other committees had been abolished. He would like to have sufficient council meetings to clear agendas. As regards the expenses paid to officials he hoped that the curtailment would not hinder in any way the work being carried out by them.

Councillor P. McHugh stated that it was vital to ensure that any restrictions be implemented in a balanced way and that staff on roadworks be retained.

Deputy F. Fahey stated that the Council required two meetings per month to deal with the Agendas in total. The present arrangements had been introduced after the last local elections and were a major improvement on the position which obtained prior to that. Deputy Fahey asked that the cutbacks in relation to supervisors be not so serious as to curtail work on hands.

In reply to Councillor J. Mannion, the County Manager stated that the Minister's direction was that expenditure on travelling and subsistence in 1988 did not exceed 80% of the estimated outturn for 1987 and that this limitation was being applied right across the board.

Councillor Mannion stated that he accepted the overall figure of £56,000 as being available for members. He stated, however, that a number of committees had not met and that the Council could be operating below that figure. He proposed that further consideration of the matter be postponed until the annual meeting of the Council when the up to date figures on travelling expenses and subsistence of members could be reviewed at that time. Councillor Mannion's proposal was seconded by Councillor J. Lambert. *Dúirt An Comhairleoir P. O'Tuathail go raibh stopa churtha leis an obair i gceanntar airthe tosc go raibh teorainn curtha ar liuntais taistil na nInnealtoiri.*

Councillor U. Burke stated that the Council required a more balanced report in the context of overall expenditure and comparisons setting out the activities of all officers at the present time as against times when the Council had greater activity and expenditure. He asked if the Council were being asked to cut travelling expenses at a time when there were less allocations and less activity on the ground. He referred to new activities imposed on the Council such as the monitoring of pollution without the necessary additional finance being made available. He said that greater details should be made available to the members on how much was being spent in servicing roads as against how much was being spent in servicing pollution operations.

Councillor J. McDonagh stated that the areas of supervision should not be cut back as work would come to a stand still if the supervisors were unable to travel to jobs.

Senator N. O'Conchubhair stated that the possibility of closing down Council activities during the month of August should

be considered and the question of not holding any Council meetings in August should also be considered. He stated that work on the road into Carraroe was being affected by the restriction on mileage. Councillor McCormack enquired if the cutback would take into account committees which had been abolished such as the Local Health Committee and the Committee of Agriculture. The County Manager indicated that the expenses of members of these committees were not being paid by the Council.

The County Manager stated that he had placed the matter on the Agenda for discussion. He had set out proposals for consideration by the Council and other proposals could be made, as for example not holding meetings in August, but the reduction required by the terms of the Circular would have to be achieved. He stated that he proposed implementing the cutbacks in relation to the cost of travelling of Council staff and referred to the difficulties particularly in relation to the farm survey which was being carried out. The restrictions on mileage were severe and the County Engineer was examining ways in which the available mileage might be distributed. He saw no point in going back to the Minister and he was seeking a decision from the Council in relation to expenses of members. He would be insisting on the maximum economies in relation to mileage from overseers and other staff. In reply to Senator T. Hussey, he stated that he had issued instructions that where Council transport was available to jobs it should be availed of. There were certain activities such as planning and water pollution where mileage restrictions could not be imposed.

Councillor J. Burke proposed that information be sought from Mayo and Roscommon County Councils regarding the mileage allowances allowed to staff in those Councils. Deputy R. Molloy seconded Councillor Burke's proposal.

Councillor J. Brennan proposed that the Council protest to the Minister regarding the restrictions and that the Minister be informed that it was not possible for the Council to continue its present level of operations and that the Council seek subvention from the Minister. Councillor Brennan's proposal was seconded by Senator P. McCormack.

Deputy R. Molloy proposed that the Council seek clarification on whether the Minister for the Environment had power to direct Councillors in relation to the amount of travelling expenses and subsistence which they incurred. Councillor J. Joyce seconded Deputy Molloy's proposal. Following further discussion it was agreed on the proposal of the Chairman that further consideration of this matter be deferred until the Annual Meeting of the Council and that in the meantime clarification be sought regarding the power of the Minister to direct the Council regarding travelling expenses.

2232 - VOTES OF SYMPATHY

The Council passed votes of sympathy with Miss Maura Moloney, Assistant Staff Officer, on the recent death of her mother, with Mr. Hubert Newell on the recent death of his father and J. Lynch, Bealadangan on the death of his father.

On the proposal of Councillor M. Ryan, seconded by Senator T. Hussey the Council passed a vote of sympathy with the wife and family of the late John Faherty, former member of Galway County Council.

Votes of sympathy were also adopted with the following:

Mr. Bob Tierney, Clareen, Attymon, Athenry.
Mrs John Gannon, Middletown, Glenamaddy.
Mr. Vincent Joyce, Leenane.

Mr. Christy McNamee, Moore St., Loughrea.
Mr. John Kelly, Ardahan.
Mr. Frank Kelly, c/o St. Joseph's, St. Bridget's Hospital, B'sloe.

The County Manager on his own behalf and on behalf of the staff associated himself with the votes of sympathy.

The Council adjourned for a short period as a mark of respect.

2233 - LANDS AT KILTIERNAN, ARDRAHAN - SEAN KILRAINE.

On resumption it was agreed at the request of Deputy F. Fahey that this matter would be placed on the Agenda for the Special Planning Meeting of the Council to be held on 13th May, 1988. Deputy F. Fahey asked that the question of charges made in respect of maintenance of the sewage systems at Oranmore be clarified.

2234 - TUAM TOWN BOUNDARY EXTENSION

The Council considered a report dated 15th April, 1988, from the County Manager, a copy of which had been circulated to each member of Galway County Council and Tuam Town Commissioners regarding the extension of the Tuam Town Boundary. The report indicated that the boundary of the town was determined when the Town Commissioners were constituted in the last century. In common with many other towns much of the development which had taken place in the intervening period was now outside the present town boundary. Details of the population of the town and its environs were set out in the report and it was noted that the population of the environs was approximately 47% of the population of the town. In 1986 Census figures indicated that there was a total population of 4109 in Tuam Town and 1930 in Tuam Environs making a total of 6039.

The members of the Town Commissioners had been informed by government sources in 1987 that while the question of urbanisation for the town was not yet on the agenda the Minister was prepared to consider proposals for the extension of the town boundary without affecting the status of the town or of the Members of the Tuam Commissioners. In correspondence the Department of the Environment had suggested that an outline proposal be prepared for preliminary consideration by the Minister. The legal position was that the Town Commissioners may with the approval of the Minister for the Environment extend the boundary of their town.

At a meeting held on 12th August, 1987, the Commissioners decided to adopt a draft proposal for a boundary extension which was substantially the same as the area outlined in the County Development Plan in respect of the development boundary of Tuam Town.

The County Manager indicated in his report that when the proposal of the Town Commissioners was reviewed he had come to the conclusion that there was too great a disparity between the existing area of the town at 603 acres and the proposal to include virtually the whole of the development area which has an acreage of approximately 3,100 acres. The matter had been further reviewed in the light of the 1986 Census and a proposal had now been prepared which was set out in Map No. 2 attached to the report showing that a total area of 2,677 acres could be submitted as a draft extension for the town. The County Manager stated that he considered this proposal reasonable and that the matter was being submitted to the Tuam Town Commissioners and to the County Council for approval. The County Manager indicated that the immediate and potential long term effects of the Boundary Extension should be carefully considered by the members of both authorities. The financial aspects of these matters were outlined in the report. In addition to the consideration of the immediate proposal for extension

of the boundary without changing the status of the town the issues arising from the eventual creation of an urban district in Tuam would also need careful review.

If an Urban District Council was created in the future in Tuam persons within the boundary of that Council area would have an urban and a county vote. Very substantial financial and administrative changes would take place which would need to be carefully considered. The report indicated some of the important issues which would arise in relation to a boundary extension of the present town with its present status and also the implications of a boundary extension with urban status in the future.

The Chairman introduced Mr. P. M. Stapleton, Chairman, Tuam Town Commissioners, who addressed the Council. Mr. Stapleton thanked the County Manager for his report and indicated that the Town Commissioners would like to see further areas included as set out in a map which Commissioner Stapleton circulated to the members. This map suggested that the following townlands be added to the areas proposed by the Manager - Kilcloghans, Mountpotter, Slievedarragh, Forty Acres, Bracklagh, Loughpark, Drum and Cloontooa Pt. It was indicated that this further extension contained a total of 111 houses and 1339 acres of land. Commissioner Stapleton asked that the members of the Council agree to the extension as suggested by the Town Commissioners.

Councillor M. Killilea, M.E.P., thanked the County Manager and the Chairman of Tuam Town Commissioners, for their presentations. Councillor Killilea stated that he agreed with the recommendations of the Tuam Town Commissioners that the additional area should be included in an extension of the town and he proposed that the Council agree to the extension in accordance with the maps submitted by Commissioner Stapleton to the Meeting. Councillor Finnegan also supported the proposal for the extension as suggested by Commissioner Stapleton. He stated that the town of Tuam should have a higher status than Town Commissioners and that all the ramifications of urban status as regards rates, charges and other issues should be clearly spelled out.

Councillor J. Burke supported the proposal presented by Commissioner Stapleton and gave details of the additional number of houses involved in the additional areas suggested by the Town Commissioners. He stated that Tuam was the most senior town in the County of Galway and he seconded the proposal that the Council agree to the extension as submitted by Commissioner Stapleton. A number of Councillors supported the proposal to extend the Tuam town boundary as set out in the Map presented by Commissioner Stapleton.

The County Manager stated that he had set out in his report some of the implications that would be involved in the extension of the Tuam Town Boundary. The proposal which he was putting forward would increase the size of the town by a factor of four and the proposal submitted by Commissioner Stapleton would result in a further 50% increase in the size of the enlarged town as proposed by him. In his report he had taken in the townlands for future development and representation purposes and stated that the Council should bear in mind that under any local government reform there would be serious implications as regards compensation in the event of Tuam Town being granted urban status. The Council ought to assess boundaries of the town for development purposes and should not increase the size of the town beyond the foreseeable development needs. The

further increase of 50% as suggested by Commissioner Stapleton was not warranted and the Council should consider carefully this matter. The foreseeable needs of the town were adequately met if the Council agreed to the extension of the town along the lines suggested in the County Manager's report. Councillor J. Burke proposed that the Council authorise the County Manager to discuss the extension with the Town Commissioners and to look at the further extension proposed by the Town Commissioners. It was agreed on the proposal of Councillor P. McHugh that the County Manager would meet the Town Commissioners regarding the proposed extension and report back to the County Council after that meeting had taken place. This was agreed by the Council.

2235 - ENVIRONMENT CAMPAIGN 1988.

It was agreed that consideration of this matter would be adjourned to the next monthly meeting of the Council. Councillor U. Burke referred to the proposals in the report regarding schools competition and stated that vocational schools should be included.

2236 - NOMINATIONS OF MEMBERS TO THE WESTERN REGIONAL TOURISM ORGANISATION FOR THE YEAR 1988/1989.

It was proposed by Deputy M. Kitt and seconded by Cllr. M. Killilea, M.E.P., that Councillor T. Welby be appointed as the Council's representative.

It was proposed by Councillor M. Ryan and seconded by Cllr. J. Lambert that Councillor J. Mannion be appointed as the Council's representative.

A vote taken on those two proposals resulted as follows:

FOR COUNCILLOR WELBY: Councillor J. Callanan, Dep. F. Fahey, Cllrs M. Fahy, P. Finnegan, Sen. T. Hussey, Cllrs J. Joyce, M. Killilea, Dep. M. Kitt, Cllrs M. Loughnane, P. McHugh, Sen. N. O'Conchubhair, Cllrs M. O'Morain, P. Raftery, Dep. N. Treacy and T. Welby. (15)

FOR COUNCILLOR MANNION: Councillor J. Brennan, J. Burke, U. Burke, Cllrs J. Lambert, M. Lynch, Sen. P. McCormack, Cllrs J. McDonagh, J. Mannion, P. O'Tuathail, M. Ryan, and T. Walsh. (11)

The Chairman declared Councillor T. Welby appointed as the Council's representative to the Western Regional Tourism Organisation for 1988/1989. Councillor J. Mannion congratulated Councillor T. Welby on his appointment and thanked the members who had voted for him.

2237 - ANNUAL CONFERENCE OF GENERAL COUNCIL OF COUNTY COUNCILS - ATHLONE - 9th to 11th June, 1988.

It was proposed by Deputy M. Kitt, seconded by Councillor J. Joyce and agreed that Councillors P. McHugh and P. Finnegan be approved to attend.

It was proposed by Councillor M. Ryan, seconded by Councillor J. Mannion and agreed that Councillor M. Lynch be approved to attend.

2238 - ANNUAL CONFERENCE OF ASSOCIATION OF HEALTH BOARDS IN IRELAND IN KILLARNEY - 13/14TH MAY, 1988.

It was proposed by Councillor J. Mannion, seconded by

Councillor M. Ryan and agreed that Councillor J. McDonagh be approved to attend this Conference.

It was proposed by Deputy M. Kitt, seconded by Councillor J. Joyce and agreed that Senator T. Hussey and Councillor T. Welby be approved to attend.

2239 - SLIGO/LIMERICK RAILWAY LINE

The Council considered a letter from Galway Mayo Regional Development Organisation regarding the Sligo/Limerick railway line. The Council agreed that the work involved in advancing the case for the revitalisation of this line should continue.

2240 - MALICIOUS INJURY DECREES

The Malicious Injury Decrees which had been circulated to each Member were noted.

2241 - OFFICIAL OPENING OF OUGHTERARD WATER SUPPLY SCHEME.

The Council agreed that an official opening of this Scheme should be arranged and it was agreed on the proposal of Deputy M. Kitt, seconded by Councillor P. McHugh that the Chairman Councillor M. O'Morain perform the official opening. It was agreed that the Minister for the Environment should be invited to attend at the Official Opening. It was agreed that the Council should proceed to make the necessary arrangements.

2242 - PROVISION OF WATER SUPPLY TO PETERBURGH HOUSE.

Councillors J. Brennan and J. Joyce requested that the Council proceed immediately with the making of a water supply connection to serve Peterburgh House as a contract for work at the house under the administration of the V.E.C. was due to expire in the very near future. It was agreed that every effort should be made to have the necessary water supply connection made as soon as possible.

COUNCILLORS' NOTICES OF MOTION

2243 - IMMEDIATE ACTION BE TAKEN TO ALLEVIATE THE SERIOUS DIFFICULTIES ENCOUNTERED AT HILL OF AUGHIRM - DEPUTY N. TREACY.

The following written reply was given to Deputy N. Treacy:

"1. Aughrim Hill: There are no natural water courses to take this flow of water which in heavy rainstorms crosses the camber on the straight changes to crossfall on the curve. It would be necessary to pipe all the run off water all the way down to the bottom of the hill at excessive cost or alternatively provide a large number of soakpits again at a great cost. In either case a proper design and estimate would have to be prepared and it would not be possible to do this work out of National Primary maintenance.

2. Problem of John Harvey's house: It is not clear as to the exact location of the problem here. There is an old layby where water does collect near John Harvey's land but this does not interfere with road users.

A detailed design would be required before a cost could be computed. This would involve the allocation of very scarce manpower resources to this work which cannot be justified at the moment as there are no funds available for this work."

Deputy Treacy asked that the Council have another look at the situation in this case.

2244 - TIME ALLOCATED TO DISCUSS HEALTH MATTERS RELATING TO COUNTY GALWAY. MOTION BY COUNCILLOR JOE BRENNAN.

Councillor Joe Brennan stated that since the Local Health Committees has been disbanded the members had very little opportunity of debating health issues. He proposed that the Council agree with his Notice of Motion. A number of Councillors expressed the view that it was unlikely that officials of the Health Board would attend Council meetings and following a discussion, Councillor Brennan withdrew his Motion.

2245 - TOTAL AMOUNT OF MONEY PAID OUT TO MEMBERS OF INTERVIEW BOARDS MOTION BY COUNCILLOR THOMAS WELBY.

The following written reply was given to Councillor Welby:

"The information in respect of the last 3 years is as follows:

Year ended 31st December, 1985	- £1,801.60
Year ended 31st December, 1986	- £3,222.15
Year ended 31st December, 1987	- £1,771.05"

2246 - ROADWORKS PROJECTS IN THE MOYCULLEN AREA - MOTION BY COUNCILLOR PADDY MCHUGH.

The following written reply was given to Councillor McHugh:

"The matter was adjourned from the last meeting. In my letter dated 28/3/88, you were requested to submit additional details which have not been received to date. The matter will be researched on receipt of the additional information."

2247 - UTILISATION OF SOCIAL EMPLOYMENT SCHEMES TO CARRY OUT AMENITY WORK AT HEADFORD - MOTION BY COUNCILLOR J. MCDONAGH.

The following written reply was given to Councillor McDonagh: "Plans have been drawn up with the Local Community Group regarding the carrying out of amenity works in Headford under S.E.S. The plans when finalised will be submitted to FAS for approval."

2248 - UTILISATION OF SOCIAL EMPLOYMENT SCHEMES TO CARRY OUT REPAIR WORKS AT CLAREGALWAY - MOTION BY COUNCILLOR J. MCDONAGH.

The following written reply was given to Councillor McDonagh:

"An application for a Social Employment Scheme, with 4 participants was submitted to National Manpower Service (now FAS) on 21/10/'87 and is awaiting approval."

2249 - ESSENTIAL WORKS AT CAHERAHOON, CUMMER - MOTION BY COUNCILLOR J. MCDONAGH.

The following written reply was given to Councillor J. McDonagh:

"Remedial work to relieve flooding has been carried out."

2250 - COMPENSATION FOR A COUPLE FOR THE COMPULSORY ACQUISITION OF THEIR PROPERTY - MOTION BY DEPUTY NOEL TREACY.

The following written reply was given to Deputy Treacy:

"The position in this case is that the Council is acquiring only that property required for the provision of the proposed new road from Oranmore to Merlin Park. A Compulsory Purchase Order was made by the Council and has been confirmed by the Minister for the Environment. A small area of land which is owned by the person referred to in your Notice of Motion is included in the C.P.O. as confirmed. An offer made by the Council to the person concerned for the land required was not acceptable to him. The Council will be serving the statutory notice to treat and notice

of entry on all of the persons whose lands are the subject of the C.P.O. as soon as confirmation is received that funds will be available for the construction of the roadway. If agreement is not reached on the purchase price of the land then the statutory Arbitration machinery will be used to determine the compensation."

2251 - IMMEDIATE REPAIRS TO A HOUSE TO BE CARRIED OUT - MOTION BY DEPUTY NOEL TREACY:

The following written reply was given to Deputy Treacy:

"This dwelling house was vested by the owner in December, 1981. At the time that the house was vested by the owner, an inspection was carried out by the Council and the house was found to be in good structural condition. Any deterioration which has occurred since the vesting of the house must, therefore, be due to lack of maintenance. The onus is on the purchaser to carry out maintenance works to his house and to keep it in good condition. The purchaser has been informed accordingly on a number of occasions."

2252 - DANGEROUS HOUSE AT MAIN STREET, KINVARA - MOTION BY COUNCILLOR JOE LAMBERT.

The following written reply was given to Councillor Lambert:

"This structure has been the subject of a Dangerous Structure under the Local Government Sanitary Services Act, 1964. During the recent storm further damage occurred and a further notice has been served on the owner instructing him to make the structure safe within 7 days. In the meantime, the area has been cordoned off by the Council to prevent any injury to passers by.

In the event of the owner failing to carry out the necessary works as specified in the Notice served on him, the Council will use its statutory powers to render the structure safe and to recover the cost involved from the owner."

2253 - ORANMORE SEWERAGE SCHEME - MOTION BY DEPUTY ROBERT MOLLOY.

The following written reply was given to Deputy Molloy:

"The purpose of the main connecting Oranmore and Merlin Park is to convey the sewage from Oranmore into Merlin Park. It is not being designed nor is it desirable to design it to service the land in between. In any event a rising main such as this will be under pressure all the time and as such connections are not possible.

The Preliminary Report for the Galway City Eastern Environs Drainage Scheme is with the Department of the Environment. This proposed Scheme, which is now being dealt with by Galway Corporation, includes proposals for the drainage of lands extending east of Merlin Park townland and including part of Doughiska and the northern part of Curragreen townland."

2254 - THAT MEMBERS BE PROVIDED WITH A COPY OF THE COUNCIL'S SUBMISSION TO THE OFFSHORE ISLANDS COMMITTEE - MOTION BY DEPUTY ROBERT MOLLOY.

This matter was adjourned to the next meeting of the Council.

2255 - SCHOOL TRAFFIC WARDEN FOR BARNNA NATIONAL SCHOOL - MOTION BY DEPUTY ROBERT MOLLOY.

The following written reply was given to Deputy Molloy:

"It is assumed that you are referring to the appointment of an adult School Warden. There is no provision in the 1988 estimates for such appointment. However, the school location will be examined to see if it meets the criteria laid down for the appointment of an Adult Warden. The criteria require that there should be a minimum of 100 children crossing at the busiest duty period and that the volume of traffic during the duty period exceeds 400 vehicles per hour."

2256 - TRUSKEY WEST/AILLE GROUP WATER SCHEME - MOTION BY SENATOR P. MCCORMACK.

The following written reply was given to Senator McCormack:

"In general all applications for connections to Group Schemes are dealt with by the Group and by the Department of the Environment.

Where problems arise the applicant may call with the relevant Council Engineer to explain the position and to seek advice. In this particular case the applicant's (Mr. Concannon) premises may be some distance from the Group Scheme mains. However, if he wishes to explain his position and clarify the location then the relevant Council Engineer will be glad to advise."

2257 - WORK ON THE DEVELOPMENT OF THE CITY AND COUNTY PARK AT RINVILLE FROM THE NATIONAL LOTTERY FUNDS - MOTION BY SENATOR PADRAIC MCCORMACK.

The following written reply was given to Senator McCormack:

"Galway County Council applied for a Grant allocation of £30,000 under the National Lottery/Amenity Schemes for Rinvilla Amenity Park in December, 1987. The project consisted of the provision of an amenity footpath, near the foreshore from Rinvilla point to Saleen point, to complete linking network of paths. To date a grant allocation has not been notified from the Department of the Environment. The Social Employment Scheme was discontinued as one Union failed to give consent to the continuation of the Scheme unless the Council guaranteed that there would be no redundancies. The Council has confirmed to the Union that the current year's estimates provide for the maintenance of full employment subject to the required number of voluntary redundancies/early retirement being achieved. It is hoped that the Social Employment Scheme will recommence in the near future."

2258 - TWO DRAINS AT KILLURE, AHASCRAUGH BE CLEANED UP - MOTION BY DEPUTY MICHAEL KITT.

The following written reply was given to Deputy Kitt:

"A report on the matter is being prepared and it will be available for the next Meeting."

2259 - REPAIR POTHoles AND CARRY OUT RESURFACING ON THE BALLAGH ROAD, MENLOUGH, BALLINASLOE - MOTION BY DEPUTY M. KITT.

The following written reply was given to Deputy Kitt:

"The County Road in question is in a satisfactory state of repair relative to other adjoining County Roads. There are no funds available for Surface Dressing it."

2260 - ERECTION OF PUBLIC LIGHT OUTSIDE MRS MOYLAN'S (WINKLES HOTEL IN KINVARA) - MOTION BY COUNCILLOR MARTIN LYNCH.

The following written reply was given to Councillor Lynch:

"There are no funds for public lights this year 1988. When funds are available this location can be considered along with the other locations where lights have been requested."

- 2261 - PROVISION OF SKIP FOR RUBBISH ON THE PIER AT BLACKWEIR IN MAREE. MOTION BY COUNCILLOR MARTIN LYNCH.

The following written reply was given to Councillor Lynch:

"It is not recommended that a skip be provided at the location requested by you. The Council are opposed to the provision of skips for the dumping of refuse as they only encourage additional dumping."

- 2262 - EXTENSION OF SEWERAGE FACILITIES ALONG ST. JOSEPH'S ROAD, PORTUMNA - MOTION BY COUNCILLOR ULICK BURKE.

The following written reply was given to Councillor U. Burke:

"About 15 No. houses on St. Joseph's Road are located between the I.D.A. Industrial Estate and the entrance to the Forest Park.

There are no grants available under Small Sanitary Capital Schemes or from Revenue for Sewerage extensions.

This proposed extension is not on the Priority List for Major Sanitary Capital Schemes but will be considered in due course in the overall scheme for Portumna."

- 2263 - WORK ON TREATMENT PLANT AT HEADFORD - MOTION BY COUNCILLOR PADDY MCHUGH.

The following written reply was given to Councillor McHugh:

"(1) Storm overflow weir plates have been installed to prevent carry over of solids at the storm overflow channel at the Treatment works.

(2) No Capital Improvement Works are provided for in 1988. Proposals were submitted under Small Sanitary Schemes 1987, however, no funds were provided.

(3) The Preliminary Report and Drawings are near completion."

- 2264 - EXTENSION OF SPEED LIMIT ON THE GALWAY ROAD, HEADFORD - MOTION BY COUNCILLOR PADDY MCHUGH.

The following written reply was given to Councillor McHugh:

"The above speed limits were not included in the Road Traffic Speed Limits County Borough of Galway and County of Galway Regulations 1987 which came into operation on 2nd November, 1987.

The extension of this speed limit will be included for consideration in the next review of speed limits."

- 2265 - ERECTION OF OVERHEAD BARRIERS AT ENTRANCE TO S.E.S. SITE AT SHANBALLY, CRAUGHWELL - MOTION BY COUNCILLOR MATT LOUGHNANE

The following written reply was given to Councillor Loughnane:

"Overhead barriers have been erected at both ends of the lay-by on the north side of the road but it is not intended to erect barriers on the lay-by on the south side."

- 2266 - CLOSURE OF LAY-BY AT LISSATUNNA, ARDRAHAN - MOTION BY COUNCILLOR MICHAEL FAHY.

The following written reply was given to Councillor Fahy:

"I wish to inform you that there are no funds available at present to carry out works on Lay-Bys."

- 2267 - TRAFFIC ROUTE LIGHTING FOR LEENANE VILLAGE - MOTION BY COUNCILLOR T. WELBY.

The following written reply was given to Councillor Welby:

"No funds have been provided for Traffic Route Lighting this year and it is unlikely that any will be provided next year. In any event some more heavily trafficked towns and villages still remain to be done, even on the National Primary Routes, and in these circumstances Leenane would be low in the order of priorities."

- 2268 - ERECTIONS OF SIGNS FOR LEENANE NATIONAL SCHOOL - MOTION BY COUNCILLOR THOMAS WELBY.

The following written reply was given to Councillor Welby:

"Statutory Signs, No. 125, are positioned, one on each approach to the school in Leenane."

- 2269 - PROPOSED EXTENSION TO THE HIGH CASHEL BURIAL GROUND - MOTION BY COUNCILLOR THOMAS WELBY.

The following written reply was given to Councillor Welby:

"It is proposed to purchase land from Mr. Michael Canavan, Tuam, to extend the High Cashel Burial Ground. Mr. Canavan has not signed an agreement form as he is in England at present. He is due to return next week when he will be contacted again with a view to having the agreement signed."

THE MEETING THEN TERMINATED.

Submitted, Approved and Confirmed
M. Moran
Chairman

Date: 20th Bealtaine 1988

COMHAIRLE CHONTAE NA GAILLIMHE
(Galway County Council)

Oifig an Runai,
Arus an Chontae,
GAILLIMHE.
29u Aibrean, 1988.

CHUIG GACH BALL DE'N CHOMHAIRLE.

A Chara,

Iarrtar ort leis seo bheith i lathair ag cruinniú speisialta bothar de Chomhairle Chontae na Gaillimhe a tionolfar ins na Foirgnithe Chontae, Gaillimh, De h-Aoine, an 6u la Bealtaine, 1988, ar a 3.00 a chlog sa trathnóna.

Mise, le meas,

T. O'CAOMHANAIGH
RUNAI.

A G E N D A

1. Reports on Regional and County Roads - Reports dated 3rd March, 1988 and 14th April, 1988 enclosed.

COUNCILLORS' NOTICES OF MOTION.

COUNCILLOR JARLATH McDONAGH. - I will propose.

2. That Galway County Council take steps to remedy dangerous water lodging problem - for long persistent at Annagh (Details enclosed).
3. That Galway County Council carry out least limited work to improve sight view at Goolarne Cross.
4. That County Council carry out improvement measures to alleviate flooding situation now prevalent at Gortadooey, Claregalway.

DEPUTY ROBERT MOLLOY - I will propose.

5. That the Roads Committee hear an Engineer's report on the present state of county road at Ard West, Carna and that meeting be informed of proposed action to carry out necessary improvements.

DEPUTY MICHEAL KITT - I will propose.

6. That an Estimate be provided to have a dangerous corner at Moore's house, Ballinlass, Ballinamore Bridge, Ballinasloe eased.

COUNCILLOR JAMES JOYCE AND DEPUTY MICHEAL KITT. - We will propose.

7. That Galway County Council would repair and resurface the road from Tiernascragh to Meelick, Eyrecourt as only $\frac{1}{4}$ mile of the 5 mile stretch of road was repaired.

COUNCILLOR JOE CALLANAN AND DEPUTY MICHEAL KITT - We will propose.

8. That Galway County Council would relieve flooding and carry out repairs on the Alloon Road, Ballymacward, Ballinasloe.

COUNCILLORS NOTICES OF MOTION (CONTD)...

COUNCILLOR MARK KILLILEA, M.E.P., - I Will propose

9. That improvements be made to the roadway leading to houses at Luimnagh also serving as access to the Castle at Ballinduff.

COUNCILLOR ULICK BURKE - I will propose.

10. That Galway County Council provide a hand rail outside the Kilrickle National School on the footpath so as to prevent a serious accident on the National Primary Road at this point due to children coming from the school grounds.
11. That repairs be carried out as a matter of urgency on the Lissalummey Road, Kilrickle, as it is in a very serious state of bad repair.
12. That a Pedestrian Crossing be provided at Main Street, Loughrea near the Post Office area.

COMHAIRLE CHONTAE NA GAILLIMHE
GALWAY COUNTY COUNCIL

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3rd March, 1988.

County Manager:

Report on County and Regional Roads

The Council has 3,300 miles of County Roads and 470 miles of Regional Roads.

County Roads

Improvement and Maintenance of County Roads are generally funded from the Council's own resources. However, £319,000 was provided by State Grants in 1986 for strengthening of Strategic County Roads or Regional Roads the grant being continued in 1987 and 1988 with £1,080,000 being provided in each of these years. Excellent work has and is being done with the money but unfortunately, with strengthening costs running at £50,000 per mile, £1M. only allows 20 miles per year to be strengthened.

Because of the overall shortage of funds, which will be explained later, it has been necessary to eliminate all realignments of County Roads for the last few years. The objective now is to try and preserve existing carriageways as far as possible. Again, I regret to say, that the cut back in funds does not even allow routine maintenance of carriageways to be carried out effectively.

The following table shows the funds raised by the County Council for County Roads over the last 10 years, from 1978 to 1987 inclusive. It also takes 1978 as the base year and shows the figure that would have been required each year to keep abreast of inflation, and the accumulated shortfall as a result of not keeping in step with inflation.

TABLE ON COUNTY ROAD FUNDING 1978 - 1987

Year	% Inflation	1978 Base Adjusted for inflation	Provided ex Rates	Provided ex. Grants	Total Allocation	Difference
1978		1,897,079	1,562,437	334,642	1,897,079	-
1979	13.2%	2,147,493	1,831,879	229,048	2,060,927	86,566
1980	18.2%	2,538,337	1,809,704	202,995	2,012,699	525,638
1981	20.4%	3,056,158	1,949,763	179,000	2,128,763	927,395
1982	17.1%	3,578,761	1,876,991	204,500	2,081,491	1,497,270
1983	9.2%	3,908,007	1,414,030	204,500	1,618,530	2,289,477
1984	8.63%	4,245,268	1,485,530	204,500	1,690,030	2,555,238
1985	5.35%	4,472,390	1,475,000	204,000	1,679,000	2,793,390
1986	3.85%	4,644,577	1,709,000	713,000	2,422,000	2,222,577
1987	3.16%	4,791,346	1,511,575	1,498,000	3,009,575	1,781,771
Totals:		35,279,416	16,625,909	3,974,185	20,600,094	14,679,322

1987 There is an accumulated shortfall of £14.7M. since 1978 (inflation adjusted).

Most unfortunate aspect of the fall off in funds is that no Surface Dressing of roads was carried out in 1987 and none is programmed for 1988 (with the exception of a small amount which can be done out of the strengthening grant). I have so often indicated that Surface Dressing is the single most important factor in preserving and maintaining road surfaces and the fabric of roads in general.

County Roads can generally be classified into 3 classes as follows:

Class 1 (Strategic)	-	1,000 miles
Class 2	-	1,300 miles
Class 3 (Minor)	-	1,000 miles

To show how poor the funding of these roads is the following table indicates the type of programme which would be necessary for proper upkeep. It does not deal with realignments, removal of bends, improvements to sight distances etc. etc. but merely with strengthening, surface dressing and routine maintenance.

Class 1 (Strategic)	: Strengthen 200 miles at £50,000	=	£10,000,000
	Surface Dress 800 miles at £10,000	=	£8,000,000
Class 2	: Strengthen 300 miles at £50,000	=	£15,000,000
	Surface Dress 1,000 miles at £10,000	=	£10,000,000
Class 3	: Strengthen 600 miles at £50,000	=	£30,000,000
	Surface Dress 400 miles at £10,000	=	£4,000,000
Totals:	: Strengthen 1,100 miles at £50,000	=	£55,000,000
	Surface Dress 2,200 miles at £10,000	=	£22,000,000
	Phased over 10 years: strengthen per year =		£5,500,000
	Surface Dressing per year =		£2,200,000
	Maintenance £800 per mile per year = 3300 x £800 =		£2,640,000
	Bridge Repairs per year		£100,000
	Total Required Per Year	=	£10,440,000

From the above it may be seen that c. £10.5M. per year would be required over the next 10 years to allow proper maintenance of County Roads to be carried out. I have stretched the phasing period to 10 years even though a shorter phasing would be desirable. Even with this order of money over 10 years, and given the deterioration that has and is taking place, it is likely that during this period more strengthening would be required due to the continuing accumulated neglect. But given that we have a total sum of £2.7M. (incl. £1.1 ex rates and £1.1 strengthening grant) in 1988 for County Roads, and that no surface dressing will be done, then the problem of maintaining County Roads is at crisis point.

I have to say that with present levels of funding some County Roads are going to deteriorate over the next number of years to the point where they will be impassable and we will not be able to do anything about it. Up to now we have been unable to cope with potholes but in some instances recently the entire fabric of roads is disintegrating. With the fall off in funds, and the consequent drop in road workers, we are no longer able to cope with the overall problem and despite our best efforts I can only see the situation deteriorating unless money is provided urgently.

Regional Roads

The 470 miles of Regional Roads are funded each year by way of Block Grant and a contribution from the Council's funds. Some of the strengthening grant for strategic county roads is also spent on Regional Roads. In 1987 the Block Grant was £1,055,000 and the Council contributed £367,500 from its own resources.

The following table shows the Block Grant for each of the 10 years from 1978 to 1987 until the 1978 figure increased for inflation and the accumulated shortfall.

Year	% Inflation	1978 Base adjusted for inflation	Provided ex. Rates	Provided ex. Grants	Actual Block Grant Allocation	Difference
		£.	£.	£.	£.	£.
1978		689,503	332,803	356,700	689,503	-
1979	13.2%	780,519	393,814	398,476	792,290	3,168
1980	18.2%	922,573	594,380	325,005	919,385	-11,771
1981	20.4%	1,110,778	495,363	528,000	1,023,363	87,415
1982	17.1%	1,300,721	403,116	528,000	931,116	369,605
1983	9.2%	1,420,387	367,500	607,500	975,000	445,387
1984	6.63%	1,542,966	367,500	607,500	975,000	567,966
1985	5.35%	1,625,515	367,500	683,000	1,050,500	575,015
1986	3.85%	1,688,097	367,500	1,055,000	1,422,500	265,597
1987	3.16%	1,741,441	367,500	1,055,000	1,422,500	318,941
Totals :		12,822,500	4,056,976	6,144,181	10,201,157	2,621,343

The accumulated shortfall is £2.62M.

By and large the position with regard to maintenance of Regional Roads is not as acute as that of County Roads but in some cases, particularly in Connemara, it is noticeable that the fabric of many Regional roads is deteriorating to a serious extent, and many require strengthening to prevent further deterioration and to improve the surface profiles.

A realistic programme for the improvement of Regional Roads would be:

Strengthen 100 miles @ £60,000 per mile	=	£6,000,000
Surface Dress 370 miles at £12,000 per mile	=	£4,440,000
	Total :	£10,440,000
Phased over 10 years :		
: Strengthening per year	=	£600,000
: Surface Dressing per year	=	£440,000
: Maintenance £3,000 per mile = 470 x £3,000	=	£1,410,000
: Bridge Repair & Maintenance, per annum	=	£100,000
Total Required per year	=	£2,550,000

Summary:

Total required per annum for Co. Roads	=	£10,440,000
Total available in 1988 for Co. Roads	=	£2,659,855 (25%)
Shortfall	=	£7,780,145 (75%)
Total required per annum for Regional Roads	=	£2,550,000
Total available in 1988 for Regional Roads	=	£1,757,500 (69%)
Shortfall	=	£792,500 (31%)

[Signature]
County Engineer

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12th April, 1988.

Manager:

Road Grants 1988

Arising out of the Memorandum on Road Grants 1988 there are two changes put forward for expenditure on (1) County Road Strengthening and (2) Block Grant

1. County Road Strengthening

This is a grant of £1,080,000 which is provided for strengthening of strategic County Roads. In previous years the grant had to be spent entirely on strengthening of strategic County Roads in sums of not less than £40,000. This limit has now been removed and the memorandum states that "where it is evident that a stretch of road with a number of potholes is in need of strengthening, the remedial works can qualify for the grant if the cost of the strengthening element of the works exceeds half the total cost of the works"

This allows a certain amount of flexibility but I propose that we adhere to the list of road strengthening proposals attached to my roads report of 26/11/88 but that we reduce the amount of actual strengthening to around 51% and increase the amount of patching and surface dressing of these roads. In this way we will achieve maximum mileage of repairs and maximum benefit from the work.

2. Block Grant

This is a grant of £1,055,000 which in previous years was allocated to "supplement the provision made from the road authorities own resources for the improvement, maintenance and management of Regional roads, for improvement works on County Roads and for traffic management works including works on National Roads". The Council added £367,500 in 1988 making a total sum available for expenditure under the general heading of Regional Road Maintenance of £1,422,500. This sum was subdivided into £1,192,000 for general maintenance and £230,000 for Surface Dressing.

The memorandum now states that this money may be used for "Surface dressing and repair of potholes on the network of primary County Roads".

I now propose that we spend no money on Regional Road Surface Dressing in 1988 and that we transfer £200,000 of that money to repairing potholes and surface dressing primary county roads. (Approximately £20,000/£30,000 has already been

spent on preparation work for Surface Dressing work on Regional Roads).

At the same time I recommend we take a similar sum i.e. £200,000 from normal County Road funds and carry out potholing work on all County Roads but particularly minor County Roads. I recommend that we spend £100,000 in the East Riding and £100,000 in the West Riding at my discretion depending on the condition of the roads and the need to maintain employment in areas where the early retirement scheme has not had any effect in reducing numbers.

Finally might I add that no one should run away with the idea that this change will solve all the road problems or the pothole problems as in effect no additional money is being spent. What is proposed is merely a shifting around of the funds available and the inadequacy of these total funds must be realised in the context of my report of 3/3/88 in which I stated that money of the order of £10.5m. per year would be required over 10 years to solve the County Road problem and £2.5m. per year would be required to solve the Regional Road problem; also over 10 years.

Please approve of the above changes so I may have work put in hand as soon as possible.

[Signature]
County Engineer

MINUTES OF PROCEEDINGS OF SPECIAL ROADS MEETING OF GALWAY COUNTY COUNCIL HELD ON FRIDAY, 6TH MAY, 1988.

IN THE CHAIR:

Councillor M. O'Morain.

ALSO PRESENT:

Members:

As recorded in the Attendance Book.

Councillors J. Brennan, M. Fahy, P. Finnegan, F. Glynn, Senator T. Hussey, Councillors J. Joyce, M. Killilea, MEP, Deputy M. Kitt, Councillors J. Lambert, M. Loughnane, M. Lynch, Senator P. McCormack, Councillors J. McDonagh, P. McHugh, J. Mannion, J. Molloy, M. Mullins, Senator N. O'Conchubhair, Councillors P. O'Tuathail, M. Ryan, T. Walsh and T. Welby.

Officials:

Messrs S. Keating, County Manager; P. Flood, County Engineer; E. Gleeson, County Secretary; R. Killeen, P. Martyn, Senior Executive Engineers and C. Wallace Senior Staff Officer.

The Opening Prayer was recited.

2270 REPORT ON COUNTY AND REGIONAL ROADS

The Council considered the report of the County Engineer on County and Regional Roads dated 3rd March, 1988, a copy of which had been circulated to each member of the Council. The report gave details of the requirements for the proper improvement and up keep of these roads and it was noted that the amount of funds available to the Council were totally inadequate. The Council also considered the County Engineer's report dated 12th April, 1988, regarding the Road Grants for 1988. The County Engineer indicated in his report of 12th April, 1988, that arising out of the Memorandum on Road Grants for the current year two changes were put forward for expenditure on County Road strengthening and block grant. As regards County Road strengthening there was a grant of £1.08 million provided for the strengthening of strategic county roads. In previous years the grant had to be spent entirely on strengthening of strategic County Roads in sums of not less than £40,000. This limit had been removed in the current year and the Department's Memorandum had stated that where it was evident that a stretch of road with a number of potholes was in need of strengthening the remedial work could qualify for the grant if the cost of the strengthening element of the works exceeded half the total cost of the works. This change allowed for a certain amount of flexibility. The County Engineer proposed that the list of road strengthening proposals as already issued be adhered to but that the amount of actual strengthening be reduced to around 51% which would result in an increase in the amount of patching and surface dressing on these roads.

In relation to the Block Grant, the County Engineer stated that this grant had been used for the improvement, maintenance and management of Regional roads, for the improvement of County Roads and for traffic management works. The memorandum stated that this money may be used in 1988 for surface dressing and repair of potholes on the network of primary County Roads. The County Engineer proposed that no money be spent on Regional Road Surface Dressing in 1988 and that £200,000 of that money be transferred to repairing potholes and surface dressing on Primary County Roads. The County Engineer also recommended that a similar sum of £200,000 be taken from the normal County Roads Funds to carry out potholing work on all county roads particularly minor county roads. He recommended that £100,000 be spent in the East Riding and £100,000 in the West Riding at his discretion depending on the condition of the roads and the

need to maintain employment in areas where the early retirement scheme had not had the effect of reducing numbers employed.

The County Engineer pointed out that the impression should not be given that the changes would solve all of the roads problems or the pothole problems as in effect no additional money was being allowed. What was proposed was merely a shifting around of the funds available and the inadequacy of these total funds should be realised in the context of his report of 3rd March, 1988 in which he had stated that money of the order of £10.5 million per year would be required over 10 years to solve the County Road problem and £2.5 million per year would be required to solve the Regional Road problems also over 10 years.

A number of Councillors thanked the County Engineer for his reports and supported the proposals outlined in them.

Councillor M. Ryan welcomed the County Engineer's proposals to transfer money as proposed and hoped that the revised arrangements would go some way to improving the condition of roads some of which were in a desperate state. He referred in particular to roads in the Milltown, Tuam and Mountbellew Engineering Areas. He enquired as to the stock piling of chips on the Tuam/Moylough Road. He referred to the shortfall of monies for roadworks and stated that the Minister for the Environment should consider allocating funds from the National Lottery towards roads.

The County Engineer, in reply to Councillor Ryan, stated that the chips being stockpiled were for surface dressing on National Roads. The chips were being hauled from a quarry in Tipperary as the chips met the specifications as regards polished stone value for use on National Primary Roads. In reply to Councillor T. Walsh, the County Engineer indicated that a haulier was employed by the Council at present to haul the chips to the various locations throughout the County. Some small quantities of chips had been hauled by Council lorries earlier in the year when no other work was available for such lorries and it was considered that they should be used on this work rather than being left idle.

Councillor M. Ryan asked that a sign indicating a low railway bridge be erected in Abbeyknockmoy and the County Engineer agreed to examine the position in this case.

Councillor M. Killilea, M.E.P., stated that the County Engineer's report was an effort to spread the available funds as far as possible. He proposed that the possibility of transferring 25% of the National Primary Roads grants towards surface dressing of County Roads over a 4 year period to taken up with the Department of the Environment and the Government. Councillor Killilea also asked what proposals the Council had for the cutting of briars and weeds on the sides of the roads in the current year.

In reply to Councillor Killilea, M.E.P., the County Engineer stated that the amount of funds available under National Primary Grants allowed for a 7 year cycle of surface dressing on these roads. The amount of the grants available were small and a 25% transfer of these funds to County Roads would not achieve any substantial improvement. Statistics had shown that the National Roads catered for 90% of the traffic. The heavy axle weights were travelling the National Primary Routes and he could not see the Department of the Environment agreeing to transfer any monies from the National Roads Grants. The County Engineer indicated that there were no funds available to carry out works such as briar cutting in 1988.

Senator P. McCormack stated that the County Engineer's report indicated a very serious situation as regards the maintenance of

the roads in the Council's Area for the foreseeable future. He questioned the wisdom of cutbacks in relation to road grants as it would cost millions of pounds to restore the roads in the future. He referred to the bad conditions of minor county roads where he stated people had to get out of their cars in some cases to reduce the weight in cars going over bad stretches of road. He stated that the local people should be allowed to do some repairs themselves out of their own resources. He also stated that the Council should consider whether work should be put out to private enterprise and that the Council should look at better ways of getting jobs done. In reply to Senator McCormack, the County Engineer indicated that the basic problem was that there was not enough money to carry out the works required. He doubted if any private enterprise could carry out the works involved within the available finances. If sufficient finances were available he was satisfied that the Council's own work force could do the job as good as any private contractor.

Councillor P. Finnegan referred to certain areas which had been badly hit by the Voluntary Redundancy. He asked if extra funds would be available as a result of men retiring. Councillor Finnegan referred to the junction at the Ballygaddy Road in Tuam, to the Weir Road Junction and to the road widening required on the Galway Road adjacent to the Railway. In reply to Councillor Finnegan, the County Engineer indicated that no additional monies would be available as a result of men availing of the early retirement package. As regards the junction at the Ballygaddy Road he hoped that the Council would make a start at improvement works in the current year. The County Engineer stated that the cost of the provision of traffic lights at the Weir Road Junction was £27,000. He was satisfied that the Council would have to acquire property at the location involved and he could not guarantee that any work would be carried out because of the limited funds available. He would examine the possibility of carrying out improvements on a phased basis over a couple of years. As regards the road widening on the Galway Road, the County Engineer indicated that the estimated cost of work on the level crossing would be of the order of £100,000 and this work could only be carried out if funds were made available.

Councillor M. Mullins referred to the bad condition of the roads in the Ballinasloe Area and supported the view that the use of private enterprise should be considered in carrying out certain roadworks.

In reply to Senator N. O'Conchubhair, the County Engineer indicated that the Council had recently updated the cost of all of the improvement works necessary to improve the infrastructure to assist the agricultural development in the Connemara area. The improvement of the roads was dependant on money being made available for some source. The County Manager indicated that the Udaras report on the infrastructural requirements of the area had also been referred to the Department. The County Engineer indicated that he hoped that improvement works on Carraroe Road would be carried out as far as the bridge and he would be hoping that work would be carried out as far as the village.

Dhein an Comhairleoir O'Tuathail tagairt ar laghdu na deontasai 'sna blianta deireanacha agus dubhairt se go raibh na boithre, da bhri sin, ag dul in olcas.

Mhol se toscaireacht a chur go dti an Aire Comhsaoil, ag lorg breis airgead.

Councillor P. McHugh supported the proposal that the Department of the Environment be requested to transfer funds from the National Primary Roads to County Roads. He also referred to the restriction in travelling expenses of overseers and stated that essential work such as surface dressing should

not suffer.

Councillor T. Walsh referred to the flooding problem at Esker, Glenamaddy, on which he had submitted a Notice of Motion previously. The County Engineer stated that the Council were not able to reach agreement with a local farmer regarding improvements proposed. Councillor Walsh asked that some improvements be carried out at the Square in Glenamaddy to prevent the risk of a serious accident. He also asked that signs be provided near Cloonminda Crossroads. Councillor Walsh asked that the Council reconsider its interpretation on what constituted a separate holding for the purposes of levying contributions for the Local Improvement Schemes. The County Engineer agreed that he would examine any particular case submitted by Councillor Walsh in this regard.

Councillor J. Molloy asked that white lining be renewed in certain locations in his area. The County Engineer indicated that no funds or special grants were available for the provision of white lining. Councillor Molloy asked that the Council examine the position as regards the junction at Claregalway. The County Engineer agreed to look at the position and to examine the question of the provision of bollards.

Councillor M. Lynch referred to improvement work necessary at Raheen and asked that about 50 yards of a wall be moved in at the location involved. The County Engineer agreed to look at the position. Councillor Lynch referred to the problems adjacent to the Mart in Athenry. The County Engineer indicated that it was his understanding that the Mart Management were to make a proposal to the Council and if this were done the Council will examine the matter further. Councillor Lynch referred to a number of jobs requiring attention in the Town of Athenry and asked that some money be made available to carry out one job in Athenry in the current year. The County Engineer indicated that there were no finances available in the current year for such work. In reply to Councillor Lynch, the County Engineer indicated that he would examine the question of the provision of signs at Craughwell and Labane and the provision of a sign for Athenry at Derrydonnell Cross.

Councillor M. Fahy referred to a number of problems in his Area and stated that hedge cutting was badly needed in some areas. He asked that the Council consider improvements at a dangerous bend at Ballylennan, Gort.

Deputy M. Kitt expressed the hope that additional monies would become available under the Western Package and he understood that some of this money could be spent on County Roads. He understood that details of the package would be available in the near future. He asked that sufficient signs be provided when improvement works were being carried out on the Bridge at Ahascragh. He also referred to the need to carry out road re-instatement immediately after Group Scheme work had been completed. He referred in particular to the Mid Galway Group Scheme.

In reply to Senator T. Hussey, the County Engineer indicated that the Council endeavoured to provide statutory signs and that he would examine any location submitted by Senator Hussey.

The County Engineer, at the request of Senator N. O'Conchubhair, agreed to examine the position in relation to a Local Improvement Scheme on the Aran Islands Reference 67/87 where the residents were finding difficulty in raising the local contribution. Senator O'Conchubhair stated that the road involved was also

used by the Council.

Councillor Glynn asked that the Council examine the possibility of providing a sign at Mannion's house, south of Milltown where accidents had occurred from time to time.

Councillor J. Joyce asked that the Council consider improvements at three bends in his Area, one at Naughton's on the Ballinasloe/Portumna road, one at Salmon's on the Eyrecourt Road and one at McIntyres at Eyrecourt/Banagher Road. On the proposal of Councillor P. O'Tuathail, seconded by the Chairman, the Council agreed to seek a deputation to the Minister for the Environment requesting him to expedite the documentation prepared regarding the development of the infra-structure to serve the Mariculture Development in Connemara with a view to receiving financial aid from the E.E.C. to carry out the necessary improvements. It was also agreed that the deputation should request the Minister to expedite the provision of a new pier in Inishere.

2271 - OFFICIAL OPENING OUGHTERARD WATER SUPPLY SCHEME

The Chairman informed the members that he had been in contact with the Minister for the Environment who had indicated that he would be available to perform the Official Opening of the Oughterard Regional Water Supply Scheme on the 13th June, 1988. The Council agreed that it might be possible to arrange a deputation with the Minister on that date and agreed that a Special Meeting of the Council should be held on that day in Oughterard if possible.

The Council agreed that the Department be requested to transfer 25% of the National Primary monies for spending on County Roads.

2272 - COMMITTEE MEETING OF COUNCIL TO DISCUSS PLANNING MATTERS.

The Chairman indicated that a Committee Meeting consisting of all of the members of the Council would be held before the Special Planning Meeting each month commencing in June 1988. Councillors should submit items for discussion at the Committee Meeting, the duration of which would be one hour. The Committee Meeting will be held at 3.00 p.m. and the Special Planning Meeting would be called for 4.00 p.m. on the same day.

The County Manager indicated that when the arrangements were being made for the holding of the Special Monthly Planning Meetings, he had agreed that the members of the Staff would not have to remain in attendance at Meetings after 5.30 p.m. The Council agreed that the Special Planning Meetings should finish at 5.30 p.m.

2273 - MAY MONTHLY MEETING

The Chairman indicated that the date of the May Monthly Meeting - 23rd May, 1988, coincided with another function and that a number of Councillors would not be able to attend the Meeting on the 23rd May, 1988. It was proposed by Councillor M. Ryan, and seconded by Senator N. O'Conchubhair and agreed that the May Monthly Meeting of the Council will be held on 20th May, 1988, at 3.30 p.m.

2274 - VOTES OF SYMPATHY

On the proposal of Senator P. McCormack, seconded by Senator T. Hussey, the Council passed a vote of sympathy with the family of the late Senator Jackie Daly, who had died recently. A number of Councillors associated themselves with the vote

of sympathy.

Votes of Sympathy were passed with the follow:

Patrick & Mrs Kenny, Ardeevin, Williamstown.
Mr Mossy Helly & Family, Tullira, Ardrahan.
Mrs Phyllis Bermingham, Dooreen, Clifden.

COUNCILLORS' NOTICE OF MOTION.

- 2275 - THAT COUNTY COUNCIL TAKE STEPS TO REMEDY DANGEROUS WATER LODGING PROBLEM AT ANNAGH. MOTION BY COUNCILLOR JARLATH MCDONAGH.

The following written reply was given to Councillor McDonagh:

"The problem of water lodging on the above road will be remedied as soon as possible under normal routine maintenance."

- 2276 - THAT COUNTY COUNCIL CARRY OUT LIMITED WORK TO IMPROVE SIGHT VIEW AT COOLARNE CROSS. MOTION BY COUNCILLOR JARLATH MCDONAGH.

The following written reply was given to Councillor McDonagh:

"This work is being carried out at present under Notice of Motion money and it will be completed in the near future."

- 2277 - THAT COUNTY COUNCIL CARRY OUT IMPROVEMENT MEASURES TO ALLEVIATE FLOODING AT GORTADOOEY, CLAREGALWAY. MOTION BY JARLATH MCDONAGH.

The following written reply was given to Councillor McDonagh:

"Remedial works to alleviate flooding have been carried out in the vicinity of Browne's house and the situation is now satisfactory."

- 2278 - COUNTY ROAD AT ARD WEST, CARNA. MOTION BY DEPUTY ROBERT MOLLOY.

The following written reply was given to Deputy Molloy:

"The County Road at Ard West is in need of major repairs. The cost of strengthening, reshaping and sealing would be in the region of £40,000. It is not a strategic county road and no funds have been provided for major repairs to be carried out this year. It is proposed to carry out minor surface repairs later in the year."

- 2279 - DANGEROUS CORNER AT MOORE'S HOUSE, BALLINLASS, BALLINAMORE BRIDGE, BALLINASLOE. MOTION BY DEPUTY MICHAEL P. KITT.

The following written reply was given to Deputy Kitt:

"The estimated cost of this work is £7,500. There are no funds available to do this work."

- 2280 - REPAIR AND RESURFACING OF ROAD FROM TIERNASCRAUGH TO MEELICK, EYRECOURT. MOTION BY CLLR. JOYCE AND DEPUTY M. KITT.

The following written reply was given to Councillor Joyce and Deputy Kitt:

"The road referred to C.R. 594 between Tiernascragh and Meelick crosses the Meeneen Bog. This road is in poor condition for length of 3½ miles. The road is in need of reshaping and strengthening on this section. There is no funding available for this work at present and it will only be possible to carry out normal maintenance operations. This road will be considered for next year's Feoga grants."

- 2281 - THAT GALWAY COUNTY COUNCIL WOULD RELIEVE FLOODING AND REPAIRS ON THE ALLOON ROAD, BALLYMACWARD, BALLINASLOE. MOTION BY DEPUTY KITT AND COUNCILLOR CALLANAN.

The following written reply was given to Councillor Callan and Deputy Kitt:

"The position here is that two local property owners are a wing effluent to be discharged from their properties to a road drain at the above location. The Council have written to the people involved requesting them to take steps to abate the nuisance. The Council will carry out normal maintenance to alleviate the flooding when the nuisance is abated."

- 2282 - IMPROVEMENTS TO BE MADE TO THE ROADWAY LEADING TO HOUSES AT LUIMINAUGH. MOTION BY COUNCILLOR MARK KILLILEA.

The following written reply was given to Councillor Killilea:

"The road in question is C.R. 133. It is in charge and maintained by the Council up to the last house and it is considered to be in a satisfactory condition. Beyond the last house a local improvement scheme was carried out on the road towards Ballinduff Castle some ten years ago, but it remains a non-public road."

- 2283 - PROVISION OF A HAND RAIL OUTSIDE THE KILRICKLE NATIONAL SCHOOL. MOTION BY COUNCILLOR ULICK BURKE.

The following written reply was given to Councillor Burke:

"From our investigations it seems that all the school children are directed to the side entrance in front of the adjoining Community Hall where they are collected by parents who use this area for parking. For this reason the provision of a hand rail outside the front entrance is not recommended."

- 2284 - REPAIRS BE CARRIED OUT ON THE LISSALUMMEY ROAD, KILRICKLE. MOTION BY COUNCILLOR ULICK BURKE.

The following written reply was given to Councillor Burke:

"This road C.R. 529 is a lightly trafficked link road between the Mullagh Kilrickle and the National Primary Route N.6. This road is generally in good condition with the exception of a number of short sections which need reshaping. There is no funding available for any repairs on this road with the exception of repairs to potholes which will be carried out as soon as possible as part of normal maintenance."

- 2285 - PEDESTRIAN CROSSING BE PROVIDED AT MAIN STREET, LOUGHREA. MOTION BY COUNCILLOR ULICK BURKE.

The following written reply was given to Councillor Burke:

"It is not proposed to provide a pedestrian crossing at Main Street, Loughrea, as following a recent survey carried out at Main Street, it was shown that the volume of pedestrians and vehicles did not warrant the provision of same."

THE MEETING THEN TERMINATED.

Submitted, Approved & confirmed
W. J. O'Connell
CHAIRMAN
Date: 20th Ballymore 1988

COMHAIRLE CHONTAE NA GAILLIMHE

Galway County Council

Oifig an Runai
Arus an Chontae
GAILLIMHE.

6u Meitheamh 1988.

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 hAoine, an 13u la ~~Meitheamh~~, 1988, ar a 3.00 a chlog sa trathnóna.

SEALTAINE,

Mise, le meas,

E. O'GLIASAIN

RUNAI.

A G E N D A

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

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 Planning Permission to Laurence & Ellen Moclair, Urrachree, Aughrim, for a new opening (exit) on to the National Primary Road at Urrachree - Planning Reference No. 55834."

James Joyce Michael Kitt Noel Treacy Ulick Burke
2. "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 Donal O'Brien for the erection of serviced dwellinghouse at Uggool, Moycullen - Planning Reference No. 55308."

Paddy McHugh Tom Welby John Molloy
3. "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 for the erection of a dwellinghouse at Townlands 1st Division to Mr. Matthew Gannon, Milltown Road, Tuam - Planning Reference No. 56005."

Patrick Finnegan James Joyce Noel Treacy
4. Local Government (Planning and Development) Fees Regulations, 1984 - Fees payable in relation to Planning Applications for Mushroom Tunnels.

COUNCILLORS' NOTICES OF MOTION

5. That the lands at Kiltiernan, Ardrahan, which was owned by Sean Kilraine and are held in bond by the Council in respect of the housing estates at Beech Grove, Oranmore, and Cloonarkin Drive, Oranmore, be released immediately to Mr. Kilraine.
6. That the County Manager grant planning permission to Mr. John Burke, 35 Cloonarkin Drive, Oranmore, for the erection of a farmhouse and the construction of a septic tank at Garraun South.

ITEM NO. 4 AGENDA FOR COUNTY COUNCIL MEETING OF 12th May, 1988
PLANNING APPLICATIONS FOR MUSHROOM TUNNELS

A mushroom tunnel has been regarded as a "building" by Galway County Council for the purpose of the calculation of planning application fees in accordance with the Local Government (Planning & Development) (Fees) Regulations 1984. The effect of this is that the Planning application fee is calculated on the basis of the area of gross floor space. The fee is at a rate of 50p per square metre or part of a square metre of gross floor space in excess of 300 square metres - subject to a minimum fee of £40 and a maximum fee of £150 per application.

The matter arises because, it is stated, that another County Council regards the tunnels as "structures" for the purpose of the calculation of fees. The effect of regarding them as "structures" would be that a flat fee of £40 only would be payable in respect of any one planning application regardless of the number of tunnels proposed to be built.

The position in the matter is that the term "building" is not defined in planning law and therefore is a matter for interpretation by the Local Authority. Notes for the guidance of Local Authorities with regard to the implementation of the 1984 Regulations issued by the Department of the Environment in February 1985 state "For the purpose of the Regulations it (a building) has been taken as a structure which has a roof and contains floor space but which is not necessarily bounded on all sides by walls".

Based on the Department's guidelines and on the existing legislation which uses floor area as one of the criteria by which the exemption or otherwise of certain agricultural buildings and structures from the requirement to obtain planning permission is determined, the County Council took the view that mushroom tunnels are "buildings".

MINUTES OF PROCEEDINGS OF SPECIAL MEETING OF GALWAY COUNTY COUNCIL HELD IN THE COUNTY BUILDINGS, GALWAY, ON FRIDAY, 13TH MAY, 1988.

IN THE CHAIR: Councillor M. O'Morain.

ALSO PRESENT:

Members: As recorded in the Attendance Book.

Councillors J. Brennan, J. Burke, U. Burke, J. Callanan, M. Fahy, P. Finnegan, Sen. T. Hussey, Cllr. J. Joyce, Deputy M. Kitt, Councillors J. Lambert, M. Lynch, J. McDonagh, P. McHugh, J. Mannion, M. Mullins, P. Raftery, M. Ryan, T. Walsh and T. Welby.

Officials:

Messrs S. Keating, County Manager; D. O'Donoghue, Asst. County Manager, P. Flood, County Engineer; E. Gleeson, Acting Asst. County Manager; L. Kavanagh, Senior Executive Engineer (Planning); D. Barrett, Senior Staff Officer and T. Kavanagh, Acting County Secretary.

The Opening Prayer was recited.

2286 - PLANNING COMMITTEE MEETINGS

The Chairman stated that the first hour of the Planning Meetings held on the 3rd Friday of each month, would be held in Committee. He said that if a member wished to have an item discussed at the Committee Meeting, he should send notice of it to the County Secretary and it would appear on the separate Agenda for the Committee Meeting.

2287 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 55834
APPLICANT : LAURENCE & ELLEN MOCLAIR.

The resolution as set out on the Agenda were proposed by Councillor J. Joyce and seconded by Deputy Kitt.

The County Manager submitted the following report, a copy of which had been circulated to each member of the Council.

"LOCATION

The site is located on the Galway to Dublin Road, N6 at Urraghry approximately 3 miles west of Ballinasloe and approximately 1 mile east of Aughrim.

PREVIOUS HISTORY:

19104: The site on which the house is located originally formed part of a site on which outline planning permission was granted on appeal for 6 houses.

40276: Permission granted for the house subject to 6 conditions, condition number 2(ii) of which read:
(ii) Access shall be strictly via the access coloured yellow on the site³ layout submitted on 22nd October, 1981. This access shall be designed and finished to the satisfaction of the Planning Authority. (This access led onto

minor road).

REASON: So as to provide adequate accommodation for parking and moving traffic and in the interests of preventing unauthorised development and of traffic safety.

Condition 3(ii) read "Existing screening along all boundaries of the site shall be maintained."

REASON: In the interests of visual amenity. (This included the National Primary boundary now removed)

Mr. John Creaven was the applicant.

On 1st May, 1986 an Enforcement Notice was issued to Mr. Creaven because of opening of an access onto the National Primary Route (surfaced vehicular access) and requiring that the access onto the National Primary Route be closed.

- 52823: Mr. Creaven made a planning application for retention of driveway as vehicular access and for erection of front wall which was refused for 4 reasons.
- 54752: Mr. Creaven applied for planning permission to retain garage door and permission for construction of pedestrian exit and boundary wall or fence. Permission was granted for the retention of the garage door and for the construction of the boundary wall, but refused for the construction of a pedestrian exit.

PLANNING CONSIDERATIONS:

New applicants, current application (Larry Moclair/Ellen Moclair Hurley-Moclair) who appear to have bought property in full knowledge of unauthorised works, are applying for permission for a new entrance (vehicular in size).

The site is located close to a bend on the National Primary Route and also close to the junction of National Primary route and County Road number 522.

The access is not necessary, permission having been given and in use for the last number of years for access off the County Road. The planning law has been continually ignored - i.e. refusals, and Enforcement Notice. A Section 4 decision in favour would (a) create a serious traffic hazard (b) create a precedent making it difficult to resist other like developments.

RECOMMENDATION

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 proposed is in contravention of previous grant of planning permission for existing house on this site ref. no. 40276."

The County Engineer said that there was already an entrance to the house from the minor road. If an access was granted on to the National Primary Road, it would be contrary to the provisions of the Development Plan and it would create a precedent which would make it difficult to resist other similar developments. He said the minor road was properly sign-posted and that National Primary Routes should not be turned into development roads. He rejected the arguments put forward in the report dated 4th May, 1988, by Mr. G. Cleary, B.E.

Councillor Joyce said that the applicants bought the house in 1987, having moved from a local authority house. He said that the previous owners of the house had gone to Australia. He said that applicant works in a permanent job in Ballinasloe Town. The applicants had spent a lot of money on the house and would like to have it in a certain way and the Council should take this into consideration. He said the house faces onto the National Primary Road and that the fence was removed by the former owner. A driveway to the National Primary Road was constructed but its use has been stopped by the local authority. Councillor Joyce circulated the following report from Mr. G. Cleary, B.E. and asked that it be included in the Minutes.

"The above dwelling is located adjacent to the N6 National Primary Route, about one mile on the Ballinasloe side of Aghrim Village. Mr. Moclair wishes to acquire a direct vehicular entrance, from the National Primary Route to his house.

At present, in order to gain access to his dwelling, Mr. Moclair has to turn up a county road, over 150 yards from his house and travel over 100 yards along this road before turning in a private R.O.W. which leads to the rear of his site.

This arrangement is creating a hazard for visitors to Mr Moclair's house for the following reasons:

(a) The side road entrance to the dwelling is not visible from the National Primary Route and Motorists are often driving up and down in front of the house, looking for an entrance or alternatively having passed the site without seeing an entrance, they carry out a "U" turn on the National Primary Route and go back again seeking an entrance.

(b) The County Road junction is located adjacent to a bend and this causes problems for motorists who are unfamiliar with the junction.

(c) The back entrance to the house is over a private R.O.W. and is more in the nature of a concealed entrance than a house."

Councillor Joyce said that he agreed with the points made by Mr. Cleary. He said that the junction with the County Road was dangerous and difficult to negotiate and that there was a fatal accident there in 1973. He said that an access onto the National Primary Road would be less dangerous. He said the existing right of way into the house was poorly constructed and was covered with potholes. Councillor Joyce said he was aware of the objections in the Development Plan against accesses onto National Primary Routes but said that there were mitigating circumstances in this particular case.

Deputy Kitt said that the applicants house was very difficult to find from the main road and that the junction with the County Road was dangerous and caused accidents. He saw no reason why permission should not be given for an access on to the Primary Route. Councillor U. Burke supported the resolution. He said that there were inconsistencies in planning decisions and asked if the house was constructed in accordance with the original permission granted. The County Engineer pointed out that the original outline planning permission was granted on appeal for 6 houses and the access was onto the County Road. Councillor Brennan said that he was familiar with the situation and that if this application was permitted, similar applications would arise. He suggested that it might be possible to construct a road parallel to the National Primary Road, exiting near the junction.

After further discussion, the Chairman decided to defer the resolution to see if an alternative could be worked out.

2288 - RESOLUTION UNDER SECTION 4 OF THE CITY & COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 55308
APPLICANT : DONAL O'BRIEN.

The Resolution as set out on the Agenda was proposed by Councillor P. McHugh and seconded by Councillor P. Finnegan.

The County Manager submitted the following report, a copy of which had been circulated to each member of the Council.

"LOCATION

The site is located on a County Road to the west of the Galway-Moycullen National Secondary Road and approximately 0.70 miles south of Moycullen.

PLANNING HISTORY:

32154: Outline Permission granted on 2 No. sites, one of which is included in the current proposals for 2 no. dwellinghouses in July 1981. Applicant (Mr. Ml. Walshe) made a submission in the course of the application stating that the proposed dwellings would be single storey.

PLANNING CONSIDERATION

The site is located in an extremely elevated location and the proposed dwellinghouse by reason of its large 2 storey dormer design would be inappropriate in this location. Applicant has been advised by way of a Further Information request that the 2 storey dormer bungalow as proposed would not be acceptable and that he should revise his proposal to a single storey dwellinghouse. Applicant refused to revise his proposal accordingly. The field in which the proposed site is located is the most elevated fronting this County Road. The previous outline permission ref. 32154 was granted on these lands on the basis that a single storey dwellinghouse only would be erected.

RECOMMENDATION

The proposed development by reason of its large two storey dormer design in an elevated and exposed location in open vulnerable landscape in an area of high scenic amenity would be an obtrusive feature on the landscape which would not be capable of being assimilated into its surroundings and would, if permitted, seriously detract from the scenic amenities of the area and would be contrary to the proper planning and development of the area."

Councillor McHugh said he did not think this was a contentious Section 4, the only objection being the height of the house. He did not think the outline permission specified that the house had to be single storey type. The applicant had bought the site without any restrictions as to the house type. The house was only 3 ft. higher than other bungalows and as the houses in the neighbourhood were screened off, it was hard to determine the height of the houses. He said the applicant had agreed to reduce the floor level of the house.

The County Engineer said that the site was the highest elevated site in the area and when dealing with the outline application, the Council was advised that the house to be built would be single storey type. An inspection of the planning file would indicate that the outline permission was for a single storey

house.

As there was no objection, the Chairman declared the resolution as set out on the Agenda carried.

2289 - RESOLUTION UNDER SECTION 4 OF THE CITY & COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 56005
APPLICANT : MATTHIAS GANNON

The Resolution as set out on the Agenda was proposed by Councillor Finnegan and seconded by Councillor Joyce.

The County Manager submitted the following report, a copy of which had been circulated to each Member.

"LOCATION

The proposed site fronts onto the Galway/Milltown N. 17 Route in Tuam almost directly opposite the Tuam Water Tower.

PLANNING HISTORY:

Planning ref. No. 9341: Application for a dwellinghouse refused in 1971 on the grounds that it would prejudice the then line of the Tuam Bye Pass.

Planning Ref. No. 30443: Permission granted in 1978 for house subject to access being taken from the Tullinadaly Road.

Planning Ref. No. 47909: Permission for a dwellinghouse granted in 1984 subject to access being taken from the Tullinadaly Road - Applicant Mr. F. Kelly.

Planning Ref. No. 55884: Outline Planning Permission was granted to Mr. Matthias Gannon in August, 1987 subject to access being taken from the old Tullinadaly Road and not onto the National Primary Route. The condition was not appealed.

Planning Ref. No. 55647: An Application for approval was lodged by Mr. Matthias Gannon and this was refused in February, 1988. The grounds for refusal were that the approval contravened conditions 2 and 3 of Planning Permission 55884 which stipulated that the dwellinghouse be single storey only and that no access onto the National Primary Route would be permitted. This decision was not appealed.

CONSIDERATION:

The applicant is apparently objecting to two matters, namely the single storey stipulation and the access requirement. In view of the fact that the proposed house is a gable/dormer type the Planning Authority would be willing to permit the proposed house type. However, the access issue cannot be conceded on the following grounds:

(i) The N.17 from the Ballygaddy Roundabout to the Bord Telecom Depot was constructed back in the early 1970's and functions as a bypass for the town centre and as a local distributor road. Although, the proposed access is within the 40 m.p.h. speed limit every new access will have the effect of reducing the capacity of the National Route and thereby diminishing the value of the State's investment in the road.

(ii) A perfectly satisfactory access is available from the site onto the old Tullinadaly Road. The applicant

who is a Medical Doctor with a surgery in Vicar Street has not offered any case whereby an exception should be made in this instance.

(iii) The Planning Department have been successful in limiting the number of accesses onto this road largely by grouping housing estates around service roads with a single access point. To date, this section of roadway represents a model of good planning with only three single dwelling accesses onto a stretch of urban road almost one kilometre in length.

RECOMMENDATION:

The granting of planning permission subject to the access being taken from the Tullinadaly Road."

Councillor Finnegan said that the main objection was the access onto the National Primary Road. He did not think it would reduce the value of the National Primary Road and other houses had access onto the National Primary Road. If the access was to be onto the Tullinadaly Road, it would devalue the site and there was also a water main on the site which restricted the site. Councillor Finnegan said that the site was within the 30 m.p.h. speed limit and that the Council was imposing very severe restrictions on the applicant.

The County Engineer said that he was strongly opposed to the granting of permission for an access onto the National Primary Road. He said that if permission was granted in this case, others would follow. He agreed that some houses had access onto the main road but said that these would not be granted at the present time. He said that traffic comes down the hill at very fast speeds and it presented a very dangerous situation. Service vehicles would also be using the access.

Councillor J. Burke proposed that the application be refused. He accepted the County Engineer's remarks about traffic speeding down the road and wondered what objection the applicant had to coming out on the Tullinadaly Road. Councillor Burke said that it would be in the applicant's own interest not to exit onto the National Primary Road but perhaps a pedestrian access would be allowed. He said that the previous owner was refused access onto the main road. Councillor Finnegan said that he did not think the granting of permission within a 30 m.p.h. speed limit breached the agreement in relation to Section 4s. He had no information about traffic speeds on the road. He said the exit on to the Tullinadaly Road was very narrow and that the applicant knows what is best for himself.

The County Engineer said that the National Primary Road was designed as a bye pass for Tuam and it was most important to preserve the capacity of it. He said that a bye-pass within a town had to be treated differently from other urban roads. He would not favour a wicket gate. Councillor U. Burke said that he would be concerned if the speed of traffic was used to hinder development. Deputy Kitt supported the resolution and said that if the applicant wished to provide a surgery, he would have to make a further planning application.

The Chairman said that he was deferring a vote on the resolution until 4.30 p.m. At 4.30 p.m., the Chairman said that the number of members present at the Meeting was insufficient to carry a Section 4 resolution. Councillor Finnegan proposed that a vote on the resolution be deferred to the Council Meeting on the 20th May, 1988. This was seconded by Councillor Joyce. Councillor J. Burke proposed that a vote be taken there and then and this was seconded by Councillor Brennan.

The Chairman decided to taken a vote on Councillor Finnegan's

proposal that the matter be adjourned to the Council Meeting on the 20th May, 1988. The vote resulted as follows:

FOR : Councillors U. Burke, M. Fahy, P. Finnegan, J. Joyce
Dep. Kitt, Councillors J. Lambert, M. Lynch, P. McHugh,
M. O'Morain and M. Ryan (10)

AGAINST : Councillors J. Brennan, J. Burke and M. Mullins.
(3)

The Chairman said that further consideration of the Resolution would be resumed at the Council Meeting on 20th May, 1988.

2290 - PLANNING FEES FOR MUSHROOM TUNNEL DEVELOPMENTS

The County Manager said that he was asked to examine the question of the planning fees being charged by the Council for mushroom tunnels. He said that he had examined the regulations governing the fees payable for planning applications and there was a difficulty in determining whether a mushroom tunnel was a building or a structure. If it was considered to be a building there would be a minimum fee of £40 and a maximum fee of £150 per application. The effect of regarding tunnels as structures would result in a flat fee of £40 per application. The County Manager said that he would take a common sense approach and treat each application on its merits. He said that tunnels consisting only of hoops with the minimum of concrete to secure them into the ground might be regarded as structures whereas other developments with a more solid concrete base might be regarded as buildings.

Councillor U. Burke said that he welcomed the County Manager's approach because the practice heretofore was different. He said that if the Council was to be supportive of this type of alternative development to agriculture, the Council would have to adopt a reasonable approach and that many other County Councils were only charging the minimum fee. He was aware of some groups of people proposing the hoop type tunnel and he hoped that the minimum planning fee would apply. Deputy Kitt and Councillor Mullins supported Councillor U. Burke.

2291 - LANDS OF SEAN KILRAINE - MOTION BY DEPUTY F. FAHEY

In the absence of Deputy Fahey, the Chairman asked that the reply to the Motion be communicated to him.

2292 - PLANNING APPLICATION OF JOHN BURKE - MOTION BY DEPUTY FAHEY

In the absence of Deputy Fahey, the Chairman asked that the reply be communicated to him.

2293 - LEGAL ADVICE ON THE SECTION 4 RESOLUTION.

Councillor U. Burke referred to the Law Agent's advice to the County Manager following the passing of a Section 4 Resolution in relation to planning application number 55688 - applicant Sean Kenny. He said that the Law Agent had stated that the County Engineer's points in relation to (1) traffic hazard (2) second family dwelling were not contradicted. He disagreed with this.

The County Manager said that the second family claim was not allowable where there was an alternative site and he read the following further report from the Law Agent dated 10th May, 1988.

"The grounds for my advice were the County Engineer's comments and advice. An acknowledgement by Councillors of the need for consideration to move out the speed limit no more than confirmed the County Engineer's advice, if it needed confirmation. These statements in themselves were not a ground on which my advice was based. Even if I disregarded these statements, which I could not do anyway, my advice would have been the same."

The County Manager said that the Law Agent would be available at the next meeting or would discuss the matter with Councillor Burke if required.

VOTES OF SYMPATHY:

The following votes of sympathy were passed with the following:

- Mrs Betty Taylor, Ardrahan, Co. Galway.
- Mrs Donnellan, Kill, Clontuskert, Ballinalsoe.

THE MEETING THEN TERMINATED

SUBMITTED, APPROVED & CONFIRMED:

Mia Doherty CHAIRMAN

27-6-88 DATE

Minute Book

COMHAIRLE CHONTAE NA GAILLIMHE

(Galway County Council)

Oifig an Runai,
Arus an Chontae,
GAILLIMH

13u la Bealtaine, 1988.

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 h-Aoine, an 20u la Bealtaine, 1988, ar a 3.30 a chlog sa trathnóna.

Mise, le meas,

T. O'CAOMHANAIGH,
RUNAI.

A G E N D A

1. Consideration of Minutes of the following Meetings.
 - (a) Monthly Meeting held on the 25th April, 1988.
 - (b) Special Roads Meeting held on the 6th May, 1988.
2. Overdraft for Quarter ending 30th September, 1988.
3. Fix date for Annual Meeting of the Council.
4. Environment Campaign, 1988.
5. Tuam Town Boundary.
6. Douglas Hyde Conference - Ballaghaderreen 24th/26th June, 1988.
7. Letter from the Western Inter County Railway Committee - 6th May, 1988.
8. Malicious Injury Decrees - list herewith.
9. Business submitted by the County Manager.

COUNCILLORS' NOTICES OF MOTION.(a) Adjourned from previous Meeting:

- DEPUTY MICHEAL KITT - I will propose:
10. That two drains at Killure, Ahascragh, be cleaned by Galway County Council (details enclosed).
- DEPUTY ROBERT MOLLOY - I will propose:
11. That Members be provided with a copy of the Council's to the Offshore Island Committee.
- COUNCILLOR TIERNAN WALSH - I will propose.
12. That Galway Council request the Government to change the policy of taxing all Farmers on Accounts and re-introduce the system of a Land Tax of £10 per adjusted acre as proposed in the Farm Tax Bill, 1985.

(b) OTHER MOTIONS RECEIVED.COUNCILLOR JARLATH McDONAGH - I will propose:

13. That the County Council use Social Employment Scheme to carry out much needed improvement works in two Cemeteries (Details enclosed)
14. That County Council take steps to curtail dangerous traffic situation now prevailing at Lachtgeorge.
15. That Galway County Council carry out badly needed repair works at Lackagh to alleviate bad flooding situation.

DEPUTY ROBERT MOLLOY - I will propose:

16. That Galway County Council introduce a special Grant Scheme to encourage the preservation of thatched cottages of outstanding merit.
17. That emergency repairs be carried out to the potholes on two miles of road serving ten houses at Cool Park, Clonbur.

DEPUTY FRANK FAHEY - I will propose:

18. That the County Council take in charge the Sewerage Treatment Plant which services Oakfield Estate, Oranmore.
19. That the Gloves Group Water Scheme, Athenry be allowed to go ahead.
20. That the County Manager give a full report on the progress of the Oranmore Sewerage Scheme and if he will indicate the timescale for the remaining planning stages of the Scheme.

COUNCILLORS JAMES JOYCE AND JOE CALLANAN. -- We will propose.

21. That the shore leading from Aughrim Cemetery be freed as it is causing flooding in the Graveyard during wet weather, as was the case this Spring when the trial tank in the Graveyard showed a depth of 5' of water.

COUNCILLOR JOE LAMBERT - I will propose:

22. That something be done about the plight of the people of Geeha, Cregboy, Dooras who are billed for water rates and still have not got a proper water supply.

COUNCILLOR JOHN MOLLOY - I will propose:

23. That repairs be carried out to the Leagan/Ballinahalla Road, Moycullen as soon as possible.

...../

COUNCILLORS' NOTICES OF MOTION (Contd)....COUNCILLOR TIERNAN WALSH - I will propose:

24. That Galway Council erect a fence in order to prevent indiscriminate dumping at Mount Mary, Friaryland, Creggs. This family who lives near this unofficial dump are subjected to an unacceptable situation, rats, etc. The 'no dumping' signs which are there are being ignored.
25. That Galway County Council requests clarification from the Minister on what constitutes a separate holding under the terms of Department Circular relating to Local Improvement Schemes.
26. That Galway County Council erect a Yield Sign on one of the roads where the Englishtown and Ballinlass roads join near Finnegan house about 1 mile North of Glenamaddy.

COUNCILLOR MARTIN LYNCH - I will propose:

27. That Galway County Council would clean the road outside LanHide Factory in Kilchreest and remove the grass verg, as there are 40' lorries going in and out of the LanHide Factory. In order to get in and out of the factory they have to go up on the grass verg. So this leaves a lot of muck on the road. So would you please put a hard shoulder there.

COUNCILLOR PATRICK FINNEGAN - I will propose.

28. That this Council declare public the road to Jack Mullins house at Currylea, Lavally, recently done by Local Improvement Scheme.
29. That this County Council take over the services in the following Tuam Housing Estates:- Parkview Drive, Millstream Park, Trinity Court, Cedar Court and Bel Air Drive.

DEPUTY MICHEAL KITT - I will propose.

30. That Galway County Council would widen a road leading to the house of a person in County Galway (Details enclosed).
31. That grass would be cleared on a road, (details enclosed) and that a lay-by be provided to allow vehicles to pass.

DEPUTY NOEL TREACY - I will propose

32. That Galway County Council provide a new channel and entrance gate to a public well at a place in County Galway (details supplied), that the pollution problem affecting this well be remedied immediately and that any other ancillary works necessary to alleviate the difficulties encountered by local people in this area be carried out forthwith, and that the Council outline in detail the dates in which the work will commence and any other relevant information.

33. That this Council complete the works outside a house (details supplied) which were started over a year ago and are causing a constant nuisance of the adjoining residence, that the dates in which these works would be carried out be outlined hereafter. That the works be commenced forthwith and that the relevant information be made available hereafter also.

COUNCILLOR TOM WELBY - I will propose.

34. That a section of crash barrier be erected on both sides of Mrs. Spelmans gate at Cluggam, Maam, because a number of cars have driven over the wall at this point recently, in the interest of public safety.
35. That a portion of open ground at the junction between the road leading to Roundstone and the road leading to Allbrack south west of Keoghs Bar be walled in and landscaped.
36. What is the present position regarding the request by people of Roundstone for an extension to the Gurteen Burial Ground.

COUNCILLORS' NOTICES OF MOTION. (Contd)....

COUNCILLOR PADDY McHUGH - I will propose.

- 37. That Galway County Council carry out immediate remedial and ancillary works at Bridge Street, Headford so as to prevent surface water being discharged into the driveway of a private dwelling house (details supplied).
- 38. That the County Council carry out repairs and improvements to crossroads sign posting at Caherlistrane (details supplied).
- 39. That Galway County Council provide additional warning signs and that a traffic island with bollards be erected at Claregalway Church road junction.

AN COMHAIRLEOIR PEADAR O'TUATHAIL - MOLAIMSE.

- 40. Go gcuirfeidh an Comhairle Chontae comharthai scoile ar na boithre timpeall scoil Tir an Fhia, Leitirmoir.
- 41. Go ndeanfadh an Comhairle Chontae iarracht Caretaker don Reilig Nua ag Claidhach, an Ceathru Rua a fhostu. Ta an coras faoi lathair an mhí shaisiul.
- 42. Go ndeanfai deisiuchain prainneach ar bhothar Derreendarach, Cruimmine, Leitircaladh.

COUNCILLOR NICOLAS O'CONNOR.

- 43. That the County Manager give details of fish farms given permission to operate on the lakes and fresh waters of County Galway.
- 44. What is the position regarding application for a pedestrian crossing at Carraroe National School.
- 45. Would the County Manager provide a life saving guard for Doilin Beach, Carraroe, for this summer.

MUNICIPAL DAMAGE DECREES

Name and address	Particulars of Claim	Area of Charge	Amount of Claim	Amount of Decree including costs.
Martin Wall, Killeen, Castlegar,	Damage to property	County at large	£3,500	£4,871.91
Flannerys Motor Inn, Dublin Rd., Galway.	Damage to property	County at large	£5,378.13	£6,236.59

COMHAIRLE CHONTAE NA GAILLIMHE
GALWAY COUNTY COUNCIL

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



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

Telephone:
(091) 63151
Ext.

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

16th May, 1988.

TO EACH MEMBER OF GALWAY COUNTY COUNCIL

A Chara,

The following Resolution will be considered at the Council Meeting to be held in the County Buildings on the 20th May, 1988 at 3.30 p.m.

Mise, le meas,

T. O'CAOMHANAIGH,
RUNAI.

SUPPLEMENATAY AGENDA.

Resolution under Section 4 of the City and County Management (Amendment) Act, 1955: (Adjourned from Meeting of 13th May, 1988).

"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 for the erection of a dwellinghouse at Townlands 1st Division to Mr. Matthew Gannon, Milltown Road, Tuam - Planning Reference No. 56005."

Patrick Finnegan. James Joyce. Noel Treacy.

MINUTES OF MONTHLY MEETING OF GALWAY COUNTY COUNCIL HELD AT COUNTY BUILDINGS, GALWAY, ON FRIDAY, 20TH MAY, 1988.

IN THE CHAIR: Councillor Micheal O'Morain.

ALSO PRESENT:

Members: As recorded in the Attendance Book.

Councillors J. Burke, U. Burke, J. Callanan, Deputy F. Fahey, Councillors M. Fahy, P. Finnegan, Senator T. Hussey, Councillor J. Joyce, Deputy M.P. Kitt, Councillors J. Lambert, M. Loughnane, M. Lynch, Senator P. McCormack, Councillors J. McDonagh, P. McHugh, J. Mannion, J. Molloy, M. Mullins, Senator N. O'Conchubhair, Councillors P. O'Tuathail, P. Raftery, M. Ryan, Deputy N. Treacy, Councillors T. Walsh, and T. Welby.

Officials:

Messrs. S. Keating, County Manager; E. Gleeson, Acting Assistant County Manager; J. Crotty, Deputy County Engineer; L. Kavanagh, Senior Executive Engineer; D. Barrett, Senior Staff Officer; T. Kavanagh, Acting County Secretary.

The Opening Prayer was recited.

2294 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 56005 - APPLICANT: MATTHEW GANNON:

This resolution was considered at Council Meeting on 13th May, 1988, and a decision was deferred.

Councillor Finnegan proposed the resolution set out on the Agenda. The resolution was seconded by Senator Hussey. As there was no objection, the Chairman declared the resolution carried.

2295 - MINUTES:

On the proposition of Councillor Ryan, seconded by Councillor Mannion, the Minutes of Monthly Meeting of the Council held on the 25th April, 1988, were adopted and signed by the Chairman.

On the proposition of Councillor J. Molloy, seconded by Councillor Ryan, the Minutes of Special Roads Meeting held on the 6th May, 1988, were adopted and signed by the Chairman.

2296 - OVERDRAFT ACCOMMODATION FOR QUARTER ENDING 30TH SEPTEMBER, 1988.

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

"That Galway County Council hereby approve the raising of Overdraft to the extent of £3 million on the Council's Revenue and Capital Accounts for the quarter ending 30th September, 1988, subject to the sanction of the Minister for the Environment."

2297 - DATE FOR ANNUAL MEETING OF THE COUNCIL:

It was proposed by Deputy Kitt, seconded by Councillor Finnegan, and agreed that the Annual Meeting of the Council would be held on Monday, 18th July, 1988.

It was agreed that there would be no Special Planning Meeting in July.

It was also agreed that the Planning Meeting for June would be held on Monday, 13th June, at 3.00 p.m. in Oughterard, to coincide with the Official Opening of the Oughterard Regional Water Supply Scheme. The first hour of the Meeting would be a Committee Meeting as already agreed. The Chairman said that any items submitted to the County Secretary would be included on the Agenda for the Committee Meeting. Senator McCormack said that it should be possible to raise items which were not on the Agenda. The Chairman said that in fairness to the Officials, adequate notice should be given. The County Manager said that Councillors would not be able to get answers from the Officials as to what decisions would be made on Planning Applications. He said that Members would be free to submit observations on applications.

2298 - ENVIRONMENT CAMPAIGN 1988:

The County Manager referred to the report circulated setting out the Council's Environment Campaign Programme for 1988. The Programme was approved.

2299 - TUAM TOWN BOUNDARY:

The County Manager submitted his report dated 13th May, 1988, which had been circulated to each Member. The matter was previously discussed at a Meeting of the Council on the 28th April, 1988. The County Manager said that he had since discussed the matter with the Town Commissioners. He said the Town Commissioners pressed very hard for the inclusion of two additional Townlands. He said the area proposed in his report of the 15th April, 1988, was very large and the reason for this was that he did not want to fragment Townland boundaries. He told the Town Commissioners that he could not support their case for the addition of two further Townlands and he wished to make this clear to the Members of the Council also. He said that the Town Commissioners would probably pursue their case for the additional Townlands.

Councillor Finnegan asked if there was any objection to the Town Commissioners submitting their own proposals to the Minister. The County Manager said that the Council would have to decide its position as the Minister may wish to know this. He said he could not recommend any extension beyond that set out in his report of the 5th April, 1988.

Councillor Mannion proposed that the County Manager's proposals in relation to the Tuam Boundary Extension as set out in his report of the 15th April, 1988, be approved. This was seconded by Senator Hussey and agreed.

2300 - DOUGLAS HYDE CONFERENCE - BALLAGHADERREEN - 24TH/26TH JUNE, 1988:

On the proposition of Senator Hussey, seconded by Deputy Kitt, it was agreed that the Chairman, Councillor O'Morain, be nominated to attend the Conference.

On the proposition of Councillor Mannion, seconded by Councillor McDonagh, it was agreed that Councillor Ryan be nominated to attend the Conference.

The County Manager advised the Members that the provision in the Estimates for expenses for Conferences, etc., was running out. It was agreed to discuss the question of expenses on the day of the Annual General Meeting.

2301 - WESTERN INTER COUNTY RAILWAY COMMITTEE:

It was agreed to adjourn this item to the day of the Annual General Meeting.

2302 - MALICIOUS INJURY DECREES:

The list of Malicious Injury Decrees circulated with item No. 8 on the Agenda was noted.

BUSINESS SUBMITTED BY THE COUNTY MANAGER:

2303 - TERMINATION OF ACOT DEMAND:

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

"The Council is advised by the Department of the Environment that in the context of the establishment of the new Agriculture and Food Development Authority, the payment by the Council of the A.C.O.T. Demand has been terminated with an appropriate deduction in 1988 and future years Rate Support Grant.

Two outstanding items remain to be resolved.

- (1) Arrears of 1982 demand due to A.C.O.T.
- (2) Compensation due to the Council in respect of assets transferred to A.C.O.T. in 1977.

EFFECT ON COUNCILS 1988 FINANCES:

Council's Estimate Provision 1988. £145,485

This figure was arrived at on basis of information available from Department of the Environment and the Public Services Estimate which suggested that the 1988 demand would be 65% of 1987 demand.

The Department has now informed the Council that the deduction from the 1988 Rate Support Grant will be calculated as follows:-

- | | |
|--|----------|
| (1) Actual level of contribution to A.C.O.T. for 1988. | £193,682 |
| (2) Plus adjustment for 1/5 of 1982 Arrears (assessed at £116,652) | £58,326 |
| (3) Less Adjustment for 1/5 of compensation due to Council re transferred assets (assessed at £116,155). | £23,231 |

Resultant net deduction in 1988 Rate Grant. £228,777

THE DIFFERENCE BETWEEN THE RATE GRANT DEDUCTION AND THE COUNCIL'S ESTIMATE PROVISION CREATES A SHORTFALL IN THE COUNCIL'S FINANCES IN 1988 OF:- £83,292

The balance, (1/5) of the 1982 arrears will be deducted from the 1989 Rate Support Grant.

The balance (4/5) of the compensation due to the Council will be added in 4 equal moieties to the Rate Support Grant for each of four years commencing in 1989."

The County Manager said that he found it necessary to advise the Members of the developments in relation to the termination of the A.C.O.T. Demand. He said that the arrears of £116,652 due to A.C.O.T. for 1982 resulted from the fact that Agricultural rates were due to the Council for that year and have still not been paid and will not be paid. He said that this was an unexpected cut on the Council's finances and that it would affect the services to be provided. He said it was unfair that the arrears would be clawed back over two years whereas the compensation due to the Council for transferred assets was being paid over 5 years.

Councillor Ryan proposed that the Minister's proposal be rejected. Senator Hussey seconded this proposal and said that it would cause further hardship on the Council. He said there was no reason why the arrears should have to be paid back over two years.

The Members suggested that the Chairman might discuss the matter with the Minister for the Environment on the occasion of the Official Opening of the Oughterard Regional Water Supply Scheme. The Chairman agreed to this.

2304 - AMENITY GRANTS FROM NATIONAL LOTTERY FUNDS:

Letter dated 6th May, 1988, from the Department of the Environment setting out Grant Allocations for County Galway was circulated to each Member. Councillor Joyce welcomed the Grants which had been allocated. Councillor J. Burke complained that the Grants were not spread throughout the County. Deputy Fahey disagreed with this and named various places which had qualified for Grants.

2305 - KILRAINE TREATMENT PLANTS AT ORANMORE:

The chairman allowed Deputy Fahey to raise a Notice of Motion which appeared on a previous Agenda regarding the maintenance of the Kilraine Treatment Plants at Oranmore and the release of a Charge on lands at Kiltiernan East in favour of Galway County Council.

The County Manager explained that a charge of £9,000 was provided by the Kilraines on foot of Condition No. 2 of Planning Approval No. 20725. The Charge was provided as Security for the satisfactory construction, completion and maintenance of services at the Housing Development at Oranmore known as Cloonarkin Drive. He said that the Treatment Plant was not provided and maintained to the satisfaction of the Council, and a Statutory Notice under the Public Health Acts was served on the Developers in 1984 when the Sewerage Treatment Plant failed to function properly. An Order was obtained in the District Court in August 1984 requiring the developers to take appropriate measures to abate the nuisance. The developers failed to do this and the County Council took emergency measures to abate the nuisance in the interests of public health. The County Council has, since 1984, taken measures as necessary to prevent a public health nuisance arising from the Treatment Plant at Cloonarkin Drive and also in relation to another Treatment Plant in a nearby Housing Estate which is also the responsibility of the developers. These measures included the continued payment since 1984 of electricity charges. Up to the 31st December, 1987, expenditure in respect of the Treatment Plant at Cloonarkin Drive amounted to £20,638 and £1,689 in respect of the other Treatment Plant. The County Manager said that the Council could not forego the security provided by the Deed of Charge. The County Manager said that he was willing to discuss a reasonable solution with the developer.

Deputy Fahey said that when the Council proposed that the Plants be taken over, his understanding was that the Council would pay the cost. He also referred to Minute No. 2662 when the Council approved of the raising of a loan and said that no mention was made of Kilraines having to pay the cost. He said that there had been poor handling of the Oranmore Sewerage Scheme over the years by the Council and other Agencies and he was insisting on the Council paying the maintenance costs of Kilraines Treatment Plants.

The County Manager rejected Deputy Fahey's remarks about the handling of Oranmore Sewerage Scheme. He said that every conceivable effort was made so that the effluent from the scheme would not damage the receiving waters but all failed. Galway Corporation had now agreed to accept the effluent into the City Sewerage System. The County Manager said that the borrowing proposals referred to by Deputy Fahey related to the installation of new Plant and not maintenance of the existing Plant. He said that the developers abandoned their responsibilities and that he had advised the Council that he would not take over the maintenance of the Plants but would pay the electricity charges in order to keep the Plants functioning in the interests of public health. The improvements to the Plants were not proceeded with due to the fact that they would be obsolete in view of the decision to connect up with the Galway City Drainage Scheme.

Councillor Loughnane asked that the expenditure by the Council on the Kilraine Plants be itemised. Deputy Fahey said that he would like to know when the County Manager advised the Council that he was not going ahead with the improvements to the Plants. He said that the Kilraines were being charged for something they were not liable for. He proposed that the Council pay the cost of the maintenance of the Plants to date.

The Chairman said that he could not accept such a proposal and invited deputy Fahey to submit a proposal to the County Secretary to the next Meeting if he so wished.

In reply to Senator McCormack and Councillor Loughnane, the County Manager said that there was a case before the Courts relating to the Oakfield Estate, Oranmore, and therefore, the matter was subjudice and could not be discussed.

2306 - SOCIAL EMPLOYMENT SCHEMES:

Councillor Finnegan asked if there was any progress in getting approval for new Social Employment Schemes. The Acting Secretary explained that no new Social Employment Schemes had been approved and that approval was being held up by one Union. As far as he was aware, there was no objection locally and the embargo seemed to operate from Union Headquarters. The County Manager said that the Council had given the best guarantee it could in relation to lay-offs, etc.

Councillor McDonagh asked that another Appeal be made to the Union to approve the Schemes and that the General Council of County Councils and the Minister for Labour be also asked to intervene. This was agreed.

COUNCILLORS' NOTICES OF MOTION

2307 - CLEANING OF DRAINS AT KILLURE, AHASCRAUGH: - MOTION BY DEPUTY KITT:

The following reply was given to Deputy Kitt:

"The drains referred to are deep roadside drains which serve the purpose of draining the adjoining lands. These drains do not require cleaning in so far as road drainage is concerned but may do so for the purposes of draining the adjoining lands. With limited resources, it is not possible for the Council to expend monies on what is essentially for the benefit of land drainage."

2308 - OFFSHORE ISLANDS COMMITTEE: - MOTION BY DEPUTY MOLLOY:

This motion was adjourned to the next Meeting.

2309 - FARMER TAXATION: - MOTION BY COUNCILLOR T. WALSH:

This motion was adjourned to the next Meeting.

2310 - SOCIAL EMPLOYMENT SCHEMES: - MOTION BY COUNCILLOR J. McDONAGH:

The following written reply was given to Councillor Jarlath McDonagh:

"An application was submitted to National Manpower Service for a Social Employment Scheme at Carrowbrowne/Castlegar Burial Ground on 9/11/'87. Approval is awaited.

An application for a Social Employment Scheme for Foys Burial Ground, Kinvara, was submitted to National Manpower Service some time ago and is awaiting approval."

2311 - TRAFFIC JUNCTION AT LACHTGEORGE: - MOTION BY COUNCILLOR J. McDONAGH:

The following reply was given to Councillor Jarlath McDonagh:

"The old road referred to is the stretch of the National Secondary N.63, Galway to Roscommon road which intersects with the National Primary Route N.17 Galway to Tuam Road at an acute angle. Though the intersection has been upgraded with realignment of the N.63, the old section of the N.63 is left in place and continues to service a number of houses and properties. It is accepted that occasionally traffic travelling towards Galway traverses this old road at high speed as a short cut route. The erection of ramps on the old road was considered in the past as the most effective means of controlling traffic speeds, but the ramps were not erected pending the introduction of the Road Traffic (Bollards and Ramps) Regulations, 1988, which came into effect only on the 22nd of March, 1988. The requirements of the Regulations do not permit the erection of ramps at this location. Requirements No. 4 states that ramps cannot be erected on National roads or roads where the speed limit exceeds 30 m.p.h.

The road can be reclassified but it is unlikely that the location would satisfy requirements for the introduction of 30 m.p.h. speed limits."

2312 - FLOODING AT LACKAGH: - MOTION BY COUNCILLOR J. McDONAGH:

The following written reply was given to Councillor J. McDonagh:

"This work will be attended to, in the course of routine maintenance."

2313 - PRESERVATION OF THATCHED COTTAGES: - MOTION BY DEPUTY MOLLOY:

The following written reply was given to Deputy Molloy:

"Any such scheme would have to be funded by Galway County Council and there are no funds available for such purposes."

2314 - POTHOLES AT COOL PARK, CLONBUR: - MOTION BY DEPUTY MOLLOY:

The following written reply was given to Deputy Molloy:

"The road at Coolin, Clonbur is a non strategic County Road. The road is in need of major repairs for which there are no funds available during the current year."

2315 - SEWERAGE TREATMENT PLANT AT OAKFIELD ESTATE, ORANMORE: - MOTION BY DEPUTY F. FAHEY:

The following written reply was given to Deputy F. Fahey:

"The operation of the private sewerage treatment plant serving Oakfield Estate, Oranmore, has been a cause of concern to Galway County Council for some three years. Court proceedings have been put in train and the case was mentioned at Galway District Court on Thursday, 19th May, and was adjourned for a month. The case is subjudice at the moment."

2316 - GLOVES GROUP WATER SUPPLY SCHEME: - MOTION BY DEPUTY FAHEY:

The following written reply was given to Deputy F. Fahey:

"This case has been the subject of representation from a number of public representatives. The matter was also the subject of a Notice of Motion at the Council Meeting of 19th October, 1987.

The proposed source for Gloves Group Water Supply Scheme is Athenry Town Supply. The present sources of supply for Athenry Town are inadequate during periods of drought. A new exploratory borehole was bored in 1983 to augment the supply. The group requested a supply of 30,000 g.p.d. and this was agreed in January 1986. However, since that decision, the Council's augmentation borehole silted up with the result that there is at present inadequate capacity during drought conditions. The Department of the Environment were informed of this position by letter dated 13th October, 1987.

A supply of water will not be available from the Athenry Supply for the Gloves Group Water Supply Scheme until it had been augmented. The Preliminary Report for the Mid-Galway Regional Water Supply Scheme - Stage 3 which refers to the Oranmore/Athenry Section is with the Department awaiting sanction. The estimated cost of the Scheme is £1.2 million and is 5th of the Council's Priority List adopted at the Council Meeting on 5th December, 1986."

2317 - ORANMORE SEWERAGE SCHEME: - MOTION BY DEPUTY F. FAHEY:

The following written reply was given to Deputy F. Fahey:

"The Council has just received the Preliminary Report from its Consultants for the pumping of sewage from Oranmore into the Galway City Main Drainage Network and the report is being examined by the Council's own technical staff. The Preliminary Report will be submitted to the Department of the Environment for approval in about a weeks time. This Scheme is 6th on the Council's Priority List adopted at the Council Meeting on 5th December, 1986 and is estimated to cost £3.22 m.

When the Preliminary Report is approved by the Department of the Environment, the Council will then proceed to acquire the necessary lands and waylaves, and arrange for the preparation of the Contract Documents.

It is difficult to give a timescale for the remaining planning stages of the Scheme as each stage - Preliminary Report Stage, Contract Documents Stage and Tendering Stage are all subject to the approval of the Department of the Environment."

Deputy Fahey said that at a recent Meeting in Oranmore, the community were very irrate at the delay in providing the Sewerage Scheme. He asked if there would be any problem in funding the cost of the scheme. The County Manager said that the Scheme was sixth on the Council's Priority List and the Council will proceed as quickly as possible. He said it was a very expensive scheme for a village and whereas the Department had indicated recently that the Sanitary Services Schemes would be funded by way of Grants rather than loans, this has since been changed resulting in some clawback in 1988 which would have a similar result as loan charges. The County Manager said that the position may change again in 1989. He said that loan charges would cause a problem and that the scheme may also be affected by the developments in relation to the Tuam Sewage Treatment Plant. He agreed that Oranmore was in urgent need of a sewerage scheme.

Deputy Fahey stressed the urgency in relation to Oranmore and asked if the Eastern Environs of the City could be developed when Oranmore is connected to the Galway City Drainage Scheme. The County Manager said that the interconnection of the two schemes was not for that purpose.

2318 - FLOODING AT AUGHRIM CEMETERY: - MOTION BY COUNCILLORS JOYCE AND CALLANAN:

The following written reply was given to Councillors Joyce and Callanan:

"The matter is being investigated at present and it is hoped to have a report available for the next Council Meeting."

2319 - WATER SUPPLY AT GEEHA, CREGBOY, DOORAS: - MOTION BY COUNCILLOR LAMBERT:

The following written reply was given to Councillor Lambert:

"The current use of water on the above scheme is 28,000 gallons per day. Original allocation was 18,000. No further improvements are envisaged until Kinvara Regional Water Supply is completed and in operation."

2320 - REPAIRS TO LEAGAN/BALLINAHALLA ROAD, MOYCULLEN: - MOTION BY COUNCILLOR J. MOLLOY:

The following written report was given to Councillor Molloy:

"Repairs are carried out under routine maintenance, on a priority basis and as resources permit. Repairs to this road are unlikely to be attended to until late in the year."

Councillor Molloy asked that the work be attended to as quickly as possible.

2321 - DUMPING AT MOUNT MARY, FRIARYLAND, CREGGS: - MOTION BY COUNCILLOR T. WALSH:

The following written reply was given to Councillor T. Walsh:

"There are two no dumping signs already erected at this location. It is not proposed erecting a fence due to the high cost involved, and also the fact that no funds have been made available in the 1988 estimates for this type of work."

Councillor Walsh asked again that fencing be erected in order to prevent dumping. He said that a dead animal had been removed only very recently. He said that he had asked for the names of those responsible but was unable to get them.

2322 - LOCAL IMPROVEMENT SCHEMES: - MOTION BY COUNCILLOR T. WALSH:

The following written reply was given to Councillor T. Walsh:

"The following is an extract from a memorandum issued to all County Councils in March 1988, by the Department of the Environment:

"The valuation of the whole of the beneficiaries holding (lands only) should be taken, and not only the valuation of the part of the holding directly served. Where a land holder has two widely separated holdings, each worked as separate unit, only the valuation of the holding actually served need be taken."

The council has no difficulty in interpreting the above but if you have any particular case which you would like use to re-examine, we will be happy to do so."

2323 - ERECTION OF A YIELD SIGN: - MOTION BY COUNCILLOR WALSH:

The following written reply was given to Councillor T. Walsh:

"The consent of the Chief Superintendent of the Garda Siochana, Roscommon District to the erection of a Yield Sign at the above location has been requested. The Yield sign will be erected on receipt of his recommendation."

2324 - ROAD AT LANHIDE FACTORY, KILCHREEST: - MOTION BY COUNCILLOR LYNCH:

The following written reply was given to Councillor Lynch:

"The estimated cost of the work proposed is £2,300. There are no funds available for this work in the current year."

2325 - TAKING OVER OF ROAD AT CURRYLEA, LAVALLY: - MOTION BY COUNCILLOR FINNEGAN:

The following written reply was given to Councillor Finnegan:

"Improvement works carried out on the road to Jack Mullin's house at Currylea, Lavally, under a Local Improvement Scheme included only for the grouting of the surface. In order to bring the road up to the required standard for taking over, expenditure of £6,600 would be required. There are no Council funds available for this, and therefore, it would have to be provided from Councillors Notice of Motion funds. It is not recommended that the road be taken in charge."

2326 - TAKING OVER OF ESTATES IN TUAM: - MOTION BY COUNCILLOR FINNEGAN:

The following written reply was given to Councillor Finnegan:

"There is a formal procedure to be followed for the taking in charge of private housing estates. These include formal application by the developer in each case accompanied with "as constructed" drawings and certificate indicating that the developer has inspected all the services and that they are in order. Inspections are then carried out by the Council's Roads, Sanitary Services, and Planning Sections and any defects which come to notice are communicated to the developer for remedying.

Each of the estates is now being examined in accordance with the above procedures."

2327 - WIDENING OF ROAD: - MOTION BY DEPUTY KITT:

The following written reply was given to Deputy Kitt:

"Existing public road leading to this house is 8'6" to 9'6" wide. Estimated cost of widening £9,000 plus cost of land involved. There are no funds available for this work."

2328 - PROVISION OF LAY-BY ON ROAD: - MOTION BY DEPUTY KITT:

The following written reply was given to Deputy Kitt:

"This is a stop end road approximately 1/2 mile long and serving two houses. The road is in good condition. There are no funds available in 1988 for the provision of a layby."

2329 - IMPROVEMENT WORKS AT A WELL: - MOTION BY DEPUTY TREACY:

The following written reply was given to Deputy Treacy:

"As the well referred to is on private ground and not maintained by the Council, it is not recommended that an entrance gate or new channel be provided. Any flooding occurring at the well is due to the drain adjacent to the well not being cleaned. This is a matter for the farmer and the users of the well."

Deputy Treacy asked if the Council had ever erected a wall around the well in the past or maintained it. Mr. Gleeson said that the Council had no record of any such work and even if such work was done, it would not make the Council liable for any further works.

2330 - COMPLETION OF WORKS SCHEME: - MOTION BY DEPUTY TREACY:

The following written reply was given to Deputy Treacy:

"The above works were carried out under an Environmental Works (Youth Employment) Scheme, 1983. However, the works were not completed at the time due to budget restraints. The works will not be completed in 1988 due to lack of funds."

Deputy Treacy said that the unfinished work was causing a problem for the adjoining residents and he asked that the completion of the work be included in the next scheme in the area.

2331 - ERECTION OF CRASH BARRIER: - MOTION BY COUNCILLOR T. WELBY:

The following written reply was given to Councillor T. Welby:

"A chevron sign has been erected at this location. It is not proposed to erect crash barriers this year, as there are no funds available."

Councillor Welby said that many accidents had occurred at this point. He said that a crash barrier was put on the road to Cong while this location was more serious. He said that in the event of cars going over the wall, there is a substantial drop on to a lower road. The Chairman supported Councillor Welby.

2332 - ROAD IMPROVEMENTS/LANDSCAPING: - MOTION BY COUNCILLOR WELBY:

The following written reply was given to Councillor Welby:

"This junction should be realigned so that the Regional Road and County Road intersect at right angles. However, there are no funds available in 1988 to carry out this work."

Councillor Welby asked if the local community would be allowed to do a tidy up of the area or if it could qualify for a Social Employment Scheme. He asked that the matter be re-examined. The Chairman supported Councillor Welby.

2333 - GURTEEN BURIAL GROUND: - MOTION BY COUNCILLOR WELBY:

The following written reply was given to Councillor Welby:

"It is proposed extending the Gurteen Burial Ground to the west of the existing Burial Ground. However, the land is commonage and consists of eighteen tenants. All the tenants were written to, requesting agreement to sell their share of the commonage and only three replied. A reminder will be sent to the remaining tenants within the next 7 to 10 days. However, the Council will not be in a position to pay compensation this year as no funds were provided in the 1988 Estimates for this extension."

2334 - REMEDIAL WORKS AT BRIDGE STREET, HEADFORD: - MOTION BY COUNCILLOR P. MCHUGH:

The following written reply was given to Councillor P. McHugh:

"This work will be attended to shortly in the course of routine maintenance."

2335 - SIGNPOSTING AT CAHERLISTRANE: - MOTION BY COUNCILLOR P. MCHUGH:

The following written reply was given to Councillor P. McHugh:

"Signposts at Beaghmore will be attended to within the next few weeks. It is not recommended that new sign posts be provided at the other locations mentioned due to the shortage of funds for County Road Maintenance."

2336 - ROAD JUNCTION AT CLAREGALWAY: - MOTION BY COUNCILLOR P. MCHUGH:

The following written reply was given to Councillor P. McHugh:

"The matter is being investigated at present and it is hoped to have a report available for the next Council Meeting."

2337 - COMHARTHAÍ SCOILE - TIR AN FHIA: - MOLADH O'N CHOMHAIRLEOIR O'TUATHAIL:

Tugadh an freagra seo don Chomhairleoir O'Tuathail:

"Ta orm a chuir in iuil duit go mbeidh tuarascal ar fail ar an Run seo ag an chead cruinniu eile."

2338 - CARETAKER DON REILIG CLAUDHACH: - MOLADH O'N CHOMHAIRLEOIR P. O'TUATHAIL:

Tugadh an freagra seo don Comhairleoir O'Tuathail:

"Ta an Comhairle Condae ag lorg Aireach le haghaidh an reilig seo faoi lathair."

2339 - DEISIUCHAIN DON BOTHAR DERRENDARACH, CRUIMMINE, LEITIRCALADH: - MOLADH O'N CHOMHAIRLEOIR P. O'TUATHAIL:

Tugadh an freagra seo don Chomhairleoir Peadar O'Tuathail:

"Ta orm a chuir in iul duit go gcathfar príomhobair a dheanamh ar an mbothar seo, ach toisc easpa airgead, ní bheidh an Chomhairle Condae in ann an bothar seo a dheisiú i mbliana."

2340 - FISH FARMING: - MOTION BY SENATOR O'CONCHUBHAIR:

The following reply was given to Senator O'Conchubhair giving details of Fish Farming developments in County Galway:

"Permissions Granted:

1. Ref. No. 54706: Iascaireachtaí Camus Teo., permission for the mooring of 20 fish cages in Lough Lettercraffoe granted on 12th October, 1987 - Temporary permission to expire after 5 years.

Applications not yet determined:

1. Ref. No. 55416: Eisc Iathglas Teo., application for permission for submerged fish cages at Lough Nafoeey. County Council decided on 17th February, 1988, to grant temporary permission for five years.

Decision was appealed by the Western Regional Fishery Board and the matter is now before an Bord Pleanála for decision.

2. Ref. No. 56088: Tully Mountain Salmon Farm Ltd., application for permission for cages in Lough Emlaghnebehey, Derrigillagh, Ballyconneely, received on 11th May, 1988 - being dealt with.
3. Ref. No. 56089: Tully Mountain Salmon Farm Ltd. - application for fish cages in Lough Nahillion, in the townlands of Garrauncloagh and Aillenaveug, Letterfrack. Received on 11th May, 1988, and being dealt with.

Applications refused or withdrawn:

1. Ref. No. 52454: Eisc Iathglas Teo., permission for fishcages in Lough Nafoeey refused by County Council on 17th July, 1986, on two grounds (i) public health hazard in head waters of Lough Mask which is a major source of public water supply and (ii) injury to visual amenity. Refused on appeal by An Bord Pleanála solely on grounds of visual amenity.

2. Ref. No. 52959: Bradan Mara Teo., application for permission for 25 fish cages in Lough Cutra lodged on 8th June, 1986, and withdrawn on 28th November, 1986.

3. Ref. No. 52372A: Bradan Mara Teo - application for permission for three fish cages in Lough Cutra lodged 13th May, 1986, and refused by County Council on 3rd July, 1986. Appeal to An Bord Pleanála was declared withdrawn on 22nd January, 1987.

LAND BASED FISH FARMS

Permissions Granted

1. Ref. No. 42091: Outline Permission for fish farm at Bunatober, Corrandulla, granted 24th May, 1982, to Mr. Martin O'Farrell, c/o Zoology Dept., U.C.G.
Ref. No. 51426: Permission for Salmon Parr and Smolt rearing installation, etc., on the site of 42091 granted on 24th February, 1986, to Galway Aquatic Enterprises Ltd.
2. Ref. No. 51700: Screebe Estates Ltd. - permission for retention of fish rearing tanks and permission to construct 20 additional tanks, water treatment system etc. at Knockadaw. Granted on 5th May, 1986.
3. Ref. No. 54773: Screebe Fishery Ltd. - permission for new channel, fish pass, water control system, additional rearing and breeding tanks, new holding tanks, etc., at Knockadaw, Glentrasna and Illeny granted on 7th January, 1988.
4. Ref. No. 54773: Bradan Mara Teo - permission for land based salmon hatchery at Cloonacartan, Recess - County Council decided to grant Permission on 27th July, 1987, and the decision was appealed by a number of third parties. Permission granted by An Bord Pleanála on 28th September, 1987.
5. Ref. No. 52038: Iascaireachta Casla Teo. - permission for hatchery - buildings at Derrynea granted 8th September, 1986.

APPLICATIONS NOT YET DETERMINED

1. Ref. No. 54703: Bradan Chonamara Teo. - application for permission for salmon hatchery at Rineen (adjacent to Ross Lake) Refused by County Council on 17th December, 1987, currently under appeal to An Bord Pleanála.

APPLICATIONS WITHDRAWN

1. Ref. No. 53450: Iascaireachta Casla Teo. Application for permission for rearing tanks and pipe work at Derrynea withdrawn 13th March, 1987."

2341 - PEDESTRIAN CROSSING AT CARRAROE N.S.: - MOTION BY SENATOR O'CONCHUBHAIR:

The following written reply was given to Senator O'Conchubhair:

"Investigations carried out at the proposed site between the National School and the Post Office, Carraroe, indicate that traffic and pedestrian traffic flows are insufficient to satisfy a warrant for a pedestrian crossing. There are no proposals to develop a pedestrian crossing accordingly."

The Chairman asked that details of the criteria required for pedestrian crossings, etc., be supplied to each Member.

2342 - BEACH GUARD FOR DOILIN BEACH, CARRAROE: - MOTION BY SENATOR O'CONCHUBHAIR:

The following written reply was given to Senator O'Conchubhair:

"No provision has been made in the 1988 Estimates for additional Beach Guards. In fact, the provision in the 1988 Estimates is identical to that provided in 1987 which means that nothing extra has been provided to cover wage increases, etc."

THE MEETING THEN TERMINATED

SUBMITTED, APPROVED + CONFIRMED

Mic B. O'Móráin CHAIRMAN

27-6-88 DATE

COMHAIRLE CHONTAE NA GAILLIMHE
(Galway County Council)

Oifig an Runai,
Arus an Chontae,
GAILLIMH.

7u la Meitheamh, 1988.

CHUIG GACH BALL DE'N CHOMHAIRLE/

A Chara:

Iarrtar ort leis seo bheith i lathair ag cruinniú i gCoiste de Chomhairle Chontae na Gaillimhe a thionolfar ins an -

Ross Lake Hotel (Ross Room),
Roscahill, Oughterard,

ar De Luain, an 13u la Meitheamh, 1988, ar a 3.00 a chlog sa trathnóna.

A Meeting of Galway County Council in Committee will be held in the -

Ross Lake Hotel (Ross Room),
Roscahill, Oughterard,

on Monday, 13th June, 1988, commencing at 3.00 p.m. You are requested to attend.

Mise, le meas,

E. O'GLIASAIN,
Runai.

A G E N D A

1. DEPUTY FRANK FAHEY:

That the County Manager grant Planning Permission to John Burke, 35, Cloonarkin Drive, Oranmore, for the erection of a farmhouse and the construction of a septic tank at Garraun South. Re. No. 55730."

2. Application for Outline Planning Permission for dwellinghouse at Derryherbert, Tullycross, Co. Galway. Applicant: Tony Conneely - Planning Ref. No. 55336."

MINUTES OF MEETING OF GALWAY COUNTY COUNCIL IN COMMITTEE HELD
IN ROSS LAKE HOTEL, ROSCAHILL, OUGHTERARD ON MONDAY 13th JUNE,
1988 AT 3.00 p.m.

IN THE CHAIR

Councillor Micheal O'Morain.

ALSO PRESENT:

Members:

Councillors J. Burke, J. Callanan, M. Fahy, P. Finnegan, F. Glynn, Senator T. Hussey, Councillor J. Joyce, Deputy M. Kitt, Councillors J. Lambert, M. Loughnane, M. Lynch, Senator P. McCormack, Councillors J. McDonagh, P. McHugh, J. Mannion, J. Molloy, Deputy R. Molloy, Councillor M. Mullins, Senator N. O'Conchubhair, Councillors P. Raftery, M. Ryan, Deputy Noel Treacy, Councillors T. Walsh and T. Welby.

Officials:

Messrs. J. Howlett, Deputy County Manager, D. O'Donoghue, Assistant City & County Manager, P. Flood, County Engineer, T. O'Donoghue, Law Agent, E. Gleeson, County Secretary, L. Kavanagh, S.E.E. (Planning), D. Barrett, S.S.O., T. Kavanagh, Admin. Officer and A. Fleming, Admin. Officer.

The Chairman indicated that the purpose of the Meeting in Committee was to enable Members and the Planning Officials to discuss planning matters.

2343 - (1) Mr. John Burke, 35, Clonarkin Drive, Oranmore - Planning Ref. No. 55730 - Erection of Farmhouse and construction of Septic Tank at Garraun South - requested by Deputy Frank Fahey.

Deputy Frank Fahey was unavoidably absent from the meeting and Senator N. O'Conchubhair asked that the matter be adjourned to the next Meeting in Committee if time permitted.

Senator P. McCormack asked what the Council's attitude was to the present application as the applicant proposed to knock an unauthorised building and to put a house there which appeared to him to be an improvement of the situation. The County Engineer stated that he would be opposed to any development at this location because a specific traffic hazard would be created at the location involved.

2344 - (2) Mr. Tony Conneely - Planning Ref. No. 55336 - Application for Outline Planning Permission for dwellinghouse at Derryherbert, Tullycross, Co. Galway - requested by Cllr. T. Welby.

Cllr. T. Welby stated that the applicant, Tony Conneely proposed to build a house on his father's land as a second family home. He could not understand why the applicant could not get planning permission on his father's holding. Mr. P. Flood stated that the applicant had picked an extremely elevated site which was visible from every road approaching Tullycross. The applicant had already an unavailed of permission on the holding and he could carry out development in accordance with that permission.

Councillor T. Welby stated that the site suggested by the County Engineer had been sold by the Grandfather of the applicant a long time ago. Mr. L. Kavanagh stated that the applicant had shown the holding including the outline permissions as being the family holding in 1987. Councillor Welby stated

MEETING IN COMMITTEE OF GALWAY COUNTY COUNCIL ON 13TH JUNE,
1988.

that the applicant had no other land for building on and that the County Council had built houses in the area. Mr. P. Flood repeated that the applicant was proposing to build on the highest point on the land and that the County Council houses in the area had been provided at a much lower level. Mr. L. Kavanagh stated that if the applicant could get an alternative location, the alternative site could be considered. It was agreed that Councillor T. Welby would endeavour to arrange to have the applicant discuss the matter with the Planning Officer.

2345 - (3) Mr. Michael Molloy, dwellinghouse at Derrynavglau - Planning Ref. No. 55022 - requested by Councillor T. Welby:

This application was the subject of a Section 4 Resolution No. 5 on the Agenda for the Special Meeting of the 13th June, 1988. The Members considered the report which had been circulated in connection with the Section 4 Resolution.

Councillor T. Welby stated that the applicant had purchased a piece of land of around 5 acres in the area concerned. A planning permission for a hotel and chalets had been granted on appeal in respect of the land involved. The applicant was living in an old Gate Lodge and there was a housing need. As regards the reasons for recommending a refusal, Councillor Welby stated that the applicant was prepared to put in trees for screening and suggested that the Council should make it a condition that he be given some time to put in the trees before any development would commence. The applicant was proposing to provide a small treatment works which Councillor Welby stated had worked in other areas. As regards the location of the house, Councillor Welby suggested that the house might be moved further back into the hill. The plans submitted by the applicant were for a low pitched house and only about two metres of the height of the house would be seen from the roadway.

Cllr. J. Mannion supported Councillor Welby and stated that planning permission had been granted for a hotel. The applicant had been misled in thinking that he had planning permission when he acquired the site and he felt that the planning authority should concede in this case. The Chairman also supported the case made for this applicant.

Mr. P. Flood, County Engineer, stated that the Council had consistently opposed this application. While he accepted that the applicant may be in need of a house, the case did not fall within the categories of housing need as defined in the County Development Plan for the purposes of planning permission. The case must be considered purely on planning grounds and in this respect there were major difficulties. The area involved was not a farm and there were no farming activities being carried out. Planning Permission for the hotel had not been granted by the Council but by a former Minister for the Environment on appeal. Mr. Flood quoted the report of the County Medical Officer as follows:

"The site is unsuitable in its present state for the treatment of septic tank effluent by septic tank and percolation area."

The latest proposal involves the use of a small sewage treatment plant and would involve ultimate discharge to watercourse at the northern boundary of the site and subsequent pollution of watercourses."

MEETING IN COMMITTEE OF GALWAY COUNTY COUNCIL ON 13TH JUNE, 1988.

3

In reply to Councillor John Mannion, the County Engineer indicated that the experimental system for percolation as suggested by An Foras Forbartha had been provided on a test basis and tests were being carried out twice a month in the area where the trial arrangements had been put in place. The area had been flooded in January and February, and some tests had been missed. He hoped to have a report on the success or otherwise of the system later in the year.

Councillor T. Welby stated that he was disappointed that the Council were opposed to granting Planning Permission to this applicant. The effects on the landscape of this development would be far less than the effects of other developments in the area. As regards the septic tank objections, Councillor Welby referred to Planning Ref. No. 54294 where he stated the C.M.O. had recommended acceptance subject to certain conditions and where the development involved was at the side of a lake beside a well. Councillor Welby stated that the Council could insist on screening being provided before development could take place. The County Engineer stated that the Council had been consistently opposed to granting Planning Permission in this case.

2346 - (4) Planning Decision - Planning Ref. No. 55822 -
Goodman International Ltd. - Development of new Meat
Processing Plant at Tuam.

Councillor Joe Burke queried the County Engineer regarding the planning permission which had been granted in this case. He referred to the Environmental Impact Study which had been prepared and stated that his information was that there was no spare capacity in the proposed treatment plant to allow for any additional future developments requiring effluent treatment.

Councillor Burke stated that the Town of Tuam had lost 800 jobs as a result of the closure of the Sugar Factory. The total number of jobs projected by Goodman was 140 and he expressed concern that any future development of industry requiring effluent treatment would not be catered for in the proposed new sewerage treatment plant.

In reply, Mr. P. Flood, County Engineer, stated that the proposed effluent treatment plant in Tuam was not just for the Goodman development but also to cater for the Town of Tuam. In the design of the Treatment Plant, the Council had demanded a much higher standard of final effluent than the British Standards because of the limited assimilative capacity of the Clare River. The standard required for the final effluent was such that the quality of the Clare and Corrib Rivers would not be harmed. The County Engineer stated that when the new Treatment Plant was constructed, there would be a vast improvement of the present situation where the existing treatment plant required upgrading. He stated that the assimilative capacity of the River Clare would be reached when the Goodman Plant was in operation and the full demand of the Town was added. Such an eventuality would not prevent the development of further non effluent generating industry with normal domestic effluent requirements.

THE MEETING OF THE COUNCIL IN COMMITTEE
THEN CONCLUDED

SUBMITTED APPROVED & CONFIRMED
Michael J. O'Brien CHAIRMAN

27-6-88 DATE

COMHAIRLE CHONTAE NA GAILLIMHE
(Galway County Council)

Oifig an Runai,
Arus an Chontae,
GAILLIMH.

7u la Meitheamh, 1988.

CHUIG GACH BALL DE'N CHOMHAIRLE/

A Chara:

Iarrtar ort leis seo bheith i lathair ag cruinniú de
Comhairle Chontae na Gaillimhe a tionolfar ins an -

Ross Lake Hotel (Ross Room).

Roscahill, Oughterard.

ar De Luain, an 13u la Meitheamh, 1988, ar a 3.30 a chlog sa
trathnóna.

A Special Meeting of Galway County Council will be held
in the -

Ross Lake Hotel (Ross Room).

Roscahill, Oughterard.

on Monday, 13th June, 1988, commencing at 3.30 p.m. You are
requested to attend.

Mise, le meas,

E. O'GLIASAIN,
Runai.

A G E N D A

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

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 Planning Permission to Laurence & Ellen Moclair, Urrachree, Aughrim, for a new opening (exit) on to the National Primary Road at Urrachree. - Planning Reference No. 55834."
2. "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 Fahy, Crushoa, Kinvara, Co. Galway, permission for a dwellinghouse at Crushoa, Kinvara. - Planning Ref. No. 55524."

James Joyce. Michael Kitt. Noel Treacy. Ulick Burke.

Frank Fahey. John M. Mannion. John Molloy.

3. "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to grant Permission to Marcus Keane for the retention of existing general purpose shed at Shannaunafeula. - Planning Ref. No. 55802."

Padraic McCormack. John M. Mannion. T. Welby.

4. "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to grant Permission for access to public road at Coraneena, Kilconnell, to Mr. Brendan Kenny, Corraneena, Kilconnell, Ballinasloe. - Planning Reference Number 56000."

Joe Callanan. Michael Mullins. Michael P. Kitt.

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 Permission to Michael Molloy for the erection of a dwellinghouse and a sewerage treatment plant at Derrynavglann. - Planning Ref. No. 55022."

Thomas Welby. Micheal S. O'Morain. Michael P. Kitt.

6. "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to grant Permission for the erection of a dwellinghouse and septic tank at Corrspark, Glynsk, Co. Galway, for Mr. Tony Lohan, of Corrspark, Glynsk, Castlereah. - Planning Ref. No. 55814."

Tiarnan Walsh. Tom Hussey. Michael P. Kitt.

T

COMHAIRLE CHONTAE NA GAILLIMHE

(GALWAY COUNTY COUNCIL)

County Buildings,
Prospect Hill,
Galway.

17th. May, 1988.

TO EACH MEMBER OF GALWAY COUNTY COUNCIL

RE: Proposed Sale of Land at Moycullen.

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:

V. Rev. G. Quinn, P.P. Moycullen.

PERSONS TO WHOM LAND IS PROPOSED TO BE SOLD	SITE NO.	AREA OF PLOT/ HECTARES.	PURCHASE PRICE
Michael Monaghan and Sheila Maher	32	0.032	£1,267.00
Tom O'Brien and Catherine Tiernan	28	0.032	£1,267.00

Other Covenants or Conditions in connection with Disposal:

The sites will be sold in fee simple.

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,
A/County Secretary.

MINUTES OF SPECIAL MEETING OF GALWAY COUNTY COUNCIL HELD IN
THE ROSS LAKE HOTEL, ROSCAHILL, OUGHTERARD, ON MONDAY, 13th
JUNE, 1988.

IN THE CHAIR:- Councillor Micheal O'Morain.

ALSO PRESENT:

Members:

Councillors J. Burke, J. Callanan, M. Fahy, P. Finnegan, F. Glynn, Senator T. Hussey, Councillor J. Joyce, Deputy M. Kitt, Councillors J. Lambert, M. Loughnane, M. Lynch, Senator P. McCormack, Councillors J. McDonagh, P. McHugh, J. Mannion, J. Molloy, Deputy R. Molloy, Councillor M. Mullins, Senator N. O'Conchubhair, Councillors P. Raftery, M. Ryan, Deputy N. Treacy, Councillors T. Walsh and T. Welby.

Officials:

Messrs. J. Howlett, Deputy County Manager, D. O'Donoghue, Assistant City & County Manager, P. Flood, County Engineer, T. O'Donoghue, Law Agent, E. Gleeson, County Secretary, L. Kavanagh, S.E.E., (Planning) D. Barrett, S.S.O., T. Kavanagh, Admin. Officer and A. Fleming, Admin. Officer.

The Opening Prayer was recited.

2347 - VOTES OF SYMPATHY.

The Chairman proposed a Vote of Sympathy with the Family of Mr. Ernst Steiner, Carnmore who died recently

A Vote of Sympathy was passed to Mrs. Bree Cummins, Ballinrobe, Co. Mayo in the death of her Husband Dr. J. Cummins.

2348 - VOTES OF CONGRATULATIONS.

It was proposed by Deputy R. Molloy and seconded by the Chairman that a vote of congratulations be conveyed to the Irish Soccer Team on defeating England in the European Cup.

Clr. Tiernan Walsh proposed a Vote of Congratulations with Grogans Bakery Glenamaddy on winning the Irish Goods Council National Award for Hygiene for the 7th consecutive year.

Deputy Micheal Kitt proposed a Vote of Congratulations with Mr. Joe Hayes of Mackney, Ballinasloe on winning the Irish Goods Council National Award for Hygiene for Family Butcher.

2349 - RESOLUTION UNDER SECTION 4 OF THE CITY & COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NO. 55834 - APPLICANT:- LAURENCE & ELLEN MOCLAIR

The resolution as set out on the Agenda was proposed by Deputy Michael Kitt and seconded by Councillor P. Raftery. The Deputy County Manager submitted the following report, copy of which had been circulated to each Member.

"LOCATION:

The Site is located on the Galway to Dublin road, N6 at Urraghry approximately 3 miles west of Ballinasloe and approximately 1 mile east of Aughrim.

SPECIAL MEETING OF GALWAY COUNTY COUNCIL ON 13/6/1988.

HISTORY:

Ref No. 19104: The site on which the house is located originally formed part of a site on which outline planning permission was granted on appeal for 6 houses. Permission granted for the house subject to 6 conditions, condition number 2(ii) of which reads:-

(ii) Access shall be strictly via the access coloured yellow on the site layout submitted on 22nd October, 1981. This access shall be designed and finished to the satisfaction of the Planning Authority. (This access led onto minor road).

REASON: So as to provide adequate accommodation for parked and moving traffic and in the interest of preventing unauthorised development and of traffic safety.

Condition 3(ii) read "Existing screening along all boundaries of the site shall be maintained".

REASON: In the interests of visual amenity. (This included the National Primary boundary now removed). Mr. John Creaven was the applicant. On 1st May, 1986 an Enforcement Notice was issued to Mr. Creaven because of opening of an access onto the National Primary Route (surfaced vehicular access) and requiring that the access onto the National Primary Route be closed.

Ref. No. 52823: Mr. Creaven made a planning application for retention of driveway as vehicular access and for erection of front wall which was refused for 4 reasons.

Ref. No. 54752. Mr. Creaven applied for planning permission to retain garage door and permission for construction of pedestrian exit and boundary wall or fence. Permission was granted for the retention of the garage door and for the construction of a pedestrian exit.

PLANNING CONSIDERATIONS:

New applicants, current application (Larry Moclair/Ellen Hurley-Moclair) who appear to have bought property in full knowledge of unauthorised works, are applying for permission for a new entrance (vehicular in size).

The site is located close to a bend on the National primary Route and also close to the junction of National Primary route and County Road No. 522.

The access is not necessary, permission having been given and in use for the last number of years for access off the County Road. The planning law has been continually ignored -i.e., refusals, and Enforcement Notice. A Section 4 decision in favour would (a) Create a serious traffic

SPECIAL MEETING OF GALWAY COUNTY COUNCIL ON 13/6/1988.

- hazard,
 (b) Create a precedent making it difficult to resist other like developments.

RECOMMENDATION.

The proposed development would constitute a traffic hazard because it would be located on a National Primary Road 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 proposed is in contravention of previous grant of planning permission for existing house on this site ref. no. 40276

The County Engineer stated that this matter had been discussed at a previous meeting and was adjourned to allow the applicant to submit alternative proposals. The County Engineer stated that an entrance already existed from this house to the County Road. The present applicant had recently purchased the house and now wanted to get permission for an entrance onto the National Primary Road from the house. The County Engineer stated that there was no need for an access onto the National Primary Road and that the creation of such an entrance would create an excessively high traffic hazard. The new entrance would be close to the existing entrance from the County Road to the National Primary Road and would be a recipe for a serious accident. The present applicant had bought the house with existing access onto the County Road. The former occupier of the house had accepted that he could not get an entrance onto the National Primary Road and it seemed unfair to grant permission to the new person.

Councillor Joe Burke said that if the County Engineer stated that a serious traffic hazard existed, the Council should accept his advice. He proposed that planning permission not be granted in this case. Deputy R. Molloy seconded Cllr. Burke's amendment and stated that he fully supported the County Engineer's views that entrance should not be allowed onto the National Primary Road.

Deputy Michael Kitt stated that when the matter had been discussed before a Report from an Engineer who was a former employee of Galway County Council had been submitted to the Meeting. The applicant was trying to get an access at a safer point as the present access was only a Boreen into the back of his house. He accepted that the former occupier of the house had accepted the entrance, but the applicant in this case was trying to get an entrance at a safer point.

The County Engineer stated that he endeavoured to give the best technical advice he could to the Council and that at the last Meeting he had gone through the letter referred to by Deputy Kitt and refuted all the points made. He had visited the site himself and had examined the proposed entrance and the entrance from the County Road at the location involved.

It was his opinion that it was much safer to come out from the County Road access onto the National Primary Road and that any other entrance proposed onto the National Primary Road was not as safe. At the apex of the County Road junction with the National Primary Road the sight distance was one mile on either side, but at the entrance proposed the sight distance from the Aughrim side was very bad.

SPECIAL MEETING OF GALWAY COUNTY COUNCIL ON 13/6/1988.

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

FOR Councillors J. Callanan, M. Fahy, P. Finnegan, Senator T. Hussey, Councillor J. Joyce, Deputy M. Kitt, Councillors M. Loughnane, P. McHugh, J. Molloy, Senator N. O'Conchubhair, Councillors M. O'Morain, P. Raftery, Deputy N. Treacy, and Councillor T. Welby. (14)

AGAINST. Councillor J. Burke, Senator P. McCormack, Councillor J. Mannion, Deputy R. Molloy. (4)

ABSTAINED Councillors J. Lambert, M. Lynch, M. Mullins, M. Ryan and T. Walsh.
FROM
VOTING.

The Chairman declared the Resolution as set out on the Agenda carried by 14 Votes For to 4 Votes Against.

2353 - RESOLUTION UNDER SECTION 4 OF THE CITY & COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NO. 55524 - APPLICANT MR. MICHAEL FAHY.

The following Report a copy of which had been circulated to each Member was submitted by the Deputy County Manager:-

"LOCATION.

The site is located on the N67 National Secondary Route approximately 1½ miles west of Kinvara.

HISTORY.

Ref. No.. Outline Permission was refused to Mr. Michael Fahy for a dwellinghouse on grounds of interference with free flow and safety of traffic on the National Secondary Route.

PLANNING CONSIDERATIONS.

The site is located on an unrealigned section of the National Secondary Route at a point where the maximum speed limit applies. Housing development along this route is restricted to the category of essential housing need. The applicant has not made a claim for housing need and has indicated that he intends to sell the site. During the course of the previous planning application for this site the applicant supplied a map of his land holding in the townland of Crossooha indicating that he owned land fronting onto a County road on which an alternative site existed.

RECOMMENDATION.

It is proposed to refuse the application on the grounds:

- (1) The proposed development would endanger public safety by reason of a traffic hazard because the site is located on an unrealigned and heavily trafficked section of the National Secondary Route where the maximum speed limit applies and the traffic movements generated by the development would interfere with the safety and free flow of traffic along the road. In addition, the development would militate against the objectives of the Planning Authority to:-

SPECIAL MEETING OF GALWAY COUNTY COUNCIL ON 13/6/1988.

- (a) preserve the level of service and carrying capacity of the road so that it can fulfill its function as a through road for heavy traffic.
- (b) protect the public investment in the National Road network.
- (2) The proposed development would contravene the County Development Plan (Chapter 25, Table 25A) which limits development along this road to those where essential family housing need exists, a category of development which does not apply in this case.

It was agreed on the proposal of Councillor John Mannion that consideration of this Section 4 Resolution be adjourned to the Monthly Meeting of the Council to be held on the 27th June, 1988.

2352 - RESOLUTION UNDER SECTION 4 OF THE CITY & COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NO. 55802 - APPLICANT MR. MARCUS KEANE.

The resolution as set out on the Agenda was proposed by Senator P. McCormack, and seconded by Councillor T. Welby.

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

LOCATION:

The site is located on the Maam Cross - Maam Bridge road approximately 1.5 miles north of Maam Cross.

PLANNING HISTORY:

No previous planning application on this site.

PLANNING CONSIDERATION:

The development is located in an unspoilt area which is listed in the County Development Plan as being of outstanding scenic amenity and having views of special amenity value. The shed is in the forefront of such a view of special amenity value. The shed is clearly visible from the Galway Clifden Road on both sides of Maam Cross and by reason of its colour and location is an extremely obtrusive feature and is contrary to the proper planning and development of the area. It should be noted that there are no buildings other than this unauthorised one along this mountain pass between Maam Cross and Maam Valley for a distance of three miles. An Enforcement Notice under Section 31 of the 1963 Planning Act requiring removal of the shed in this case was served on the applicant on the 24th February, 1988.

RECOMMENDATION:

The development is located in an exposed location in open vulnerable landscape in an area of outstanding scenic amenity which has views of special amenity value and would be an obtrusive feature on the landscape which would not be capable of being assimilated into its surroundings and would if permitted seriously detract from the scenic amenities of the area and would be contrary to the proper planning and development of the area.

SPECIAL MEETING OF GALWAY COUNTY COUNCIL ON 13/6/88.

The County Engineer stated that the shed, which had been erected in this case, was of galvanise which was very light in colour. It had been erected on an open landscape where no other buildings existed and it was completely out of character with the area involved. It destroyed the amenity of the area and it was like a mirror when the sunlight reflected on it at certain times. He described the development as dreadful and recommended that planning permission not be granted.

Senator P. McCormack stated that he had attended in the planning office with the applicant. The applicant was the owner of about 2,000 acres of land and was involved in the rearing of sheep. The area involved was the only road frontage available to him for the location of a shed which was used in connection with the rearing of the sheep.

A lot of the area was bog and not suitable for building on. The applicant lived two miles away. When the applicant had applied for Farm Grants, it was the opinion of the Inspector who had dealt with him regarding the Farm Grants that planning permission was not required. A shed was vital to the man's needs for the storage of hay and food-stuffs for the feeding of sheep.

Councillor Joe Burke stated that the man could not run his farm without a shed. In reply, the County Engineer stated that he appreciated that the sheep farmer required a shed, but that the Council were objecting to the present location of the shed. Councillor McCormack stated that the shed would have to be located somewhere on the stretch of road where it was presently located as all the rest of the land was bog and unsuitable for building. Cllr. Joe Burke proposed that the Council grant planning permission subject to conditions regarding screening and painting to the requirements of the Council. As there were no objections the Chairman declared the resolution as set out in the Agenda carried.

2351 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 56000 - APPLICANT: MR. BRENDAN KENNY:

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

"LOCATION OF SITE:

The site is located on the Athenry to Ballinasloe Regional Route No. 335, 1 mile west of Kilconnell.

PLANNING HISTORY:

Ref. No. 44618: Permission for house granted to this applicant in March, 1983, subject to a vehicular access from the minor road only and a building line of 75 ft. from the Regional Route. Both conditions were subsequently breached by the applicant.

Ref. No. 55677: Permission for fuel store and garage granted to this applicant in April 1988, again subject to access from the minor road.

PLANNING CONSIDERATIONS:

The present application is to retain the unauthorised access which has been developed in violation of

conditions attached to the previous applications. There is deficient sight distance in the eastern direction from the unauthorised access along this winding stretch of the Regional Route which has a Class 11 restriction in the Development Plan. This situation will remain until there is a full realignment of the Regional Route, at which time proper visibility will be available from the unauthorised access. In the meantime, the vehicular access from the site should be on to the County Road to the east in the interests of traffic safety.

RECOMMENDATION:

Refusal is recommended for retention of the access as follows:

1. The proposed development would create a serious traffic hazard due to the lack of visibility at the proposed access point on a busy stretch of Regional Route where the maximum speed limit applies."

The County Engineer stated that he wished to correct a statement in the report that an unauthorised access had been developed. He stated that the position was in fact that the access had not been constructed. There were, however, further difficulties in relation to this matter as the house which had been constructed by the applicant was unauthorised in that it was not constructed in accordance with the Planning Permission which had been issued. It was necessary in order to regularise the position that the applicant should submit a further Planning Application to retain the house and to seek Permission to construct the entrance. In the circumstances, it was agreed with the consent of the Members who had submitted the Section 4 Resolution that the Resolution as set out on the Agenda be withdrawn, and the Chairman declared that the Section 4 Resolution as set out on the Agenda was withdrawn.

2350 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 55022
- APPLICANT: MICHAEL MOLLOY:

The resolution as set out on the Agenda was proposed by Councillor T. Welby and seconded by Councillor John Mannion.

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

"LOCATION:

Site is located on the Galway-Clifden road approximately 0.5 miles west of the Ballinahinch/Toombeola junction.

PLANNING HISTORY:

- 47334: Permission refused on the site which formed part of the proposed site in February 1984. Applicant: Michael Molloy. Refusal on grounds of visual amenity, septic tank, traffic hazard and the development is in the forefront of a view of Special Amenity Value.
- 47848: Permission granted by Section 4 direction but refused on appeal on site which formed part of proposed site in March, 1985. Refusal on the grounds of visual amenity, forefront of a view of special amenity value and traffic hazard. Applicant: Michael Molloy.

- 50213: Permission granted by Section 4 direction on a site to the south of proposed site (opposite side of National Secondary road) but refused on appeal in July 1986. Refusal on grounds of visual amenity, septic tank, and traffic hazard. Applicant: Michael Molloy.
- 52574: Permission refused on a site which included the proposed site in October 1986. Applicant: Michael Molloy. Refusal on grounds of visual amenity, septic tank, traffic hazard and forefront of views of special amenity value.

PLANNING CONSIDERATIONS:

The site is located on a National Secondary Route and the traffic movements generated by the proposed development would constitute a traffic hazard.

The site is located in open moorland landscape in view of the Twelve Pins and in the foreground a view of special amenity value as set out in the County Development Plan. It is the policy of the Planning Authority to totally restrict development in the field of such views. The site is unsuitable for the treatment of septic tank effluent and the disposal of treated effluent from the sewage treatment plant as proposed would lead to subsequent pollution of watercourses - See Chief Medical Officer's report of 10th May, 1988.

The Planning Authority's policy has been consistent in refusing development on this site.

RECOMMENDATION:

1. The proposed development would be located in an obtrusive position against an unspoilt background of mountains and bog landscape in an area of high amenity value and would not be capable of being assimilated into its surroundings. It would therefore seriously detract from the scenic amenities of the area and be contrary to the proper planning and development of the area.
2. The proposed development would be predominantly located in the foreground of a view of special amenity prospect as set out in the County Development Plan. It would, therefore, be seriously injurious to the visual amenity of the area and contrary to the provisions of the County Development Plan which are considered reasonable.
3. The site proposed to be developed is situated on a National Secondary Route where the maximum speed limit applies and the proposed development would be liable to give rise to a serious traffic hazard on this road and be contrary to the proper planning and development of the area.
4. The site proposed to be developed, consisting of lowlying bogland is unsuitable for the effective treatment of septic tank effluent or for the reception and disposal of effluent from a treatment plant and the proposed development, if permitted, would be liable to endanger public health by reason of a health hazard."

Councillor T. Welby stated that the applicant was living in a Gate Lodge which he would have to vacate in the near future and there was a genuine need for a house in his case. As regards the objections to the development on amenity grounds, Councillor Welby stated that the Council could require the applicant to provide proper screening before any development was allowed to take place. The applicant was prepared to move the house to the middle of the hill from its present proposed position in order to locate it in a less obtrusive position. Councillor Welby stated that there was a service road as indicated on the map where the entrance could be constructed.

As regards the objections regarding the treatment of the septic tank effluent, Councillor Welby stated that the applicant had submitted proposals for the provision of a treatment plant which was acceptable in other parts of the County. Councillor Welby referred to another application, Ref. No. 54294, where he stated that development allowing the use of a septic tank was allowed at the side of a lake. He quoted from Environmental Health Officer's report in connection with that application. Councillor Welby also referred to the fact that An Foras Forbartha method for the treatment of septic tank effluent was being examined and he proposed that Planning Permission be granted in this case.

Councillor John Mannion, in seconding Councillor Welby's proposal, stated that Planning Permission had been granted for a Hotel and Chalets on the site involved. The applicant, in purchasing the site, had been misled in that he thought that he had Planning Permission in view of the fact that Permission had been granted for the Hotel.

Mr. P. Flood, County Engineer, stated that the housing need referred to by Councillor Welby in this case was not within the categories referred to in the County Development Plan. There were a number of serious objections to the development and he repeated the objections as set out in the report which had been circulated to the Members. Mr. Flood stated that the Planning Permission for the Hotel had been granted by a former Minister for the Environment on Appeal and that the Council had been consistently opposed to development on the site involved. Mr. Flood stated that if the house was built, it could be seen from the National Secondary Road and could not be screened adequately. As regards the objection relating to the treatment of septic tank effluent, Mr. Flood quoted the report of the County Medical Officer which stated that the site was unsuitable in its present state for the treatment of septic tank effluent by septic tank and percolation area. The report of the County Medical Officer also stated that the proposals contained in the present application involved the use of a small sewerage treatment plant which would involve ultimate discharge to a watercourse at the northern boundary of the site and would lead to subsequent pollution of watercourses. The County Engineer stressed that in such circumstances Planning Permission could not be recommended.

As regards the entrance onto the by-road, Mr. Flood stated that this road was not a public road. Councillor John Mannion stated that the road involved was a public road and that he understood the Council had carried out repairs on that road. The County Engineer stated that the Foras Forbartha method was being examined on an experimental basis but he was not in a position to say whether the method would be satisfactory.

The Chairman supported the resolution as set out on the Agenda and stated that the local people should be entitled to build houses in their own area. The development of a house in this scenic area would be far less obtrusive than the development being carried out by the E.S.B. in another area.

As there were no objections, the Chairman declared the resolution as set out on the Agenda carried.

2354 - CHARGES FOR DUMPS:

It was agreed that a report on the charges being imposed by the Council for the use of Council Dumps would be placed on the Agenda for the Monthly Council Meeting on the 27th June, 1988, at the request of Deputy Michael Kitt.

2355 - SALE OF 2 SITES AT MOYCULLEN:

It was proposed by Senator Padraic McCormack, seconded by Councillor Paddy McHugh, and agreed:

"That Galway County Council hereby approve of the sale of sites at Moycullen to the following in accordance with the terms of notice dated 17th May, 1988, under 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:

- (a) Michael Monaghan and Sheila Maher,
- (b) Tom O'Brien and Catherine Tiernan."

THE MEETING THEN TERMINATED

SUBMITTED, APPROVED + CONFIRMED

Michael J. O'Sullivan CHAIRMAN

27-6-88 DATE

COMHAIRLE CHONTAE NA GAILLIMHE
(Galway County Council)

Oifig an Runai,
Arus an Chontae,
GAILLIMH.

20u la Meitheamh, 1988.

CHUIG GACH BALL DE'N CHOMHAIRLE/

A Chara:

Iarrtar ort leis seo bheith i lathair ag cruinniu de Chomhairle Chontae na Gaillimhe a tionolfar ins na Foirgnithe Chontae, Gaillimh, De Luain, an 27u la Meitheamh, 1988, ar a 3.30 a chlog sa trathnona.

Mise, le meas,

E. O'GLIASAIN,
Runai.

A G E N D A

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

1. "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 Fahy, Crushoa, Kinvara, Co. Galway, for a dwellinghouse at Crushoa, Kinvara. - Planning Reference No. 55524."

Frank Fahey. John M. Mannion. 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 Outline Permission to Thomas McDonagh of Roundstone, Co. Galway, for dwellinghouses at Ardbeer. - Planning Reference Number 57060."

John M. Mannion. Padraic McCormack. Tom Welby.

Other Business:

3. Law Agent's Advice dated 14th June, 1988,
- Planning Application Reference No. 55022: Michael Molloy.
(Copy already circulated.)
4. Consideration of Minutes of the following Meetings:
 - (a) Special Meeting held on 13th May, 1988.
 - (b) Monthly Meeting held on 20th May, 1988.
 - (c) Special Meeting held on 13th June, 1988.
 - (d) Council Meeting in Committee held on 13th June, 1988.
5. Material Contravention of Development Plan - Application for Outline Planning Permission for the erection of a dwellinghouse at Townparks (2nd Division) Tuam, Co. Galway. -
Applicant: Mr. Gabriel Browne - Planning Reference
No. 55895.

6. Letter of 17th May, 1988, from Department of the Environment regarding the By-Pass of Loughrea. - Copy enclosed.
7. Disposal of house at Currywongan, Kylemore, to Mrs. Bridget and Mr. Joseph Mannion in accordance with Section 90 of the Housing Act, 1966, as amended. - Section 83 Notice dated 7th June, 1988, already circulated.
8. Report on Charges for use of Council Dumps. - Copy enclosed.
9. Seminar on Environmental Protection at Clare Inn, Dromoland, Newmarket-on-Fergus, Co. Clare, on Friday, 8th July, 1988.
- Details enclosed.
10. Business submitted by the County Manager.

COUNCILLORS' NOTICES OF MOTION:-Adjourned from previous Meeting:

11. COUNCILLOR PADDY McHUGH: - I will propose:
What monies allocated for roadwork projects in the Moycullen area from June, 1985 to date were subsequently reallocated to other areas? What amounts of money were involved? To which areas they were allocated? For what reasons? on whose authority?
12. That Galway County Council provide additional warning signs and that a traffic island with bollards be erected at Claregalway Church road junction.

DEPUTY ROBERT MOLLOY - I will propose:

13. That Members be provided with a copy of the Council's submission to the Offshore Islands Committee.

COUNCILLORS JAMES JOYCE AND JOE CALLANAN: - We will propose:

14. That the shore leading from Auhrim Cemetery be freed as it is causing flooding in the Graveyard during wet weather, as was the case this Spring when the trial tank in the Graveyard showed a depth of 5 feet of water.

AN COMHAIRLEOIR PEADAR O'TUATHAIL: - Molaim:

15. Go gcuirfeadh an Comhairle Chontae comharthai scoile ar na boithre timpeall scoil Tir an Fhia, Leitirmoir.

Other Motions received:COUNCILLOR JARLATH McDONAGH - I will propose:

16. That traffic regulations be restored at Cloonboo as previous.
17. That the County Council investigate the possibility of widening Mahanagh Bridge as outlined. (Details submitted).
18. That the County Council recommend the necessary funding for group water scheme. (Details enclosed).

COUNCILLOR MATT LOUGHNANE: - I will propose:

19. That the County Manager confirm if a Department of the Environment Official has been calling on applicants for Council tenancies and having an influence into the allocation of these tenancies, and if so, whether this is a new procedure.
20. That unoccupied demountable be removed from its present site at the Bay, Woodford, as it is seen as an eyesore and a hindrance to the development of this scenic area.

COUNCILLOR JAMES JOYCE: - I will propose:

21. That the County Council draw up a list of the remaining thatched houses in the County so that we could examine the possibility of preserving as many of them as possible, particularly those which are good examples of the traditional styles in the County.
22. That the Council would seek a portion of land from the Church of Ireland Authorities at Clonfert Cathedral for the extension of the existing graveyard which is very crowded. There is an urgency about this as it is probable that some lands in the area will be sold in the near future.

COUNCILLOR JAMES JOYCE (Contd)...

23. That S Bend signs be placed at the end of the two straight stretches of road approaching the bad bends, on the Ballinasloe-Portumna Regional Road, at Sycamore Hill, Laurecetown near Frank Kenny's house and Peter Scully's house and that a continuous white line be painted on the middle of the road.

COUNCILLOR MICHAEL FAHY: - I will propose:

24. That Galway County Council repair roadway outside Mr. Frank Fahy's house Kinvara West, Kinvara, to prevent water from lodging in front of dwellinghouse.
25. That Galway County Council allocate a water supply from mains to the Esker Group Water Scheme, Athenry.
26. That Galway County Council maintain and cut grass etc., on Castleview Park, Kinvara.

SENATOR PADRAIC McCORMACK: - I will propose:

27. That steps be taken to stop traffic using the old road at Laughteorge, Claregalway, at the back of Michael Smith's house. This road had been closed, when the new junction at Laughteorge turning for Turloughmore was opened and lately a number of cars have been using the back road. This is now proving to be very hazardous. I ask that the necessary steps be taken to close this road.
28. What arrangements is the Manager making to have house loan inspection work carried out where local engineers cannot do this work due to the Government cut backs in Officials' travelling expenses.
29. What Planning Permissions have been granted by Galway County Council for fish farms activities or fish cages on lakes and rivers in County Galway, and what planning applications have been lodged.

COUNCILLOR MARTIN LYNCH: - I will propose:

30. That Galway County Council put children crossing signs on the road at Moonbaun, Athenry, as there are alot of new houses built there, and road is very narrow so the signs would be a help to the children going and coming from school.
31. That Galway County Council give me an up to date report on Rinville Park in Oranmore, and what is happening to the Social Employment, will this go ahead this year.
32. That Galway County Council remove all the scrap trailers, boats, caravans, rubbish, etc., from Rinville Quay in Oranmore, as these are a big danger to everyone going into the sea in that area. Farmers and people that are living there are very upset with all this rubbish left there for years. Would it be possible for the Council to give me a report on what the Council are doing to clean up Rinville Quay.

AN COMHAIRLEOIR PEADAR O'TUATHAIL:- - Molaim.

33. Go ndeiseodh Comhairle Chontae na Gaillimhe bothar Aillwee, Rosmuc. Ta an bothar seo ar cheann de na boithre is measa sa tir.
34. Go gcuirfeadh an Comhairle Chontae duine ar fail le sraid bhaile an Cheathru Ruaidh a choinneal glan, mar ata ar fail don Spideal agus bailte beaga eile ar fud an Chontae.
35. An bhfuil aonsocru deanta fos faoi bailitheoiri cios: taille uisce/bruscar sa gContae. An bhfuil deacreachtai ag an Comhairle Chontae daoine a fhail leis an obair seo a dheanamh.

COUNCILLOR JOE BURKE - I will propose:

36. That the totally unrealistic charges recently imposed by Galway County Council be reviewed. Commercial premises already paying rates and refuse charges must be declared exempt. Those who collect refuse ought not be obliged to pay

COUNCILLOR JOE BURKE (Contd)...

a price that makes the service non viable.

COUNCILLOR T. WELBY: - I will propose:

37. That steps be taken to improve the water pressure and repair storage tanks in the the Letterfrack Water Supply Scheme.
38. That a new window be fitted immediately to a mobile home in Derradda West, Roundstone, the occupant is handicapped and the window was blown in by storm last winter. (Details submitted).
39. That a new pole be fixed at Tullyconnor Cross so that an advertising sign by Renvyle Caravan Park be fitted, the present pole is too low to take all the signs for the area.

COUNCILLOR MICHAEL MULLINS: - I will propose:

40. That Galway County Council immediately carry out the necessary work at Tubber Patrick Ryehill Cemetery so as to make normal access possible. At present, coffins have to be carried through three fields and in 1988, this is totally unacceptable.

MINUTES OF MONTHLY MEETING OF GALWAY COUNTY COUNCIL HELD AT THE COUNTY BUILDINGS, GALWAY, ON MONDAY, 27TH JUNE, 1988.

IN THE CHAIR: Councillor Micheal O'Morain.

ALSO PRESENT:

Members: As recorded in Attendance Book.

Councillors J. Brennan, J. Burke, J. Callanan, Deputy F. Fahey, Councillors M. Fahy, P. Finnegan, P. Mac Gloinn, Senator T. Hussey, Councillor J. Joyce, Deputy M.P. Kitt, Councillors J. Lambert, M. Loughnane, M. Lynch, Senator P. McCormack, Councillors J. McDonagh, P. McHugh, J. Mannion, J. Molloy, Senator N. O'Conchubhair, Councillors P. O'Tuathail, P. Raftery, M. Ryan, Deputy N. Treacy, Councillors T. Walsh, and T. Welby.

Officials:

Messrs. S. Keating, County Manager; D. O'Donoghue, Assistant City and County Manager; J. Howlett, Assistant County Manager; E. Gleeson, County Secretary; T.J. O'Donoghue, Law Agent; P. Flood, County Engineer; L. Kavanagh, S.E.E., (Planning); R. Faherty, S.E.E., (Environment); T. Kavanagh, Administrative Officer; and D. Barrett, Senior Staff Officer.

The Opening Prayer was recited.

2356 RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NO. 55524 - APPLICANT: MICHAEL FAHY:

The resolution as set out on the Agenda was proposed by Councillor John Molloy and seconded by Councillor John Mannion. The County Engineer submitted the following report, a copy of which had been circulated to each Member:

"LOCATION:

The site is located on the N.67 National Secondary Route approximately 1½ miles west of Kinvara.

HISTORY:

Ref. No. : Outline Permission was refused to Mr. Michael Fahy for a dwellinghouse on grounds of interference with free flow and safety of traffic on the National Secondary Route.

PLANNING CONSIDERATIONS:

The site is located on an unrealigned section of the National Secondary Route at a point where the maximum speed limit applies. Housing development along this route is restricted to the category of essential housing need. The applicant has not made a claim for housing need and has indicated that he intends to sell the site. During the course of the previous planning application for this site, the applicant supplied a map of his land holding in the townland of Crossooha indicating that he owned land fronting onto a County Road on which an alternative site existed.

RECOMMENDATION:

It is proposed to refuse the application on the grounds:

1. The proposed development would endanger public safety by reason of a traffic hazard because the site is located on an unrealigned and heavily trafficked section of the National Secondary Route where the maximum speed limit applies and the traffic movements generated by the development would interfere with the safety and free flow of traffic along the road. In addition, the development would militate against the objectives of the Planning Authority to -
 - (a) preserve the level of service and carrying capacity of the road so that it can fulfill its function as a through road for heavy traffic;
 - (b) protect the public investment in the National Road network.
2. The proposed development would contravene the County Development Plan (Chapter 25, Table 25A) which limits development along this road to those where essential family housing need exists, a category of development which does not apply in this case."

The County Engineer stated that he had no hesitation in saying that if this Planning Permission was granted, a serious traffic hazard would be created. The road was in need of realignment both horizontally and vertically and there were a number of bends over a long distance. A very dangerous situation would be created if this Planning Permission was granted.

Deputy Frank Fahey stated that the applicant had submitted a site map indicating that he would make land available free of charge for realignment of the road. The applicant was prepared to set back his front wall which Deputy Fahey stated would remove the traffic hazard. Deputy Fahey stated that he could not argue against the County Engineer regarding the National Secondary Road but that the road was not very heavily trafficked. The reason that the person was endeavouring to get Planning Permission was that he was in serious need of selling a portion of land on which the site was located due to financial difficulties with his Bank. Deputy Fahey hoped that the realignment proposals would ease the difficulties.

The County Engineer stated that he had visited the site and that he considered this case carefully. The applicant could only provide ground for road realignment in front of the field on which the site was situated. This proposal would only create a "set back" and the applicant could not carry out any improvements of the vertical realignment of the road. The County Engineer could not see how the setting back of the wall would improve the situation.

The County Engineer also stated that the road in question was a National Secondary Road and that a lot of tourists used this road in summer time, i.e., people who would be using the road for the first time.

Councillor Joe Brennan stated that it was obvious from the County Engineer's report and statements that the road involved was a dangerous one and that a traffic hazard would be created if Planning Permission was granted. He proposed that Planning Permission not be granted in this case. Councillor Joe Burke seconded Councillor Brennan's amendment.

A vote taken after 5.00 p.m. for or against the resolution as set out on the Agenda resulted as follows:

FOR: Councillor J. Callanan, Deputy F. Fahey, Councillors P. Finnegan, J. Joyce, Deputy M.P. Kitt, Councillors J. Mannion, J. Molloy, Senator N. O'Conchubhair, Councillors M. O'Morain, P. Raftery, M. Ryan, and T. Welby.

(12)

AGAINST: Councillors J. Brennan, and J. Burke. (2)

Councillors F. Glynn, M. Lynch, Senator P. McCormack, Councillor J. McDonagh, Councillor P. O'Tuathail, and Councillor T. Walsh, abstained from voting.

The Chairman declared the resolution as set out on the Agenda carried by 12 votes for to 2 against.

2357 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NO. 57060 - APPLICANT: THOMAS McDONAGH:

It was agreed on the proposal of Councillor John Mannion that this resolution would be adjourned for consideration to the July Monthly Meeting of the Council. It was noted that the latest date for a decision to issue in this case was the 21st July, 1988. Councillor J. Mannion indicated that he would arrange for the applicant to give his consent to an extension of time for dealing with this application. If the time was not extended, the matter could be considered on the date of the Annual Meeting - 18th July, 1988.

2358 - LAW AGENT'S ADVICE DATED 14TH JUNE, 1988 - PLANNING APPLICATION REFERENCE NO. 55022: MICHAEL MOLLOY:

It was agreed that consideration of this matter would be adjourned to the July Monthly Meeting of the Council.

2359 - MATERIAL CONTRAVENTION OF DEVELOPMENT PLAN - APPLICATION FOR OUTLINE PLANNING PERMISSION FOR THE ERECTION OF A DWELLINGHOUSE AT TOWNPARKS (2ND DIVISION) TUAM, CO. GALWAY. APPLICANT: MR. GABRIEL BROWNE - PLANNING REFERENCE NO. 55895:

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

"The site of this planning application is located at Vicar Street, Tuam, on part of the land shown, in the current Development Plan for the Town of Tuam, as being reserved for a section of the proposed town centre southern relief road extending from Vicar Street to Abbeytrinity. The provision of the relief road, from the Dublin Road to Abbeytrinity is an objective of the Development Plan and therefore, a grant of permission on a section of that road, as in this case, would constitute a material contravention of that plan. The section of proposed roadway in question is edged in red on the attached map.

Planning & Engineering Considerations:

A detailed Engineering examination was carried out with respect to the provision of the relief road to the south of Tuam Town Centre and it is now considered that the objective of the Tuam Development Plan to construct a ring road system enabling through traffic to by pass the town centre can be achieved without providing the section of roadway from Vicar Street to Abbeytrinity. The provision of this section of the proposed relief road is not recommended for the following reasons:-

1. The proposed road would have its junction with the National Primary Route (N.17) in close proximity to the Y junction of the N 17 and Lower High Street and the N.17 railway intersection. The construction of a new junction at this location would create a difficult three legged junction - this is likely to create serious design problems for satisfactory traffic flow movements.

2. The cost of the construction of the relief road to its proposed junction with Vicar Street would be in the region of £320,000 and the additional cost of providing the section from Vicar Street to Abbeytrinity could not be justified when a more suitable alternative is possible.
3. The section of road in question would run through part of the grounds of St. Mary's Cathedral, Tuam, and through an area which was shown as a graveyard in old Ordnance Survey Maps. Although evidence of the existence of a graveyard is not readily discernable on site at present, it is highly likely that an old graveyard does exist.
4. This extra length of road measuring 300 m. and costing £135,000 would be considered superfluous when the existing road network, in conjunction with what is now proposed can be utilized to meet the objective of directing traffic from the Dublin Road away from the Town Centre.

The alternative to the construction of the section of roadway in question would be to use the existing street network, i.e., to terminate the proposed road at the intersection with Vicar Street and utilise the existing network of roads such as Church View, cloontooa Road and Gilmartin Road to link up with the National Primary Route N.17 (Tuam to Galway Road). The existing street network is suitable for this purpose and existing one way flows can be reversed or otherwise re-arranged as necessary.

I recommend the removal of the section of the proposed relief road extending from Vicar Street to Abbeytrinity from the Tuam Development Plan, in due course, and I recommend that a decision to grant Permission be made in the case of this application.

Statutory Consideration:

A decision to grant Permission cannot be made unless a resolution is passed by the members, requiring that such a decision be made in accordance with Section 26(3) of the 1963 Planning Act as substituted by Section 39 (d) of the 1976 Planning Act.

Public notice of the Council's intention to consider deciding to grant this Permission was given in the Irish Press of Thursday 26th May, 1988, and the notice invited members of the public to submit representations or objections if they so wished. No representation or objections have been received to date.

If a resolution is passed requiring that a decision to grant Permission be made, such a decision will issue, otherwise a decision to refuse permission must issue.

The latest date for a decision on this application is 22nd July, 1988."

There were no objections to the granting of Planning Permission in this case.

It was proposed by Councillor P. Finnegan, and seconded by Councillor T. Hussey, and agreed:

"That having considered the Planning Application made by Mr. Gabriel Browne for Outline Planning Permission for a dwellinghouse in the Townland of Townparks (2nd

Division), Tuam, Planning Register No. 55895, and having considered the report of the County Engineer, in the matter, Galway County Council in accordance with the provisions of Section 29 (3) of the Local Government (Planning and Development) Act, 1963, as amended by Section 39.(d) of the Local Government (Planning and Development) Act, 1976, hereby require that a decision to grant Permission be made in the case of this application."

2360 - MINUTES:

Councillor P. Finnegan referred to Minute No. 2289 of the Special Meeting of the 13th May, 1988. He pointed out that it was stated in the Minutes that he had stated that he had no information about traffic speeds on the road in question. Councillor Finnegan stated that what he had actually said was that in the absence of any scientific survey, it was impossible to say what the average speed on the road was, other than that it was inside the 30 mile speed limit. He asked that the Minutes be amended and this was agreed.

On the proposition of Councillor Michael Ryan, seconded by Councillor J. Molloy, the Minutes of the following Meetings were adopted and signed by the Chairman:

- (a) Special Meeting held on 13th May, 1988.
- (b) Monthly Meeting held on 20th May, 1988.
- (c) Special Meeting held on 13th June, 1988.
- (d) Council Meeting in Committee held on 13th June, 1988.

2361 - DOUGLAS HYDE CONFERENCE - BALLAGHADERREEN - 24TH/26TH JUNE, 1988:

It was agreed on the proposal of Councillor J. Mannion, seconded by Councillor Michael Ryan, that the attendance of Councillor Jarlath McDonagh be approved at this Conference instead of Councillor Michael Ryan.

2362 - KILRAINE TREATMENT PLANTS AT ORANMORE:

Deputy Frank Fahey stated that the Minutes of the Council Meeting of 9th December, 1983, indicated that a Section 4 Resolution had been passed requiring the Manager to take over these Treatment Plants. He was concerned that the Plants were not being taken over. He also stated that the Council had raised a loan to carry out certain improvement works and asked if the Manager had come back to the Council to say that he was not implementing the Council's decision. He asked when the Council gave its approval, to issue bills to Kilraire in respect of the Council's cost of running the Plant.

The County Manager indicated that while the Section 4 Resolution referred to by Deputy Fahey was passed, it had not been implemented as there was legal advice that what was proposed in the resolution could not be legally carried out. As regards the existing works, the Council had succeeded in getting a prosecution against the owners under the Health Acts. The Council had undertaken to pay the electricity charges and to carry out certain works to abate the nuisance being caused, but there was no question of the Council taking over the Plant. As regards the provision of an improvement works, it was found that the cost would be of the order of £100,000 and that the existing works were located on lands which Kilraire did not own. The matter was further complicated in that the owner of these lands had died in the course of these difficulties. The question of linking the Oranmore Sewerage Scheme to the Corporation Sewers was considered and it was indicated that if this proposal went ahead, the new Plant for the Kilraire Development would have to be abandoned.

The County Manager stated that he was not prepared to spend £100,000 on Plant which would be abandoned. The Manager stated that the Council's approval was not necessary to issue bills to Kilraines as this was a managerial function. The County Manager stated that Kilraines had never paid any monies to the Council despite an invitation to them to come and discuss the matter, and an offer of a compromise. Deputy Frank Fahey stated that he proposed to submit a further Notice of Motion in relation to this matter. The Chairman suggested that all the parties concerned come together with a view to solving the issues involved. The County Manager indicated that he did not propose to release the charge on the lands at Kiltiernan East until such time as Kilraines had reached an acceptable settlement with the Council.

2363 - LETTER OF 17TH MAY, 1988, FROM DEPARTMENT OF THE ENVIRONMENT REGARDING THE BY-PASS OF LOUGHREA:

It was agreed on the proposition of Councillor M. Loughnane, seconded by Councillor Joe Lambert, that consideration of this matter be adjourned to the July Monthly Meeting of the Council.

2364 - SALE OF HOUSE AT CURRYWONGAN, KYLEMORE, TO MRS. BRIDGET AND MR. JOSEPH MANNION:

It was proposed by Councillor John Mannion, seconded by Councillor Micheal O'Morain, and resolved:

"That Galway County Council hereby approve the sale of a house at Currywongan, Kylemore, to Mrs. Bridget and Mr. Joseph Mannion in accordance with the terms of notice dated 7th June, 1988, 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, which had been circulated to each Member of the Council."

2365 - CHARGES FOR USE OF COUNCIL DUMPS:

The Council considered a report dated 21st June, 1988, from Mr. D. O'Donoghue, Assistant City and County Manager, a copy of which had been circulated to each Member. The report indicated that the cost of operating the Council Dumps had increased significantly over the past number of years. In the light of this increasing expenditure and the reduction of Rate Support Grant, the Council had made a provision in respect of income from the use of dumps in the sum of £20,000 for 1988. The Council had implemented charges, details of which were set out in the report for the use of Council Dumps. A discount system where payments were made in bulk and in advance was also being considered. The report also set out requirements in relation to the financing of Council dumps. In reply to queries raised by a number of Councillors, the County Manager indicated that the Council were prepared to make deals for persons involved in the bulk disposal of refuse. He also indicated that consideration would be given to Community Councils and other Bodies collecting refuse on a non profit making basis. Councillor Joe Burke stated that he did not agree with the charges being imposed and expressed reservations as to the controls being imposed at Dumps. Councillor Glynn also referred to the difficulties which could arise including the availability of receipts for handing up at Dumps. The County Manager indicated that he was prepared to review the level of charges being imposed but that the principle of the charges remained. The Council would be informed of any review in the level of charges.

2366 - SEMINAR ON ENVIRONMENTAL PROTECTION - NEWMARKET-ON-FERGUS - 8TH JULY, 1988:

The Council agreed that in view of the financial restrictions imposed in relation to travelling expenses, that no nominations would be made to attend this Conference.

BUSINESS SUBMITTED BY THE COUNTY MANAGER

2367 - HELICOPTER RESCUE SERVICE:

The County Manager stated that he had received a letter from the Corrib Airport Limited on the 24th June, 1988, stating that the Board of the Airport were seeking the Council's support in a case which it had submitted to the Minister for Defence to have a Helicopter Rescue Service based at Galway Airport which would serve the Western, Northern and Southern seaboard. It was agreed on the proposition of Councillor Micheal O'Morain, seconded by Senator Padraic McCormack, that the Council would support the case made by the Corrib Airport in regard to this matter.

2368 - WATER POLLUTION FARM SURVEY:

The County Manager gave details of the results of the survey carried out by Council Officials on the Abbert and Grange Rivers. He also gave details of the follow up action proposed by the Council. He expressed the Council's thanks for the co-operation afforded the Officials by the farmers who had been visited. The survey had now been stopped and follow up action was being taken. The Council would also examine ways in which the risks of pollution might be brought to the notice of farmers and how farmers might be encouraged to come forward with their own proposals for improvements.

Mr. R. Faherty addressed the Council in relation to the recently reported incident of fish kill at Ballygar. Mr. Faherty stated that having been notified of a fish kill, he went to the area on the previous Saturday night but could find no evidence of a fish kill. He ascertained the name of the Fishery Officer who had been reported as giving details of a fish kill and on the following Sunday morning, he again visited the area but could find no dead fish. He had met with the Fishery Officer and enquired as to the details of the extensive fish kill which had been reported. He asked the Fishery Officer how many dead fish he had found and the answer he had received was none. Mr. Faherty indicated that the river was extremely low at the location involved and it would take only a small amount of effluent to cause a fish kill. Mr. Faherty stated that he was reporting the situation as he saw it himself. There were no signs of a major fish kill in the area involved but he would carry out a full investigation of the case.

A number of Councillors expressed concern that misleading reports of a major fish kills were announced in the media. They paid compliments to the work of the Council's staff in dealing with pollution matters, and stated that explanations should be sought from the media and from the Shannon Fisheries Board.

COUNCILLORS NOTICES OF MOTION

2369 - ROADWORK PROJECTS IN THE MOYCULLEN AREA: - MOTION BY COUNCILLOR PADDY McHUGH:

The following written reply was given to Councillor P. McHugh:

"£25,000 grant allocated to Clydagh Bridge in 1986 was transferred to the Killeen job in August 1986 as agreed at Council Meeting of 26/8/'86. £70,000 was subsequently transferred from Killeen to Maam Bridge in 1986 in order to complete

the bridge works. Unrecouped expenditure at 31/12/'86 on the Killeen job amounted to £253,843, and as the Department of the Environment provided a grant of £150,000 in 1987, the balance due to the Council had to be funded from other grants. The above transfers were agreed by the Department of the Environment."

- 2370 - THAT GALWAY COUNTY COUNCIL PROVIDE ADDITIONAL WARNING SIGNS AND THAT A TRAFFIC ISLAND WITH BOLLARDS BE ERECTED AT CLAREGALWAY CHURCH ROAD JUNCTION: - MOTION BY COUNCILLOR PADDY McHUGH:

The following written reply was given to Councillor Paddy McHugh:

"This is a desirable proposal. It is hoped to provide a traffic island and bollard later this year or early next year subject to availability of finance. The cost depends on the E.S.B. estimate for providing power, cabling, etc., to the bollard."

- 2371 - OFFSHORE ISLANDS COMMITTEE: - MOTION BY DEPUTY ROBERT MOLLOY:

This motion was adjourned to the July Meeting of the Council.

- 2372 - SHORE LEADING FROM AUGHIRM CEMETERY: - MOTION BY COUNCILLORS JAMES JOYCE AND JOE CALLANAN:

The following written reply was given to Councillors James Joyce and Joe Callanan:

"The lands for Aughrim Cemetery were handed over to the County Galway Board of Health in July 1940 by the Irish Land Commission. The development of the burial ground was carried out by Mr. Ward, Aughrim, Ballinasloe, Contractor, and satisfactorily completed in October 1943 according to Certificate issued by District Engineer, Portumna, Mr. F. O'Keefe on 21st October, 1943.

The first mention of a drainage problem was in a letter to Galway County Council on 13th March, 1956, by the Aughrim Guild of Muintir na Tire who requested that the burial ground be drained. In June 1956, the County Engineer requested District Engineer to attend to the problem as part of maintenance of burial grounds. Following further representations, the District Engineer arranged for trial holes to be dug which were inspected by the Chief Medical Officer. The Chief Medical Officer carried out fluorescein tests over a six month period and concluded that the soil is of a dauby nature and would have a high retention value for water. The District Engineer agreed with the County Medical Officer's findings and recommended in correspondence dated 25th July, 1963, that a pump be provided to the caretaker on request, where difficulty is experienced in opening a grave due to flooding by water.

Then followed further years of discussions, site investigations and representations culminating in a sum of £1,500 being provided in the 1975 estimates for drainage works.

It is not known to what extent these land drainage works were carried out but some works were done and the trial holes and dipsticks were installed at that time. It would appear from local information that these drainage works were not successful and this may be due to the nature of the soil as described by the County Medical Officer as being "of a dauby nature and having a high retention value of water." It is by no means certain that any further drainage works would improve the situation even if money was available for such work."

- 2373 - COMHARTHAÍ SCOILE AR NA BOITHRE TIMPEALL SCOIL TIR AN FHIA, LEITIRMOIR: - MOLADH O'N CHOMHAIRLEOIR PEADAR O'TUATHAIL:

Tugadh an freagra seo leanas don Chomhairleoir Peadar O'Tuathail:

"Beidh an Comhairle Condae ag cuir comharthaí scoile ar fail i gceann cupla seachtain."

- 2374 - TRAFFIC REGULATIONS AT CLOONBOO: - MOTION BY COUNCILLOR JARLATH McDONAGH:

The following written reply was given to Councillor Jarlath McDonagh:

"Improvement work has been carried out at this location in recent times which resulted in stop line disappearing. This will be attended to when lining work is next in progress."

- 2375 - WIDENING OF MAHANAGH BRIDGE: - MOTION BY COUNCILLOR JARLATH McDONAGH:

The following written reply was given to Councillor Jarlath McDonagh:

"Mahanagh Bridge is on C.R. 164 across the Grange River. The clear width is 8'0" but traffic on the road is light and of local origin. The estimated cost of widening the bridge is £30,000 but there are no provisions for carrying out this work in the roadworks scheme for 1988. As the bridge is in good structural condition, widening of the bridge is not considered a priority at present."

- 2376 - FUNDING FOR GROUP WATER SCHEME: - MOTION BY COUNCILLOR JARLATH McDONAGH:

The following written reply was given to Councillor Jarlath McDonagh:

"The estimated cost of the Killagoola Group Water Scheme has been reduced from £50,357 to £42,523, which allow for payment of a reduced special contribution of £11,923. The above costs have been agreed verbally with the Department of the Environment. The Council will contact the Trustees of the Group Scheme when confirmation in writing is received from the Department."

- 2377 - ALLOCATION OF COUNCIL TENANCIES: - MOTION BY COUNCILLOR MATT LOUGHNANE:

The following written reply was given to Councillor Matt Loughnane:

"An Official from the Department of the Environment called to the County Council to discuss the general level of housing needs, and the procedures adopted by the Council for the assessment of housing needs. This discussion was of a very general nature and individual applicants were not discussed.

The Department Official visited a number of approved applicants which were selected at random. These visits were to give an indication of housing need and had no influence on the priority listing. This is not a new procedure, as Department Officials visit the County from time to time for general discussions."

- 2378 - THAT UNOCCUPIED DEMOUNTABLE BE REMOVED FROM ITS PRESENT STATE AT THE BAY, WOODFORD: - MOTION BY COUNCILLOR MATT LOUGHNANE:

The following written reply was given to Councillor Matt Loughnane:

"The demountable referred to is fully serviced and is in a reasonable state of repair. It is screened at present and it is not considered to be an eye sore. Consideration will be given to removing this demountable house to another location when a future applicant for a demountable house is being considered in that area."

2379 - THATCHED HOUSES IN THE COUNTY: - MOTION BY COUNCILLOR JAMES JOYCE:

The following written reply was given to Councillor James Joyce:

"Any such scheme would cost a considerable sum of money and there are no funds available for this purpose. The Council does not even have the funds to carry out a survey."

2380 - EXTENSION TO BURIAL GROUND AT CLONFERT CATHEDRAL: - MOTION BY COUNCILLOR JAMES JOYCE:

The following written reply was given to Councillor James Joyce:

"The County Council do not maintain any Burial Ground at Clonfert at the present time. It is not clear from the motion where the extension is required."

2381 - S BEND SIGNS ON THE BALLINASLOE/PORTUMNA REGIONAL ROAD: - MOTION BY COUNCILLOR JAMES JOYCE:

The following written reply was given to Councillor James Joyce:

"Advance warning signs will be placed on the approaches to these bends. The provision of a continuous white line is subject to approval being sought from the Garda Authorities. This matter has been taken up with the Gardai."

2382 - REPAIR ROADWAY OUTSIDE MR. FRANK FAHY'S HOUSE, KINVARA WEST, KINVARA: - MOTION BY COUNCILLOR MICHAEL FAHY:

The following written reply was given to Councillor Michael Fahy:

"There is a curve on the roadway in front of Mr. Fahy's house with full superelevation. This superelevation causes water from the roadway to run in the opposite direction to Mr. Fahy's house. The only water entering Mr. Fahy's property is from the parking space in front of his house. As Mr. Fahy constructed his house subsequent to the road widening he would be responsible for any water coming on to his property from the parking area himself."

2383 - ESKER GROUP WATER SCHEME, ATHENRY: - MOTION BY COUNCILLOR MICHAEL FAHY:

The following written reply was given to Councillor Michael Fahy:

"The Council has no application for a supply of water for Esker Group Water Supply Scheme."

2384 - THAT GALWAY COUNTY COUNCIL MAINTAIN AND CUT GRASS, ETC., ON CASTLE-VIEW PARK, KINVARA: - MOTION BY COUNCILLOR MICHAEL FAHY:

The following written reply was given to Councillor Michael Fahy:

"This road and park have not been taken in charge by Galway County Council."

2385 - THAT STEPS BE TAKEN TO STOP TRAFFIC USING THE OLD ROAD AT LAUGHT-GEORGE, CLAREGALWAY: - MOTION BY SENATOR PADRAIC McCORMACK:

The following written reply was given to Senator Padraic McCormack:

"The old road referred to is the stretch of the National Secondary N.63, Galway to Roscommon Road which intersects with the National Primary Route N.17 Galway to Tuam Road at an acute angle. Though the intersection has been upgraded with realignment of the N.63, the old section of the N.63 is left in place and continues to service a number of houses and properties. It is accepted that occasionally traffic travelling towards Galway traverses this old road at high speed as a short cut route. The erection of ramps on the old road was considered in the past as the most effective

means of controlling traffic speeds, but the ramps were not erected pending the introduction of the Road Traffic (Bollards and Ramps) Regulations, 1988, which came into effect only on the 22nd March, 1988. The requirements of the Regulations do not permit the erection of ramps at this location. Requirement No. 4 states that ramps cannot be erected on National roads or roads where the speed limit exceeds 30 m.p.h. The road can be reclassified but it is unlikely that the location would satisfy requirements for the introduction of 30 m.p.h. speed limits. The old road has always been open to two-way traffic but practical measures to control traffic volumes and speeds including the creation of a cul-de-sac are now under active consideration."

2386 - HOUSING LOAN INSPECTIONS: - MOTION BY SENATOR PADRAIC McCORMACK:

The following written reply was given to Senator Padraic McCormack:

"There is no change in the procedures for house loan inspections. However, the inspections may take a little longer because of the need for Engineers to plan their travelling in such a way as to keep within their travelling allocation."

2387 - FISH FARMING DEVELOPMENTS IN COUNTY GALWAY: - MOTION BY SENATOR PADRAIC McCORMACK:

The following written reply was given to Senator Padraic McCormack:

"Developments involving the placing of cages in Freshwater Lakes:

Permissions Granted:

1. Ref. No. 54706: Iascaireachtaí Camus Teo., permission for the mooring of 20 fish cages in Lough Lettercraffroe granted on 12th October, 1987 - Temporary Permission to expire after 5 years.

Applications not yet determined:

1. Ref. No. 55416: Eisc Iathglas Teo., application for permission for submerged fish cages at Lough Nafcoey. County Council decided on 17th February, 1988, to grant temporary permission for five years.

Decision was appealed by the Western Regional Fishery Board and the matter is now before An Bord Pleanála for decision.
2. Ref. No. 56088: Tully Mountain Salmon Farm Ltd., application for permission for cages in Lough Emlaghnebehey, Derryigimlagh, Ballyconneely, received on 11th May, 1988 - being dealt with.
3. Ref. No. 56089: Tully Mountain Salmon Farm Ltd., - application for fish cages in Lough Nahillion, in the townlands of Garraunclogh and Aillenaveug, Letterfrack. Received on 11th May, 1988, and being dealt with.

Applications refused or withdrawn:

1. Ref. No. 52454: Eisc Iathglas Teo., permission for fish cages in Lough Nafuoey refused by County Council on 17th July, 1986, on two grounds (i) public health hazard in head waters of Lough Mask which is a major source of public water supply and (ii) injury to visual amenity. Refused on appeal by An Bord Pleanala solely on grounds of visual amenity.
2. Ref. No. 52959: Bradan Mara Teo., application for permission for 25 fish cages in Lough Cutra lodged on 8th June, 1986, and withdrawn on 28th November, 1986.
3. Ref. No. 52372A: Bradan Mara Teo., - application for permission for three fish cages in Lough Cutra lodged 13th May, 1986, and refused by County Council on 3rd July, 1986. Appeal to An Bord Pleanala was declared withdrawn on 22nd January, 1987.

Land Based Fish Farms:

Permissions Granted:

1. Ref. No. 42091: Outline Permission for fish farm at Bunatober, Corrandulla, granted 24th May, 1982, to Mr. Martin O'Farrell, c/o Zoology Dept., U.C.G.
- Ref. No. 51426: Permission for Salmon Parr and Smolt rearing installation etc., on the site of 42091 granted on 24th February, 1986, to Galway Aquatic Enterprises Ltd.
2. Ref. No. 51700: Screebe Estates Ltd. - Permission for retention of fish rearing tanks and permission to construct 20 additional tanks, water treatment system, etc., at Knockadaw. Granted on 5th May, 1986.
3. Ref. No. 54773: Screebe Fishery Ltd. - permission for new channel, fish pass, water control system, additional rearing and breeding tanks, new holding tanks, etc., at Knockadaw, Glentrasna and Illeny granted on 7th January, 1988.
4. Ref. No. 54294: Bradan Mara Teo. - permission for land based salmon hatchery at Cloonacartan, Recess - County Council decided to grant permission on 27th July, 1987, and the decision was appealed by a number of third parties. Permission granted by An Bord Pleanala on 28th September, 1987.

5. Ref. No. 52038: Iascaireachta Casla Teo. - permission for hatchery - buildings at Derrynea granted 8th September, 1986.

Applications not yet determined:

1. Ref. No. 54703: Bradan Chonamara Teo. - application for permission for salmon hatchery at Rineen (adjacent to Ross Lake). Refused by County Council on 17th December, 1987, currently under appeal to An Bord Pleanala.

Applications withdrawn:

1. Ref. No. 53450: Iascaireachta Casla Teo. - Application for permission for rearing tanks and pipe work at Derrynea withdrawn 13th March, 1987."

Senator McCormack in referring to the report, stated that he was concerned that a pattern appeared to be developing in relation to Planning Applications for fish farms on fresh water lakes in that applicants who had been refused Permission appeared to be successful by persisting in submitting applications. He referred to the case of an application by Bradan Mara Teoranta, Ref. No. 53604 for development at Cloonacartan, Recess, which was granted by the County Council, and was refused on Appeal by An Bord Pleanala. He stated that where a second application was submitted, ref. no. 54294, it was granted by the Council before the Appeal on the first application had been determined. The second application was also appealed to An Bord Pleanala and was subsequently granted by the Board on the 28th September, 1987.

Senator McCormack also referred to Planning Application Numbers 55416 and 52454 from Eisc Iathglas Teoranta for the development of fish cages in Lough na Fooey. He stated that in the case of the first application made, Permission was refused by the Council, but when the second application was made, which was similar to the first application, Permission was granted by the Council for a five year period. He stated that there appeared to be inconsistency on the part of the Council in granting Permission in respect of a similar application to one which had been earlier refused on the grounds of public health and visual amenity. The Permission granted by the Council was appealed by the Fisheries Board to An Bord Pleanala.

The County Manager stated that the Planning Appeals Board had upheld the Council's refusal on amenity grounds but not on public health grounds. In the second application, the applicant overcame the problem regarding visual amenity by proposing submerged cages and the Council did not have the public health reason on that occasion because of the Bord Pleanala decision.

Senator McCormack referred to Planning Application Number 51426 for a Salmon Parr and Smolt rearing installation at Bunatubber. He referred to the fact that a Water Pollution Licence had been granted in this case recently which was currently on Appeal to An Bord Pleanala.

This development was on a river which flowed onto the Corrib and he expressed concern for the effects on fish life and on the water supplies of chemicals used in connection with this development. He stated that the Council should request An Bord Pleanala not to grant the Licence until a report had been prepared regarding the effects of the chemicals involved.

The County Manager stated that this approach would be counter productive in that the Licence was a means of exercising strict control over the development and protecting the downstream waters.

The Chairman stated that the Council were acknowledged as leading the field in the country in the matter of aquaculture development and other Bodies looked to the Council for guidance in relation to such matters.

The County Manager stated that the Council had to seek out information in relation to this relatively new type of development. Two expert Committees had developed a policy which the Council were working to in relation to the development of aquaculture and this policy would be incorporated in a future review of the County Development Plan.

In reply to a question by Senator Nioclás O'Conchubhair, the County Manager stated that no Permission had been granted for fish cages on Lough Corrib, and no Planning Applications had been received up to the date of the Meeting.

Following further discussion, it was agreed that a meeting of the Aquaculture Committee would be convened on Friday, 29th July, 1988, at 11.30 a.m. to discuss the development proposed by Galway Aquatic Enterprises at Ballintubber.

Sen. McCormack asked that the source of the Ballybeg/Ballroebuck Group Water Scheme be also discussed at that Meeting.

2388 - CHILDREN CROSSING SIGNS ON THE ROAD AT MOONBAUN, ATHENRY: - MOTION BY COUNCILLOR MARTIN LYNCH:

The following written reply was given to Councillor Martin Lynch:

"The location proposed is adjacent to a housing estate and is not near the school. It is normal only to locate such signs adjacent to schools. The cost of erecting two such signs is estimated to be £400. Because of the present financial constraints, it is not proposed to erect signs at this location."

2389 - UP-TO-DATE REPORT ON RINVILLE PARK IN ORANMORE: - MOTION BY COUNCILLOR MARTIN LYNCH:

The following written reply was given to Councillor Martin Lynch:

"An application for continuation of the Social Employment Scheme at Rinville Park has been submitted to FAS. We understand that the Union embargo on Social Employment Schemes has been lifted. We are awaiting formal notification from FAS."

2390 - THAT GALWAY COUNTY COUNCIL REMOVE ALL THE SCRAP TRAILERS, BOATS, CARAVANS, RUBBISH, ETC., FROM RINVILLE QUAY IN ORANMORE: - MOTION BY COUNCILLOR MARTIN LYNCH:

The following written reply was given to Councillor Martin Lynch:

"This matter will be investigated with a view to taking the necessary action under the Litter Act. It is hoped to have an up to date report on the matter for the July Meeting."

2391 - GO NDEISEODH COMHAIRLE CHONTAE NA GAILLIMHE BOTHAR AILLWEE, ROSMUC: - MOLADH O'N CHOMHAIRLEOIR PEADAR O'TUATHAIL:

Tugadh an Freagra seo leanas don Chomhairleoir Peadar O'Tuathail:

"Ta an bothar seo míle ar fhad agus cathfar príomh obair a dheanamh air. Cosnoidh an deisiúchan thart ar £35,000. Nil aon airgead ar fail i mbliana chun an obair seo a dheanamh."

2392 - GO GCUIRFEADH AN COMHAIRLE CHONTAE DUINE AR FAIL LE SRAID BHAILE AN CHEATHRU RUAIDH A CHOINNEAL GLAN: - MOLADH O'N CHOMHAIRLEOIR PEADAR O'TUATHAIL:

Tugadh an freagra seo leanas don Chomhairleoir Peadar O'Tuathail:

"Nil aon airgead ag an gComhairle i mbliana chun duine a chur ar fail le haghaidh sraid bhaile an Cheathru Rua a choinneal glan."

2393 - BAILITHEOIRI CIOS TAILLE UISCE/BRUSCAR: - MOLADH O'N CHOMHAIRLEOIR PEADAR O'TUATHAIL:

Tugadh an freagra seo leanas don Chomhairleoir Peadar O'Tuathail:

"Ta dhareag bailitheoirí ioncoim liostalaithe ag an Comhairle go dtí seo. Ta cupla post folamh fos. Chuireamar fogra eile as paipear nuachta le deanai agus ta na h-iarratais a fuairamar as sin, a saothru againn."

2394 - REVIEW OF CHARGES RECENTLY IMPOSED BY GALWAY COUNTY COUNCIL: - MOTION BY COUNCILLOR JOE BURKE:

This matter was the subject of a report under Item No. 8 above.

2395 - LETTERFRACK WATER SUPPLY SCHEME - MOTION BY COUNCILLOR T. WELBY:

The following written reply was given to Councillor T. Welby:

"The estimated cost of carrying improvements to the above scheme including the replacement of a section of pipeline and repairs to the Reservoir is £35,000. However, there are no funds available to carry out the works in the current year."

2396 - MOBILE HOME IN DERRADDA WEST, ROUNDSTONE (DETAILS SUPPLIED):

- MOTION BY COUNCILLOR T. WELBY:

The following written reply was given to Councillor Thomas Welby:

"This demountable has been inspected. Arrangements are in progress to have a new window fitted as soon as possible."

2397 - THAT A NEW POLE BE FIXED AT TULLY CONNOR CROSS SO THAT AN ADVERTISING SIGN BY RENVYLE CARAVAN PARK BE FITTED: - MOTION BY COUNCILLOR T. WELBY:

The following written reply was given to Councillor T. Welby:

"A new pole will be erected at the above location within the next few weeks."

2398 - TUBBER PATRICK RYEHILL CEMETERY: - MOTION BY COUNCILLOR MICHAEL MULLINS:

The following written reply was given to Councillor Michael Mullins:

"No monies have been allocated in the 1988 Budget to carry out improvement works to the access to Tubber Patrick Ryehill Cemetery. However, the adjoining landowners under the representative, Mr. Michael Lally, Ryehill, Monivea, Athenry, are in the process of improving the access under a Local Improvement Scheme."

2399 - VOTES OF SYMPATHY:

On the proposal of Councillor Michael Ryan, the Council passed a vote of sympathy with Councillor Martin Lynch on the recent death of his mother.

On the proposal of the Chairman, the Council passed a vote of sympathy with Deputy Noel Treacy on the recent death of his uncle.

Resolutions of sympathy were also passed with the following:

Gertie and Mary O'Leary, Officials of the Council on the recent death of Jimmy O'Leary.

Mary and Phil Kavanagh, Officials of the Council, on the recent death of their father, Patrick.

Pat Blighe, Engineer, on the recent death of his father.

Mrs. Curtin & Family, Ballymaquive, Ardrahan.

Mrs. M. Lucas, River Street, Eyrecourt.

Mr. Michael Rattigan, Bushtown, Williamstown.

2400 - CORRESPONDENCE:

Copies of the following correspondence were circulated to each Member of the Council:

- (1) Letter dated 20th May, 1988, from Naas Urban District Council re underage drinking.
- (2) Letter dated 30th May, 1988, from Donegal County Council re proposed closure of the Creagh Research Station.
- (3) Letter dated 26th May, 1988, from Limerick County Council re reduction of qualifying age requirement from 25 years to 21 years for Social Employment Schemes.
- (4) Letter dated 25th May, 1988, from Donegal County Council re offshore islands.
- (5) Letter dated 21st June, 1988, from Roscommon County Council re results of the Garda Inquiry into the shooting at Aughnacloy.

2401 - JULY MONTHLY MEETING

The members agreed that the July Monthly Meeting of the Council would be held on Friday, 29th July, 1988.

THE MEETING THEN TERMINATED.
=====

Submitted, approved and confirmed:

Patrick Finegan
CHAIRMAN.

22 August 1988
DATE.

Oifig an Runai,
Arus an Chontae,
GAILLIMH.

11u Iuil, 1988.

CHUIG GACH BALL DE'N CHOMHAIRLE/

A Chara:

Tarrtar ort leis seo bheith i lathair ag cruinniu bliantuil de Chomhairle Chontae na Gaillimhe a tionolfar ins na Foirgnithe Chontae, Gaillimh, De Luain, an 18u la Iuil, 1988, ag tosnú ag 3.30 a chlog sa trathnóna.

Mise, le meas,

E. O'GLIASAIN,
Runai Chontae.

A G E N D A

- 1. Election of Chairman for year 1988/89.
- 2. Election of Vice-Chairman for year 1988/89.
- 3. Appointment of three representatives on the County Councils' General Council for year 1988/89.
- 4. Appointment of County Libraries' Committee.
- 5. Appointment of National Monuments Advisory Committee.
- 6. Appointment of Higher Education Grants Committee.
- 7. Appointment of Sheep Dipping Committee.
- 8. Circular Letter EL 15/87 from Department of the Environment regarding Controls on Travelling and Subsistence Expenses.
- 9. Letter from Western Inter County Railway Committee - 6th May, 1988.
- 10. Higher Education Grants Scheme, 1988.

MINUTES OF PROCEEDINGS AT ANNUAL MEETING OF GALWAY COUNTY COUNCIL HELD AT THE COUNTY BUILDINGS, GALWAY, ON MONDAY, 18TH JULY, 1988.

IN THE CHAIR: (a) An Comhairleoir Micheal O'Morain
(b) Councillor Patrick Finnegan

ALSO PRESENT:

Members : As recorded in the Attendance Book.

Councillors J. Brennan, J. Burke, U. Burke, J. Callanan, Deputy F. Fahey, Councillors M. Fahy, F. Glynn, Senator T. Hussey, Councillors J. Joyce, M. Killilea, M.E.P., Deputy M. Kitt, Councillors J. Lambert, M. Loughnane, M. Lynch, Senator P. McCormack, Councillors J. McDonagh, P. McHugh, J. Molloy, J. Mannion, Deputy R. Molloy, Councillor M. Mullins, Senator N. O'Conchubhair, Councillors P. O'Tuathail, P. Raftery, M. Ryan, Deputy N. Treacy and Councillor T. Welby.

Officials: Messrs J. Howlett, Deputy County Manager; E. Gleeson, County Secretary; J. Crotty, Deputy County Engineer; T. Murphy, Senior Staff Officer, E. Lusby, Finance Officer and T. Coughlan, Senior Staff Officer.

The Opening Prayer was recited.

2402 - VOTES OF SYMPATHY:

The Chairman proposed votes of sympathy with the following:

Family of James Brennan
Family of Matt Hackett
Family of Paddy O'Loughlin
Family of Frank Carter
Family of John Jennings
Mr. Thomas Donoghue & Family on the death of his brother Jack.
Family of John Finn.
Mrs R. Newman on the death of her husband Richard.
Farragher Family.

The Meeting adjourned for a short period as a mark of respect.

2403 - ELECTION OF CHAIRMAN 1988/89

Gaibh an Comhairleoir O'Morain, an t-Iar Cathaíreach, buíochas le baill an Comhairle, an Bainsteoir Chontae agus foireann an Chomhairle as ucht an cabhair agus an comhoibriú a fuair se uatha i rith na bliana. Gaibh se buíochas comh maith lena bhean cheile as an cabhair a thug si dho.

Councillor O'Morain congratulated Senator Tom Hussey and Councillors F. Glynn, J. Mannion and M. Ryan on having completed 21 years as members of Galway County Council. Councillor O'Morain also thanked Radio na Gaeltachta and the members of the Press for their co-operation and assistance during his term of office.

It was proposed by Senator T. Hussey and seconded by Councillor P. Raftery that Councillor P. Finnegan be elected Chairman of Galway County Council for the year 1988/1989. There were no further proposals for the election of Chairman and the Chairman

ANNUAL MEETING OF 18TH JULY, 1988. - 2 -

declared Councillor Patrick Finnegan elected Chairman of Galway County Council for 1988/1989 and invested him with the Chain of Office.

Councillor Patrick Finnegan then took the Chair.

The Members present congratulated Councillor Finnegan on his election and paid tribute to the outgoing Chairman, Councillor M. O'Morain.

Councillor Finnegan thanked the members for unanimously electing him as Chairman. He paid tribute to the outgoing Chairman for the manner in which he had presided at all the meetings of the Council. Councillor Finnegan stated that he was honoured as a member from the Tuam Electoral Area to be elected as Chairman and he hoped that during his term of office there would be an improvement in relation to the funding of local authorities.

Dúirt an Cathaíreach nua go mbeadh failte roimh usaid na Gaeilge ag gach cruinniú den Comhairle.

Mr. J. Howlett, Deputy County Manager, on his own behalf and on behalf of the staff congratulated Councillor Finnegan on his election as Chairman. Mr. Howlett also thanked the outgoing Chairman, Councillor O'Morain for his co-operation during his term of office.

2404 - ELECTION OF VICE-CHAIRMAN FOR THE YEAR 1988/1989.

It was proposed by Councillor Killilea, M.E.P., and seconded by Councillor P. McHugh that Councillor John Molloy be elected Vice-Chairman for 1988/1989.

It was proposed by Councillor M. Ryan and seconded by Councillor M. Mullins that Councillor Joe Lambert be elected Vice-Chairman for 1988/1989.

A vote take on these proposals resulted as follows:

FOR COUNCILLOR JOHN MOLLOY : Councillor J. Callanan, Deputy F. Fahey, Councillors M. Fahy, P. Finnegan, Senator T. Hussey, Councillors J. Joyce, M. Killilea, M.E.P., Deputy M. Kitt, Councillors M. Loughnane, P. McHugh, J. Molloy, Senator N. O'Conchubhair, Councillors M. O'Morain, P. Raftery, Deputy N. Treacy and Councillor T. Welby.
(16)

COUNCILLOR JOE LAMBERT : Councillors J. Brennan, J. Burke, U. Burke, F. Glynn, J. Lambert, M. Lynch, Senator P. McCormack, Councillors J. McDonagh, J. Mannion, Deputy R. Molloy, Councillors M. Mullins, P. O'Tuathail and M. Ryan. (13)

The vote resulted in 16 votes for Councillor John Molloy and 13 votes for Councillor Joe Lambert.

The Chairman declared Councillor John Molloy elected Vice-Chairman of Galway County Council for 1988/1989. Councillor John Molloy thanked the members of the Council for electing him as Vice-Chairman. Councillor Joe Lambert congratulated

Councillor Molloy on his election.

2405 - APPOINTMENT OF THREE REPRESENTATIVES TO THE COUNTY COUNCILS GENERAL COUNCIL FOR 1988/1989.

The Council noted that the Group System of Appointment as provided for in Section 27 of the Local Government (Re-Organisation) Act, 1955, applied to most of the appointments made to Committees as set out on the Agenda. No groups were formed in relation to the appointments of representatives to the County Councils General Council.

It was proposed by Deputy M. Kitt, seconded by Councillor J. Callanan and agreed that Councillors M. O'Morain and M. Fahy be appointed to the County Councils General Council for 1988/1989.

It was proposed by Councillor M. Ryan, seconded by Councillor J. Mannion and agreed that Councillor J. McDonagh be appointed to the County Councils General Council for 1988/1989.

As a result of the foregoing the following are the three members appointed to the County Councils General Council for 1988/1989:

Councillor M. O'Morain
Councillor M. Fahy
Councillor J. McDonagh

2406 - APPOINTMENT OF COUNTY LIBRARIES COMMITTEE 1988/1989.

It was proposed by Deputy M. Kitt and seconded by Councillor M. Ryan that all the outgoing members of the Library Committee be re-elected for 1988/1989.

It was proposed by Councillor J. McDonagh, seconded by J. Mannion and agreed that Mr. Thomas Costello, Grange, Turloughmore, be appointed to the Committee in place of Mr. Matt McDermott, Turloughmore.

As a result of the foregoing, the following are the 30 members of the County Libraries Committee for 1988/1989:

No.	Members
1	Andy Clohessy, Maree, Oranmore.
2	Tomas O'Maille, Rosmuc.
3	Conor Gavin, Dunmore, Tuam.
4	Clr. Michael Ryan, Moate, Moylough.
5	Clr. John Mannion, Clifden.
6	Sen. P. McCormack, 3, Renmore Park, Galway.
7	Clr. John Molloy, Coolough, Castlegar, Galway.
8	Clr. P. McHugh, Beaghmore, Belclare P.O.
9	Clr. J. Joyce, Laurencetown, Ballinasloe.
10	P.B. Ryan, Derrymullen, Ballinasloe.
11	Paraic Mac Donnacha, Rossaveal.
12	Peter Conroy, Monivea.
13	Clr. P. Finnegan, 9, Curragh Park, Tuam.
14	Clr. P. Raftery, Ballygar.
15	Eamon King, Glann, Oughterard.
16	Clr. M. Loughnane, Dunsandle, Kiltulla.
17	Leo Hallissey, Renvyle, Conamara.
18	Joseph Burke, Principal, Voc. Sch., Tuam.
19	Charles Mullen, Bridge Street, Portumna.
20	M.J. Molloy, Milltown.
21	Gerald Bartley, Ballinaboy, Clifden.
22	Martin Fallon, Turloughmore.
23	Clr. Ml. Mullins, Woodlawn, Ballinasloe.
24	Mrs Kathleen Fallon, Kilgarve, Creagh, B'sloe
25	Clr. Ml. Fahy, Caherduff, Ardahan.

No.	Members
26	Toddie Byrne, Kinvara.
27	James McClearn, Killimor, Ballinasloe.
28	Clr. M. Lynch, The Square, Athenry.
29	Clr. T. Walsh, Ardeevan, Williamstown.
30	Thomas Costello, Grange, Turloughmore.

2407 - APPOINTMENT OF NATIONAL MONUMENTS ADVISORY COMMITTEE.

The members were informed that the number of full members to be appointed was 10. A roll call was then taken of the members present and it was established that the number of members present at the Meeting at the time when the business of making the appointments to the National Monuments Advisory Committee was reached, was 28 members. The following members were recorded as present:

Councillors J. Brennan, J. Burke, U. Burke, J. Callanan, Deputy F. Fahey, Councillors M. Fahy, P. Finnegan, Senator T. Hussey, Councillors J. Joyce, M. Killilea, M.E.P., Deputy M. Kitt, Councillors J. Lambert, M. Loughnane, M. Lynch, Senator P. McCormack, Councillors J. McDonagh, P. McHugh, J. Mannion, J. Molloy, Deputy R. Molloy, Councillor M. Mullins, Senator N. O'Conchubhair, Councillors M. O'Morain, P. O'Tuathail, P. Raftery, M. Ryan, Deputy N. Treacy and Councillor T. Welby.
(28)

The Council were informed that the number of members necessary to form a group was 3 members.

Nominations from 4 groups were then handed to the Chairman as follows:

First Vacancy:

Group consisting of the following Councillors -

Deputy Robert Molloy
Councillor P. O'Tuathail
Councillor Joe Burke

nominating Mr. Michael O'Neill, Tully, Renvyle to be a member of the National Monuments Advisory Committee.

Second Vacancy:

Group consisting of the following Councillors:

Councillors J. Mannion, M. Ryan and Senator P. McCormack

nominating Councillor J. McDonagh to be a member of the National Monuments Advisory Committee.

Third Vacancy:

Group consisting of the following Councillors:

Councillor J. Brennan
Councillor M. Mullins
Councillor M. Lynch

nominating Mr. Toddie Byrne, Kinvara, to be a member of the National Monuments Advisory Committee.

Fourth Vacancy:

Group consisting of the following Councillors:

Councillor U. Burke
Councillor J. Lambert
Councillor J. McDonagh

nominating Mr. Martin Keane, Roscam, to be a Member of the National Monuments Advisory Committee.

The Chairman ruled that those four nominations were valid and he accordingly declared -

Mr. Michael O'Neill, Tully, Renvyle.
Councillor J. McDonagh, Turloughmore.
Mr. Toddie Byrne, Kinvara.
Mr. Martin Keane, Roscam

appointed.

FIFTH VACANCY:

It was proposed by Deputy M. Kitt, seconded by Councillor J. Callanan and agreed that Councillor J. Joyce be appointed.

Sixth Vacancy:

It was proposed by Deputy M. Kitt and seconded by Councillor M. O'Morain and agreed that Councillor T. Welby be appointed.

Seventh Vacancy:

It was proposed by Deputy M. Kitt and seconded by Councillor M. O'Morain and agreed that Mr. Tom Fanning, Department of Archeology, U.C.G. be appointed.

Eighth Vacancy:

It was proposed by Deputy M. Kitt, seconded by Councillor M. Killilea, M.E.P., and agreed that Mr. Aidan Lardner, Turloughmore, be appointed.

Ninth Vacancy:

It was proposed by Deputy M. Kitt, seconded by Councillor M. O'Morain and agreed that Mr. Hubert Bermingham, Dunmore, be appointed.

Tenth Vacancy:

It was proposed by Deputy M. Kitt, seconded by Councillor J. Callanan and agreed that Mr. Martin Joyce, N.T. Aughrim, Ballinasloe be appointed.

Honorary Members:

It was proposed by Councillor M. Killilea, M.E.P., and seconded by Deputy N. Treacy and agreed that Mr. Tony Claffey Vicar Street, Tuam, be appointed as an honorary member.

It was proposed Councillor M. Ryan, seconded by Councillor J. Mannion and agreed that Councillor M. Lynch be appointed as an honorary member.

It was proposed by Councillor J. Joyce, seconded by Deputy R. Molloy and agreed that all of the outgoing honorary members be re-appointed.

As a result of the foregoing the following are the persons

appointed to the National Monuments Advisory for 1988/1989:

National Monuments Advisory Committee - Full Members

Mr. Michael O'Neill, Tully, Renvyle.
Councillor J. McDonagh, Turloughmore.
Mr. Toddie Byrne, Kinvara.
Mr. Martin Keane, Roscam.
Councillor J. Joyce, Laurencetown, Ballinasloe.
Councillor T. Welby, Oughterard.
Mr. Tom Fanning, Department of Archeology, U.C.G.
Mr. Aidan Lardner, Turloughmore.
Mr. Hubert Bermingham, Dunmore.
Mr. Martin Joyce, N.T., Aughrim, Ballinasloe. (10)

National Monuments Advisory Committee - Honorary Members

Mr. Tony Claffey, Vicar Street, Tuam.
Councillor M. Lynch, The Square, Athenry.
Mr. Larry Kilcommins, Creggs.
Prof. Thomas O'Neill, U.C.G.
Mr. Tom Kenny, Ballygar.
Rev. J. Kelly, P.P., Ardahan.
Mr. Thomas Creaven, Fairgreen, Tuam.
Mr. Michael Conneely, Culicar, Monivea.
Rev. P.K. Egan, P.P., Portumna.
Mr. Norman Morgan, Bride Street, Loughrea.
Mr. D. J. Murphy, Ballygaddy Road, Tuam.
Prof. Etienne Rynne, U.C.G.
Rev. Martin Coen, C.C., Craughwell.
Mr. Garry O'Lochlainn, 63 Cruachan Park.
Mr. Miko Kelly, Church View, Tuam.
Mr. Frank Burke, N.T., Abbey.
Mr. Eoin Kennedy, 27 Hollygrove, Lisbeglawn, Renmore.
Mr. Paul Gosling, Dept. of Archaeology, U.C.G.
Mrs Mary McDonagh, 15 Devon Gardens, Salthill.
Micheal Uasal Breathnach, Voc Sch., Gort.
Mr. J. J. Molloy, Milltown. (21)

2408 - AQUACULTURE COMMITTEE.

Councillor M. O'Morain reminded the members that the Meeting of the Aquaculture Committee would be held on 29th July, 1988. He asked that all the members of that Committee attend that Meeting. Deputy M. Kitt proposed that the Council recommend to the Committee that Councillor M. O'Morain be Chairman of the Committee.

2409 - HIGHER EDUCATION GRANTS COMMITTEE.

It was proposed by Deputy M. Kitt and seconded by Councillor M. Ryan that the outgoing Committee be re-appointed subject to the following changes which were proposed.

It was proposed by Deputy M. Kitt and seconded by Councillor J. Joyce that Councillor P. McHugh be substituted for Mr. J. Bradley. This was agreed.

It was proposed by Councillor M. Ryan and seconded by Councillor J. Mannion and agreed that Cllr. Lambert be appointed in place of Miss Mary Tierney. As a result of the foregoing the following are the persons appointed to the Higher Education Grants Committee for 1988/1989:

Higher Education Grants Committee for 1988/1989.

Mr. Martin McHugh, 21 Seaman Drive, Riverside, Galway.
Fr. Dermot Maloney, President, St. Jarlath's College, Tuam.

Mr. Pat Gilmore, Carrownagurraun, Dublin Rd., Tuam.
Mr. Seamus Donoghue, Kilkerrin Road, Glenamaddy.
Clr. Michael Ryan, Moate, Moylough, B'sloe.
Clr. Peter Raftery, Ballygar.
Clr. P. McHugh, Beaghmore, Caherlistrane.
Clr. J. Lambert, Ballyburn, Gort.
Mr. Sean O'Neachtain, Baile an Domhnaill, An Spideal.
Mr. Michael Gilhooley, Cussane Cross, Athenry.
Clr. James Joyce, Laurencetown, B'sloe.
Mr. Tom Boyle, Cleaghmore, Ballinasloe.
Mr. Micheal O hOgain, Caltra, Ballinasloe.
Clr. Ml. Mullins, Woodlawn, Ballinasloe.
Mrs Lily Broderick, Brackernagh, B'sloe.
Tomas O Muineachain, Uasal, Carraroe.
Caoimhghin O Maicin, Uasal, Rosmuc.
Mr. Pierce O'Malley, Cregg, Oughterard.
Mr. Thomas Connolly, Market St., Clifden.
Mr. Patk. Clancy, Glann, Oughterard.
Clr. Matt Loughnane, Dunsandle, Kiltulla.
Mr. Sean Fahy, N.T., Killimor, Ballinasloe.
Mr. Paddy Grealish, Rindifin, Gort.
Mr. Jimmy McClearn, Killimor, Ballinasloe.
Clr. Martin Lynch, The Square, Athenry.

(25)

2410 - APPOINTMENT OF SHEEP DIPPING COMMITTEE 1988/1989.

It was proposed by Deputy M. Kitt and seconded by Councillor M. Ryan that all the outgoing members be re-appointed to the Sheep Dipping Committee. This was agreed.

As a result of the foregoing the following are the Members of the Sheep Dipping Committee for 1988/1989:

Members for 1988/1989: Mr. Joe Ribbon, Cloonluane, Renvyle.
Mr. Michael Conneely, Tulicar, Monivea.
Clr. Ml. Ryan, Moate, Moylough.
Sen. P. McCormack, 3 Renmore Park.
Clr. T. Walsh, Ardeevan, W'stown.
Clr John Mannion, Clifden.
Mr. Paddy Ruane, Carnmore, Oranmore.
Clr. J. Callanan, Calla, Kilconnell, Ballinasloe.
Clr. J. Molloy, Coolough, Castlegar.
Clr. P. Raftery, Ballygar.
Mr. Ml. Gilhooley, Cussane Cross, Athenry.
Sen. T. Hussey, Patch, Glenamaddy.
Clr. P. Finnegan, 9 Curragh Park, Tuam.
Clr. T. Welby, Oughterard.
Mr. Richard King, Corrandulla.
Mr. Tom Joyce, Gorumna, Recess.
Mr. Thomas O'Dea, Mountain South, Athenry.
Clr. J. McDonagh, Turloughmore.
Mr. Mark Canavan, Glann, Oughterard.
Clr. Ml. Fahy, Caherduff, Ardrahan.

(20)

2411 - CIRCULAR LETTER EL 15/87 FROM DEPARTMENT OF THE ENVIRONMENT REGARDING CONTROLS ON TRAVELLING AND SUBSISTENCE EXPENSES.

The Council considered the report dated 12th July, 1988, which had been circulated to each Member. The report indicated that the amount available for Members Expenses in 1988 would be limited to £56,000. The Council had considered this matter at an earlier Meeting and had agreed to defer further consideration to the Annual Meeting. Details of expenses incurred to the 30th June, 1988, were set out in the Report and it was indicated that allowing for a contingency sum of £2,500, a figure of £28,370 was available for all Members expenses for the period 1st July, 1988 to 31st December, 1988.

The Deputy County Manager stated that it was essential that the Council now decide on the allocation of the available funds for the second half of the year. A number of suggestions on how this might be achieved was set out in the report.

Councillor Michael Ryan stated that he was disappointed with the total expenses allocated in respect of travelling for Councillors. The number of Committee Meetings which had been held were down by half on previous years and he stated that the Members of the Council were being treated very badly in relation to travelling expenses allocations. He stated that it was not suitable in most cases for members to use public transport to attend Meetings in places such as Dublin.

Councillor J. Brennan proposed that the Council should hold three Meetings in every two months rather than two meetings per month at present.

Councillor Ml. Mullins expressed concern at the lack of funds being made available to local authorities. He stated that it was becoming impossible for Councillors to get small improvement jobs done because of the lack of finance.

Senator P. McCormack enquired as to what effects the direction was having in relation to travelling by members of the staff. He stated that housing loan inspections were being held up because of curtailment of mileage.

Councillor U. Burke also expressed concern regarding the cutback in mileage allowances and referred to difficulties which were arising in relation to planning applications. He referred also to the lack of finance available to local authorities for the maintenance and improvements of roads.

Councillor J. Burke enquired as to the Minister's authority to direct local authorities regarding the monitoring of travelling expenses to members. He supported Councillor Brennan's proposal that the Council hold three meetings in every two months rather than two meetings per month at present. He also proposed that Committee Meetings be held on the same day as Council Meetings.

Councillor J. Joyce stated that the Council appeared to be reasonably on target halfway through the year. He objected to the holding of Committee Meetings on the mornings of Council Meetings and proposed that no Committee Meetings be held on the same morning as a Council Meeting unless there was an extraordinary reason for doing so.

Deputy R. Molloy also enquired as to the Minister's authority to direct that travelling expenses be curtailed.

Mr. J. Howlett, Deputy County Manager, stated that this matter had been adjourned from an earlier meeting and the up-to-date position was now being brought before the Council. The Council would be faced with holding extra meetings for consideration of the Estimates in the second half of the year which will result in greater expenditure for the second half of the year. On the question raised by members as to the Minister's authority in relation to this matter, the Council had taken up this matter with the Department of the Environment and had been referred to Section 10 of the Local Government (Financial Provisions) Act, 1978, which stated that the Minister may by a direction given to a local authority in writing require the authority, in relation to a local financial year to limit in such manner as was specified in the direction, all or any one of the amounts required to be shown in the authority's Estimate of Expenses for the local financial year specified. The direction had been given to all local authorities.

In reply to Senator McCormack, the Deputy County Manager stated that the curtailment on expenses of Officers was causing some concern but that the delays in relation to inspections of houses for loan purposes did not involve many cases.

After further discussion, the Council agreed to adjourn the matter for further consideration to the September Meeting of the Council. The Deputy County Manager indicated that the up to date position in relation to expenditure under this heading would be available to each Meeting where the question of attendance at Conferences would arise.

It was proposed by Deputy M. Kitt and seconded by Clr. O'Morain and agreed that no Council Meeting would be held on the 12th August, 1988, and that only one Meeting would be held in August, such meeting to be held on 22nd August, 1988.

2412 - LETTER FROM WESTERN INTER COUNTY RAILWAY COMMITTEE -6TH MAY; 1988.

The Council considered this letter. It was proposed by Councillor O'Morain and seconded by Councillor J. Joyce that Deputy M. Kitt and Councillor P. Finnegan, Chairman, be appointed as Council's representatives on the Western Inter County Railway Committee. This was agreed. It was proposed by Councillor M. Ryan and seconded by Councillor J. Mannion that Councillor J. McDonagh be appointed as a representative of the Council on the Western Inter County Railway Committee. This was agreed.

It was proposed by Councillor J. Brennan and seconded by Deputy M. Kitt and agreed that Councillor J. Burke be appointed as a representative of the Council on this Committee.

2413 - HIGHER EDUCATION GRANTS SCHEME 1988.

A copy of the Higher Education Grants Scheme for 1988 had been circulated to each Member. It was proposed by Deputy M. Kitt and seconded by Councillor M. O'Morain and resolved that the Higher Education Grants Scheme for 1988 be approved. It was agreed on the proposal of Councillor J. Joyce that a Meeting of the Higher Education Grants Committee should be held later in the year. It was agreed that the matter could be reviewed at the September Meeting of the Council when the question of travelling expenses for members was being considered.

2413 - AMENITY GRANTS SCHEMES - NATIONAL LOTTERY FUNDS.

The Council noted the particulars of Amenity Grants allocations which had been notified by the Department of the Environment by letter dated 14th July, 1988, copy of which had been circulated to each Member.

2414 - DEPUTATION TO THE MINISTER FOR THE ENVIRONMENT.

Councillor T. Welby referred to the bad condition of roads in the Connemara Area and he proposed that the Council send a deputation to the Minister for the Environment consisting of the members of the Oireachtas and the Chairman to seek additional funds for roadworks from the Minister. This was agreed.

2415 - WATER SUPPLY IN TUAM.

Councillor J. Burke stated that the water supply situation in Tuam had deteriorated over the last 10 days and that the quality of water was very bad. He asked that the matter

be attended to immediately and that the Water Tower in the Town be put back into commission. He was supported by a number of Councillors. Clr. Finnegan, Chairman, stated that he had received complaints in relation to the water supply in Dunmore and asked that the matter be examined.

2416 - JULY MONTHLY MEETING.

Councillor J. Brennan asked that the date of the July Monthly Meeting be changed from the 29th July, 1988, to the 26th July, 1988, and this was agreed by the members present. It was indicated that the 29th July, 1988, had been fixed at a previous Meeting and that a number of Councillors had agreed specifically on that date. It was understood that the other dates during that week may not be suitable to them.

THE MEETING THEN TERMINATED.

SUBMITTED, APPROVED + CONFIRMED:

Patrick Finnegan CHAIRMAN

22/8/88 DATE

COMHAIRLE CHONTAE NA GAILLIMHE

(Galway County Council)

Oifig an Runai,
Arus an Chontae,
GAILLIMH.

2lu Iuil, 1988.

CHUIG GACH BALL DE'N CHOMHAIRLE.

A Chara,

Iarrtar ort leis seo bheith i lathair ag cruinniu de Chomhairle Chontae na Gaillimhe a tionolfar ins na Foirgnithe Chontae, Gaillimhe, De hAoine, an 29u la Iuil, 1988, ar a 3.00 a chlog sa trathnona.

Mise, le meas,

E. O'GLIASAIN,
Runai.

A G E N D A

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

1. "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. Aidan Jordan, Tonroe, Oranmore for the retention of two chalets and construction of Septic Tank at Tonroe, Oranmore. - Planning Reference No. 56021."
Michael Fahy. Nicholas O'Connor. Frank Fahey.
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 McDonagh of Roundstone, Co. Galway, for dwellinghouses at Ardhear - Planning Reference No. 57060."
John M. Mannion. Padraic McCormack. Tom Welby.
3. "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to grant Permission for retention of dwellinghouse and for construction of a new site entrance at Corraneena for Mr. Brendan M. Kenny, Corraneena, Kilconnell, Ballinasloe - Planning Ref. No. 56000."
Joe Callanan. Michael Mullins. Micheal P. Kitt.
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 Planning Permission to Mr. Bernard Porter, Springvale, Kylebrack, Loughrea, Co. Galway for a dwellinghouse and Septic Tank at Carrowmore, Loughrea, Co. Galway - Planning Ref. No. 55762."
Michael Fahy. Matt Loughnane. Frank Fahey. Noel Treacy.

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. Robert Marcus, Caherbrien, Gort, Co. Galway for the retention of existing commercial development of Car Sales Yard and Car Sign, entrances and change of use of shed from storage to workshop at Caherbrien, Gort. - Planning Ref. No. 57220."
Michael Fahy. Matt Loughnane. Frank Fahey.
6. "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 Duffy, Barnaboy, Turloughmore for Retention of Motor Repair Workshop and Domestic Store - Planning Reference No. 57047".
Jarlath McDonagh. Michael Ryan. John Molloy.
7. "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. and Mrs. O'Driscoll for the erection of Dwellinghouse and Septic Tank at Toher - Planning Reference No. 55694".
Thomas Welby. Mark Killilea. Nioclás O'Conchubhair. Frank Fahey.
8. "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to grant full Permission for the Retention of the existing Store at Ballycleara, Kinvara, Co. Galway as a Commercial Store, to Mr. Michael Flanagan - Planning Reference No. 55841".
Frank Fahey. Michael Fahy. Noel Treacy.
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 full Planning Permission to William Dillon (Jnr) for the erection of a Dwellinghouse at Coolty Murragh, Aghrim, Ballinasloe, Co. Galway - Planning Ref. No. 55925".
Noel Treacy. Joe Callanan. James Joyce.

Other Business:

10. Law Agents Advice dated 14th June, 1988 - Planning Reference No. 55022 - Michael Molloy - (Copy enclosed).
11. Minutes of Monthly Meeting held on 27th June, 1988 - (Copy enclosed).
12. Report on provision of Halting Site for Travellers - (Report enclosed).
13. Disposal of 7.99 hectares of land in Poolboy, Ballinasloe to Taher Meats Ltd., St. Stephens Green, Dublin 2 in accordance with Section 83 Notice dated 13th July, 1988 already circulated.
14. Letter of 17th May, 1988 from Department of the Environment regarding the By Pass of Loughrea - Details already circulated.
15. Sheep Dipping Regulations, 1988 - (Copy enclosed)
16. 1988 People of the Year Awards - Any nomination to be submitted in writing.

17. Grupa Stiurtha faoin nGaeilge sa tSeirbhis Rialtas Aituiul, Seiminear i gCathair na Mart, Co. Mhaigh Eo - 30u Mean Fomhair - 2u Deire Fomhair, 1988 (Leitir istigh le seo).
18. Declaration of Roads to be Public Roads - (Details enclosed).
19. Malicious Injury Decrees - List herewith
20. Business submitted by the County Manager.

COUNCILLORS' NOTICES OF MOTION.

Adjourned from previous Meeting:

DEPUTY ROBERT MOLLOY: - I will propose.

21. That Members be provided with a copy of the Council's submission to the Offshore Islands Committee.

COUNCILLOR P. FINNEGAN. - I will propose.

22. That this County Council take over the services in the following Tuam Housing Estates - Parkview Drive, Millstream Park, Trinity Court, Cedar Court and Bel Air Drive.
23. That this Council declare public the road to Jack Mullins house at Currylea, Lavally, recently done by Local Improvement Scheme.

COUNCILLOR MARTIN LYNCH - I will propose

24. That Galway County Council remove all the scrap trailers, boats, caravans, rubbish etc., from Rinville Quay in Oranmore, as these are a big danger to everyone going into the sea in that area. Farmers and people living there are very upset with all this rubbish left there for years. Would it be possible for the Council to give me a report on what the Council are doing to clean up Rinville Quay.

OTHER MOTIONS RECEIVED.

COUNCILLOR JARLATH McDONAGH - I will propose.

25. That the Council carry out study of the traffic situation prevailing at Inverin with a view to providing safety measures.
25. That Galway County Council carry out urgently needed widening of dangerous bend at Belville (details enclosed).
27. That Galway County Council seek up to date position from Department of the Environment as to when grants will be paid so that the herein mentioned water schemes can proceed.

COUNCILLOR JAMES JOYCE - I will propose.

28. That signs for a dangerous bend be erected at the narrow bend at Michael (Sonny) Kelly's house, Bellview, Laurencetown and the bushes growing on the ditch be cut down as low as possible.

COUNCILLORS' NOTICES OF MOTION (Contd)...

29. That each of the six county council houses in Laurencetown be provided with individual septic tanks because some of the tenants wish to purchase the houses but they are not satisfied with the communal septic tank which does not work properly and there is little hope of a sewerage scheme.

SENATOR PARAIC McCORMACK. - I will propose.

30. That footpaths be provided in Moycullen village.
31. That Galway County Council erect toilet facilities at Annaghdown Pier as it is a much used location, especially during the summer months. Due to the proximity of the Corrib River there is a danger of water pollution because there are no facilities.

DEPUTY NOEL TREACY - I will propose.

32. That Galway County Council connect 22 houses in the Ard Aobhinn Estate, Monivea to the Mid-Galway Regional Water Scheme which runs alongside the Estate, in view of the fact that the present system is a private one and is not satisfactory from a quality or quantity point of view, that the necessary details be outlined and the necessary conditions for connection be made available also that this work be carried out without delay.
33. That Galway County Council take over the Portumna Number 2 Group Water Scheme which is serving circa 30 applicants at Woodpark, Portumna and the Residents of St. Bridgets Road be allowed connect this scheme after the Council have taken it over and that the necessary details of the proposed take-over etc., be outlined.

DEPUTY MICHEAL KITT - I will propose.

34. That Galway County Council would have special prizes in the Tidy Towns Competition in the County for the display of window boxes, hanging baskets and containers, etc., as a form of outdoor flower arranging.

DEPUTY FRANK FAHEY - I will propose.

35. That Galway County Council in accordance with previous motions passed, take full responsibility for the maintenance of Sewerage Treatment Plants at Cloonarkin Drive and Beech Grove, Oranmore from 1/1/1984.

COUNCILLOR JOE BURKE - I will propose.

36. That Galway County Council insist that a full address be published with all planning permissions. It is not sufficient that Townparks (Div. 1, 11, 111, 1V) alone nominate the site referred to.

COUNCILLOR TOM WELBY - I will propose.

37. What amount was due on the 30th June, 1988 by the Tenant of the Town Hall Cinema, Galway in respect of Rent and Rates.
38. What is the present position regarding the proposed extension to Lettermore na Coille Burial Ground.
39. When will the Gleantrague Road be completed under the allocation provided in the Estimates.

COUNCILLOR MICHAEL FAHY - I will propose.

40. That Galway County Council erect a light urgently before winter outside Ballymana Church, Craughwell.
41. What stage is Oranmore Sewerage Scheme, and is it intended to proceed to adjoin Scheme on to connection to the City sewerage, and when does County Council expect to see Scheme commence?
42. That Galway County Council close Lay-By at Lissatunna, Ardrahan which has been occupied by Traders all year.

COUNCILLOR MATT LOUGHNANE - I will propose

- 43. That a Caretaker be appointed for the Burial Ground at Ballymore, Craughwell.
- 44. That County Manager instruct the Finance Officer to avoid any increase in Water and Refuse Charges in the coming year's Estimates.
- 45. That the fabric of the County Road which has disintegrated at Ballymore and Strongfort, Craughwell be reconstructed.

COUNCILLOR TIERNAN WALSH - I will propose.

- 46. That Galway County Council carry out the necessary work immediately to prevent flooding at Esker, Glenamaddy, or must the eight families who suffer the isolation caused by the flooding face another winter depending on tractors with transport boxes to travel the public road.

JULY MEETING

DECREES

DAMAGE

MALICIOUS

Name and Address	Particulars of Claim	Area of Charge	Amount of Claim	Amount of Decree including costs.
<p>Anne Mannion, Ayle, Westport, CO. MAYO.</p>	<p>Damage to Vehicle</p>	<p>County at large</p>	<p>££3,000</p>	<p>£1,398.89</p>

MHAIRLE CHONTAE NA GAILLIMH
(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 less than one month from the date of this Notice will consider the making of a declaration that the following roads shall be Public Roads.

Area	From	To	Metres
Dughterard	C.R. 107 in Townland of Park	Martin Maloney's house in Townland of Park	48
Mountbellew	M. Mulryans in Townland of Caltra	C.R. 468 in Townland of Caltra	310
Milltown	R.332 in Townland of Beagh	John Higgins house in Townland of Castlegrove West	135
Athenry	C.R. 143 in Townland of Glenascaul	M. Shaughnessy's house in Townland of Glenascaul	240
Gort	From C.R. 373 in Townland of Lavally	Thomas Griffin's house in Townland of Lavally	40

MINUTES OF MEETING OF GALWAY COUNTY COUNCIL HELD AT THE COUNTY BUILDINGS, GALWAY, ON FRIDAY, 29TH JULY, 1988.

IN THE CHAIR:

Councillor P. Finnegan.

ALSO PRESENT:

Members:

As recorded in the Attendance Book.

Councillors J. Burke, J. Callanan, M. Fahy, P. Mac Gloinn, Senator T. Hussey, Councillors J. Joyce, J. Lambert, M. Loughnane, M. Lynch, Senator P. McCormack, Councillors J. MacDonagh, P. McHugh, J. Mannion, J. Molloy, Senator N. O'Conchubhair, Councillors M. O'Morain, P. Raftery, M. Ryan, Deputy N. Treacy, Councillors T. Walsh, and T. Welby.

Officials:

Messrs. J. Howlett, Deputy County Manager; P. Flood, County Engineer; E. Gleeson, Acting Assistant County Manager; T.J. O'Donoghue, Law Agent; L. Kavanagh, Senior Executive Engineer; P. Blighe, Executive Engineer; D. Barrett, Senior Staff Officer; T. Kavanagh, Acting County Secretary.

The Opening Prayer was recited.

2417 - WELCOME TO VISITORS:

The Chairman welcomed Fr. John Maguire, New York, David and Ann Griffin, Boston, to the Meeting.

2418 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 56021 - AIDAN JORDAN:

Councillor Mannion and other Members asked the Deputy County Manager if he would make a statement in relation to the judgement in respect of a recent High Court Judicial Review concerning the non implementation of a Section 4 Resolution by the Dublin City and County Manager, as it could have a bearing on this and other Section 4 Resolutions. The Deputy County Manager stated that as a result of the Court case mentioned by Councillor Mannion and other recent Court cases, it was clear that there was a very considerable personal responsibility involved in the making of Planning Decisions. It was now clear that an aggrieved applicant or third party may now seek a Court Hearing to determine whether the decision made was the correct one, in addition to his right to Appeal to An Bord Pleanala. The possibility of a subsequent action for damages could not be ruled out in cases where the decision was found to be incorrect and where injury or loss could be attributed to the Decision. He said that the procedure for the adoption of Section 4 Resolutions by the Council would have to be strictly in accordance with the rules set out in Section 4 of the City and County Management (Amendment) Act, 1955, and that a vote would have to be recorded. As well as recording the names of Councillors who vote for or against the resolution, the vote would also be a record to show that where a resolution

is passed, that the number required to carry a Section 4 Resolution have voted in favour. The Deputy County Manager also stated that greater weight would have to be given to previous Decisions of An Bord Pleanála in relation to particular cases. The Deputy County Manager summarised the points he had made as follows:

- (1) Votes should be taken on all motions and the names of the Members voting for and against should be recorded, even if there appears to be a unanimous decision.
- (2) The resolution should be dealt with before any other business & voting should take place when the motion is being considered and the practice of deferring votes until 4.30 p.m. may no longer be followed.
- (3) The rules about the submission of resolutions in regard to notice etc., would have to be observed.
- (4) Greater weight would have to be given to decisions already given by An Bord Pleanála to refuse the same application.
- (5) Where there is a proposal which would seem to be in conflict with the Law, the Manager would still have to reserve his decision on whether to refuse or grant the application.

Councillor Mannion said that he was not surprised with the decision of the High Court. He said he was not satisfied with the Deputy County Manager's response and said that it was not the Councillors' fault if votes on Section 4 Resolutions were not taken.

Councillor O'Morain asked if the County Manager would be liable if he refused to implement a Section 4 Resolution which was unanimously passed by the Council. The Deputy County Manager referred to his earlier statement where he said that there was a very considerable personal responsibility involved in the making of any Planning Decision.

Senator McCormack said that the Manager was refusing to implement quite a number of Section 4 Resolutions and that it would be in nobody's interest if the Members and the Officials were to go on a collision course. Councillor O'Conchubhair said that the Council was the Governing Body in relation to Planning matters and asked if the advice of the Law Agent was for the benefit of the Manager or the Councillors.

Councillor O'Morain proposed that the first hour of the next Council Meeting be held in Committee to discuss the whole issue. Councillor Welby proposed that each Councillor be supplied with a report from the Law Agent on the High Court Judgement. The Deputy County Manager agreed to do this.

A number of Councillors asked if Mr. O'Donoghue, Law Agent, would like to make any observations on the case. In making some observations, Mr. O'Donoghue read some extracts from the Judgement. He said one difficulty was that he did not know what case was put forward by the applicants. He said that one of the most important issues was that development had to be in accordance with the proper planning and development of the area. He said that he had often listened to discussions on Section 4 Resolutions and issues other than the proper planning and development of the area were raised such as an applicant's financial position, social factors, etc. He said that where a Section 4 Resolution is passed and the County Manager has expert advice that the development would

create a traffic hazard or cause pollution, this places the Manager in a very serious position.

Senator McCormack asked that Application No. 55802 be put on the Agenda for the next Meeting and that Item 10 on the Agenda relating to Planning Application No. 55022 be deferred to the next Meeting. Councillor Mannion asked that a copy of the High Court Judgement be circulated to each Member and this was agreed.

Planning Application Number 56021:

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

LOCATION

The site is located on the N18 National Primary Road approximately ½ mile north of Clarenbridge.

HISTORY:

Ref. No. 17864: Permission was granted to Mr. Aidan Jordan for the erection of a dwellinghouse on the basis of a new farm house on the family farm.

Ref. No. 55485: Permission was refused to Mr. Aidan Jordan for the retention of two chalets and construction of septic tank in view of a danger to public safety by reason of a traffic hazard and conflict with the original grant of Planning Permission for essential housing need.

PLANNING CONSIDERATIONS:

The site fronts onto the National Primary Road at a point where the maximum speed limit applies and is bounded to the north-west by a private by-road. Planning Permission Ref. No. 17864 was granted to Mr. Jordan in 1974 for the erection of a dwellinghouse on the basis of essential housing need for a new farm house on the family holding of 13 acres which Mr. Jordan expected to acquire. Condition No. 4 stipulated that vehicular entrance to the site was to be from the by-road and that no new entrance was to be opened directly onto the National Primary Road. This condition was not complied with and a new entrance was opened directly onto the National Primary Road. Mr. Jordan was instructed to close this entrance in 1979 but refused to do so claiming that it was for "ornamental" purposes only and was not used for vehicular traffic.

Planning Ref. No. 55485 was lodged subsequent to the issue of a letter to Mr. Jordan in December 1987, that the erection of the two chalets was an unauthorised development. After the refusal of permission no appeal was made to An Bord Pleanála. An inspection of the site in February 1988, revealed that the original dwellinghouse was rented out while the applicant lived in one chalet, the other chalet being unoccupied at the time but apparently available for renting.

The entrance onto the National Primary Road was closed subsequent to the refusal of Permission.

RECOMMENDATION

It is proposed to refuse the application on the grounds:-

1. The retention of the development would endanger public safety by reason of a traffic hazard as it would lead to an undesirable intensification of turning movements onto a heavily trafficked section of the National Primary Road where the maximum speed limit applies and would interfere with the safety and free flow of traffic on the road.
2. The retention of the development would be in conflict with the original grant of Planning Permission on this site, Ref. No. 17864, which was granted on the basis of a new farmhouse on the farm holding."

Councillor M. Fahy proposed the resolution set out on the Agenda. He said the applicant was residing in the house. He said the two chalets would not endanger public safety or cause a traffic hazard and that a large number of people would not be occupying them. He said that they were set back over 150 feet and there was good visibility in each direction. He said there were no objections to the development and that the applicant was unemployed, and depended on the development as a source of income.

The resolution was seconded by Senator O'Conchubhair. He said the applicant was originally making a new entrance onto the National Primary Road but he was now using the house entrance. He said the applicant had no other income and depended on this for his livelihood.

The County Engineer said that the income of the applicant was not a ground for granting Planning Permission. He said the applicant originally got Planning Permission for a house on the basis of a new farm house on the family holding. He subsequently built two unauthorised chalets and an entrance onto the National Primary Road. He was trying to regularise the position by the use of a Section 4 Resolution. The County Engineer said that the development was along a National Primary Road in a relatively rural area and the consequences of an accident could be very serious because of the high speed of traffic. He strongly recommended that the application be refused because of the traffic hazard that would be created by traffic coming from the development which was along a National Primary Road.

Councillor Joe Burke proposed that the application be refused and said that the Council should have taken action against the unauthorised chalets.

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

FOR: Councillors J. Callanan, M. Fahy, P. Finnegan, M. Loughnane, M. Lynch, Senator P. McCormack, Councillors J. McDonagh, P. McHugh, J. Mannion, J. Molloy, Senator N. O'Conchubhair, Councillors M. O'Morain, P. Raftery, M. Ryan, Deputy N. Treacy, Councillors T. Walsh, and T. Welby.

(17)

AGAINST: Councillor J. Burke.

(1)

The Chairman declared the resolution carried.

2419 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 57060:
APPLICANT: THOMAS McDONAGH:

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 Clifden/Ballyconneely Road ½ mile from Clifden Town Centre.

PLANNING HISTORY:

- Ref. No. 32200: Permission refused by the Planning Authority and by An Bord Pleanala for a house on part of the present site; Applicant: Mr. M. McDonagh.
- Ref. No. 53550: Outline Permission for 3 houses refused by the Planning Authority and An Bord Pleanala; Applicant: Mr. T. McDonagh.

PLANNING CONSIDERATIONS:

The site is located in an area zoned as "High Amenity" in the Clifden Town Plan. Development Control Policy provides for the total restriction of development to the essential housing needs of farmholders. No such need has been claimed in this instance.

Access to the site is close to a bad end on an unrealigned and busy Tourist Route where it is not feasible to provide for an entrance with adequate safe sight distance.

The site is also in close proximity to and surrounds the Public Sewage treatment works for Clifden Town and any proposed housing on this site will be likely subjected to smell nuisance from the works which will seriously diminish the residential amenity of householders and result in constant complaints to the Council concerning the operation of the plant and possible representations to have it relocated.

RECOMMENDATION:

1. The access to the proposed development is located close to a bad bend on a busy tourist route where sight distance is substandard for emerging and passing traffic and would not be materially improved by any feasible relocation of the entrance. The proposed development would, therefore, endanger public safety by reason of traffic hazard because the turning movements generated by it would interfere with the safety and free flow of traffic on this road.
2. The site is located in an unspoilt area designated in the Clifden Development Plan as an "Area of High Amenity" and because the development would be likely to appear as an incongruous element in scenic views of the area, it would, therefore, be seriously injurious to the amenities of this area."

The resolution set out on the Agenda was proposed by Councillor Mannion. He said that the application should not be refused because of the scarcity of sites in Clifden Town. He said that Permission was granted for a larger scheme nearby. He agreed that when the previous application was refused, the entrance was at a dangerous bend but this had now been rectified. He said the entrance to the public sewerage works was at the same bad bend. The resolution was seconded by Senator McCormack.

The County Engineer said that the proposed development was along an unrealigned section of road and would create a specific traffic hazard. He said the sewerage works was built a good number of years ago and the traffic in and out was minimal. He said that the Council's previous decisions were upheld by An Bord Pleanala including the extra piece of land at the entrance and that the sight distance could not be materially improved by any relocation of the entrance.

Councillor J. Burke said that he objected to the granting of Permission.

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

FOR: Councillors J. Callanan, M. Fahy, P. Finnegan, M. Loughnane, M. Lynch, Senator P. McCormack, Councillors J. McDonagh, P. McHugh, J. Mannion, J. Molloy, Senator N. O'Conchubhair, Councillors M. O'Morain, P. Raftery, M. Ryan, Deputy N. Treacy, Councillors T. Walsh, and T. Welby.

(17)

AGAINST: Councillor J. Burke.

(1)

The Chairman declared the resolution carried.

2420 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 56000:
APPLICANT: MR. BRENDAN M. KENNY:

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

"LOCATION OF SITE:

The site is located on the Athenry to Ballinasloe Regional Route No. 335, 1 mile west of Kilconnell.

PLANNING HISTORY:

Ref. No. 44618: Permission for house granted to this applicant in March 1984, subject to a vehicular access from the minor road only and a building line of 75 ft. from the Regional Route. The building line condition was subsequently breached by the applicant.

Ref. No. 55677: Permission for fuel store and garage granted to this applicant in April 1988 again subject to access from the minor road.

PLANNING CONSIDERATIONS:

The present application is to retain the dwellinghouse and to construct an access directly onto the regional route. The grant of Permission for the retention of

the dwellinghouse is recommended, but permission for construction of the access should be refused. There is deficient sight distance in the eastern direction along this winding stretch of the Regional Route which has a Class 11 restriction in the Development Plan. This situation will remain until there is a full realignment of the Regional Route, at which time proper visibility will be available from the proposed access. In the meantime, the vehicular access from the site should be onto the County Road to the east in the interests of traffic safety.

RECOMMENDATION:

To grant permission to retain dwellinghouse and to refuse permission for the new entrance for the following reason:-

1. The proposed development would create a serious traffic hazard due to the lack of visibility at the proposed access point on a busy stretch of Regional Route where the maximum speed limit applies."

The resolution set out on the Agenda was proposed by Councillor Callanan. He said that the junction at the County Road was dangerous and almost impossible to negotiate safely onto the Regional Road. The resolution was seconded by Councillor McHugh.

The County Engineer said that Permission was granted for a house in 1984 subject to the vehicular access being from the minor road only and at a building line of 75 feet from the Regional Route. He said the house was built nearer to the Regional Road than stipulated but he was prepared to recommend Permission for the house. He recommended that access onto the Regional Road be refused. He said it was a winding stretch of unrealigned Regional Road and access onto it would create a specific traffic hazard.

Councillor Joyce said that the majority of accidents happen at junctions and that people would be happier going in and out of their own entrances rather than using bad junctions. Senator McCormack agreed with Councillor Joyce's remarks.

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

FOR: Councillors J. Burke, J. Callanan, M. Fahy, P. Finnegan, Senator T. Hussey, Councillors J. Joyce, M. Loughnane, M. Lynch, Senator P. McCormack, Councillors J. MacDonagh, P. McHugh, J. Mannion, J. Molloy, M. O'Morain, M. Ryan, Deputy N. Treacy, Councillors T. Walsh, and T. Welby.

(18)

AGAINST: None.

The Chairman declared the Resolution carried.

2421 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 55762:
APPLICANT: MR. BERNARD PORTER:

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 N6 National Primary Road, approximately 3 miles west of Loughrea.

PLANNING HISTROY:

Planning Ref. No. 40531:

FIRST SCHEDULE: Outline Planning Permission granted to Mr. Noel Healy, for 2 no dwellinghouses on sites to the north west of but including part of the site of the current application and fronting onto the adjacent County Road.

SECOND SCHEDULE: Outline Planning Permission refused to Mr. Noel Healy for 4 no. dwellinghouses on part of the site of the current application.

Planning Ref. No. 42946:

FIRST SCHEDULE: Outline Planning Permission granted to Mr. Noel Healy for 2 no dwellinghouses on sites to the north west of but including part of the wite of the current application and fronting onto the adjacent County Road.

SECOND SCHEDULE: Outline Planning Permission refused to Mr. Noel Healy for 4 no. dwellinghouses on part of the site of the current application.

PLANNING CONSIDERATIONS:

The proposed development is located on the National Primary Road at a point where the maximum speed limit applies. The proposed access to the site is by means of a narrow, unsurfaced agricultural track and is immediately adjacent to the National Primary Road. After a request for further information on essential housing need, the applicant indicated that he is the owner of land to the north westof and adjacent to the site of this application which has frontage onto a County Road and which is suitable for housing.

RECOMMENDATION:

It is proposed to refuse the application on the grounds:-

1. The proposed development would endanger public safety by reason of a traffic hazard because access to the site is via a narrow unsurfaced agricultural track located immediately adjacent to the National Primary Road at a point where the maximum speed limit applies and the traffic turning movements generated by the proposed development would interfere with the safety and free flow of traffic on the said road.
2. The proposed development would contravene the County Development Plan (Chapter 25, Table 25A) which limits development along the National Primary Road to those where essential family housing need exists, a category of development which does not apply in this case as an alternative site is available on a County Road."

Councillor M. Fahy proposed the resolution set out on the Agenda. He said the applicant had no other site and needed the house for his family. He said the entrance was not onto the National Primary Road but on to a by road which was also used by other people.

The resolution was seconded by Deputy Treacy. He said that Mr. Porter was a genuine applicant in need of a house.

The County Engineer said that this was a very serious application, the site being along the National Primary Route to Dublin. He said that there was a commercial garage on the opposite side of the National Primary Road and also a scrap yard. He said that the traffic generated by the development would create a dangerous situation along a fast stretch of National Primary Road, where traffic travelled at very high speeds. He said the applicant has land adjacent to the site of the application which has frontage onto a County Road and is suitable for housing.

Councillor M. Fahy said that the applicant was living with his brother and family and was entitled to have a house of his own. The County Engineer said that he could not take personal circumstances into account and he was advising the Members of the serious risk of accident.

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

FOR: Councillors J. Callanan, M. Fahy, P. Finnegan, J. Joyce, M. Loughnane, M. Lynch, J. Molloy, Senator N. O'Conchubhair, Councillors M. O'Morain, P. Raftery, Deputy N. Treacy, and Councillor T. Welby.

(12)

AGAINST: Councillor J. Burke, Senator P. McCormack, Councillors J. Mannion, M. Ryan, and T. Walsh.

(5)

The Chairman declared the resolution carried.

2422 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 57220 - APPLICANT: MR. ROBERT MARCUS:

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 N18 National Primary Road approximately 3 miles south of Gort, at a junction with a minor County Road.

HISTORY:

Planning Ref. No. 13590: Permission granted to Mr. John McInerney for a house on the southwest portion of the site of the current application on the basis of a family housing need. A condition of the permission was that the access be from the minor road. This condition has not been complied with and the development carried out is unauthorised.

Planning Ref. No. 28021: Outline Permission refused to Mr. John McInerney for 3 houses on the northwest portion of this site.

- Planning Ref. No. 40363: Outline Permission refused to Mr. John McInerney for 3 houses on the northwest portion of the site.
- Planning Ref. No. 43638: Outline Permission granted to Mr. John McInerney for 1 house on the northwest portion of this site, access to be from County Road.
- Planning Ref. No. 46369: Permission refused to Mr. Robert Marcus for erection of shed and retention of existing sheds, walls and sales yard.
- Planning Ref. No. 47513: Permission granted to Mr. Robert Marcus for the erection of a shed having been directed under Section 4 of the City and County Management (Amendment) Act, 1955.
- Planning Ref. No. 55968: Permission refused to Mr. Robert Marcus for retention of existing commercial development consisting of car sales yard, sign, entrances and change of use of shed from storage to workshop.

PLANNING CONSIDERATIONS:

The applicant has been carrying out an extensive commercial development without permission on the site for several years. The development consists of the sale and repair of vehicles. There are two entrances in use directly onto the National Primary Road and a third unused entrance onto a County Road.

Subsequent to the grant of Planning Permission, ref. No. 47513, by Section 4 for the erection of a shed, ostensibly for the storage of two cars, Mr. Marcus was informed that the Permission did not authorise the then existing unauthorised commercial development. No application was made for the retention of the development and an Enforcement Notice under Section 31 of the Local Government (Planning and Development) Act, 1963, was served on Mr. Marcus on 17th February, 1988, Planning Ref. No. 55968 was lodged on 19th April, 1988. After the refusal of Permission the applicant did not avail of his right to appeal to An Bord Pleanála.

The site is located on the National Primary Road at a point where the maximum speed limit applies and, while there is a County Road adjoining the site, a retail business such as this will have a specific attraction for passing traffic and generates movements to and from the National Primary Road resulting in a traffic hazard which the policy of restricting commercial development along National roads seeks to avoid. Business such as this should properly be located in Gort, or one of the surrounding villages where traffic hazard can be avoided and where it can contribute to the physical and commercial growth of the village.

RECOMMENDATION:

It is proposed to refuse the application on the grounds:-

1. The proposed development would endanger public safety by reason of a traffic hazard because the site is located on a heavily trafficked section of the National Primary Road 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.
2. The proposed development would contravene the County Development Plan (Chapter 25, Table 25A) which restricts commercial development, such as is proposed, along the National Primary Road."

The resolution as set out on the Agenda was proposed by Councillor M. Fahy. He said that only a few years ago, a similar Section 4 Resolution was passed unanimously granting Permission to the applicant for the erection of a shed. He said the applicant carries out a worthwhile service in the area and employs a number of people. He said that there was plenty of visibility along the National Primary Road. He said the applicant had invested a lot of money in the business and it was wrong for the Council to say that the business should not now exist.

The Resolution was seconded by Councillor Loughnane. He said that the applicant was in business and wanted to extend his enterprise. He wanted to earn a livelihood for himself and it was not a question of setting up a new business.

The County Engineer said that the applicant was in business illegally and he had been advised of this. He said that his previous application was for the erection of a new shed for the housing of two cars only. The County Engineer said that during the discussion on the Section 4 Resolution in connection with application number 47513, the case was made that the applicant's main activity was the repair of vintage cars yet he (County Engineer) had counted 13 modern cars on the site. The applicant had made two entrances onto the National Primary Road and one onto the County Road. The County Engineer said that the applicant had behaved as if there were no Planning Laws. The County Engineer recommended that the application be refused as it created a dangerous situation on the National Primary Route.

Councillor J. Burke asked if the access to the County Road would be acceptable. The County Engineer replied that the location was not suitable for the carrying out of this type of business.

Councillor M. Fahy said the business was in existence since 1974 involving vintage cars and commercial cars. He said it would be a disgrace to close down the business and suggested that one entrance to the National Primary Road and one entrance to the County Road be granted. He begged the Council not to close down the business saying that it gave a worthwhile service. Councillor Walsh said that he would see a distinction between a development already in existence and an application for a new development. He said it would be a natural development to go from vintage cars to commercial. He accepted the danger in relation to the National Primary Road and suggested that if access was only to the County Road that the applicant might be allowed to advertise on the National Primary Road. Councillor Loughnane said that there was an old entrance on the site from the National Primary Road to a limekiln. The County Engineer replied that Permission for change of use would be required.

A vote taken for or against the resolution on the Agenda resulted as follows:

FOR: Councillors J. Callanan, M. Fahy, P. Finnegan, J. Joyce, M. Loughnane, M. Lynch, J. MacDonagh, P. McHugh, Senator N. O'Conchubhair, Councillors M. O'Morain, P. Raftery, M. Ryan, Deputy N. Treacy, Councillors T. Walsh and T. Welby.

(15)

AGAINST: Councillor J. Burke.

(1)

The Chairman declared the resolution carried.

2423 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 57047 - APPLICANT: MR. MICHAEL DUFFY:

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 Galway/Roscommon National Secondary Route No. 63, 1 mile North east of Turloughmore.

PLANNING HISTORY:

Ref. No. 10906: Outline Permission granted for house to Mr. M. Duffy.

Ref. No. 16521: Approval granted to above Outline Permission.

Ref. No. 25207: Approval granted for above Outline Permission with revised building line.

PLANNING CONSIDERATIONS:

This applicant has been operating an unauthorised motor repair garage for some time, but the matter did not come to the attention of the Planning Authority until he proceeded to build a large extension without permission, on to the already unauthorised structure early this year. This demonstrates a total disregard for the Planning Laws.

The site is on an unrealigned stretch of National Secondary Route where the maximum speed limit applies. The workshop which is the subject of the application appears to be almost complete, despite notice issuing in May to cease work on the building. A recent inspection revealed 9 no. vehicles on the forecourt, two of them directly abutting the public roadway which is narrow at this point. Apart from the general principle of restricting development along this route, in the interest of public safety, this particular site would not seem to be adequate to cater for an extensive motor repair business including car sales, without the likelihood of vehicles being parked on the public roadway and the forecourt being so cluttered that vehicles wishing to turn into the site will be forced to stop on the carriageway and cause serious risk to high speed passing traffic. There is also the added problem of the unsightliness of scrap and waste material in full view of the National route.

RECOMMENDATION:

Refusal is recommended as follows:-

1. The proposed development would endanger public safety by reason of a traffic hazard because the site is located on a heavily trafficked section of the National Secondary Road 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. In addition, the development would militate against the objectives of the Planning Authority to:
 - (a) preserve the level of service and carrying capacity of the road so that it can fulfill its function as a through road for heavy traffic;
 - (b) protect the public investment in National road network.
2. The proposed development would contravene the County Development Plan, (Chapter 25, Table 25(b) which limits development along this road to non commercial residential development where an essential housing need exists and which category does not apply in this case."

The resolution set out on the Agenda was proposed by Councillor J. MacDonagh. He said it should not have been necessary to submit a Section 4 Resolution for this application. He said the applicant started with a shed some years ago to service his own car. Then he got a Demand Note from the County Council for Rates which he has been paying for 10 years. He said the applicant had worked hard and had built a structure onto the old shed. Councillor MacDonagh said that he did not accept some of the points made in the County Engineer's report regarding traffic hazard as the development was on a straight stretch of road. He said that the applicant was a young man with a wife and family and if Permission was not granted, he would be faced with unemployment and emigration. He said the applicant proposes to employ a few people and that the business services a parish of 750 people with no similar service in the area, and that it was not an extensive car sales business. The resolution was seconded by Senator McCormack. The resolution was supported by Councillors Lynch, Ryan and Walsh.

In reply to Councillor Joyce, the County Engineer said that there was no objection lodged against the application. The County Engineer said that most of the points put forward by the Members did not relate to proper planning and development. He said that he would like to see the applicant developing his business but only in a proper location. The County Engineer said that the existing development was unauthorised and was contrary to the Development Plan. He said the applicant had taken down the fence along the site. He said it was a heavily trafficked section of the National Secondary Route and was the wrong place to locate this type of business, and would cause a traffic hazard.

Councillor J. Burke said that as the development was on a straight stretch of road, he had difficulty in coming to a conclusion as to whether it would create a traffic hazard. Councillor MacDonagh said that the applicant had no other site and that the development was in existence for a number of years and there was no accident.

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

FOR: Councillors J. Callanan, M. Fahy, P. Finnegan, J. Joyce, M. Loughnane, M. Lynch, Senator P. McCormack, Councillors J. McDonagh, P. McHugh, J. Mannion, J. Molloy, Senator N. O'Conchubhair, Councillors M. O'Morain, M. Ryan, Deputy N. Treacy, Councillors T. Walsh and T. Welby.

(17)

AGAINST: None.

The Chairman declared the resolution carried.

2424 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 55694
- APPLICANT: MR. & MRS. MICHAEL O'DRISCOLL:

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

"LOCATION:

The site is located to the east of Little Killary Adventure Centre approximately 0.9 miles from main Lettergesh-Leenaun Road.

PLANNING HISTORY:

While there are no previous planning applications on the proposed site, there are, however, a number of relevant planning decisions as follows:-

- Ref. No. 38294: Permisison granted in May 1981 for conversion of outbuildings to adventure centre whch included management living quarters.
- Ref. No. 43282: Permisison granted on appeal on a nearby site in May 1983 for a dwellinghouse to Mr. James Young, (Director of Adventure Centre). No devleopment has yet taken place on this site.
- Ref. No. 44086: Permission granted in December 1982 to Mr. Young for extension to adventure centre with separte management living quarters in a two storey block comprising 4 no. bedrooms, study, kitchen, living/ dining room.

PLANNING CONSIDERATIONS:

The site is located in one of the most unspoilt areas of outstanding scenic amenity in north Connemara and the development proposed could not be satisfactorily assimilated into its surroundings. In addition, tthere is a potential public health hazard as the proposed percolation area would be close to the Salrock River.

The applicant does not meet housing need criteria as set out in the County Development Plan and while his work may require that he resides in the general area sufficient staff accommodation has been permitted in the Adventure Centre Complex.

RECOMMENDATION:

Refusal is recommended as follows:-

1. The site proposed to be developed is located in an area of outstanding scenic amenity where it is the general policy of the Planning Authority to limit development to cases of essential housing need. No such need exists and the devleopment, if permitted, would be contrary to the provisions of the County Development Plan and to the proper planning and development of the area.
2. The proposed development would be located in an area of outstanding scenic amenity and would be an obtrusive feature on the landscape which would not be capable of being assimilated into its surroundings and would if permitted seriously detract from the scenic amenities of the area.
3. The proposed devleopment would be likely to give rise to a serious public health hazard as the proposed percolation area would not comply with the County Council's minimum distance requirements from Salrock River and would, therefore, be contrary to the proper planning and development of the area."

The County Engineer said that the application was for the erection of a dwellinghouse beside the Little Killary Adventure Centre. He said the applicant worked in the Centre and wanted a house near his work. He said that Permission was granted for a house in 1983 on a nearby site and no development has yet taken place. Permission was also granted for living quarters on the site of the Adventure Centre. He said the applicant did not come within the housing need category in the Development Plan. The County Engineer recommended that the application be refused on grounds of amenity and on public health grounds as the proposed percolation area does not comply with the County Council's minimum distance requirements from the Salrock River and would therefore be a pollution risk.

Councillor Welby proposed the resolution set out on the Agenda. He said that a letter sent to the Council dated 18th July, 1988, explained why one of the Planning Permissions was not availed of. He said the applicants and their family were living in a small area and were instructed to vacate it. They were 8 years living in the area and had five children and had now to get alternative accommodation. He said there was a genuine need for rehousing and the applicants were prepared to build. He said the septic tank site was a good one and a revised Plan submitted showed the septic tank at a distance of 152 feet from the river. Councillor Welby said that he had made representations in connection with the application although the report did not show this.

The resolution set out on the Agenda was seconded by Senator O'Conchubhair. He said that the applicants needed a home to bring up their five children and he supported the application for that reason. He did not agree that the development would interfere with the scenic amenities.

The County Engineer apologised for omitting the fact that Councillor Welby had made representations. He said that the septic tank/percolation area would be located within 200 feet of the Salrock River.

Councillor J. Burke said that he was satisfied that a housing need had been substantiated and he was not objecting to the application. Councillor Ryan said that he had met the applicant and was supporting the application. Councillor Ryan said that he had met the applicant and was supporting the application. Councillor O'Morain asked for clarification regarding the distance from the river and the County Engineer