



Galway County Council Archives

**GALWAY COUNTY COUNCIL,
COUNCIL MINUTES**

GC/1/25

30 JANUARY 1989 - 19 DECEMBER 1989

MINUTES OF MONTHLY MEETING OF GALWAY COUNTY COUNCIL HELD AT THE COUNTY BUILDINGS, GALWAY, ON MONDAY, 30TH JANUARY, 1989.

IN THE CHAIR: Councillor P. Finnegan

ALSO PRESENT:

Members: As recorded in the Attendance Book.

Councillors J. Brennan, J. Burke, U. Burke, J. Callanan, Dep. F. Fahey, Councillors M. Fahy, J. Joyce, M. Killilea, M.E.P., Dep. M. Kitt, Councillors J. Lambert, M. Loughnane, Sen. P. McCormack, Cllrs. J. McDonagh, J. Mannion, J. Molloy, Dep. R. Molloy, Councillor M. Mullins, Sen. N. O'Conchubhair, Councillors M. O'Morain, P. O'Tuathail, P. Raftery, M. Ryan, Dep. N. Treacy, Councillors T. Walsh and T. Welby.

Officials: Messrs S. Keating, County Manager; P. Flood, County Engineer; E. Gleeson, County Secretary; L. Kavanagh, Planning Officer, D. Barrett, S.S.O. Planning; T. Kavanagh, A.O., T. Coughlan, S.S.O. Housing.

The Opening Prayer was recited.

2691 RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955. PLANNING APPLICATION NUMBER 57153 : APPLICANT MARTIN NEE.

The resolution as set out on the Agenda was proposed by Councillor T. Welby and seconded by Senator N. O'Conchubhair.

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

"Location

Site is located approximately 0.6 miles south of the Ballyconneely Roundstone Road (sea side).

History

Ref. No. 4666: Outline Permission granted for 3 no. dwellinghouses on 3 large sites which included proposed site in September 1968. Sites had approximately 460 ft. frontage onto public road. Applicant Ml. Nee.

Ref. No. 33395: Approval granted by An Bord Pleanala on appeal for 3 no. dwellinghouses on same sites as outlined in planning ref. no. 4666 in August 1981. Applicant Ml. Nee.

Ref. No. 52956: Outline Permission refused on 3 no. smaller site one of which is same as current proposal in October 1986. Applicant Ml. Nee.

Planning Considerations:

The present application is based on a claim for a new farm house. The entire holding outlined is only approximately 5.16 acres and there is no existing farmhouse on these lands. Furthermore the map outlining lands has omitted land to the south fronting onto the public road which was part of the lands on which planning permission ref. no. 4666 and approval ref. no. 33395 was granted. Applicant is living in England and making a new farm house claim on a holding of this size on which previous permissions were sought for speculative purposes. (see file ref. no. 33395). This does not constitute a second farmhouse claim in accordance with the County Development Plan. The site is located in relatively elevated and extremely exposed landscape in an area of Outstanding Scenic Amenity and it would be

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an extremely obtrusive feature on the landscape which would not be capable of being assimilated into its surroundings.

Recommendation:

1. The proposed development would be 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 located in an exposed location in an area of Outstanding Scenic Amenity with 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 obstruct the prescribed view, detract from the scenic amenities of the area and would be contrary to the proper planning and development of the area."

Councillor J. Burke asked if the present proposal would mean that only one single house would be erected in the middle of the five acres involved. The County Engineer stated that the earlier planning permissions had expired. Councillor Burke asked if the applicants could look for planning permission for two more houses and the County Engineer indicated that he suspected that this is what would happen. The Council were objecting to this particular site in its own right but there was a fear that planning permission would be sought for a further two houses. Councillor Brennan stated that the applicant might be hard done by if he was coming back from England and was genuinely intending to live on this portion of land. Councillor J. Burke proposed that planning permission be granted in this case subject to a condition providing for an enurement clause whereby the applicant would undertake that the development would be used by the applicant and the members of his family only. Councillor Brennan seconded Councillor J. Burke's proposal. In reply to Councillor McHugh, the County Manager indicated that an enurement clause had a standing legally

Councillor T. Welby stated that he understood that any relative coming back to Ireland to build a house on family lands was catered for in the County Development Plan. The applicant in this case was a brother of the landowner and was returning from England. Because of his circumstances he could not build a house until now. The County Engineer stated that the provisions of the County Development Plan did not cater for an applicant such as this and the housing need requirement was not being met. Councillor M. O'Morain stated that when members of a family wanted to return and build on family lands, they should be allowed planning permission. He stated that the definition of farm should be clarified and pointed out that the entire holding in this case was only 5 acres of rocky land.

In reply to the Chairman, Councillor Welby indicated that he had no objection to planning permission being granted subject to a condition regarding an enurement clause.

A vote taken for or against the resolution as set out on the Agenda and subject to the amendment that a condition regarding an enurement clause be imposed resulted as follows:

FOR : Councillors J. Brennan, J. Burke, U. Burke, J. Callanan, Dep. F. Fahey, Councillors M. Fahy, P. Finnegan, Dep. M. Kitt, Cllrs J. Lambert, M. Loughnane, Sen. P. McCormack, Cllrs. J. McDonagh, P. McHugh, J. Mannion, J. Molloy, Sen. N. O'Conchubhair, Cllrs M. O'Morain, P. O'Tuathail, P. Raftery, M. Ryan, T. Walsh and T. Welby. (22)

AGAINST: None.

The Chairman declared the resolution as set out on the Agenda carried subject to the provision that a condition regarding an enurement clause be imposed.

2692 PLANNING PERMISSION REF. NO. 57990 - MICHAEL MITCHELL, CLOONCONN, KILTORMER, BALLINASLOE:

Councillor U. Burke asked if it was possible to have the schedule of Planning Conditions changed without having to make a fresh planning application. He referred to the above case which imposed conditions regarding the colour of the roof tiles and the colour of bricks and stated that there was inconsistency in the conditions imposed. The County Manager stated that he would have the queries raised by Councillor Burke investigated and a reply would be issued to him.

Deputy F. Fahey stated that letters have been issued to applicants for planning permission stating that proposals to have gables facing certain roadways would not be acceptable for planning purposes. He asked that the matter be clarified. It was agreed that the query raised by Deputy Fahey would be investigated and that a report would be issued to him.

2693 E.C. STRUCTURAL FUNDS

Councillor O'Morain stated that the local authority delegates to the General Council of County Councils from the three counties in the Western Region had come together and had suggested that rather than holding a joint Meeting of the three Councils of Galway, Mayo and Roscommon that 10 Councillors from each of the Councils would come together at a Meeting to discuss proposals for the E.C. Structural Funds in the region. It had been suggested that the Chairman, the three delegates to the General Council of County Councils and six other members should be nominated by each Council to attend the proposed Meeting. It was proposed by Councillor O'Morain and seconded by Deputy Kitt that ten members be nominated by Galway County Council to attend the Meeting proposed.

The County Manager stated that if the other Councils and the Working Party were agreeable to the proposals outlined by Councillor O'Morain a Meeting could be called and he suggested that the agreement of the two Councils and the Working Party be sought.

It was proposed by Deputy M. Kitt and seconded by Councillor M. O'Morain that the Chairman, the three delegates to the General Council of County Councils and Councillors M. Loughnane, T. Welby, J. Molloy and J. Callanan be nominated to attend the proposed Meeting. It was proposed by Councillor J. Burke that Councillor P. O'Tuathail be nominated to attend. It was proposed by Councillor J. Lambert that Councillors J. Mannion, M. Ryan and Sen. P. McCormack be nominated to attend.

Sen. P. McCormack stated that he was not in agreement with the proposals made as this matter had not appeared formally on the Agenda. Councillor O'Morain stated that it was important that the members be nominated as it was likely that a Meeting would be held in the near future.

The Chairman ruled that in view of the objection raised by Senator McCormack that the matter was not formally on the Agenda that a decision on the matter be deferred until the next Council Meeting to be held on 10th February, 1989.

2694 MINUTES

On the proposition of Councillor M. Ryan and seconded by Senator N. O'Conchubhair the Minutes of the Special Meeting of the Council held on 9th December, 1988, were approved and signed by the Chairman.

On the proposition of Councillor M. O'Morain and seconded by Councillor M. Loughnane the Minutes of the Monthly Meeting of the Council held on the 19th December, 1988, were approved and signed by the Chairman.

On the proposition of Councillor J. Mannion and seconded by Councillor M. Loughnane the Minutes of the Arts Committee Meeting of the Council held on 22nd December, 1988, were approved and signed by the Chairman.

The Council agreed with the recommendations of the Arts Committee regarding the payment of grants as set out in the Minutes. On the proposition of Councillor M. Loughnane and seconded by Councillor J. Mannion, it was agreed that the following Arts Grants be paid:

Clifden Community Arts Week	350
Galway Arts Festival	250
Theatre Person in Residence	250
Tall Tale Films	150
St. Brendan's Choral Society, Loughrea	200
Cultur, 1988	200
Music Matters (Suzuki)	100
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	1500

2695 POST GRADUATE COURSE - U.C.G. / JOURNALIST

The Chairman introduced a group of post graduates from U.C.G. who were pursuing a course in journalism and who were attending the Meeting as observers. He welcomed them to the Meeting and wished them success in their studies.

2696 VOTES OF SYMPATHY

Ar moladh an Comhairleoir O'Morain, agus le cuidiu An Cathaoirleach ghlac an Comhairle run comhbhron le baintreach agus clann Domhnaill Mac Amhlaigh a fuair bas go tobann i Sasana.

Votes of sympathy were also passed with the following:

- Miss Mary Hannify, Council Official, on the death of her mother. Daniels Family of Abbey, Loughrea, Co. Galway.
- Mrs Chrissie Mitchell, Menlough, Ballinasloe, Co. Galway.
- Mr. Vincent Trayers, Castleblakeney, Ballinasloe, Co. Galway.
- Mr. Cathal Nolan, Anbally, Cumber, Tuam, Co. Galway.
- Mr. Michael Trayers, Curragh, Cloonminda, Williamstown.
- Mr. J. Conroy, Cloonkeen, Abbeyknockmoy, Co. Galway.
- Mrs. John Garvin, Mountbellew, Ballinasloe.

2697 SALE OF HOUSES

It was proposed by Senator P. McCormack and seconded by Councillor P. Raftery and resolved:

"that Galway County Council hereby approve the sale to the following tenants of the houses occupied by them in accordance with the terms of notices dated 11th January, 1989, 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:

1. Stephen and Brigid Heanue, Derryinver, Letterfrack, Co. Galway.
2. Mrs Sarah Costello, Cornarone Middle, Inverin, Co. Galway.
3. Cyril and Marie McNamara, 29 Cullairbaun Estate, Athenry, Co. Galway.
4. Thomas and Dorothy Gilmore, Ballyglass, Kilconnell, Ballinasloe.
5. Patrick and Mary Truax, 63, Pollroebeck, Loughrea, Co. Galway.

6. Agnes Glynn, Carnakelly, Kiltulla, Athenry, Co. Galway.
7. Andrew and Mary McDonagh, Cortatleva, Claregalway, Co. Galway.
8. Thomas and Mary Broderick, Rathville, Kiltulla, Athenry, Co. Galway.
9. Patrick and Margaret Kane, Corteenglogh, Renvyle, Co. Galway.
10. John and Josephine Finnerty, 66 Fahy Gardens, Loughrea, Co. Galway.
11. John and Mary Fahy, Curries, Ballymoe, Co. Galway.
12. Bartley and Mary Folan, Truskey West, Barna, Co. Galway.
13. Patrick and Phyllis McCooke, Mountscribe, Kinvara, Co. Galway.
14. Mary Ann Ridge, 18 Fairgreen, Roundstone, Co. Galway.
15. Martin and Nora Naughton, Kilbricken, Rosmuc, Co. Galway.
16. Michael Barrett and Vera Watts, 10 Fairgreen, Roundstone, Co. Galway.
17. John and Martina Mockler, 3 Lowville, Ahascragh, Ballinasloe.
18. Bartley and Mary Heanue, Cashleen, Renvyle, Co. Galway.
19. Martin Kennedy, Limepark, Ardahan, Co. Galway.
20. Mrs Bridget Connolly, Knockauncarragh, Monivea, Athenry, Co. Galway.
21. Michael and Mary Flannery, 6 Woodford, Co. Galway.
22. Christy and Maria Hogan, 13 Fairyhill, Portumna, Co. Galway.
23. William and Matilda Patterson, Gortaha, Portumna, Co. Galway.
24. Michael and Veronica Torpey, 2 Woodford, Loughrea, Co. Galway.
25. Patrick and Teresa Killeen, Pollagh, Castle Ellen, Athenry, Co. Galway.
26. John and Mary McGrath, Pollacurragune, Kilbannon, Tuam.
27. Seamus and Pauline Mitchell, 8, St. Joseph's Park, Killimor, B'sloe.
28. Hugh and Mary Flanagan, Cappanagapple, Clonbur, Co. Galway.
29. Macdara and Barbara Walsh, Rusheenamanagh, Kilkerrin, Carna.
30. Edward and Doreen Shoebridge, 60 Dublin Road, Tuam, Co. Galway.
31. Michael and Agnes Murphy, Pillagh, Moycullen, Co. Galway.
32. Seamus and Evelyn Burke, Ballyhaigue, Ballymoe, Co. Galway.
33. Thomas and Mary Flaherty, 4 Kilronan, Aran Islands, Co. Galway.
34. Patrick Mentane, Dunsandle, Kiltulla, Athenry, Co. Galway.
35. Bridget Flaherty, Margaret Flaherty, John & Anne Smith, Cornarone, Inverin, Co. Galway."

2698 SALE OF LAND TO MR. PATRICK GRAHAN AT CAHERLAVINE, LOUGHREA.

It was proposed by Councillor M. Loughnane and seconded by Deputy N. Treacy and agreed:

"that Galway County Council hereby approve of the sale of a plot of land measuring 760 square meters approximately in the townland of Caherlavine and the Electoral Division of Loughrea Rural to Mr. Patrick Graham, 40 Cuscorrig Crescent, Loughrea, in accordance with the terms of Notice dated 11th January, 1989, under Section 83 of the Local Government Act, 1946, which had been circulated to each Member of the Council."

2699 BOUNDARY EXTENSION AND ESTABLISHMENT OF COUNTY BOROUGH

The Council considered a letter dated 22nd December, 1988, from the Minister for the Environment regarding the Council's request for a Meeting prior to the termination of the financial adjustment between the Council and Galway Corporation arising as a result of the boundary extension and the establishment of Galway County Borough.

It was agreed on the proposal of Deputy Kitt that a deputation consisting of six members be appointed to meet the Minister for the Environment. Councillor M. Ryan seconded Deputy Kitt's proposal. It was proposed by Councillor J. Burke, seconded by Councillor J. Brennan and agreed that Deputy R. Molloy be appointed as a member of the deputation. It was proposed by Deputy M. Kitt and seconded by Deputy N. Treacy and agreed that Cllrs. M. O'Morain, J. Callanan and T. Welby be appointed members of the deputation. It was proposed by Councillor J. McDonagh, seconded by Councillor J. Mannion and agreed that Councillor M. Ryan be appointed as a member of the deputation. It was proposed by Deputy M. Kitt, seconded by Councillor M. Ryan and agreed that the Chairman be appointed a Member of the deputation.

As a result of the foregoing proposals, the Chairman declared that the following members had been nominated on the deputation to meet the Minister:

Councillor P. Finnegan, Chairman; Deputy R. Molloy, Councillors M. O'Morain, J. Callanan, T. Welby and M. Ryan.

2700 IRELAND WEST SUBVENTION 1989.

The Members considered a letter dated 12th December, 1988, from the Regional Tourism Manager, Western Regional Tourism Organisation, requesting that the Council reconsider its decision to reduce the contribution to Ireland West by £10,000 for 1989. It was proposed by Councillor T. Welby, seconded by Councillor J. Mannion and agreed that the level of contribution to Ireland West be increased by £10,000 for 1989.

The County Manager indicated that the Council had reduced the provision in the Estimates but that expenditure and income would be monitored during the year and if sufficient funds became available the Council would increase its contribution as provided for in the Estimates for 1989 by the £10,000 reduction which had been made at the Estimates Meeting.

2701 AUDITORS REPORT ON ACCOUNTS OF THE LOUGH CORRIB NAVIGATION TRUSTEES FOR THE TWO YEARS ENDING 31ST DECEMBER, 1987.

The Council noted the Auditor's Report, a copy of which had been circulated to each Member.

2702 PETERSBURG OUTDOOR EDUCATION CENTRE

The Council considered a letter dated 9th November, 1988, from County Galway Vocational Education Committee, which indicated that a Board of Management was being set up by the Committee in the near future for Petersburg Outdoor Education Centre, Clonbur. The Council were asked to nominate a member as a candidate for election to the Board of Management which had been adjourned from a previous Meeting.

The Council were informed that this proposal could not involve the Council in any expenditure as the Council had no involvement in the Petersburg Estate which had been handed over totally to the V.E.C. It was proposed by Deputy M. Kitt and seconded by Councillor M. O'Morain that Councillor T. Welby be appointed to the Board of Management.

It was proposed by Councillor J. Burke and seconded by Councillor J. Lambert that Deputy R. Molloy be appointed to the Board of Management. A vote taken on the two nominations resulted as follows:

FOR DEP. R. MOLLOY : Councillors J. Brennan, J. Burke, F. Glynn, J. Lambert, Sen. P. McCormack, Councillors J. McDonagh, J. Mannion, Dep. R. Molloy, Councillors M. Mullins, P. O'Tuathail, M. Ryan. (11)

FOR CLR. T. WELBY: Councillors J. Callanan, P. Finnegan, Dep. M. Kitt, Councillors P. McHugh, J. Molloy, Sen. N. O'Conchubhair, Councillors M. O'Morain, P. Raftery, Dep. N. Treacy and Councillor T. Welby. (10)

The Chairman declared that Deputy R. Molloy had been nominated to the Board of Management of the Petersburg Outdoor Education Centre, Clonbur.

2703 MALICIOUS DAMAGE DECREES

The list of Malicious Injury Decrees circulated with Item No. 9 on the Agenda was noted.

2704 L.A.M.A.

Councillor J. Joyce informed the Meeting that the Annual Conference of L.A.M.A. would be held on Friday and Saturday after Easter Sunday. He presented a diary to the Chairman on behalf of L.A.M.A. The Chairman thanked Councillor Joyce.

The Vice Chairman, Mr. John Molloy, at this stage of the Meeting took the Chair.

COUNCILLORS' NOTICES OF MOTION

2705 That this Council affiliate to the European Council for the Village and Small Town. MOTION BY COUNCILLOR J. JOYCE.

Councillor J. Joyce stated that he had procured some documentation regarding the European Council for the Village and Small Town and that the Council should become involved with an organisation such as this particularly in relation to the European context. It was important that the Council should have representation at E.C. level on any Councils dealing with the development of Villages and Small Towns. The County Secretary informed the Meeting that he had written to the Secretariat of the Council for details of the Organisation and it was agreed that when a reply was received the matter could be considered further by the Council.

2706 MAJOR DEVELOPMENT PLAN FOR THE RIVER SHANNON BASIN. MOTION BY COUNCILLOR J. JOYCE.

Councillor Joyce stated that it was necessary to develop a major plan for the River Shannon Basin. The County Manager stated that he was aware that Roscommon County Council had a number of proposals in relation to development on the Roscommon side of the River. Deputy N. Treacy stated that the Office of Public Works was about to set up a new River Shannon forum and that the Council would be requested to nominate a representative from the Shannon Area. It was agreed at the request of Deputy Treacy that this matter be placed on the Agenda for the next Meeting of the Council.

2707 COUNTY COUNCIL CARRY OUT WORK OF VITAL IMPORTANCE AT KINISKA. MOTION BY COUNCILLOR JARLATH MCDONAGH.

The following written reply was given to Councillor McDonagh:

"The road referred to is Co. Road No. 147 and on inspection there was no great evidence of flooding. However it will be examined again in this respect when weather conditions permit. It is agreed that the road requires to be surface dressed but no funds have been provided for surface dressing county roads in recent years and there is no prospect of so doing in 1989. The estimated cost of removing the banks and filling with stone is £1,500. There are no funds available for such improvements at present."

2708 PRESERVATION OF EXISTING TREES AND HAVE SOME NEW ONE PLANTED AT CLAREGALWAY. MOTION BY COUNCILLOR JARLATH MCDONAGH.

The following written reply was given to Councillor McDonagh:

"This is private property. Accordingly Galway County Council have no function in the matter."

2709 IMPLEMENTATION OF PRECAUTIONARY AND SAFETY MEASURES AT ST. ANNIN'S SCHOOL? ROSCAHILL. MOTION BY COUNCILLOR JARLATH MCDONAGH.

The following written reply was given to Councillor McDonagh:

"It is proposed replacing the existing signs at the above school with 900 mm size signs, to be relocated in a more effective position. Road markings "Caution, school ahead" will be made on each approach, at the earliest opportunity.

It is not possible to employ a school warden at the location as the Killanin School is situated outside the speed limit signs on the National Secondary Route N. 59. The provision of a car parking space is a matter for the school authorities. There are no funds available for the provision of a hard shoulder."

2710 PROVISION OF NEW CEMETERY AT ORANMORE, CO. GALWAY. MOTION BY DEPUTY ROBERT MOLLOY.

The following written reply was given to Deputy Molloy:

"Land has been acquired at Rinville for the provision of a new cemetery at Oranmore.

A Section of this land nearest the public road has to be drained before development works commence. The drainage proposal involves the purchase of two number wayleaves maps have been prepared and the price agreed on these wayleaves. One purchase agreement has been finalised and the formal agreement of the second land owner is awaited. If the necessary legalities are not completed in relation to this second wayleave, the Council intend to consider acquiring compulsory the land over which the wayleave is required in the near future."

2711 IMMEDIATE REPAIRS BE CARRIED OUT TO BOTHAR AILLWEE, ROSMUCK, CONNEMARA. MOTION BY DEPUTY ROBERT MOLLOY.

The following written reply was given to Deputy Molloy:

"Improvement works have been carried out on this road."

2712 IMMEDIATE REPAIRS TO DRIMSNAVE RD, CORNAMONA. MOTION BY DEPUTY ROBERT MOLLOY.

The following written reply was given to Deputy Molloy:

"The Drimsnave Road C.R. 72 is priority listed in the Oughterard Area for major reconstruction under the 1989 FEOGA grants. The estimated cost of repairs is £20,000. The Council has not yet been notified of the grant."

2713 CONDITION OF KILBEG UPPER ROAD CLONBUR AND THE DRIMSNAVE ROAD, MAAM MOTION BY SENATOR P. MCCORMACK.

The following written reply was given to Senator McCormack:

"The Drimsnave Road, C.R. 72 is priority listed in the Oughterard area for major reconstruction under the 1989 FEOGA Grants. The estimated costs of repairs is £20,000. The Council has not yet been advised of these grants. The Kilbeg Upper Road, C.R. 76 measures 0.9 miles in length and serves 5 No. houses. This road is in need of major reconstruction and drainage works are also necessary. The estimated costs of repairs is £20,000. There are no funds assigned for this road specifically but useful work could be done with N.O.M. monies."

In reply to Senator McCormack, the County Engineer stated that he

expected that there would be an allocation under the 1989 FEOGA grants and that the Drumsnave Road would be treated as a priority case in the allocation of grants.

2714 IMMEDIATE REPAIRS TO MONIVEA/MOYLROUGH ROAD SOUTHWARDS TOWARDS BALLYBANE AND DOONANE. MOTION BY DEPUTY NOEL TREACY.

The following written reply was given to Deputy Treacy:

"Routine maintenance has recently been carried out on the above roads."

Deputy Treacy asked that the matter be examined further by the County Engineer particularly the southern end of the road in question. The County Engineer agreed to have a further look at this case.

2715 RENEW, REPAIR, RESURFACE OF ROAD LEADING TO HOUSES AND LANDS OF SEAN DUGGAN, MATTIE & MICHAEL CALLANAN, MATTIE RAFTERY, MICHAEL TULLY & OTHERS AT RATHRUDDY, LOUGHREA. MOTION BY DEPUTY NOEL TREACY.

The following written reply was given to Deputy Treacy:

"This is a stopend road C.R. 445. It was recently patched. The surface dressing of this road is desirable but not high priority. Estimated cost £2,400. There are no funds available for surface dressing County Roads in 1989 other than section being done under the County Road Strengthening Grants."

2716 REPAIR, RENEW AND RESURFACE THE ROAD LEADING TO THE HOUSES OF THOMAS BURKE, MRS MARGARET DOLAN AND OTHERS AT VERMOUNT, MENLOUGH. MOTION BY DEPUTY NOEL TREACY.

The following written reply was given to Deputy Treacy:

"The road in question is County Road No. 428. It is a "cul de sac" quiet road about 500 metres long serving two occupied houses including lands. It has a poor riding surface due to constant pot hole filling. The road is in need of surface dressing but no funds have been provided for surface dressing of County Roads in the past few years."

Deputy Treacy asked that if any additional funding became available to the Council that this road get priority.

2717 WORKS ON BLOCKED DRAIN ON MICHAEL CONNELLY'S LAND AT FURRYMEELIA EAST, BARNA. MOTION BY COUNCILLOR PADDY MCHUGH.

The following written reply was given to Councillor McHugh:

"The culvert under the public roadway through which land drains flow, including the drain serving Mr. Conneely's land, is free of any obstructions. The Council is not responsible for the maintenance of any drains upstream or downstream of the culvert."

2718 IMPROVEMENTS IN THE VICINITY OF ST. ANNIS NATIONAL SCHOOL, ROSCAHILL. MOTION BY COUNCILLOR MCHUGH.

The following written reply was given to Councillor McHugh:

"It is proposed replacing the existing signs at the above school with 900mm size signs, to be relocated in a more effective position. Road markings "Caution School ahead" will be made on each approach, at the earliest opportunity. It is not possible to employ a school warden at this location as the Killanin School is situated outside the speed limit signs on the National Secondary Route N. 59. The provision of a car parking space is a matter for the school authorities. There are no funds available for the provision of a hard shoulder."

2719 REPAIR WALL AND ERECT WARNING SIGNS AND REFLECTIVE POSTS AT CARRANARD, CAHERLISTRANE. MOTION BY COUNCILLOR PADDY MCHUGH.

The following written reply was given to Councillor McHugh:

"The bend in question is on C.R. 155 in the townland of Carheenard. It is proposed to erect statutory signs, No. 102, on the approaches to the bend together with reflectorised delineators, erected in the verge, through the bend."

2720 THAT GALWAY COUNTY COUNCIL REMOVE A SEAT IN FRONT OF JOHN MURPHY'S DWELLING HOUSE AT TONROE, ARDRAHAN. THE MOTION BY COUNCILLOR MICHAEL FAHY.

The following written reply was given to Councillor Fahy:

"The seat outside Mr. Murphy's house will be relocated in the near future."

2721 THAT GALWAY COUNTY COUNCIL DRAFT WATER AND CLEAN ROADWAY IN FRONT OF SEAN LOUGHREY'S HOUSE AT SHANGLISH, GORT. MOTION BY COUNCILLOR FAHY.

The following written reply was given to Councillor Fahy:

"The matter is being investigated at present. A full report will be available for the next Meeting."

2722 DRAIN WATER AWAY FROM THE ROAD AT TAWANAGH, KINVARA, LEADING TO JOE MOONEY'S DWELLINGHOUSE. MOTION BY COUNCILLOR MICHAEL FAHY.

The following written reply was given to Councillor Fahy:

"When inspected there was no flooding on this road. The flooding reported may have been due to high tides. The situation will be monitored at the next high tide."

2723 DOCUMENTATION CIRCULATED

The following documentation was circulated to the Members:

1. Copy of letter dated 16th December, 1988, from Waterford County Council re National Lottery tickets.
2. Copy of letter dated 14th December, 1988, from Westport Urban District Council re. Environmental Schemes
3. Copy of correspondence dated 20th December, 1988, from the Department of Finance re. Sub regional programmes for purposes of EC Structural Funds.

THE MEETING THEN TERMINATED

SUBMITTED, APPROVED & CONFIRMED!

Patrick Finlay CHAIRMAN

27th February 1989 DATE

Oifig an Runai,
Arus an Chontae,
GAILLIMH.

3u la Feabhra, 1989.

CHUIG GACH BALL DE'N CHOMHAIRLE/

A Chara,

Iarrtar ort leis seo bheith i lathair ag cruinniu speisialta de Chomhairle Chontae na Gaillimhe a tionolfar ins na Foirgnithe Chontae, Gaillimh, De h-Aoine, an 10u la Feabhra, 1989, ar a 3.00 a chlog sa trathnona.

Mise, le meas,

E. O'GLIASAIN,
RUNAI.

AGENDA

1. Proposed Draft Variation of the Development Plan for the Town of Tuam and its Environs (Report enclosed).
2. Disposal of Houses to to the following tenants in accordance with Section 90 of the Housing Act, 1966, as amended - Section 83 Notices dated 24th January, 1989, already circulated refer.
 - (1) P.J. & Mary Mannion, 34, Gilmartin Road, Tuam, Co. Galway.
 - (2) Paddy & Ellen Donovan, 11, Crowe Street, Gort, Co. Galway.
 - (3) Peter & Catherine Griffin, Ross Island, Carraroe, Co. Galway.
 - (4) Patrick & Ann Delapp, 1, Fairgreen, Roundstone, Co. Galway.
 - (5) Thomas & Mairead Sullivan, Annaghvane, Bealadangan, Co. Galway.
 - (6) Joseph & Nora Murphy, Ardskeaghmore, Cummer, Tuam, Co. Galway
 - (7) Patrick & Geraldine Ward, Ballynew, Moyard, Co. Galway.
 - (8) Vincent & Mary O'Rourke, Corraabaun, New Inn, Ballinasloe, Co. Galway.
 - (9) Mrs. Kate Ludden, Ballinaboy, Clifden, Co. Galway.
 - (10) Michael & Philomena Fahy, 5, Fairyhill, Portumna, Co. Galway.
 - (11) Patricia Porter, Drumkeary, Kylebrack, Loughrea, Co. Galway.
 - (12) Colm & Eileen Kelly, Toureen, Bealadangan P.O., Co. Galway.
 - (13) Frank & Mary O'Brien, 28, Marian Park, Portumna, Co. Galway.
 - (14) Patrick & Sonia Kenny, 5, Kilronan, Aran Islands, Co. Galway.
 - (15) John & Bernadette McGeehan, Pollaneyster, Williamstown, Co. Galway.
 - (16) John Kelly, Kylesalia, Kilkerrin, Carna, Co. Galway.
 - (17) Michael & Joyce King, 33, Tullyvoheen, Clifden.
 - (18) Mr. James Roche, 8, Dublin Road, Tuam, Co. Galway.
 - (19) Mrs. Rita Flaherty, Polleeney, Furbo, Spiddal, Co. Galway.
 - (20) Sylvester & Maureen Gill, 2, Kilronan, Aran Islands, Co. Galway.
 - (21) John & Mary Oates, Carrownurlaur, Milltown, Tuam, Co. Galway.
 - (22) Caitlin & Teresa Mitchell, Calla, Roundstone, Co. Galway.
 - (23) Mr. Patrick Crowley, 21, Crowe Street, Gort.
3. Nomination of Member to Forum established to co-ordinate the views of various Bodies interested in the River Shannon.
4. Irish Museum Association Spring Seminar - Kilkenny 24th to 26th February, 1989 - Details enclosed.
5. Nomination of 10 Members of Council to attend proposed joint meeting of Members of Galway, Mayo and Roscommon County Council to discuss E.C. Structural Funds with Working Group (Chairman, 3 delegates to General Council of County Councils and 6 Members).

MINUTES OF PROCEEDINGS AT SPECIAL MEETING OF GALWAY COUNTY COUNCIL HELD
AT THE COUNTY BUILDINGS, GALWAY, ON FRIDAY, 10TH FEBRUARY, 1989.

IN THE CHAIR: Councillor P. Finnegan.

IN ATTENDANCE:

Members: As recorded in the Attendance Book.

Councillors J. Brennan, J. Burke, J. Callanan,
M. Fahy, Senator T. Hussey, Deputy M. Kitt, Councillors
J. Lambert, M. Loughnane, M. Lynch, Senator P.
McCormack, Councillors J. McDonagh, J. Mannion,
J. Molloy, Senator N. O'Conaughair, Councillors
M. O'Morain, P. O'Tuathail, P. Raftery, M. Ryan,
Deputy N. Treacy, Councillors T. Walsh and T. Welby.

Officials:

Messrs. S. Keating, County Manager; P. Flood, County
Engineer; E. Gleeson, County Secretary; L. Kavanagh,
S.E.E. (Planning); M. Tierney, S.E.E. (Housing);
A. Fleming, Administrative Officer; D. Barrett,
and T. Coughlan, Senior Staff Officers.

The Opening Prayer was recited.

2724 - PROPOSED VARIATION OF THE DEVELOPMENT PLAN FOR THE TOWN OF TUAM AND ITS
ENVIRONS:

The Council considered a report of the 2nd February, 1989, from the Senior
Executive (Planning) setting out details of the Council's proposal as a
Housing Authority to provide a Halting Site for Travellers at Farranamartin,
Tuam. The main considerations taken into account in selecting the area
were outlined in the report, and it was indicated that the land in question
was zoned for agriculture within the boundaries of the Tuam Environs Plan
area, and that a variation to the Tuam Environs Development Plan was required.

The proposed variation to the Tuam Environs Plan at page 34 of the Plan
was -

3.1.(iii) To develop a full time residential caravan park for travellers
at Farranamartin townland in the area shown on Map No. 7 and
indicated by the symbol E5.

It was proposed by Senator T. Hussey, seconded by Deputy Michael Kitt, and
agreed that the Council approves the publication of a Draft of a proposed
variation of the Development Plan for the Town of Tuam and the Environs of Tuam
as defined in the Development Plan made on 28th April, 1986, the proposed
variation being for the purpose of the provision of a halting site for
Travellers in the Townland of Farranamartin, Tuam, Co. Galway.

2725 - WANDERING ANIMALS IN HOUSING ESTATES IN TUAM:

Senator T. Hussey asked that the Council examine the position in relation
to wandering animals in Tuam and that the Council take steps to ensure
that the problems in relation wandering animals would be abated.

2725 - SALE OF HOUSES:

It was proposed by Councillor P. Raftery, seconded by Councillor Joe Callanan,
and resolved:

"that Galway County Council hereby approve the sale to the following
tenants of the houses occupied by them in accordance with the terms
of notices dated 24th January, 1989, 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:

- (1) P.J. & Mary Mannion, 34, Gilmartin Road, Tuam.
- (2) Paddy & Ellen Donovan, 11, Crowe Street, Gort.
- (3) Peter & Catherine Griffin, Ross Island, Carraroe.
- (4) Patrick & Ann Delapp, 1, Fairgreen, Roundstone.

SPECIAL MEETING OF THE COUNCIL ON 10/2/'89

2.

- (5) Thomas & Mairead Sullivan, Annaghvane, Bealadangan.
- (6) Joseph & Nora Murphy, Ardskeaghmore, Cumber, Tuam.
- (7) Patrick & Geraldine Ward, Ballynew, Moyard.
- (8) Vincent & Mary O'Rourke, Corraabaun, New Inn, Ballinasloe.
- (9) Mrs. Kate Ludden, Ballinaboy, Clifden.
- (10) Michael & Philomena Fahy, 5, Fairyhill, Portumna.
- (11) Patricia Porter, Drumkeary, Kylebrack, Loughrea.
- (12) Colm & Eileen Kelly, Toureen, Bealadangan P.O.
- (13) Frank & Mary O'Brien, 28, Marian Park, Portumna.
- (14) Patrick & Sonia Kenny, 5, Kilronan, Aran Islands.
- (15) John & Bernadette McGeehan, Pollaneyster, Williamstown.
- (16) John Kelly, Kylesalia, Kilkerrin, Carna.
- (17) Michael & Joyce King, 33, Tullyvoheen, Clifden.
- (18) Mr. James Roche, 8, Dublin Road, Tuam.
- (19) Mrs. Rita Flaherty, Polleeney, Furbo, Spiddal.
- (20) Sylvester & Maureen Gill, 2, Kilronan, Aran Islands.
- (21) John & Mary Oates, Carrowurlaur, Milltown, Tuam.
- (22) Caitlin & Teresa Mitchell, Calla, Roundstone.
- (23) Mr. Patrick Crowley, 21, Crowe Street, Gort. "

In reply to queries raised, the County Manager informed the Members that
the Housing Section was proceeding with the making of Transfer Orders
in relation to the sales which had been agreed. Tenants did not necessarily
have to incur legal expenses in connection with the Transfer Orders.
The Council were recommending to tenants that Mortgage Protection Policies
be taken out by them and the Council had a scheme in place whereby tenants
could have their Mortgage Protection arranged through the Council. Tenants
could also make their own arrangements regarding Mortgage Protection.
Tenants should also seriously consider having Fire Insurance.

In reply to other queries raised, the County Manager stated that any
information requested by Building Societies in connection with Tenants
who were seeking loans would be replied to on a priority basis by the
Council.

2726 - NOMINATION OF MEMBER TO FORUM ESTABLISHED TO CO-ORDINATE THE VIEWS OF
VARIOUS BODIES INTERESTED IN THE RIVER SHANNON:

It was proposed by Councillor Micheal O'Morain, seconded by Councillor
Joe Callanan, and agreed that Senator T. Hussey be nominated as the Council's
representative on this Forum.

2727 - IRISH MUSEUM ASSOCIATION SPRING SEMINAR - KILKENNY 24TH-26TH FEBRUARY,
1989:

It was proposed by Deputy Michael Kitt, seconded by Councillor Micheal
O'Morain and agreed that Councillors P. Raftery and John Molloy be nominated
to attend this Seminar.

It was proposed by Councillor Michael Ryan, seconded by Councillor Joe
Lambert and agreed that Councillor Jarlath McDonagh be nominated to attend
this Seminar.

2728 - NOMINATION OF 10 MEMBERS OF COUNCIL TO ATTEND PROPOSED JOINT MEETING OF
MEMBERS OF GALWAY, MAYO AND ROSCOMMON COUNTY COUNCIL TO DISCUSS E.C.
STRUCTURAL FUNDS WITH WORKING GROUP:

It was proposed by Councillor Micheal O'Morain that the Chairman of the
County Council, the three delegates to the General Council of County
Councils and Councillors Joe Callanan, John Molloy, T. Welby, and Matt
Loughnane, be nominated to attend the proposed Joint Meeting.

It was proposed by Councillor Joe Lambert that Councillors Michael Ryan
and John Mannion be nominated to attend the proposed Meeting.

It was proposed by Councillor Joe Burke, seconded by Councillor Joe Brennan
that An Comhairleoir Peadar O'Tuathail be nominated to attend this Joint
Meeting.

The Chairman indicated at that stage that 11 Members had been nominated to attend, whereas the original proposal was that 10 Members should attend. It was also indicated that the selection of Members to attend the proposed Meeting under the Group selection system was not appropriate.

The Chairman then decided to take proposals in consecutive order for the nomination of the 10 Members.

It was proposed by the Chairman, seconded by Councillor Micheal O'Morain and agreed that the Chairman and the three delegates to the General Council of County Councils (Councillors Micheal O'Morain, Michael Fahy, and Jarlath McDonagh) be nominated to attend this proposed Meeting.

Fifth Nomination:

It was proposed by Councillor J. Burke, seconded by Councillor Joe Brennan, that An Comhairleoir Peadar O'Tuathail be nominated.

It was proposed by Deputy Michael Kitt, seconded by Councillor Micheal O'Morain, that Councillor Matt Loughnane be nominated to attend.

A vote taken on the nomination of the fifth Member resulted as follows:

FOR COUNCILLOR O'TUATHAIL: Councillors J. Brennan, J. Burke, J. Lambert, M. Lynch, J. McDonagh, J. Mannion, P. O'Tuathail, M. Ryan, and T. Walsh. (9)

FOR COUNCILLOR LOUGHNANE: Councillors J. Callanan, M. Fahy, P. Finnegan, Senator T. Hussey, 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. (13)

The Chairman declared Councillor Matt Loughnane to be the fifth Member nominated.

Sixth Nomination:

It was proposed by Deputy Michael Kitt, seconded by Councillor Joe Callanan, and agreed that Councillor Tom Welby be nominated to attend.

Seventh Nomination:

It was proposed by Deputy Michael Kitt, seconded by Councillor Matt Loughnane, and agreed that Councillor John Molloy be nominated to attend.

Eighth Nomination:

It was proposed by Deputy Michael Kitt, seconded by Councillor P. McHugh and agreed that Councillor Joe Callanan be nominated to attend.

Ninth Nomination:

It was proposed by Councillor Jarlath McDonagh, seconded by Councillor Martin Lynch and agreed that Councillor John Mannion be nominated to attend.

Tenth Nomination:

It was proposed by Councillor Jarlath McDonagh, seconded by Councillor Martin Lynch, and agreed that Councillor Michael Ryan be nominated to attend.

As a result of the foregoing, the following are the 10 Members nominated by Galway County Council to attend the proposed Joint Meeting of Members of Galway, Mayo and Roscommon County Councils to discuss E.C. Structural Funds with the Working Group:

- (1) Councillor Patrick Finnegan (Chairman)
- (2) Councillor Micheal O'Morain
- (3) Councillor Michael Fahy
- (4) Councillor Jarlath McDonagh
- (5) Councillor Matt Loughnane
- (6) Councillor Thomas Welby
- (7) Councillor John Molloy
- (8) Councillor Joe Callanan
- (9) Councillor John Mannion
- (10) Councillor Michael Ryan

The County Manager indicated that no decision regarding the holding of the proposed Joint Meeting had yet been taken by the other two County Councils of Mayo and Roscommon. The County Manager indicated that Galway Corporation, which was a County Borough, should also be represented at the proposed Meeting. Councillor Micheal O'Morain suggested that the representation from Galway Corporation be on a pro rata basis to the numbers nominated by the County Council.

Councillor T. Walsh stated that the Members who were attending the Meeting should endeavour to get included for consideration for E.C. Structural Fund aid funds for the carrying out of land assessments which had been discontinued in 1985. He stated that it was necessary to have all of the land of the country assessed to establish consistent means of assessments for the various grant applications being made by farmers to various Departments. He proposed that the Council make a request to the Government that this matter be included for E.C. Structural Fund aid. The Chairman stated that this matter was not on the Agenda and that Councillor Tiarnan Walsh could submit a Notice of Motion if he wished the Council to consider the matter further.

Following a discussion, the Chairman agreed that Councillor Walsh's proposal would be placed on the Agenda for consideration by the Council at its next Meeting. Councillor Walsh's proposal was that the Council request the Government to make an application for Structural Fund aid finance to continue the assessment of all lands in Ireland so that an equitable assessment system for grants and other benefits could be established.

It was proposed by Councillor Jarlath McDonagh, seconded by Councillor John Mannion, that An Comhairleoir Peadar O'Tuathail be nominated as a substitute to attend if any of the persons nominated above were unable to attend.

E.C. Structural Funds - The County Manager indicated that the Working Party were working to a deadline of the 31st March, 1989, for the completion of Plans.

In reply to Senator Nioclás O'Conchubhair, the County Manager indicated that he would request Roinn na Gaeltachta to make their proposals available in relation to E.C. Structural Funds.

2729 - REVIEW OF COUNTY DEVELOPMENT PLAN:

The County Manager indicated that he would be placing an item on the Agenda for the next Planning Meeting to consider the Review of the County Development Plan which was due in 1990.

2730 - CARRAROE WATER SUPPLY SCHEME:

In reply to Councillor Peadar O'Tuathail, the County Manager indicated that the comment attributed to an Official of the Council in relation to this scheme in a recent Sunday newspaper was not correct. Councillor O'Tuathail asked that the Water Supply in Carraroe would be monitored as there were genuine fears among the locals regarding the quality of the water.

2731 - TUAM WATER SUPPLY SCHEME:

The Chairman referred to the quality of the Tuam Water Supply Scheme and asked for an up-to-date report on the scheme for the next Council Meeting. He was supported by Councillor Michael Ryan who stated that he had received complaints about the quality of the water in Tuam. The County Manager indicated that the Council kept the quality of the supply monitored and were satisfied that the water was drinkable. An alternative scheme costing in the region of £10 million was being developed for Tuam and a request for funds under the E.C. Structural Fund had been made. It was agreed that a report on the scheme would be brought to the next Meeting of the Council.

Councillor Joe Burke also referred to the quality of the water and stated that he was given to understand that a filtration plant could be installed at a cost of under £100,000. Tuam was a major population centre and was urgently in need of an improved water supply scheme. Councillor Burke asked that monitoring be carried out on a more frequent basis than the weekly testing which was being carried out at present as there were genuine fears that illness was being caused by the quality of the water.

2732 - REFUSE COLLECTION SYSTEM:

In reply to queries raised, the County Secretary outlined the up-to-date position in relation to the new label system which had been put into operation. Councillor Joyce asked that the fortnightly collection system be reviewed. Councillor Martin Lynch asked that a Housing Estate in Athenry be serviced by the Council. Councillor Walsh asked if the labels would be made available for sale in small villages so that people would not have to travel to towns to buy labels. It was agreed that this matter would be examined where necessary.

2733 - GOODMAN PLANT, TUAM:

In reply to queries raised by Councillors, the County Manager indicated that following talks with the Goodman Group, and the Department of the Environment, the contribution sought from Goodman had been reduced. It was up to the Goodman Group to indicate their agreement to the revised contribution. The County Manager stated that he was satisfied that Goodman had been treated fairly in the levying of the contribution. In reply to Deputy Michael Kitt, the County Manager indicated that Goodman's share of the cost of maintenance of the new Sewerage Treatment Plant would be of the order of 54%. This had been indicated to Goodman and they had not indicated their disagreement. However, the formal agreement between the Council and Goodman had yet to be concluded and signed.

THE MEETING THEN TERMINATED

SUBMITTED, APPROVED & CONFIRMED:

Patrick Finnegan CHAIRMAN

28/3/1989 DATE.

COMHAIRLE CHONTAE NA GAILLIMHE

(Galway County Council)

Oifig an Runai,
Arus an Chontae,
GAILLIMH.

21u la Feabhra, 1989.

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, ar De Luain, an 27u la Feabhra, 1989, ar a 3.30 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 Manager (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 grant full Planning Permission to Corcoran & Gilligan Enterprises Ltd., Bushfield, Oranmore, Co. Galway, on Planning Ref. No. 57681, for the retention of alterations to existing store, septic tank and the external storage to the side and front of the site, and the retention of the car park facilities on the site."

Noel Treacy. John Molloy. N. O'Conchubhair.

- "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 Stephen Fahy for the erection of Filling Station, Retail Offices and Store at Sylau. - Planning Ref. No. 57830."

Mark Killilea. John Molloy. T. Welby.

- Consideration of Minutes of the following Meetings:-

- Special Meeting held on 13th January, 1989.
- Monthly Meeting held on 30th January, 1989.

Overdraft Accommodation for quarter ending 30th June, 1989.

Sale of Houses to the following tenants in accordance with Section 90 of the Housing Act, 1966, as amended - Section 83 Notices dated 31st January, 1989, and 13th February, 1989, refer:-

- (1) Martin Cunniffe, 9 Caheroyan Drive, Athenry, Co. Galway.
- (2) Ann Considine, 53 Parkmore Estate, Tuam, Co. Galway.
- (3) Edward & Bridie Condon, 72 Parkmore Estate, Tuam, Co. Galway.
- (4) Eamonn & Ann Connolly, 110 Parkmore Estate, Tuam, Co. Galway.
- (5) Patrick & Angelina Bugler, 56 Pollroebuck, Loughrea, Co. Galway.
- (6) Thomas Connolly, No. 1 Cottage, Clifden, Co. Galway.
- (7) Mark & Geraldine Lally, 95 Parkmore, Tuam, Co. Galway.

- (8) Gerard & Maeve Joyce, 4 St. Laurencesfields, Loughrea, Co. Galway.
- (9) George & Mary Mannion, 9 St. Laurencesfields, Loughrea, Co. Galway.
- (10) William & Frances Boden, 14 Ahascragh, Ballinasloe, Co. Galway.
- (11) Gerard & Marion Green, 4 Milltown, Tuam, Co. Galway.
- (12) Patrick & Moira Lynch, 26 Cullairbawn Estate, Athenry, Co. Galway.
- (13) William Brogan, 28 Dublin Road, Tuam, Co. Galway.
- (14) Mary & Michael Holland, Lisheenavalla, Claregalway, Co. Galway.
- (15) Tom & Barbara Casey, Mweenish, Carna, Co. Galway.
- (16) Mrs. Rita Molloy, Shoodaun, Athenry, Co. Galway.
- (17) Michael Kavanagh, Tonagurraun, Corrandulla, Co. Galway.
- (18) Luke & Ellen Cavanagh, Capanagapple, Clonbur, Co. Galway.
- (19) Patrick & Nora Coyne, Cloughbrack Upper, Clonbur, Co. Galway.
- (20) Michael & Margaret Dillon, 8 Cullairbawn Estate, Athenry, Co. Galway.
- (21) Jérôme & Bridie Connolly, Coorbaun, Loughrea, Co. Galway.
- (22) James & Mary McLoughlin, Lurgan, Milltown, Tuam, Co. Galway.
- (23) Sean & Ann Hough, Feaghmore, Eyrecourt, Ballinasloe, Co. Galway.
- (24) Gerard & Marie Reilly, 6 St. Laurencesfields, Loughrea, Co. Galway.
- (25) John D. & Carmel Quinn, 20 St. Laurencesfields, Loughrea, Co. Galway.
- (26) Patrick J. Clarke, 26 St. Joseph's Park, Tuam, Co. Galway.
- (27) Joseph & Josephine Neville, 47 Cullairbawn Estate, Athenry, Co. Galway.
- (28) Michael & Ann Farragher, 63 Dublin Road, Tuam, Co. Galway.
- (29) Bartholomew & Philomena Furey, 62 Dublin Road, Tuam, Co. Galway.
- (30) Daniel & Josephine Heffernan, 38 Tullinadaly Road, Tuam, Co. Galway.
- (31) James Butler, 1 Caheroyan Drive, Athenry, Co. Galway.
- (32) Martin & Rose Kennedy, 37 Cullairbawn Estate, Athenry, Co. Galway.
- (33) Colin & Rose McNicholl, 13 Mylespark, Corofin, Tuam, Co. Galway.
- (34) Padraic & Mary Walsh, 46 New Estate, Headford, Co. Galway.
- (35) Derek Kennedy, 11 Caheroyan Drive, Athenry, Co. Galway.
- (36) Michael & Maureen Cannon, 19 Cullairbawn Estate, Athenry, Co. Galway.
- (37) Michael & Mary McDonagh, 12 Fairyhill, Portumna, Co. Galway.
- (38) John & Mary Larkin, Kilnadeema, Loughrea, Co. Galway.
- (39) Liam & Carmel Dervan, Oghilmore, Laurencetown, Ballinasloe, Co. Galway.
- (40) Francis & Patricia Keane, Currywongaun, Kylemore, Co. Galway.
- (41) John J. & Elizabeth Kelly, Glennamuckla, Gurteen, Ballinasloe, Co. Galway.
- (42) John & Marian Murphy, Knockatogher, Kiltulla, Athenry, Co. Galway.
- (43) Patrick & Mary Donlon, Tobberroe, Glinsk, Co. Galway.
- (44) Michael & Dolores Heanue, Cloonloaun, Renvyle, Co. Galway.
- (45) Joseph & Margaret Curley, 6 Ballyglass, Kilconnell, Ballinasloe, Co. Galway.
- (46) Malachy & Imelda Lally, Monastery Road, Ballyglunin, Tuam, Co. Galway.
- (47) John & Bridie Mannion, Turloughbeg, Rosmuck, Co. Galway.
- (48) Sean & Kathleen Forde, 59 St. Laurencesfields, Loughrea, Co. Galway.
- (49) Angela Underhill, 15 New Estate, Clarinbridge, Co. Galway.
- (50) John & Joan Kinsella, 76 St. Laurencesfields, Loughrea, Co. Galway.
- (51) Michael & Helen Connell, 15 New Estate, Mountbellew, Co. Galway.
- (52) Martin & Bridget O'Malley, 8 Roundstone, Co. Galway.
- (53) Edward & Bridget Ward, 19 Parkmore Estate, Tuam, Co. Galway.
- (54) James & Angela Maloney, 11 New Estate, Glenamaddy, Co. Galway.
- (55) John & Veronica Burke, 3 St. Laurencesfields, Loughrea, Co. Galway.
- (56) John & Anne McGhee, 57 St. Laurencesfields, Loughrea, Co. Galway.
- (57) Michael Blake, 31 Pollroebuck, Loughrea, Co. Galway.
- (58) John & Teresa Miskell, 36 Parkmore Estate, Tuam, Co. Galway.
- (59) Thomas & Eileen Lee, 6 New Estate, Headford, Co. Galway.
- (60) Owen & Philomena Ward, 38 St. Laurencesfields, Loughrea, Co. Galway.
- (61) Kieran & Sally Barrett, 57 Cullairbawn Estate, Athenry, Co. Galway.
- (62) Martin & Mary Quigley, 9 Cullairbawn Estate, Athenry, Co. Galway.
- (63) Gerard & Denise Barrett, 36 Cullairbawn Estate, Athenry, Co. Galway.
- (64) John F. & Margaret Monaghan, 12 Dublin Road, Tuam, Co. Galway.
- (65) Peter & Phyllis Egan, 18 Plunkett Park, Ballygar, Co. Galway.
- (66) Brendan & Christina Mahon, 88 Parkmore Estate, Tuam, Co. Galway.
- (67) James & Eileen McDonagh, 28 Cullairbawn, Athenry, Co. Galway.
- (68) Alfred & Ann Reidy, 73 Parkmore Estate, Tuam, Co. Galway.
- (69) Tom & Perpetua Fleming, 31 Parkmore Estate, Tuam, Co. Galway.
- (70) Roger Carey, Crowe Street, Gort, Co. Galway.
- (71) Tony Platt, Crowe Street, Gort, Co. Galway.
- (72) James Molloy, Crowe Street, Gort, Co. Galway.
- (73) Florence McCarthy, Crowe Street, Gort, Co. Galway.
- (74) Andrew Coen, Crowe Street, Gort, Co. Galway.
- (75) Mrs. Catherine Costello, 29 Parkmore Estate, Tuam, Co. Galway.

- (76) Martin & Mary Davoren, 48 St. Laurencesfields, Loughrea, Co. Galway.
- (77) John & Mary Guinan, 1 Laurencetown, Ballinasloe, Co. Galway.
- (78) James & Ann Heffernan, 35 Tullyvoheen, Clifden, Co. Galway.
- (79) Tom & Marian Burke, 2 New Estate, Milltown, Tuam, Co. Galway.
- (80) Edward & Eileen Kelly, 7 Parkmore Estate, Tuam, Co. Galway.
- (81) Patrick & Margaret Hughes, 6 New Estate, Mountbellew, Co. Galway.
- (82) Josephine Reilly, 9 Galway Road, Loughrea, Co. Galway.
- (83) Michael & Joan McDonnell, Ardnageeha, Cong, Co. Galway.
- (84) Patrick & Bridgemma Maloney, Killoughter, Castlegar, Co. Galway.
- (85) Mrs. Ann Lyons, Lurgan, Maam Cross, Recess P.O., Co. Galway.
- (86) Francis & Marie Duane, Raford, Kiltulla, Athenry, Co. Galway.
- (87) Patrick & Brenda Naughton, Carrowreagh, Milltown, Tuam, Co. Galway.
- (88) James & Philomena Jordan, Shoodaun, Athenry, Co. Galway.
- (89) Michael & Mary Langan, Monitigue, Craughwell, Co. Galway.
- (90) Patrick & Mary O'Shea, Corralough, Williamstown, Co. Galway.
- (91) Matthew & Catherine O'Malley, Annaghvane, Beadadangan, Co. Galway.
- (92) Bernard & Celia Murray, Gortatleva, Claregalway, Co. Galway.
- (93) Patrick & Florence Connaughton, Springfield, Williamstown, Co. Galway.
- (94) James & Mary Fitzgerald, Cappard, Peterswell, Co. Galway.
- (95) John & Margaret O'Malley, Cornarone Middle, Inverin P.O., Co. Galway.
- (96) Patrick & Mary Walsh, Annaghvane, Bealadangan P.O., Co. Galway.
- (97) Michael & Teresa Carr, Tonemace, Corrandulla, Co. Galway.
- (98) Thomas & Kathleen O'Donnell, Toombeola, Roundstone, Co. Galway.
- (99) Coleman & Bridie Mullen, Coolahullian, Lettermullen, Co. Galway.

** See Notice below.

6. Fix date for Monthly Meeting - March 1989.
7. Appointment of nominee to Irish Public Bodies Mutual Insurances Limited for 1989/1990.
8. Report on Rate Collection 1988. - (Copy enclosed)
9. Revision of Engineering Areas. (Report to follow)
10. Consider grant application from Corrib Airport towards cost of Terminal and Ancillary Developments at Carnmore.
11. Programme of Environmental Works at selected beaches.
12. Report on Tuam Water Supply Scheme.
13. Use of Structural Funds - classification of agricultural land holdings - proposal by Councillor T. Walsh.
14. Auditors Report for 3 years ended 31st December, 1987. (Copy enclosed)
15. Correspondence from LAMA re Property Tax. (Copy enclosed)
16. Sanitary Services Capital Allocations 1989 for work in progress. (Details enclosed)
17. Malicious Injury Decrees. (List herewith)
18. Business submitted by the County Manager.

** Section 83 Notices continued on Page 3(a) Overleaf.

** SECTION 83 NOTICES DATED 31st JANUARY, 1989.

ITEM NO. 5 - AGENDA OF 27/2/1989 (continued).

- (100) Michael & Geraldine Hoary, Tiranasragh, Ballycrissane, Ballinasloe.
 (101) Patrick McCormack, Kylebrack, Loughrea, Co. Galway.
 (102) David and Ann Murray, Cloughlahard, Clarinbridge.
 (103) Barbara and Patrick Wallace, Shrawn, Kilmurvey, Inishmore, Aran.
 (104) Thomas and Margaret Keady, Owerbeg, Ower, Headford.
 (105) Martin and Agnes Broderick, 50, Fairyhill, Portumna.
 (106) Patrick and Julia Ann Walsh, Derryherbert, Letterfrack.
 (107) James and Mary Kilcline, Corrahollia, Ballyforan, Ballinasloe.
 (108) Martin and Mary Conroy, Ailwee, Rosmuck.
 (109) Joseph and Kathleen Cunniffe, 5, Ballyglass, Kinconnell, Ballinasloe.
 (110) Martin and Philomena Haverty, 2, St. Joseph's Park, Killimor.
 (111) Cyril and Elizabeth Cramp, 6, Shannon Park, Portumna.
 (112) Peter and Alice Cox, 22, Cloughbrack, Eyrecourt, Ballinasloe.
 (113) John & Carmel Donoghue, 8, Convent Road, Kinvara.
 (114) Patrick Finn, Cahertrim, Kilnadeema, Loughrea.
 (115) Stephen and Florence McDonagh, Gortnagrough, Roscahill.
 (116) Joseph and Margaret Hurley, Clonfert Demesne, Ballinasloe.
 (117) John and Carmel Rigney, 41, Tullyboheen, Clifden.

COUNCILLORS' NOTICES OF MOTION

(a) Adjourned from previous Meeting:

COUNCILLOR MICHAEL FAHY: - I will propose:

19. That Galway County Council drain water and clean roadway in front of Sean Loughrey's house at Shanaglish, Gort.

(b) Other Motions received:

COUNCILLOR JARLATH McDONAGH: - I will propose:

20. That the County Council have steps taken to have dangerous poles resited. (Details supplied).
 21. That County Council start immediately the list (details submitted) of Social Employment Scheme which have been approved by FAS for quite some time.
 22. That the County Council inform me of the up-to-date position regarding the Council's proposed take over of group water scheme (details supplied).

DEPUTY ROBERT MOLLOY: - I will propose:

23. That new doors and windows be installed at the home of (details supplied) under the Essential Repairs Grants Scheme.
 24. That a report be given on proposed acquisition of lands to facilitate construction of access road to Coill Uachtar Cemetery.
 25. That immediate repairs be carried out to the road at Errisbeg, Roundstone.

COUNCILLOR PADDY McHUGH: - I will propose:

26. Galway County Council fill the potholes on the approach road to Bearn Pier.
 27. Galway County Council make public a road at Roscahill West approx. length 1/2 mile - the subject matter of Local Improvement Scheme No. L.G. 53/88.
 28. Galway County Council take into public ownership a road at Killanin, Co. Galway, indicated on map supplied (extract O.S. Galway 67) - distance of approx. 3000 metres with a view to surface dressing same to enable the full potential of the road as an access to dwellings, lakes and other tourist interests be realised.

DEPUTY NOEL TREACY: - I will propose:

That Galway County Council repair, renew and resurface the road leading to houses (details supplied) that these works be carried out forthwith, that the works to be carried out be outlined in detail hereafter, the date on which work will commence be outlined and any other relevant details also.

That the Council urgently alleviate the serious flooding on the Moyleen/Danesfort Road, circa 1 mile north of the Galway/Dublin National Primary Road, that these works be carried out forthwith, that the road be repaired, renewed and resurfaced at this point and raised if necessary and that the land which adjoins same be prevented from flooding hereafter, that the Council outline the works to be carried out and the date on which these works will commence and any other relevant details.

That Galway County Council carry out immediate works to alleviate flooding outside houses (details supplied) that these works be carried out immediately, that the works to be carried out be outlined hereafter, the dates in which the works will be carried out and any other relevant information.

COUNCILLOR MATT LOUGHNANE: - I will propose:

That Galway County Council cease cutting off of domestic water supplies until such time as the current administrative problems are rectified.

33. That the bank be removed at the Lodge Crossroads, Athenry, to enable traffic coming from Rockmore to have a view of traffic travelling from Craughwell to Athenry.

34. That grant for strengthening of strategic County Roads 1989 be shared evenly between the eleven Engineering Areas.

COUNCILLOR P. FINNEGAN: - I will propose:

35. That road signs be erected at Claddagh, Lavally, Tuam, to indicate dangerous bends and right of way there.

36. That the Council provide a wider entrance at house (details supplied) at Tuam.

37. That the Council endeavour to use Social Employment Schemes to improve the maintenance of parks at Ballygaddy Road and Dublin Road, Tuam.

DEPUTY MICHAEL P. KITT: - I will propose:

38. That Galway County Council repair a road leading to houses (details supplied) at Rockfield Road, Kilkerrin.

39. That the Cahernagarry Road be widened to allow a Local Improvement Scheme to be carried out (details supplied).

DEPUTY FRANK FAHEY: - I will propose:

40. When it is proposed to complete the acquisition of land for the Burial Ground at Renville, Oranmore, and if the Manager would indicate when it is hoped to have the Burial Ground opened.

COUNCILLOR MICHAEL FAHY: - I will proposed:

41. That Galway County Council maintain road leading to David Kerse's dwellinghouse at Emlough, Craughwell. This road was repaired under L.I.S. in 1988.

COUNCILLOR THOMAS WELBY: - I will propose:

42. What is the reason for not erecting the sign at the junction leading to Roundstone National School indicating 'caution children crossing' and had been promised in a N.O.M. which I had down during 1988.

43. That this Council take the intake pipe out further into the lake of the Cornamona Water Supply - reason being that the present area is being used by swimmers.

44. What is the present position re the request from Office of Public Workss that a site be acquired by this Council for the erection of one or more lights at Bunowen Pier as fishermen use this pier during the early morning and late at night for the purpose of departing and landing. They are doing so at great personal risk because of the absence of lights. I am of the opinion that this matter has dragged on for far too long.

COUNCILLOR TIARNAN WALSH: - I will propose:

45. That the County Council provide me with the following information - "It is now the policy of Galway County Council to charge half price to Old Age Pensioners for refuse services and water supply, even where there are two elderly people in a house with only one getting Pension."

FEBRUARY MEETING 1989

DECREES

DAMAGE

MALICIOUS

Name and Address	Particulars of Claim	Area of Charge	Amount of Claim	Amount of Decree including costs.
Fr. Abraham Kennedy, Derryoobar National School, Clonco, Woodford, CO. GALWAY.	Vandalism to School Property	County at large	£10,000	£2,311.25
Patrick McDonagh, Main Street, Ballinasloe.	Damage to Property.	County at large	£1,200	£1,046.25
Patrick Delaney, Bracknagh, Ballinasloe, Co. Galway.	Damage to Property.	County at large	£706.00	£875.00

MINUTES OF MONTHLY MEETING OF GALWAY COUNTY COUNCIL HELD AT THE COUNTY BUILDINGS, GALWAY, ON MONDAY, 27TH FEBRUARY, 1989.

IN THE CHAIR: Councillor P. 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, P. Mac Gloinn, 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, Councillor M. O'Morain, Councillors P. Raftery, M. Ryan, Deputy N. Treacy, and Councillor T. Walsh.

Officials: Messrs. S. Keating, County Manager; D. O'Donoghue, Assistant City and County Manager; J. Howlett, Assistant County Manager; P. Flood, County Engineer; T. O'Donoghue, Law Agent; E. Lusby, Finance Officer; L. Kavanagh, S.E.E. (Planning); T. Kavanagh, Acting County Secretary; D. Barrett and B. Kennedy, Senior Staff Officers.

The Opening Prayer was recited.

2734 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 57681 - APPLICANT: CORCORAN & GILLIGAN ENTERPRISES LTD.:

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

"LOCATION OF SITE:

The site is located 2 miles east of Oranmore on a County Road which branches off from the Galway/Dublin Road at Bushfield.

PLANNING HISTORY:

- Ref. No. 41690: Permission granted for dwellinghouse and store to Mr. Joseph Corcoran. The dwellinghouse was not built. The store was not constructed in accordance with Planning Permission and the site was used as a builders providers yard.
- Ref. No. 51572: Permission granted for retention of storage compound to Corcoran and Gilligan Ltd. There were six conditions attached to the grant of Permission and the developer did not comply with 4 of these and was subsequently convicted and fined in Galway District Court for non Compliance with an Enforcement Notice.

Planning Considerations:

This builders storage depot is located in close proximity to a number of houses and has been the subject of complaint for a number of years. There has been some improvement in tidying up the road frontage but the condition of ref. no. 51572 requiring the area in front of the compound fence to be grassed over has not been complied with, the Planting condition has not been completed and there have been complaints from a householder that the hours of operation have been exceeded.

MINUTES OF MONTHLY MEETING ON 27/2/'89.

2.

The Planning Authority are agreeable to grant the major part of the current application subject to similar conditions to the previous permission but are not satisfied to allow the area outside the compound to be used for operative purposes. This would be liable to cause ongoing agrivation to neighbouring householders and seriously diminish their residential amenity.

Loading and offloading operations and parking should be confined within the fenced off compound or else extra lands should be acquired to the rear of the site where such activities will be remote from residences."

Councillor J. Burke asked the proposers of the resolution to withdraw it. He said it was one of the worst cases he had come across and in fairness to the residents, it should not be granted. He said there was ample room inside the fence for loading, etc. He said that the hours of operation approved previously had not been complied with. He proposed that the application be refused. This was seconded by Councillor Brennan who said that the Council must consider the rights of neighbouring residents who were there before this development.

Councillor Loughnane asked what was the need for the Section 4 Resolution and if a decision could be postponed. The County Manager replied that a decision could not be postponed. He was not sure of the need for a Section 4 Resolution as he was prepared to grant the major part of the application and had circulated a draft decision.

Deputy Treacy said that the applicant wanted to use the space in front of the fence which measured 58 feet by 100 feet. He said that a development down the road had a similar operating area and this was necessary for the company in order to remain viable and retain its staff. He said it was unfair to request the applicant to "freeze" 5,800 square feet of frontage. The County Engineer said that he did not want the space in front of the fence used for loading, etc. He said this area was set aside when the fence was put down. There was adequate space inside the compound for loading, etc. The use of the outer area for loading, etc., would diminish the residential amenity of the neighbouring householders and it would eventually spill out onto the road. He said the original Permission was for a dwellinghouse and store but that the dwellinghouse was never built and the store was not constructed in accordance with Planning Permission. Councillor Glynn said that the resolution should be withdrawn and the decision left to the County Manager.

Deputy Treacy said that the applicant had adhered to all conditions in the previous Permission except two. He outlined the site development works which the applicant was prepared to carry out. The total site measured 308 feet by 100 feet and he asked that the applicant be allowed use the area outside the fence for loading during the hours 8.00 a.m. to 6.00 p.m. The applicant needed the area inside the compound for security and stock. The only land which he might be able to acquire adjoined the site which might make the position worse.

The County Engineer said that he could not agree to the area outside the fence being used for loading, etc. In reply to Councillor Lynch, the County Engineer said that the fence was further forward than the neighbouring houses. Senator McCormack asked what would happen if the Section 4 Resolution was not passed, and the County Manager replied that he would issue the decision as explained in the report.

After further discussion, Deputy Treacy said that he was withdrawing the resolution and the resolution was not put to the Meeting.

35 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 57830 - APPLICANT: STEPHEN FAHY.

The resolution set out on the Agenda was proposed by Councillor J. Molloy, and seconded by Senator Nioclás O'Conchubhair. The County Manager submitted the following report, which had been circulated to each Member of the Council:

"LOCATION:

The proposed development is located outside the speed limit on the Galway/Headford National Secondary Route approximately 3 miles north of the new City Boundary.

PLANNING HISTORY:

Planning Ref. No. 37604: Application made by Mr. Stephen Fahy for Outline Planning Permission for a warehousing complex on the proposed site. Permission refused in October 1980, on the grounds of traffic hazard. Decision not appealed.

PLANNING CONSIDERATIONS:

The site is located on the open bogland known as the Curragh Line, now the N.84 National Secondary Route. This section of route has become highly ribbonised in recent years with unsightly development, a situation which has evoked adverse comment in the past from the public in letters to the Planning Office and in one R.T.E. Radio Programme. The tendency of leapfrogging northwards as comparatively cheap sites became available has continued and the highly scenic, open aspect of this important approach to Galway City has seriously deteriorated. It is, therefore, important to exercise the restrictive control of development set out in the County Development Plan for this route if the ugly ribbonisation is to be contained and the traffic capacity of the route is to be protected.

There are petrol filling stations available 2½ miles to the north and 3½ miles to the south. In addition, planning permission has been granted by Section 4 for a filling station in January 1987, on the site immediately to the south (Planning Ref. No. 53699) so there is obviously no commercial need.

RECOMMENDATION:

1. The proposed development would constitute a traffic hazard because it would be located on a National Secondary Route where the maximum speed limit applies, and the traffic generated by the development would interfere with the safety and free flow of traffic along the route.
2. The proposed development would contravene Chapter 25, Table 25B of the County Development Plan which restricts commercial development along the route.
3. The proposed development would injure the visual amenity of this highly scenic area of open aspect because it would be an obtrusive feature in the field of view from the public roadway."

The County Engineer said that the proposed development was along a National Secondary Route on which there was quite a lot of traffic travelling at high speeds which made it quite dangerous. The proposed development would generate a lot of turning movements which would reduce the capacity of the road.

Councillor Molloy said that the applicant purchased the site a number of years ago. He said there were many developments along this road and this development should not create any extra hazard. The applicant was trying to build a business for himself and his family. Councillor Brennan proposed that the application be refused and this was seconded by Councillor J. Burke.

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

FOR: Councillors U. Burke, J. Callanan, Deputy F. Fahey, Councillors M. Fahy, P. Finnegan, Senator T. Hussey, Deputy M. Kitt, Councillors J. Lambert, M. Lynch, J. McDonagh, P. McHugh, J. Molloy, Senator N. O'Conchubhair, Councillors M. O'Morain, P. Raftery, Deputy N. Treacy. (16)

AGAINST: Councillors J. Brennan and J. Burke. (2)

Councillor F. Glynn, Senator P. McCormack, Councillor J. Mannion, Deputy R. Molloy, and Councillor T. Walsh, abstained from voting.

The Chairman declared the resolution carried.

2736 - PLANNING PERMISSIONS WHICH HAVE EXPIRED:

The chairman allowed Deputy Fahey raise the question of a Planning Application which was presently being considered by the Council in the name of a Mr. T. O'Loughlin. He said that he had received Prior Notice that it was proposed to refuse the Application. He said that full Planning Permission had been granted previously and expired. The applicant had paid £10,000 for the site some 7 or 8 years ago, but was unable to proceed with the development. It cost a lot of money to submit the current application. If Permission was refused, it would render the site useless. He asked that the application be considered sympathetically and that it be put on the Agenda for the next Planning Meeting.

The Chairman agreed to this and said that it was hoped also to have legal advice in relation to Section 4s at the next Planning Meeting.

2737 - MINUTES:

On the proposition of Councillor J. Brennan, and seconded by Councillor McDonagh, the Minutes of the Special Meeting of the Council held on the 13th January, 1989, were approved and signed by the Chairman.

On the proposition of Councillor Ryan, seconded by Councillor Brennan, the Minutes of the Monthly Meeting of the Council held on the 30th January, 1989, were approved and signed by the Chairman.

2738 - OVERDRAFT ACCOMMODATION FOR QUARTER ENDING 30TH JUNE, 1989:

It was proposed by Councillor M. Fahy, seconded by Councillor M. Mullins, and resolved:

"The 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 June, 1989, subject to the sanction of the Minister for the Environment."

2739 - SALE OF HOUSES:

It was proposed by Deputy N. Treacy, seconded by Deputy M. Kitt, and resolved:

"That Galway County Council hereby approve the sale to the following tenants, of the houses occupied by them, in accordance with the terms of Notices dated 31st January, 1989, and 13th February, 1989, 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:

- (1) Martin Cunniffe, 9 Caheroyan Drive, Athenry, Co. Galway.
- (2) Ann Considine, 53 Parkmore Estate, Tuam, Co. Galway.
- (3) Edward & Bridie Condon, 72 Parkmore Estate, Tuam, Co. Galway.
- (4) Eamonn & Ann Connolly, 110 Parkmore Estate, Tuam, Co. Galway.
- (5) Patrick & Angelina Bugler, 56 Pollroebuck, Loughrea, Co. Galway.
- (6) Thomas Connolly, No. 1 Cottage, Clifden, Co. Galway.
- (7) Mark & Geraldine Lally, 95 Parkmore, Tuam, Co. Galway.
- (8) Gerard & Maeve Joyce, 4 St. Laurencesfields, Loughrea, Co. Galway.
- (9) George & Mary Mannion, 9 St. Laurencesfields, Loughrea, Co. Galway.
- (10) William & Frances Boden, 14 Ahascragh, Ballinasloe, Co. Galway.
- (11) Gerard & Marion Green, 4 Milltown, Tuam, Co. Galway.
- (12) Patrick & Moira Lynch, 26 Cullairbawn Estate, Athenry, Co. Galway.
- (13) William Brogan, 28 Dublin Road, Tuam, Co. Galway.
- (14) Mary & Michael Holland, Lisheenavalla, Claregalway, Co. Galway.
- (15) Tom & Barbara Casey, Mweenish, Carna, Co. Galway.
- (16) Mrs. Rita Molloy, Shoodaun, Athenry, Co. Galway.
- (17) Michael Kavanagh, Tonagurraun, Corrandulla, Co. Galway.
- (18) Luke & Ellen Cavanagh, Capanagapple, Clonbur, Co. Galway.
- (19) Patrick & Nora Coyne, Cloughbrack Upper, Clonbur, Co. Galway.
- (20) Michael & Margaret Dillon, 8 Cullairbawn Estate, Athenry, Co. Galway.
- (21) Jerome & Bridie Connolly, Coorbaun, Loughrea, Co. Galway.
- (22) James & Mary McLoughlin, Lurgan, Milltown, Tuam, Co. Galway.
- (23) Sean & Ann Hough, Feaghmore, Eyrecourt, Ballinasloe, Co. Galway.
- (24) Gerard & Marie Reilly, 6 St. Laurencesfields, Loughrea, Co. Galway.
- (25) John D. & Carmel Quinn, 20 St. Laurencesfields, Loughrea, Co. Galway.
- (26) Patrick J. Clarke, 26 St. Joseph's Park, Tuam, Co. Galway.
- (27) Joseph & Josephine Neville, 47 Cullairbawn Estate, Athenry, Co. Galway.
- (28) Michael & Ann Farragher, 63 Dublin Road, Tuam, Co. Galway.
- (29) Bartholomew & Philomena Furey, 62 Dublin Road, Tuam, Co. Galway.
- (30) Daniel & Josephine Heffernan, 38 Tullinadaly Road, Tuam, Co. Galway.
- (31) James Butler, 1 Caheroyan Drive, Athenry, Co. Galway.
- (32) Martin & Rose Kennedy, 37 Cullairbawn Estate, Athenry, Co. Galway.
- (33) Colin & Rose McNicholl, 13 Mylespark, Corofin, Tuam, Co. Galway.
- (34) Padraic & Mary Walsh, 46 New Estate, Headford, Co. Galway.
- (35) Derek Kennedy, 11 Caheroyan Drive, Athenry, Co. Galway.
- (36) Michael & Maureen Cannon, 19 Cullairbawn Estate, Athenry, Co. Galway.
- (37) Michael & Mary McDonagh, 12 Fairyhill, Portumna, Co. Galway.
- (38) John & Mary Larkin, Kilnadeema, Loughrea, Co. Galway.
- (39) Liam & Carmel Dervan, Oghilmore, Laurencetown, Ballinasloe, Co. Galway.
- (40) Francis & Patricia Keane, Currywongaun, Kylemore, Co. Galway.
- (41) John J. & Elizabeth Kelly, Glennamuckla, Curteen, Ballinasloe, Co. Galway.
- (42) John & Marian Murphy, Knockatogher, Kiltulla, Athenry, Co. Galway.
- (43) Patrick & Mary Donlon, Tobberroe, Glinsk, Co. Galway.
- (44) Michael & Dolores Heanue, Cloonlooaun, Renvyle, Co. Galway.
- (45) Joseph & Margaret Curley, 6 Ballyglass, Kilconnell, Ballinasloe, Co. Galway.
- (46) Malachy & Imelda Lally, Monastery Road, Ballyglunin, Tuam, Co. Galway.
- (47) John & Bridie Mannion, Turloughbeg, Rosmuck, Co. Galway.
- (48) Sean & Kathleen Forde, 59 St. Laurencesfields, Loughrea, Co. Galway.
- (49) Angela Underhill, 15 New Estate, Clarinbridge, Co. Galway.
- (50) John & Joan Kinsella, 76 St. Laurencesfields, Loughrea, Co. Galway.
- (51) Michael & Helen Connell, 15 New Estate, Mountbellew, Co. Galway.
- (52) Martin & Bridget O'Malley, 8 Roundstone, Co. Galway.
- (53) Edward & Bridget Ward, 19 Parkmore Estate, Tuam, Co. Galway.
- (54) James & Angela Maloney, 11 New Estate, Glenamaddy, Co. Galway.
- (55) John & Veronica Burke, 3 St. Laurencesfields, Loughrea, Co. Galway.
- (56) John & Anne McGhee, 57 St. Laurencesfields, Loughrea, Co. Galway.
- (57) Michael Blake, 31 Pollroebuck, Loughrea, Co. Galway.
- (58) John & Teresa Miskell, 36 Parkmore Estate, Tuam, Co. Galway.
- (59) Thomas & Eileen Lee, 6 New Estate, Headford, Co. Galway.
- (60) Owen & Philomena Ward, 38 St. Laurencesfields, Loughrea, Co. Galway.
- (61) Kieran & Sally Barrett, 57 Cullairbawn Estate, Athenry, Co. Galway.
- (62) Martin & Mary Quigley, 9 Cullairbawn Estate, Athenry, Co. Galway.
- (63) Gerard & Denise Barrett, 36 Cullairbawn Estate, Athenry, Co. Galway.
- (64) John F. & Margaret Monaghan, 12 Dublin Road, Tuam, Co. Galway.
- (65) Peter & Phyllis Egan, 18 Plunkett Park, Ballygar, Co. Galway.
- (66) Brendan & Christina Mahon, 88 Parkmore Estate, Tuam, Co. Galway.
- (67) James & Eileen McDonagh, 28 Cullairbawn, Athenry, Co. Galway.
- (68) Alfred & Ann Reidy, 73 Parkmore Estate, Tuam, Co. Galway.
- (69) Tom & Perpetua Fleming, 31 Parkmore Estate, Tuam, Co. Galway.

- (70) Roger Carey, Crowe Street, Gort, Co. Galway.
- (71) Tony Platt, Crowe Street, Gort, Co. Galway.
- (72) James Molloy, Crowe Street, Gort, Co. Galway.
- (73) Florence McCarthy, Crowe Street, Gort, Co. Galway.
- (74) Andrew Coen, Crowe Street, Gort, Co. Galway.
- (75) Mrs. Catherine Costello, 29 Parkmore Estate, Tuam, Co. Galway.
- (76) Martin & Mary Davoren, 48 St. Laurencesfields, Loughrea, Co. Galway.
- (77) John & Mary Guinan, 1 Laurencetown, Ballinasloe, Co. Galway.
- (78) James & Ann Heffernan, 35 Tullyvoheen, Clifden, Co. Galway.
- (79) Tom & Marian Burke, 2 New Estate, Milltown, Tuam, Co. Galway.
- (80) Edward & Eileen Kelly, 7 Parkmore Estate, Tuam, Co. Galway.
- (81) Patrick & Margaret Hughes, 6 New Estate, Mountbellew, Co. Galway.
- (82) Josephine Reilly, 9 Galway Road, Loughrea, Co. Galway.
- (83) Michael & Joan McDonnell, Ardnageeha, Cong, Co. Galway.
- (84) Patrick & Bridgemma Maloney, Killoughter, Castlegar, Co. Galway.
- (85) Mrs. Ann Lyons, Lurgan, Maam Cross, Recess P.O., Co. Galway.
- (86) Francis & Marie Duane, Rford, Kiltulla, Athenry, Co. Galway.
- (87) Patrick & Brenda Naughton, Carrowreagh, Milltown, Tuam, Co. Galway.
- (88) James & Philomena Jordan, Shoodaun, Athenry, Co. Galway.
- (89) Michael & Mary Langan, Monitigue, Craughwell, Co. Galway.
- (90) Patrick & Mary O'Shea, Corralough, Williamstown, Co. Galway.
- (91) Matthew & Catherine O'Malley, Annaghvane, Beadadangan, Co. Galway.
- (92) Bernard & Celia Murray, Gortatleva, Claregalway, Co. Galway.
- (93) Patrick & Florence Connaughton, Springfield, Williamstown, Co. Galway.
- (94) James & Mary Fitzgerald, Cappard, Peterswell, Co. Galway.
- (95) John & Margaret O'Malley, Cornarone Middle, Inverin P.O., Co. Galway.
- (96) Patrick & Mary Walsh, Annaghvane, Bealadangan P.O., Co. Galway.
- (97) Michael & Teresa Carr, Tonemace, Corrandulla, Co. Galway.
- (98) Thomas & Kathleen O'Donnell, Toombeola, Roundstone, Co. Galway.
- (99) Coleman & Bridie Mullen, Coolahullian, Lettermullen, Co. Galway.
- (100) Michael & Geraldine Hoary, Tiranascragh, Ballycrissane, Ballinasloe.
- (101) Patrick McCormack, Kylebrack, Loughrea, Co. Galway.
- (102) David and Ann Murray, Cloughlahard, Clarinbridge.
- (103) Barbara and Patrick Wallace, Shrawn, Kilmurvey, Inishmore, Aran.
- (104) Thomas and Margaret Keady, Owerbeg, Ower, Headford.
- (105) Martin and Agnes Broderick, 50, Fairyhill, Portumna.
- (106) Patrick and Julia Ann Walsh, Derryherbert, Letterfrack.
- (107) James and Mary Kilcline, Corrahollia, Ballyforan, Ballinasloe.
- (108) Martin and Mary Conroy, Ailwee, Rosmuck.
- (109) Joseph and Kathleen Cunniffe, 5, Ballyglass, Kinconnell, Ballinasloe.
- (110) Martin and Philomena Haverty, 2, St. Joseph's Park, Killimor.
- (111) Cyril and Elizabeth Cramp, 6, Shannon Park, Portumna.
- (112) Peter and Alice Cox, 22, Cloughbrack, Eyrecourt, Ballinasloe.
- (113) John & Carmel Donoghue, 8, Convent Road, Kinvara.
- (114) Patrick Finn, Cahertrim, Kilnadeema, Loughrea.
- (115) Stephen and Florence McDonagh, Gortnagrough, Roscahill.
- (116) Joseph and Margaret Hurley, Clonfert Demesne, Ballinasloe.
- (117) John and Carmel Rigney, 41, Tullyboheen, Clifden.

27 - DATE FOR THE MARCH MEETING OF THE COUNCIL:

It was agreed that the Monthly Meeting of the Council for March would be held on Tuesday, 28th March, 1989. The Chairman said that the Meeting would be held in Tuam.

27 - APPOINTMENT OF NOMINEE TO IRISH PUBLIC BODIES MUTUAL INSURANCES LIMITED FOR 1989/1990:

It was proposed by Deputy Kitt, and seconded by Councillor Callanan, that Councillor J. Molloy be nominated as the Council's representative on the Irish Public Bodies Mutual Insurances Limited for 1989/1990.

It was proposed by Senator P. McCormack and seconded by Councillor Lambert that Councillor T. Walsh be nominated as the Council's representative for 1989/1990.

A vote taken resulted as follows:

FOR COUNCILLOR J. MOLLOY: Councillor J. Callanan, Deputy F. Fahey, Councillors M. Fahy, P. Finnegan, Senator T. Hussey, Councillor J. Joyce, Deputy M. Kitt, Councillors M. Loughnane, P. McHugh, J. Molloy, Deputy R. Molloy, Senator N. O'Conchubhair, Councillors M. O'Morain, P. Raftery, and Deputy N. Treacy.

(15)

FOR COUNCILLOR T. WALSH: Councillors J. Brennan, J. Burke, U. Burke, F. Glynn, J. Lambert, M. Lynch, Senator P. McCormack, Councillors J. McDonagh, J. Mannion, M. Mullins, M. Ryan, and T. Walsh.

(12)

The Chairman declared Councillor J. Molloy as the Council's nominee to the Irish Public Bodies Mutual Insurances Limited for 1989/1990.

2742 - REPORT ON RATE COLLECTION 1988:

The Acting Secretary stated that a Statement of County Rate Collection for 1988 had been circulated together with corresponding figures for 1987. The details included the amounts collected, irrecoverable and carried forward.

Councillor Brennan said that the number of businesses in financial difficulty seemed to be increasing. Councillor Glynn said that the amount of irrecoverable Rates was also increasing. Councillor U. Burke asked for details of Valuation increases but was informed that such information was not at hand but could be supplied if required. Councillor U. Burke said that having regard to increasing Rates, water and refuse charges, business premises were finding it very difficult to meet all the payments. He said there was a good remission of Rates for new industrial developments and asked if commercial properties could qualify for a reduction.

Councillor O'Morain agreed with Councillor U. Burke in regard to the high level of charges on business people. He asked if the Council would have an opportunity to discuss the refuse service before the beginning of the tourist season. The County Manager replied that there would be a change in the refuse system from the 1st April, 1989, and it could be discussed at the meeting at the end of April.

Councillor Ryan said that the people in his area seemed to be happy with the Council's new refuse system but would like a weely collection instead of the fortnightly collection.

Deputy Molloy referred to the £20,340 due on Registered Self Catering Tourist Cottages which was irrecoverable on foot of a recent District Court decision and asked for information about it. Mr. B. Kennedy explained that there were three groups of such cottages in County Galway which were registered under the Tourist Traffic Acts. The Council regarded them as non-domestic. There is a system of Appeal against such decision to the District Court and one of the Companies appealed to the District Court and won the case. Cllr. O'Morain asked if the Council would appeal the District Court Decision. The County Manager said that the Council would now include these Valuations for Domestic Rate Grant. As regards houses registered in the Bord Failte list of Town and Country Homes, Mr. Kennedy said that such listing does not mean that they are automatically non-domestic.

2743 - REVISION OF ENGINEERING AREAS:

Councillor O'Morain proposed that this matter be deferred as some Councillors had not received the report. It was agreed that the matter would be considered at the March Monthly Meeting of the Council.

2744 - GRANT APPLICATION FROM CORRIB AIRPORT LTD. :

Letter dated 26th January, 1989, from Corrib Airport Limited had been circulated to each Member. The letter asked if the Council would make

a contribution towards the cost of a Terminal Building and Ancillary Developments at Carnmore Airport. The County Manager suggested that the Council might consider making a grant of £7,500 if such savings could be achieved this year, and if not, to agree to pay it next year. Deputy Molloy said that Galway Airport was one of the major successes in the region and he congratulated all concerned. He said the Airport very much enhanced the potential for flying in tourists from the Continent. He said the Council should make a commitment to make a grant equal to the grant approved by the Corporation, i.e., £15,000. Senator McCormack agreed that a grant should be paid and said that £7,500 was a realistic amount for 1989. He said the road leading to the Airport was badly in need of improvement.

Senator O'Conchubhair said that he hoped that a grant would be forthcoming for the proposed Clifden Airport. Councillor O'Morain said that he agreed in principle that a grant should be paid but suggested that the Council should wait to see what funds might become available. Councillor J. Molloy and J. McDonagh supported the making of a grant and the carrying out of improvement works to the road leading to the Airport. Councillor Molloy said that there had been a few accidents at Corcoran's Corner which was in the City area.

Deputy Molloy proposed that the Council commit itself to the making of a grant of £15,000 to Galway Airport Limited, not more than £7,500 to be paid in 1989, and the balance in 1990. This was seconded by Councillor J. Burke and agreed.

2745 - PROGRAMME OF ENVIRONMENTAL WORKS AT SELECTED BEACHES:

The County Manager referred to Circular letter dated 7th February, 1989, from the Department of the Environment regarding the availability of Department Grants for the carrying out of amenity and environmental works at larger beaches. A grant of up to 3/5 of the cost or £30,000 maximum, could be made available for each project. A report dated 21st February, 1989, from the County Secretary listed three beaches which had been selected for grant aid and details of the improvement works and estimated cost were also given. The three beaches selected were Knock, Inverin; Traught Strand, Kinvara; and Clifden Beach.

Deputy Molloy referred to Kilmurvey Beach on Inishmore. He said the beach needed alot of tidying up and there was great need for public toilets there. Tourists are encouraged to visit places like Kilmurvey and Dun Aenghus and he said it was a disgrace that there were not public toilets there. He said he was aware of a demountable type public convenience which could be located there during the peak season and he asked that this be urgently considered for funding under the Minister's proposals. Councillor O'Morain said that a full list of beaches in the County should be drawn up and necessary improvements listed. Many of the beaches had access roads and parking areas, and it would not cost alot of money to bring them back into shape. He questioned as to whether the Council would have the funds to back up the Government Grant.

The County Manager said that the Council should make a response to the offer of grant from the Government. He said the Council could ask to have the local authority contribution waived. He agreed that public toilets were needed in a number of locations but the Council had been unable to make any progress in this regard in recent years. The Department Circular, however, discouraged the making of grants for the provision of public conveniences but a case could be made for some locations. Senator McCormack welcomed the grant aid and enquired if the fish cages and store at Carna required Planning Permission as they took from the amenity of the area. Senator O'Conchubhair agreed with Deputy Molloy regarding the need for public toilets at Kilmurvey and said that some facility was required in the short term. He said that the Coral Strand in Carraroe should also be considered for public toilets and that the road to Mweenish Beach should be improved. Councillor McHugh agreed that Kilmurvey should be included in the current proposals. Councillor J. Burke welcomed the new grant assistance but questioned the estimated cost of £40,000 for toilets at Knock Beach. Councillor Joyce said that while he welcomed the initiative, the proposals put forward by the Council were only scratching at the surface.

He said that the Council had a very difficult task at Estimates time and wondered if money would be available. He suggested that it might be better to await funding from the E.C. Structural Funds.

The County Manager said that he did not know whether funds would be available from E.C. sources for this type of work. He said the Government had seen the need for amenity and environmental works at the larger beaches, and if at all possible, the Council should try and make a start with some projects and hopefully the scheme would continue in future years. It was then proposed by Councillor Loughnane and seconded by Councillor Joyce that the schemes as proposed be approved, but that the Department be asked to waive the local authority contribution. This was agreed.

2746 - REPORT ON TUAM WATER SUPPLY SCHEME:

Report dated 22nd February, 1989, from the County Engineer regarding Tuam Water Supply Scheme had been circulated to each Member. The Chairman welcomed the report from the County Engineer which set out clearly the problems relating to the Tuam Scheme. A number of options were dealt with in the report and he fully agreed with the County Engineer's recommendation that the only correct solution to the problem was to proceed with the Tuam Regional Water Scheme. He hoped that the Council would give the scheme top priority. Senator Hussey also complimented the County Engineer on his report and his analysis of the situation. He said that local tinkering with the scheme would not produce the desired affect and the Regional Scheme was the correct solution. He proposed that the report be adopted. This was seconded by Councillor Glynn, who said that the condition of the water in Tuam was causing major problems and a good water supply was also necessary to attract industry. Deputy Kitt welcomed the report and mentioned that he had requested the Minister to meet a deputation from Tuam Town Commissioners.

In reply to Deputy Kitt, Mr. Howlett explained that the revised estimated cost of the scheme was £7.8 million. Councillor J. Burke also welcomed the report and said he would like to see the County Manager and County Engineer joining the deputation to the Minister. Deputy Treacy and other Members also welcomed the report. The report was adopted.

2747 - USE OF STRUCTURAL FUNDS FOR CLASSIFICATION OF AGRICULTURAL HOLDINGS:

The following motion was proposed by Councillor Walsh:

"That Galway County Council request the Government to include in its overall plan for Structural Funds, the completion of the survey of farm holdings throughout the country and the assessment of the adjusted acreage of each holding."

In proposing the motion, Councillor Walsh said that if the survey was completed, it would provide a readymade pool of information which could be used for many useful purposes such as eligibility for various benefits and services, animal disease eradication, etc. He said that it was over 130 years since land was valued and that the adjusted acreage system would provide alot of very useful information. Some of the survey work had already been done during 1985-87, and the job could be completed over a number of years. He said his proposal had nothing to do with Land Tax. After a long discussion, the motion was passed unanimously.

2748 - AUDITORS REPORT FOR THREE YEARS ENDED 31ST DECEMBER, 1987:

A copy of the Auditors Report for the three years ended 31st December, 1987, had been circulated to each Member together with a copy of the report from the Finance Officer. The Audit covered a total expenditure in excess of £130,000,000 and Mr. Lusby was complimented on the report.

2749 - CORRESPONDENCE FROM LAMA RE PROPERTY TAX:

On the proposition of Councillor Loughnane, it was agreed to defer this item to the next Planning Meeting.

2750 - SANITARY SERVICES CAPITAL ALLOCATION 1989 FOR WORK IN PROGRESS:

Copy of Circular letter dated 15th February, 1989, from the Department of the Environment, setting out the Council's initial Sanitary Services Capital Allocation for 1989, had been circulated to each Member. Councillor Joyce complained of the fact that Planning had stopped for Water and Sewerage Schemes in many towns and villages in the County. He said the Council's aim should be to have water and sewerage schemes in all towns and villages, particularly sewerage schemes, because it was impossible for the local community to organise these. He said that septic tanks and particularly communal septic tanks were causing problems and that the need for Capital funds for Sanitary Services Schemes was just as important as for group schemes. The County Manager said that the planning of schemes costs alot of money and the Council did not have the resources to continue and had to stop. He said the Council had enough schemes planned to use up whatever E.C. Structural Funds might come along. The Council always had more schemes ready than the Capital funds available. He explained that the finance for the Tuam Scheme could use up two to three years Capital Allocation. He did not see a need to commence the planning of new schemes, but this could be reviewed in the light of funds becoming available from the E.C.

2751 - MALICIOUS INJURY DECREES:

The Malicious Injury Decrees circulated with item no. 17 on the Agenda were noted.

COUNCILLORS' NOTICES OF MOTION

2752 - THAT GALWAY COUNTY COUNCIL DRAIN WATER AND CLEAN ROADWAY IN FRONT OF SEAN LOUGHREY'S HOUSE AT SHANAGLISH, GORT: - MOTION BY COUNCILLOR MICHAEL FAHY:

The following written reply was given to Councillor Michael Fahy:

"Water Tables at the above location have been opened and there is no evidence of flooding there."

2753 - THAT COUNTY COUNCIL HAVE STEPS TAKEN TO HAVE DANGEROUS POLES RESITED AT LACKAGH OPPOSITE THE CEMETARY AND ADJACENT TO THE RIDING STABLES: - MOTION BY COUNCILLOR JARLATH McDONAGH:

The following written reply was given to Councillor Jarlath McDonagh:

"The poles referred to carry an overhead telephone cable. The roadside fence was set back some years ago and the area between the new boundary wall and the carriageway was surfaced, but the poles are left in their original position. The Council understands that Telecom Eireann propose to remove the poles before the end of the current year."

2754 - THAT COUNTY COUNCIL START IMMEDIATELY SOCIAL EMPLOYMENT SCHEMES FOR CLAREGALWAY-CASTLEGAR AND CARROWBROWNE CEMETARIES: - MOTION BY COUNCILLOR JARLATH McDONAGH:

The following written reply was given to Councillor Jarlath McDonagh:

"This matter is being taken up with FAS with a view to clearing the scheme for commencement."

5 - THAT THE COUNTY COUNCIL INFORM ME OF THE UP-TO-DATE POSITION REGARDING THE COUNCIL'S PROPOSED TAKE OVER OF GROUP WATER SCHEME (DETAILS SUPPLIED): - MOTION BY COUNCILLOR JARLATH McDONAGH:

The following written reply was given to Councillor Jarlath McDonagh:

"There are a number of items to be attended to by the Group before this scheme can be considered in good order and repair. Our Law Agent is discussing these matters with the Group's Solicitor and when they have been attended to, the take over will be proceeded with."

- 2756 - THAT NEW DOORS AND WINDOWS BE INSTALLED AT THE HOME OF PATRICK MILLANE, ONAGHT, KILRONAN, INISHMORE, UNDER THE ESSENTIAL REPAIR GRANT SCHEME: - MOTION BY DEPUTY ROBERT MOLLOY:

The following written reply was given to Deputy Robert Molloy:

"Mr. Millane has applied for an Essential Repair Grant, but due to the fact that the 1988 allocation was confined to expenditure on re-roofing, funds were not available for the replacement of doors and windows. Mr. Millane's application will be considered in the current year, having regard to priority and funds available."

- 2757 - THAT A REPORT BE GIVEN ON PROPOSED ACQUISITION OF LANDS TO FACILITATE CONSTRUCTION OF ACCESS ROAD TO COILL UACHTAR CEMETARY: - MOTION BY DEPUTY ROBERT MOLLOY:

The following written reply was given to Deputy Robert Molloy:

"Progress in the acquisition of the lands referred to have been hindered by the death of the owner, Mr. Corcoran, who died intestate. The Council with the assistance of the Carrabrowne Graveyard Development Committee are at present negotiating with the deceased family's Solicitors, i.e., Claffey & Daly so as to acquire land for the proposed extension and regularise title to the existing graveyard. The acquisition of a right of way is also being negotiated. No development works can commence until the land acquisition has been finalised."

- 2758 - THAT IMMEDIATE REPAIRS BE CARRIED OUT TO THE ROAD AT ERRISBEG, ROUNDSTONE, CO. GALWAY: - MOTION BY DEPUTY ROBERT MOLLOY:

The following written reply was given to Deputy Robert Molloy:

"The road is County Road 36 on which certain repair works were carried out recently. The surface is in a reasonably good condition. Further maintenance works will be carried out as required in order of priority and as resources permit."

- 2759 - THAT GALWAY COUNTY COUNCIL FILL THE POTHOLES ON THE APPROACH ROAD TO BEARNA PIER: - MOTION BY COUNCILLOR PADDY McHUGH:

The following written reply was given to Councillor Paddy McHugh:

"The potholes on the road leading to Bearna Pier have been filled."

- 2760 - THAT GALWAY COUNTY COUNCIL MAKE PUBLIC A ROAD AT ROSCAHILL WEST APPROX. LENGTH 1/2 MILE - THE SUBJECT MATTER OF LOCAL IMPROVEMENT SCHEME NO. L.G. 53/88: - MOTION BY COUNCILLOR PADDY McHUGH:

The following written reply was given to Councillor Paddy McHugh:

"It is not recommended that this road be taken over as we cannot satisfactorily maintain our existing stock of County Roads."

- 2761 - GALWAY COUNTY COUNCIL TAKE INTO PUBLIC OWNERSHIP A ROAD AT KILLANIN: - MOTION BY COUNCILLOR PADDY McHUGH:

The following written reply was given to Councillor McHugh:

"We are unable to investigate the above matter until additional information which has been requested is submitted."

It was agreed that this motion would be adjourned to the next Monthly Meeting of the Council.

- 2762 - THAT GALWAY COUNTY COUNCIL REPAIR, RENEW AND RESURFACE THE ROAD LEADING TO THE HOUSES OF PATRICK J. MITCHELL, MICHAEL JORDAN, MICHAEL KEARY AND OTHERS AT DERRYLISSANE EAST, MENLOUGH: - MOTION BY DEPUTY NOEL TREACY:

The following written reply was given to Deputy Noel Treacy:

"the road in question is County Road 417 in the townland of Derryglassaun. It is a quiet County Road. There are a number of potholes on it and these will be repaired within the next two weeks. The entire road requires surface dressing but it has not been possible to surface dress County Roads for the last few years due to shortage of funds."

It was agreed that this motion would be adjourned to the next Monthly Meeting of the Council.

- 2763 - THAT THE COUNCIL URGENTLY ALLEVIATE THE SERIOUS FLOODING ON THE MOYLEEN/DANESFORT ROAD: - MOTION BY DEPUTY NOEL TREACY:

The following written reply was given to Deputy Noel Treacy:

"Flooding on this road is due to the fact that a local farmer has allowed a drain on the lands adjoining the above public road to be blocked, thus resulting in excess water flowing directly from his lands on to the road."

- 2764 - THAT GALWAY COUNTY COUNCIL CARRY OUT IMMEDIATE WORKS TO ALLEVIATE FLOODING OUTSIDE HOUSES (DETAILS SUPPLIED): - MOTION BY DEPUTY NOEL TREACY:

The following written reply was given to Deputy Noel Treacy:

"It is intended to carry out minor remedial work along this section of road to alleviate this problem when are available to do so."

- 2765 - THAT GALWAY COUNTY COUNCIL CEASE CUTTING OFF OF DOMESTIC WATER SUPPLIES UNTIL SUCH TIME AS THE CURRENT ADMINISTRATIVE PROBLEMS ARE RECTIFIED: - MOTION BY COUNCILLOR MATT LOUGHNANE:

The following written reply was given to Councillor Matt Loughnane:

"Full collection of water charges as adopted in the Estimates is required to finance the expenditure proposals adopted."

Water supply has been disconnected by the Council only in cases where the Council is satisfied that the payee is not entitled to consideration under the waiver scheme and where all communications from the Council, both written and personal calls, have not been responded to."

The Councillors reference to "current administrative problems" is not understood. However, if the Councillor submits details of any specific cases he had in mind these will be looked into in detail."

- 2766 - THAT THE BANK BE REMOVED AT THE LODGE CROSSROADS, ATHENRY: - MOTION BY COUNCILLOR MATT LOUGHNANE:

The following written reply was given to Councillor Matt Loughnane:

"The soil bank will be lowered as a matter of regional road maintenance in order to improve the line of site."

- 2767 - THAT GRANT FOR STRENGTHENING OF STRATEGIC COUNTY ROADS 1989 BE SHARED EVENLY BETWEEN THE ELEVEN ENGINEERING AREAS: - MOTION BY COUNCILLOR MATT LOUGHNANE:

The following written reply was given to Councillor Matt Loughnane:

"The County Road strengthening grants notified to date is £1.4 million and this has already been shared out to the areas and approved by the Council."

It was agreed that this Motion be placed on the Agenda for the next Monthly Meeting of the Council.

2768 - THAT ROAD SIGNS BE ERECTED AT CLADDAGH, LAVALLEY, TUAM: - MOTION BY CLR. P. FINNEGAN:

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

"It is proposed to erect a Yield Right of Way sign at the junction of the Dunmore-Lomaunaghbaun Road with the Tuam-Clonberne road at Claddagh (intersection of County Road Numbers 239, 241, 242).

2769 - THAT THE COUNCIL PROVIDE A WIDER ENTRANCE AT HOUSE NO. 80 PARKMORE, TUAM: - MOTION BY COUNCILLOR P. FINNEGAN:

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

"Access has been provided to all rear gardens in Parkmore from the rear entrance road by way of a 3 foot wide gate. The tenants at No. 80 Parkmore have requested permission to widen the rear gate in order to reverse a tractor and trailer into the garden. This would entail encroaching on neighbouring gardens, a revision of the layout of the Parkmore Scheme, and land Registry difficulties would arise for tenant purchase purposes. It is, therefore, not feasible to allow the tenant to widen the entrance as requested. It was intended in the layout that tenants would bring their materials and turf from the rear access road to their gardens through the 3 foot gates provided."

2770 - THAT THE COUNCIL ENDEAVOUR TO USE SOCIAL EMPLOYMENT SCHEMES TO IMPROVE THE MAINTENANCE OF PARKS AT BALLYGADDY ROAD AND DUBLIN ROAD, TUAM: - MOTION BY COUNCILLOR P. FINNEGAN:

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

"These suggestions will be considered."

2771 - THAT COUNTY COUNCIL REPAIR A ROAD LEADING TO HOUSES OF JOHN NAUGHTON AND MICHAEL KILMARTIN AT ROCKFIELD, KILKERRIN: - MOTION BY DEPUTY MICHAEL KITT:

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

"The road referred to is a cul de sac road serving two houses the last of which is Kilmartins. It is intended to repair pot holes on the stretch of road to Kilmartins gateway."

2772 - THAT THE CAHERNAGARRY ROAD BE WIDENED TO ALLOW A LOCAL IMPROVEMENT SCHEME BE CARRIED OUT: - MOTION BY DEPUTY MICHAEL P. KITT:

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

"It is not proposed widening this road as there are no funds available. However, an application for a Local Improvement Scheme at Cahernagarry has been approved, but the Council are unable to proceed with the application as the 1989 Road Grants have not been notified to date."

2773 - WHEN IT IS PROPOSED TO COMPLETE THE ACQUISITION OF LAND FOR THE BURIAL GROUND AT RINVILLE, ORANMORE, AND IF THE MANAGER WOULD INDICATE WHEN IT IS HOPED TO HAVE THE BURIAL GROUND OPENED: - MOTION BY DEPUTY F. FAHEY:

The following written reply was given to Deputy Frank Fahey:

"No formal agreement was reached with the landowner for the second wayleave required and we are now proceeding to compulsorily acquire the wayleave."

2774 - THAT GALWAY COUNTY COUNCIL MAINTAIN ROAD LEADING TO DAVID KERSE'S DWELLINGHOUSE AT EMLOUGH, CRAUGHWELL: - MOTION BY COUNCILLOR MICHAEL FAHY:

The following written reply was given to Councillor Michael Fahy:

"The road referred to is off County Road 395 and is in good condition. It is not recommended that this road be taken over as we cannot satisfactorily maintain our existing stock of County Roads."

2775 - SIGN AT THE JUNCTION LEADING TO ROUNDSTONE NATIONAL SCHOOL INDICATING "CAUTION CHILDREN CROSSING": - MOTION BY COUNCILLOR THOMAS WELBY:

The following written reply was given to Councillor Thomas Welby:

"This sign has been erected."

2776 - THAT THIS COUNCIL TAKE THE INTAKE PIPE OUT FURTHER INTO THE LAKE OF THE CORNAMONA WATER SUPPLY: - MOTION BY COUNCILLOR T. WELBY:

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

"A report will be available for the next Council Meeting."

2777 - WHAT IS THE PRESENT POSITION RE THE REQUEST FROM OFFICE OF PUBLIC WORKS THAT A SITE BE ACQUIRED BY THIS COUNCIL FOR THE ERECTION OF ONE OR MORE LIGHTS AT BUNOWEN PIER: - MOTION BY COUNCILLOR THOMAS WELBY:

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

"Two directional lights required to be erected at the above pier. The Council are in consultation with a local land owner regarding the acquisition of the necessary site together with access facility for the erection of one light. The other light will be located on Council property."

The lights will be erected by the Office of Public Works subject to the Council contributing 25% of the cost."

2778 - THAT THE COUNTY COUNCIL PROVIDE ME WITH THE FOLLOWING INFORMATION - IT IS NOW THE POLICY OF GALWAY COUNTY COUNCIL TO CHARGE HALF PRICE TO OLD AGE PENSIONERS FOR REFUSE SERVICES AND WATER SUPPLY, EVEN WHERE THERE ARE TWO ELDERLY PEOPLE IN A HOUSE WITH ONLY ONE GETTING PENSION: - MOTION BY COUNCILLOR TIARNAN WALSH:

The following written reply was given to Councillor Tiarnan Walsh:

"Galway County Council has an extensive waiver scheme for water and refuse charges which includes those on Old Age Pension benefits. The waiver scheme provides for a full waiver of charges where there is only one pension incoming to a household. Where there are two pensions incoming, the normal waiver would be half of the charge. Where either of the above two categories have an additional source of income, the amount to be waived would be determined by the combined total of this additional income and the pension."

2779 - SYMPATHY:

Resolutions of sympathy were adopted with the following:

- Mrs. Thomas Lally, Lisbrien, Gort, Co. Galway.
- Mrs. goonan, Killareeney, Kilconnell, Ballinasloe, Co. Galway.
- Mr. John Tully, Cooloo, Brierfield, Ballinasloe, Co. Galway.
- Mrs. Teresa Monaghan, Main Street, Headford, Co. Galway.
- Mr. Michael Fahy & Family, Nogra, Kinvara, Co. Galway.

2780 - CORRESPONDENCE:

Copies of the following were circulated to each Member of the Council:

- 1) Letter dated 23rd January, 1989, from Edenderry Town Commissioners re National Lottery Funding.
- 2) Letter dated 19th January, 1989, from Wicklow County Council re County Wicklow Integrated Economic Development Plan.
- 3) Letter dated 8th February, 1989, from Roscommon County Council re administration of Justice and Consumer Protection.
- 4) Letter dated February 1989 from Amnesty International, Irish Section.

THE MEETING THEN TERMINATED

SUBMITTED, APPROVED & CONFIRMED:

Patrick Finnegan CHAIRMAN
28/3/89 DATE

COMHAIRLE CHONTAE NA GAILLIMHE

(Galway County Council)

Oifig an Runai,
Arus an Chontae,
GAILLIMH.

3 u la Marta, 1989.

CHUIG GACH BALL DE 'N CHOMHAIRLE/

A Chara,

Iarrtar ort leis seo bheith i lathair ag cruinniú speisialta de Chomhairle Chontae na Gaillimhe a tionolfar ins na Foirgnithe Chontae, Gaillimh, De h-Aoine, an 10u la Marta, 1989, ar a 3.00 a chlog sa trathnóna.

Mise, le meas,

T. O'CAOMHANAIGH,
RUNAI SEALADACH.

A G E N D A

Resolution under Section 4 of the City & County Management (Amendment) Act, 1955:

1. "That in accordance with Section 4 of the City & County Management (Amendment) Act, 1955, Galway County Council require the County Manager to grant Permission to Mrs. Kay O'Brien, c/o 56, Auburn Heights, Athlone, Co. Westmeath for change of use of residence to Nursing Home at Cloonboo - Planning Reference No.57875".

Michael Kitt Patrick Finnegan Noel Treacy John Molloy
Paddy McHugh.

2. Material Contravention of Development Plan - Planning Ref. No. 57636 - Applicant Ms. Fionnola Byrne.
3. Planning Application No. 58105 - Applicant T. O Loughlin - Two Open Warehouse Units and Septic Tank at Sylau - Deputy Frank.Fahey.
4. Section 4 Resolutions - Legal Opinion
5. Review of County Development Plan.
6. Correspondence from L.A.M.A. re Property Tax.
7. I.P.A/L.A.M.A. Conference - Dundalk - 31st March, and 1st April, 1989.

MINUTES OF PROCEEDINGS AT SPECIAL MEETING OF GALWAY COUNTY COUNCIL HELD AT THE COUNTY BUILDINGS, GALWAY, ON FRIDAY, 10TH MARCH, 1989.

IN THE CHAIR: Councillor P. Finnegan.

ALSO PRESENT:

Members: As recorded in Attendance Book.

Councillors J. Brennan, J. Burke, J. Callanan, Deputy F. Fahey, Councillor M. Fahy, Senator T. Hussey, Councillor 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, Deputy R. Molloy, Councillor M. Mullins, Senator N. O'Conchubhair, Councillors M. O'Morain, P. O'Tuathail, 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, County Secretary; T. J. O'Donoghue, Law Agent; L. Kavanagh, S.E.E. (Planning); B. Callagy, S.E.E.; and D. Barrett, S.S.O., Planning.

The Opening Prayer was recited.

2781 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 58575 - APPLICANT: MRS. KAY O'BRIEN:

The resolution set out on the Agenda was proposed by Deputy Michael Kitt and seconded by Councillor Paddy McHugh.

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

"LOCATION:

The proposed site is located on the Galway/Headford National Secondary Route in the townland of Cloonboo and where the maximum speed limit is in force.

PLANNING HISTORY:

Ref. No. 24155: Outline Planning Permission was originally granted on a larger site for a dwellinghouse in 1977, to Mr. B. Corbett when the route had not been designated a National Secondary Route.

Ref. No. 40783: Planning Permission was granted for retention of a dwellinghouse and septic tank on a larger site in 1981 to Mr. B. Corbett.

CONSIDERATION:

As the development involves the conversion of a private dwellinghouse to a commercial nursing home the increased traffic movements it would generate, albeit small but not insignificant would give rise to a traffic hazard. The site has been reduced in area from that permitted in planning permission ref. no. 40783 with the consequence that the percolation area is located a substandard distance from the dwellinghouse and it cannot be relocated to a more suitable position.

Both the Fire Officer and Chief Medical Officer have found the building substandard and considerable alterations will be required to bring the building up to standard.

The Environmental Health Officer's report recommends that Permission be refused because the percolation area as shown on the site map submitted by the applicant is located within 60 ft. of the building and within 10 ft. of the boundary wall, and does not, therefore, comply with the standard minimum distance requirements. The report also indicates that due to the size of the site, it is not possible to relocate the percolation area within the site to comply with the minimum distance requirements.

RECOMMENDATION:

1. The site is located on a National Secondary Route where the maximum speed limit applies and where it is the policy of the Planning Authority to restrict development to particular categories of essential housing need. The proposed development would owing to the additional traffic movements it would generate by reason of the proposed commercial usage and the intensification of use generally on the site be liable to constitute a traffic hazard and would thus be contrary to the proper planning and development of the area.
2. The existing and proposed septic tank and field drainage system is located contrary to standard County Council septic tank requirements, and the additional load imposed by the proposed intensification of use would thus be liable to constitute a public health hazard and would thus be contrary to the proper planning and development of the area.
3. Owing to the inadequacy of and failure to comply with fire safety requirements, the proposed development would be liable to prove a serious hazard for the occupants and owing to the danger involved, the development as proposed would be contrary to the proper planning and development of the area."

Deputy Michael Kitt stated that when the applicant was agreeing to an extension of time in this case, it was indicated that the problem of a traffic hazard only was involved. He stated that the house was a large one and was used for Bed and Breakfast up to 1988. The present development was not a major one. As regards the Fire Safety requirements, he said that all of the development was on the ground floor and he could not see any difficulty in bringing the house up to standard. As regards the difficulties about the septic tank, he said that the house was a 6 bedroomed house and no problem had been encountered up to now and that he could not foresee a problem in relation to the operation of the tank in the future.

Senator T. Hussey stated that the applicant was converting an existing dwellinghouse into a Nursing Home. There would only be 6 residents involved and they were not the type of people who would be driving in and out of the place with cars. As regards the Fire Safety requirements, he said that the improvements necessary could be carried out when the house was being renovated.

Councillor P. Finnegan, Chairman, stated that he agreed with the comments of the two previous speakers and that there would be no appreciable increase in the volume of traffic. He said that the septic tank had worked satisfactorily up to now and he said that there was no reason to believe that it would not continue to operate satisfactorily. The problems in relation to fire requirements could be rectified during reconstruction.

Councillor Joe Brennan stated that while he had sympathy for the application, the County Engineer, the County Medical Officer, the Planning Officer and the Chief Fire Officer had indicated that the proposals were not acceptable. He referred to the problem which the increased loading might place on the septic tank and to the objections of the Chief Fire Officer. He stated that the applicant should bring forward proposals which would be up to the standards required and he stated he was personally opposed to granting Permission on the current application.

The County Engineer read the report of the Chief Fire Officer which indicated that the proposal did not comply with the requirements of the Chief Fire Officer. There was no reference to structural fire precautions, the protection of the escape corridor was inadequate, the provision of escape routes were inadequate, there was no reference to fire detection or alarm systems and there was no reference to emergency lighting. There were also problems in relation to the standard of electrical installation, to First-Aid and fire fighting facilities and to the flammability rating of furniture.

Mr. J. Howlett, Deputy County Manager, indicated that the day of the Meeting was the last date for making a Decision on this application. The time had been extended already and a further extension of time could not be allowed. It appeared to him that from looking at the reports, that it was unlikely that the applicant would be able to get registration under the Health Act although this factor was not being taken into account by him in dealing with the application. He referred to the three reasons for refusal as set out in the report which had been circulated. As regards the traffic problems, he stated that he was satisfied that there would not be a substantial increase in traffic movement, and in the circumstances, he would be prepared to drop the objection regarding traffic movements.

Mr. Howlett indicated that he had discussions with the County Medical Officer and the Chief Fire Officer regarding their objections. He read the report of the Environmental Health Officer dated 8th March, 1989, which indicated that the percolation area as shown on the site map did not comply with the minimum distance requirements. The report also indicated that it was not possible to relocate the percolation area due to the size of the site, and it was recommended that the application be refused. Mr. Howlett indicated that this reason for refusal would have to stand.

As regards the Chief Fire Officer's requirements, Mr. Howlett indicated that he could not grant Planning Permission subject to conditions that the various fire requirements be complied with. The Council would be effectively redesigning the layout of the Home which was an integral part of the planning requirements. The Council had to decide on what was before it, and in the circumstances, it was his intention to refuse the application for the reasons related to the septic tank and fire precautions. It was open to the applicant to submit a further application which would deal with these matters. Mr. Howlett indicated that the Chief Fire Officer had indicated in his report that he had been unable to gain access to the building.

Councillor M. Killilea MEP, stated that a prior arrangement could be made to allow the Chief Fire Officer to inspect the premises. He stated that the septic tank was working satisfactorily for the last number of years and the benefit of the doubt should be given to the applicant in this case. The Deputy County Manager indicated that he was not refusing the application because the Fire Officer was unable to get access, but because of the safety requirements which were not shown in the Plans as submitted.

The Deputy County Manager indicated that having considered the various points made by the Members, he would be prepared to decide to grant an Outline Planning Permission and that the applicant should submit a new application for Approval with detailed plans to deal with the requirements of the County Medical Officer and the Chief Fire Officer. Deputy Kitt indicated that he was agreeable with the consent of the other signatories to the Section Resolution to withdraw the resolution on the basis that the Deputy County Manager was agreeable to grant an Outline Planning Permission. The Section Resolution was then withdrawn, with the consent of the members who had served it on the Manager.

278 MATERIAL CONTRAVENTION OF DEVELOPMENT PLAN - PLANNING REF. NO. 57636 -
APPLICANT: MS. FIONNOULA BYRNE:

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

"LOCATION OF SITE:

The house known as St. John's Abbey is located on an avenue set back from Circular Road in the centre of Tuam Town.

PLANNING CONSIDERATIONS:

The house to be demolished has been acknowledged as one of the most interesting houses in the Tuam Area in terms of its design, layout and the craftsmanship used in its construction. It is located in the environs of the old Augustinian Abbey of St. John the Evangelist which was founded by King Turlogh O'Connor in the middle of the Twelfth Century. The house itself was probably built in 1800 A.D., approximately and was subsequently extended and refurbished and lived in until 1982.

As in the case of many old houses the fabric of the house deteriorated to the point of being beyond the capacity of the incumbent family to maintain a basic comfortable living environment. The family made application to the Heritage Trust and to the Office of Public Works for assistance in repairing and preserving the house but were unable to obtain any such assistance. The severe storm of February 1988 did further damage to the roof structure of the house. A structural/architectural survey of the house has indicated that the cost of repairing the house to normal residential standard is totally prohibitive for the family concerned.

The family have indicated that they will construct the proposed new house in similar style to the old one and detailed drawings lodged are deemed acceptable by the Planning Authority. They have also agreed to preserve the character and ambiance of the site itself and restore old boundary walls, gateways and coachhouse. They are presently living in rented accommodation and are anxious to provide a new house on this site for their own accommodation.

Since Table 3.1 of the Tuam Town Development Plan lists this house for preservation and as the proposal conflicts with this, it is regarded as a material contravention of the Development Plan.

The Planning Department considers, however, that having regard to its present ruinous state, and in particular, its deterioration in most recent years, the inability of the owners to keep it in an acceptable state of preservation, and the owners intention to replace it with a house similar in style, it is recommended that permission be granted for the demolition of the present house and outline permission be granted for the construction of a replacement new house."

The Council were informed that the development proposed in this Planning application would materially contravene the Tuam Town Development Plan for the reason given in the Planning Officer's report, and therefore, the provisions of Section 26(3) of the Local Government (Planning and Development) Act, 1963, substituted by Section 39(d) of the Local Government (Planning and Development) Act, 1976, applied. The statute provided that a decision to grant Permission could only be made if the resolution was passed by the Council directing that such a Decision be made.

Public notice of the Council's intention to consider deciding to grant permission was given in accordance with the statutory requirements. The notice was published in the Irish Press dated 14th February, 1989. No objections were received within the statutory period of 21 days following the date of publication of the notice, but correspondence was received from the National Monuments Advisory Council and copies of the correspondence were circulated to each Member.

The Council were informed that if a resolution was passed by the Members directing that a decision to grant Permission be made in this case, a decision would be made accordingly. Otherwise, a decision refusing Permission would be made. The latest date for a decision on the application was the 10th April, 1989, unless the period was extended with the consent of the applicant.

It was proposed by Councillor Michael Ryan and seconded by Councillor P. Finnegan:

That having considered the Planning Application made by Fionnula Byrne for permission to demolish an existing house and for outline permission to build a two-storey dwellinghouse at Circular Road, Tuam (Planning Ref. No. 57638) 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 & 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."

A vote taken on the foregoing resolution resulted as follows:

FOR: Councillors J. Brennan, J. Burke, J. Callanan, Deputy F. Fahey, Councillors M. Fahy, P. Finnegan, Senator T. Hussey, Councillor J. Joyce, Councillor M. Killilea MEP, Deputy M. Kitt, Councillors J. Lambert, M. Loughnane, M. Lynch, Senator P. McCormack, Councillors P. McHugh, J. Molloy, Senator N. O'Conchubhair, Councillors M. O'Morain, P. O'Tuathail, P. Raftery, M. Ryan and T. Welby.

(22)

AGAINST: None.

The Chairman declared the resolution as proposed by Councillor Michael Ryan carried.

2783 - PLANNING APPLICATION NO. 58105 - APPLICANT: T. O'LOUGHLIN - TWO OPEN WAREHOUSE UNITS AND SEPTIC TANK AT SYLAUN - DEPUTY FRANK FAHEY:

Deputy Frank Fahey stated that a Permission had been granted for development at this location but that the Permission had expired. The applicant had a small antique business, but because of the recession, had not proceeded with the Permission when it had been granted. Deputy Fahey stated that he objected vehemently to the Council's approach and stated that if a Planning Permission had been granted, the Council should not refuse a new application just because the original Permission had not been availed of and had expired. The applicant had bought the site for a considerable sum and his asset had been substantially reduced if Planning Permission was refused.

Mr. L. Kavanagh outlined the history of Planning Applications at the site involved. He stated that there was a difference between the site on which a Planning Permission had been granted and for which Planning Permission was now being sought.

The planning applications relating to the land were as follows:-

Planning Reg. No. 23353 - Permission for a store and septic tank was refused on 26th January, 1977 - applicant Thomas O Loughlin. The site shown in this application includes the site of the present application.

Planning Reg. No. 23752 - Permission for store and septic tank granted to Thomas O Loughlin on 9th May, 1977, as a result of a Section 4 resolution. Use of this store was restricted by planning condition to the storage of furniture. This was a repeat of the previous application.

Planning Reg. No. 24438 - Outline Permission for two stores and septic tanks refused on 24th May 1977 - applicant Thomas O Loughlin. The site forms part of the site of the current application.

- Planning Reg. No. 25378 - Outline Permission for two stores refused by the County Council on 2nd September, 1977, and granted by An Bord Pleanala on 29th March, 1978. This was a repeat of the previous application by the same applicant Thomas O'Loughlin. The conditions attached to the grant of permission included conditions restricting the use of the stores to the storage of furniture or the garaging of vehicles and requiring that the vehicular entrance be by way of the existing entrance.
- Planning Reg. No. 37246 - Permission for change of use of the stores permitted under No. 25378 to open warehousing was refused on 24th April, 1981, and the decision was not appealed.
- Planning Reg. No. 39730 - Outline Permission for two warehouses granted on 28th September, 1981, on the site shown in applications Nos. 25378 and 37246. Conditions were attached to the grant of permission restricting the use of the warehouses and the vehicular access as provided for the permission No. 25378.
- Planning Reg. No. 40752 - Permission for change of use from store to workshop for general carpentry and woodwork was granted to Mr. Thomas O'Loughlin, on 2nd December, 1981. The store in question was the store built on foot of planning permission No. 23752 granted on 9th May, 1977.
- Planning Reg. No. 41986 - Approval for the erection of two warehouses was granted to Mr. O'Loughlin on 10th May, 1982, on foot of Outline Permission No. 39730.
- Planning Reg. No. 44423 - Permission for two factory units was refused by the County Council on 23rd December 1982 and by An Bord Pleanala on 28th September, 1983. The site of this application is located to the south of the site of the current application.
- Planning Reg. No. 45588 - Permission for eight warehouse units was refused by the County Council on 22nd March, 1983, and by An Bord Pleanala on 28th September, 1983. The site shown in this case was a site on compassing all the sites shown in the previous applications listed above.

The current planning application was for open warehousing and no permission had ever been granted on the land in question for such open warehousing. The permissions granted and which had now been expired No. 25378, and Nos. 39730/41986 were restricted to storage of furniture and vehicles, complementary to the use of the land established by virtue of the Section 4 decision No. 23752.

Deputy Fahey stated that the applicant wanted a Permission under the same conditions as granted by An Bord Pleanala on an earlier application.

Mr. J. Howlett indicated that there was some time available before a decision had to be made and he would convey Deputy Fahey's comments to the County Manager.

2784 - SECTION 4 RESOLUTIONS - LEGAL OPINION:

The Legal Opinion of Mr. T. Smyth, S.C., was circulated to each Member. Mr. T.J. O'Donoghue, Law Agent, stated that while Members were entitled to make copies and use them for their own use, they were not entitled to reproduce the document which had been circulated. Mr. T.J. O'Donoghue went through the various points contained in the legal advice and replied to questions from the Members. He indicated that the advice was to the effect that every Member who voted for a decision which might ultimately result in a claim against the Council and in a loss of funds, would be jointly and severally liable to surcharge. In the Supreme Court case, it had been stated that a decision by Section 4 Resolution was a decision of the Elected Council and the Manager was merely complying with the direction given in the Section 4. Mr. O'Donoghue stated that if the Members passed a Section 4 Resolution against the advice of experts, and if there was no equivalent expert opinion available to them, and if the Manager felt he should implement the Section 4, the decision was in effect that of the Members and if they were found to be negligent, they would be liable in respect of claims arising in the future. In reply to Councillor Lambert, Mr. O'Donoghue stated that Councillors voting against a Resolution or abstaining would not be liable in such circumstances.

In reply to Senator Tom Hussey, who asked what the position was regarding the granting of Planning Permission, without a Section 4 which might result in an accident in the future, the Law Agent indicated that the position legally was exactly the same. The Manager in making a decision must consider expert advice available to him and could not act contrary to expert advice.

In reply to the Chairman, Mr. O'Donoghue indicated that if an applicant had his own expert advice made available to Members which could be regarded as equally acceptable to the advice of the County Council experts, a resolution taken in accordance with such advice would be as good as a decision made by the Manager in the same circumstances. Mr. O'Donoghue indicated that the question of paying for expert advice, other than that of the advice of the Officials of the Council, would be a matter for the applicant.

In reply to Councillor Joe Burke, the Law Agent stated that a decision pursuant to a Section 4 Resolution on a Planning Application had to be taken in a judicial manner, that if Councillors had available to them compelling expert evidence, which in their opinion overruled the County Engineer, and even if the Manager was of a contrary view, the Manager might not be justified in going against the decision of the Members. In such an event, however, the Members effectively made the decision to grant Permission, and the Manager, in signing the necessary Orders, was merely complying with their decision.

Senator Nioclás O'Conchubhair asked what the position was if the Manager did not give a statutory warning to Members regarding their liability, and if the Members could be sued in the absence of a statutory warning.

Mr. O'Donoghue stated that there were a number of circumstances when a statutory warning might not be made, for example, if the possibility of the Council having to pay money was remote, but that if Members made a decision on a Section 4 Resolution, they might be held liable in the event of claims in the future.

Councillor Micheal O'Morain referred to the advice which indicated that Councillors were required to act in a quasi judicial capacity in dealing with Planning Applications by Section 4 Resolution. He asked if Councillors should now bring in their own expert opinion. Mr. O'Donoghue indicated that under the provisions of a Section 4 Resolution, Councillors took over the Manager's function in granting a Planning Permission.

When the Manager was dealing with a Planning Permission, he must act judicially and fairly and if he acted unreasonably or illegally, he might be held liable for any claims that might arise. If the County Manager acted illegally, he would be liable to a surcharge. The Law Agent explained the distinction between the Council acting as a Corporate Body and the Members acting as individuals on a Section 4 Resolution. He indicated that until Members took on the making of a decision by Section 4 Resolution, the question of individual liability would not arise. In reply to Senator Nioclas O'Conchubhair, Mr. O'Donoghue indicated that it was highly unlikely that Members would be covered individually by Insurance in the event of claims arising.

Councillor Michael Ryan referred to a case which he was aware of where Council Officials involved in the Task Force on water pollution had advised a farmer to carry out certain works. During the course of the works, the farmer had an accident and he enquired if this person had any claim against the Council. The Law Agent stated that the fact that the Council had given notice of breaches of the Water Pollution Act to the person concerned did not place any liability on the Council. The Council was not employing the person concerned and had no liability in the matter. In reply to Councillor Micheal O'Morain, who asked what the position would be regarding a person who damaged their car in a pothole, Mr. O'Donoghue explained the legal position regarding non-feasance.

Councillor P. McHugh enquired regarding the position where the Councillors passed a Section 4 Resolution and in a subsequent granting of the Permission by the Manager, certain conditions were imposed. Mr. O'Donoghue indicated that the conditions imposed by the Manager were mostly standard conditions attaching to Planning Permissions. A tacit understanding had developed in relation to such cases that the appropriate conditions would apply and the County Manager in making the decision took great care not to change the nature of the Permission which had been granted by Section 4 Resolution.

Councillor J. Mannion asked that the Supreme Court decision be placed on the Agenda for the next Planning Meeting and that the Law Agent be available to comment on it.

2785 - REVIEW OF COUNTY DEVELOPMENT PLAN:

The Members were informed that the Development Plan made on the 27th May, 1985, must be reviewed before the 27th May, 1990. A Timetable was circulated to each Member setting out the various dates by which the various steps involved in the Review of the Plan should be progressed. Councillors were asked to make initial submissions in writing to the Council and it was agreed to commence the exercise of reviewing the existing Plan at the April Meeting. It was agreed that proposals could be brought forward simultaneously by the Members and by the Planning Officials for consideration by the Members with a view to arriving at a revised Draft for publication by August 1989. The Members agreed with the Timetable set out in the County Secretary's letter of the 9th March, 1989, a copy of which had been circulated to each Member.

2786 - I.P.A./L.A.M.A. CONFERENCE - DUNDALK - 31ST MARCH AND 1ST APRIL, 1989:

It was proposed by Councillor P. McHugh, seconded by Councillor Micheal O'Morain and agreed that the attendance of Councillors J. Joyce and P. Finnegan be approved at this Conference.

It was proposed by Councillor Michael Ryan, seconded by Councillor J. Lambert, and agreed that the attendance of Councillor J. Mannion be approved at this Conference.

It was proposed by Councillor J. Joyce, seconded by Councillor J. Mannion, that an Official of the Council attend at the Conference in view of the fact that the Conference proposed to discuss the E.C. Structural Fund.

2786 - IFHP 1989 HOUSING STUDY VISIT/SEMINAR - GLASGOW - 1ST-7TH APRIL, 1989:

It was proposed by Councillor J. McHugh, seconded by Councillor J. Joyce, that Councillors T. Hussey and M. O'Morain be nominated to attend this Conference. It was proposed by Councillor J. McDonagh, seconded by Councillor Michael Ryan, that Councillor M. Mullins be nominated to attend this Conference. The Deputy County Manager indicated that details of the cost of sending delegates was not available and that the question of available finance to meet the cost of sending three delegates would arise. It was agreed that the nominations made would be subject to clarification regarding the available finance for overseas Conferences.

2787 - VOTES OF SYMPATHY:

Resolutions of sympathy were adopted with the following:

Fr. Higgins, Moylough, Ballinasloe.
Mr. John Bradley, Dangan, Newcastle, Galway.
Mr. Frank Fahey, T.D., Minister of State, Kilbeacanty, Gort.
Mr. Hugh Melvin, Ganty, Craughwell.
Mrs. Kathleen Larkin & Family, Killeenaran, Ballinderreen, Kilcolgan.
Mrs. Margaret Niland, Chessey, Ardahan.
Mrs. Mary Kate Larkin & Family, Ballymana, Craughwell.

THE MEETING THEN TERMINATED

SUBMITTED, APPROVED & CONFIRMED:

Patrick Finnegan CHAIRMAN

24/4/1989 DATE

COMHAIRLE CHONTAE NA GAILLIMHE

(Galway County Council)

Oifig an Runai
Arus an Chontae
GAILLIMH.

21u la Marta, 1989.

CHUIG GACH BALL DE'N CHOMHAIRLE/

A Chara:

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

Synod Hall, St. Mary's Cathedral, Tuam,
ar De Mairt, an 28u la Marta, 1989, ar a 3.30 a chlog sa trathnóna.

You are requested to attend the Monthly Meeting of Galway County Council which will be held in the

Synod Hall, St. Mary's Cathedral, Tuam,
on Tuesday, 28th March, 1989, commencing at 3.30p.m.

Mise, le meas,

E. O'GLIASAIN
RUNAI.

A G E N D A

1. Resolution under Section 4 of the City and County Manager (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 grant Planning Permission to Ml. J. McDonnell (No. 58048)"
Michael Ryan Tiarnan Walsh Peter Raftery.
2. Consideration of Minutes of the following Meetings:-
 - (a) Special Meeting held on 10th February, 1989.
 - (b) Monthly Meeting held on 27th February, 1989.
3. E.C. Structural Funds Submissions.
4. Sale of Houses to the following tenants in accordance with Section 90 of the Housing Act 1966 as amended - Section 83 Notices dated (a) 23rd February, 1989 (b) 24th February, 1989 and (c) 15th March, 1989, refer:-
 - (a)
 - (1) Mrs Nappy Coyne, Cloughbrack, Clonbur, via Claremorris, Co. Galway.
 - (2) Laurence & Margaret Lowry, Mahanagh, Lavally, Tuam, Co. Galway.
 - (3) Michael & Mary Keane, Pollnamal, Sylane, Tuam, Co. Galway.
 - (4) Patrick & Mary O'Toole, Thismaine, Carraroe, Co. Galway.
 - (5) Coleman & Delia O'Malley, Inver, Rosmuck, Co. Galway.
 - (b)
 - (6) James & Ann Mulligan, Moyard, Clifden, Co. Galway.
 - (7) Albert & Margaret Hynes, Kilcornan, Clarinbridge, Co. Galway.
 - (8) Michael & Annette Conlon, Sheeaunroe, Spiddal, Co. Galway.
 - (9) Mrs Teresa O'Donoghue, Ballyglass East, Ardrahan, Co. Galway.
 - (10) Thomas & Brid Folan, Loughaunbeg, Inverin, Co. Galway.

- 2 -

- (11) Margaret McDonagh, Derrarthamore, Carraroe, Co. Galway.
 - (12) James & Bridget O'Neill, Clonberne, Ballinasloe, Co. Galway.
 - (13) Kathleen Griffin, Gortmore, Woodlawn, Ballinasloe.
 - (14) Jane Vallely, Gorteenaglogh, Renvyle, Co. Galway.
 - (15) John & Bridie Mulryan, Annagh East, Corrandulla, Co. Galway.
 - (16) Christopher & Mary Dooley, Gortnaheen, Cappataggle, Ballinasloe.
 - (17) Mrs Angela Barrett, 39 Cullairbaun, Athenry, Co. Galway.
 - (18) Thomas & Christina Regan, 49 St. Laurencesfields, Loughrea, Co. Galway.
 - (19) Bridget Mulkern, Lettercallow, Lettermore, Co. Galway.
 - (20) Gerard & Geraldine Mahon, Cloonee, Ballymoe, Co. Galway.
 - (21) Mrs Mary Connolly, Gilkagh, Menlough, Ballinasloe.
 - (22) Patrick & Bridget Keane, Lettermass, Spiddal, Co. Galway.
 - (23) Michael Conroy (Annie), Rosmuck, Co. Galway.
 - (24) Daniel & Eileen Fitzpatrick, 61 Fairyhill, Portumna, Co. Galway.
 - (25) Michael & Nora Cooney, Muckinagh, Camus, Co. Galway.
 - (26) Thomas & Mary Nutley, Lisdonnellroe, Kilconnell, Ballinasloe.
 - (27) Barbara McLeod, Big House, Lettermullen, Co. Galway.
 - (28) Mrs Sarah Mannion, Murvey, Roundstone, Co. Galway.
 - (29) Sean & Sibeal Joyce, Killeaney, Kilonan, Aran Islands.
- (c)
- (30) Paul & Marian Coady, 15 Kinvara, Co. Galway.
 - (31) Mark & Bridget Sullivan, Kilbricken, Rosmuck, Co. Galway.
 - (32) Richard & Carolyn Knight, 6 Ardrahan, Co. Galway.
 - (33) Mrs Mary Manto, 4 New Estate, Ardrahan, Co. Galway.
 - (34) Martin & Ann Dillon, Bohoona, Spiddal, Co. Galway.
 - (35) Christy & Mary O'Connor, Eskermore, Ballinamore Bridge, B'sloe.
 - (36) Joseph & Pauline Moore, 2 Fairyhill, Portumna.
 - (37) Dermot & Bridie Finn, Garrymore, Ballymacward, B'sloe.
 - (38) Senan & Angela Drury, 55 Pollroebuck, Loughrea.
 - (39) Michael & Margaret Lally, 51 Dublin Road, Tuam, Co. Galway.
 - (40) Patrick & Marie Carter, Wormhole, Roscahill, Co. Galway.
 - (41) John & Brigid Maher, 52 St. Laurencesfields, Loughrea.
 - (42) James & Mary Finn, Laraghmore, Ballyglunin, Tuam.
 - (43) Thomas & Mary Corcoran, Boliska, Spiddal, Co. Galway.
 - (44) Patrick & Una Kelly, Cloondahamper, Lavally, Tuam.
 - (45) Peter & Mary Rabbitte, Lavally East, Tuam.
 - (46) Matthias & Maureen Casey, Ardmore, Kilkerrin, Carna, Co. Galway.
 - (47) Patrick & Elizabeth Broderick, Garryhubert, Kylebrack, Loughrea.
 - (48) John & Mary Folan, Loughconneera, Kilkerrin, Connemara.
 - (49) John & Patricia Moloney, 42 Pollroebuck, Loughrea.
 - (50) Michael & Carmel Quigley, 44 Fairyhill, Portumna.
 - (51) Patrick & Bernadette Murphy, 3 New Estate, Mountbellew.
 - (52) Thomas & Philomena O'Donnell, 43 Fairyhill, Portumna.
 - (53) John Muldoon, Derrew, Ballycrissane, Ballinasloe, Co. Galway.
 - (54) Timothy & Margaret Moran, 2 Gortnamona, Headford.
 - (55) Brendan & Mary Sheil, 5 Pollroebuck, Loughrea.
 - (56) John & Marian Newell, 6 Mylespark, Corofin, Tuam.
 - (57) Anthony & Kathleen Dempsey, 9 Parkmore Estate, Tuam, Co. Galway.
 - (58) John & Mary Ward, Ballynacurragh, Kilchreest, Loughrea.
 - (59) Dudley Grealish, Kilbricken, Rosmuck, Co. Galway.
 - (60) Michael & Sara Connolly (Ned), Lettermuckoo, Camus, Co. Galway.
 - (61) Peter & Mary Conroy, Kilbricken, Rosmuck, Co. Galway.
 - (62) Flan & Bridget Moroney, St. Bridget's Road, Portumna.
 - (63) Matthew Daly, Lissananny, Kilconly, Tuam.
 - (64) Mrs Mary Kilkelly, 24 St. Joseph's Park, Tuam.
 - (65) Aidan & Rosemarie McNeice, 3 Milltown, Tuam, Co. Galway.
 - (66) Martin & Martina Quinn, 79 Parkmore Estate, Tuam.
 - (67) Edward & Ann Tierney, 17 Cullairbawn, Athenry, Co. Galway.
5. Disposal of plots of land to the following in accordance with Section 83 of the Local Government Act 1946 and Section 88 of the Housing Act 1966 - Section 83 notices dated 27th February, 1989 refer:-
 - (1) Thomas Forde, Corrafaireen, Ballyglunin, Co. Galway.
 - (2) Ellen Comer, Gorteen, Dunmore, Co. Galway.

6. Declaration of Road to be a Public Road, in townland of Loughaubeg. (details enclosed)
7. Road Works Programme 1989 - report enclosed.
8. Revision of Engineering Areas - Report already circulated.
9. Correspondence from L.A.M.A. re Property Tax.
10. Conference - Instituid Forbairt Pobail an Iar Thuaiscirt - Peripheral Areas of Europe 1992 - 5th-7th May, 1989 in Falcarragh, Co. Donegal - details enclosed.
11. Malicious Injury Decrees.
12. Business submitted by the County Manager.

COUNCILLORS NOTICES OF MOTION

(a) Adjourned

DEPUTY NOEL TREACY: - I will propose

13. That Galway County Council repair, renew and resurface the road leading to houses (details supplied) that these works be carried out forthwith, that the works to be carried out be outlined in detail hereafter, the date on which work will commence be outlined and any other relevant details also.

COUNCILLOR MATT LOUGHNANE - I will propose

14. That grant for strengthening of strategic County Roads 1989 be shared evenly between the eleven Engineering areas.

COUNCILLOR PADDY MCHUGH - I will propose

15. That Galway County Council take into public ownership a road at Killanin, Co. Galway, indicated on enclosed map (extract O.S. Galway 67) - distance of approximately 3000 metres with a view to surface dressing same to enable the full potential of the road as an access to dwellings, lakes and other tourist interests be realised.

COUNCILLOR THOMAS WELBY - I will propose

16. That this Council take the intake pipe out further into the lake of the Cornamona Water Supply - reason being that the present area is being used by swimmers.

Other Motions received

COUNCILLOR JARLATH MCDONAGH - I will propose

17. That County Council carry out work at Kilgill - to prevent further flooding (details supplied).
18. That the County Council erect sign post as outlined (details supplied).
19. That the County Council carry out urgently needed drainage work opposite house at Kilcahill, Claregalway (details supplied).

DEPUTY ROBERT MOLLOY - I will propose

20. That large warning signs be erected on the approach roads at Rosscahill National School, Moycullen, Co. Galway.
21. That urgent repairs be carried out on the link road between Ballindooley Cross and McHugh's P.O.
22. That immediate repairs be carried out to the road at Aughanure, Oughterard, Co. Galway, from Mary Welby's to O'Connor's house.

DEPUTY NOEL TREACY - I will propose

23. That Galway County Council immediately relocate the 30 mile speed limit sign outside a person's house (details supplied) that a proper technical/engineering submission be made to the Department of the Environment to enable this to be done, if necessary, that this work be done forthwith and that the date of same and all other information relating to same be outlined hereafter.
24. That the Council carry out immediate works to alleviate the constant accumulation of water from adjoining houses, flood waters etc, which are creating a major nuisance outside a house (details supplied) that these works be carried out immediately, that the Council outline the works to be carried out and the date on which work will commence etc. and that all relevant details be given hereafter.

- 25. That the Council clearly outline the present position pertaining to phases 2A and 2B of the Mid-Galway Regional Water Scheme, the areas to be serviced, the volume of water available, the expected usage of water, the exact points to which the Council main pipe has been laid to date, if tenders have been invited for any of these 2 phases and if not, when they will be invited, the projected cost of the 2 phases, and the expected commencement date of them and any other relevant details.

COUNCILLOR PADDY MCHUGH - I will propose

- 26. That Galway County Council fill the potholes on the approach road to Bearna Pier.
- 27. That Galway County Council immediately ensure that a hut at the Knockavaddy/Furbo/Bearna Road junction is removed forthwith to eliminate the resultant traffic hazard.
- 28. That Galway County Council provide a footpath from Furbo Bridge towards Cullage, Spiddal.

SENATOR NIOCLAS O'CONCHUBHAIR - I will ask

- 29. What is the present position regarding Gleannachmurrin Regional Water Scheme and the proposed reservoir for Carraroe.
- 30. That Galway County Council give full details of planning applications and effluent licences sought and granted to the Halal Group at Rossaveal.
- 31. Would the County Manager give details of works and lighting proposed for Barna Pier over the last six years, who granted the money and why this work has not been completed.

COUNCILLOR MATT LOUGHNANE - I will propose

- 32. That a cul de sac sign be erected at the head of the road to Rinn Village, Oranmore.
- 33. That roadside banks be replaced with hard surface on road from Athenry Mart to New Cemetary Cross.
- 34. That Kilmean Burial Ground, Kilrickle, Loughrea, be kept open.

COUNCILLOR FRANK GLYNN - I will propose

- 35. That the Dump at Davros, Milltown, be acquired by Galway County Council, screened off and wired, so that it can be used in an orderly way by the local people.
- 36. That the Kilclooney Graveyard be completed forthwith.
- 37. That National Primary Road money be made available urgently to complete the remaining sections of the Tuam/Milltown County Boundary N.P. Road as this section is in a desperate need of widening and strengthening.

COUNCILLOR JOE LAMBERT - I will propose

- 38. That something be done to make safe the dangerous crossroads at Peterswell on the Loughrea Gort Road.

COUNCILLOR PADRAIC MCCORMACK - I will propose

- 39. What is the procedure to have roads serving a number of houses in villages taken back from being in charge of the County Councils and made private roads again. The purpose of this Notice of Motion is to allow people to be in a position to repair the road themselves because their is now no future in waiting for the County Council to carry out repairs as the money is not being provided for this work.
- 40. That repairs be carried out to the following roads in the Lettermullen area: The Knock Road, the Furnish Road and the Callaholam road in the

Lettermullen area. These roads have been severely damaged by the usage of heavy lorries servicing and attending Fish Farms in the area. I will further ask is it possible to have the operators of those Fish Farms surcharged for the damage that has been caused to the roads in the area which is proving disadvantageous to the local people.

- 41. What is the position as regards having roads which are County Roads declared private roads again and those roads to be left not in charge of the County Council. I have in mind here cul-de-sac roads serving 5 or 6 houses which are now County Roads but are in such a bad state of repair they cannot be repaired by the County Council. I am asking what is the position of these roads if they were handed back to become private roads again, then the people in those villages would be in a position without liability to repair the roads themselves.

COUNCILLOR JOE BURKE - I will ask

- 42. For the list of projects submitted by Galway County Council for the structural fund and what priorities are these submitted.

COUNCILLOR JAMES JOYCE - I will propose

- 43. That a detailed report be put before the Council on the problems being experienced with septic tanks and percolation areas in the Laurencetown Housing Site at present, the overflow from the site is going into a shore which leads to the Laurencetown River.
- 44. That the Council take note of the large number of County Roads in the Portumna Engineering area which were never tarred and surface-dressed and make funds available to carry out this work this year.

COUNCILLOR JOE BRENNAN - I will propose

- 45. That a skip be provided at the Tigeens in Poolboy, Ballinasloe, to protect the Council Staff on refuse collection duties from the health hazards facing them in that area in the implementation of their duties.

COMHAIRLE CHONTAE NA GAILLIMHE
(Galway County Council)

Declaration of Roads to be Public Roads

Notice is hereby given that Galway County Council at a meeting to be held not less than one month from the date of this Notice will consider the making of a declaration that the following road shall be a Public Road.

Area	From	To	Metres
Costelloe	Jimmy Carr's house on Country Road 30 in Townland of Loughanbeg.	Comhar Chumann Salerna Gravel Pits in the Townland of Loughanbeg.	1,600

E. Gleeson, County Secretary

Name and Address	PARTICULARS OF CLAIM	DAMAGE	DECREES	Amount of Claim	Amount of Decree including costs.
Francis Conway, New Inn, Ballinasloe, CO. GALWAY.	Damage to Property			£125,000	£61,350
Samuel Mitchell, Ballycooney, Kilchreest, Loughrea	Damage to Property			£3,500	£2,500
Shannon Dry Cleaners Prospect Hill, Galway.	Damage to Property			£150	£155

MINUTES OF PROCEEDINGS OF MONTHLY MEETING OF GALWAY COUNTY COUNCIL
HELD IN THE SYNOD HALL, ST. MARY'S CATHEDRAL, TUAM ON TUESDAY, 28th
MARCH, 1989.

IN THE CHAIR: Councillor P. Finnegan,

ALSO PRESENT:-

Members:-

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

Officials:-

Messrs. S. Keating, County Manager, J. Howlett, Assistant County Manager, P. Flood, County Engineer, E. Gleeson, County Secretary, A. Fleming, Admin. Officer, R. Killeen, S.E.E., J. Tansey, E.E. and W. Mannion, C.O.

The Opening Prayer was recited.

2788 - WELCOME BY CHAIRMAN OF TOWN COMMISSIONERS - COMMISSIONER JAMES O'MEARA.

The Chairman of Tuam Town Commissioners attended the Meeting and welcomed the Councillors to Tuam. He thanked the Councillors for their co-operation and help and referred to two major problems in the Town - namely the water supply scheme and the sewerage scheme. He asked the Council to continue in its efforts to have new schemes provided in the Town.

2789 - VOTES OF SYMPATHY.

On the proposition of the Chairman the Members passed a vote of sympathy with the families of the Irish Soldiers who had been recently killed while on Peace Keeping Duties in the Lebanon. The Chairman stated that Corporal Heneghan who had been killed was the Son of a Member of a Local Authority in another county. On the proposition of the Chairman a vote of sympathy was also passed with Dean Grant on the recent death of his sister

Votes of Sympathy were also passed with the following:-

Mrs. Bridie Keane, Carragh, Belclare, Tuam on the death of her Husband, Matt. Pdraig O'Cosgardha, Carna, on the death of his wife, Pdraigin.

2790 - RESOLUTION UNDER SECTION 4 OF THE CITY & COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NO. 58048 - APPLICANT MICHAEL J. McDONNELL.

The County Manager informed the Members that he was of the opinion that the development concerned would contravene materially the Development Plan and that he had made an Order requiring that the provisions of Section 39(d) of the Local Government (Planning & Development) Act, 1976 should be complied with. He informed the Meeting that notice in the prescribed form would be published and that the procedure laid down would be complied with. He indicated that the matter would be placed on the Agenda for the consideration of the Members in due course.

2791 - MINUTES.

On the proposal of Deputy Micheal Kitt, seconded by Councillor Micheal O'Morain the Minutes of the following Meetings were adopted as correct and signed by the Chairman:-

MONTHLY MEETING OF COUNCIL - 28/3/1989.

2.

- (a) Special Meeting held on 10th February, 1989.
(b) Monthly Meeting held on 27th February, 1989.

2792 - NOMINATION OF MEMBER TO FORUM ESTABLISHED TO CO-ORDINATE THE VIEWS OF THE VARIOUS BODIES INTERESTED IN THE RIVER SHANNON.

It was proposed by Deputy Micheal Kitt and Seconded by Councillor M. O'Morain and agreed that Councillor J. Joyce be nominated as the Council's representative on this forum in substitution for Senator T. Hussey who had been nominated at the Council Meeting of the 10th February, 1989.

Senator P. McCormack stated that he had asked for a report in relation to fish cages on the beach at Carna. The County Manager indicated that a report would be given to Senator McCormack in relation to this matter.

2793 - E.C. STRUCTURAL FUNDS SUBMISSIONS.

The Chairman introduced Dr. A. Claffey who had prepared a report on the interpretation of the Town of Tuam and its Environs. He stated that he was availing of the opportunity of the Council Meeting in Tuam to allow Dr. Claffey to present his proposals which had been submitted for E.C. Aid. Dr. Claffey then addressed the Meeting and gave details of his report on the interpretation, details of which had been circulated to each Member. Dr. Claffey stated that there were quite a number of historical places in Tuam and its Environs and the intention of his report was to bring together a package for tourist purposes. He wished to concentrate at the meeting on the development of the Square in Tuam and outlined proposals for a scheme of improvements.

In reply to queries, Dr. Claffey stated that it was his personal opinion that the High Cross should be relocated as if it fell it would become shattered and broken. It should, he stated, be relocated in a sheltered place where it could be properly preserved.

Councillor Glynn stated that the Council should review the one way street system in the Town, particularly in the Ballygaddy Road area. He asked that this matter be looked at again by the Council.

Councillor Joe Burke asked that the Manager allocate Planning Staff of the Council to liaise with the people who had prepared the report which had been presented by Dr. Claffey.

The Members complimented Dr. Claffey on the preparation of his plan.

The County Manager indicated that he would be happy to arrange that the Planning Officials of the Council would liaise with Dr. Claffey and his Team in the review of any development plans for the Town.

Dr. Claffey thanked the Members of the Council for their interest in the proposals outlined by him.

In reply to Councillor M. O'Morain, the County Manager indicated that the Council's request for a joint Meeting had been put to the Chairman of the Working Party. The County Manager agreed to raise the matter again at the next meeting with a view to having a meeting held of the three councils involved.

Senator N. O'Conchubhair proposed that the Council write to Udaras na Gaeltachta and Roinn na Gaeltachta again and request that details of their submissions for E.C. Structural Aid be made available to the Council. Councillor M. O'Morain seconded Senator O'Conchubhair's proposal and it was agreed to write to both agencies requesting details of their plans.

In reply to queries raised by Councillors, the County Manager indicated that the National Plan had been submitted for E.C. Aid and that the Official Launch of the Plan would take place on Friday, 31st March, 1989 in Dublin.

2794 - SALE OF HOUSES.

It was proposed by Deputy Micheal Kitt, seconded by Councillor M. O'Morain and agreed and resolved:

"that Galway County Council hereby approve the sale to the following tenants of the houses occupied by them in accordance with the terms of notices dated (a) 23rd February, 1989, (b) 24th February, 1989 and (c) 15th March, 1989 under Section 83 of the Local Government Act, 1946, and Section 90 the 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".

(a)

- (1) Mrs. Nappy Coyne, Cloughbrack, Clonbur, via Claremorris, Co. Galway.
- (2) Laurence & Margaret Lowry, Mahanagh, Lavally, Tuam, Co. Galway.
- (3) Michael & Mary Keane, Pollnamal, Sylane, Tuam, Co. Galway.
- (4) Patrick & Mary O'Toole, Thismaine, Carraroe, Co. Galway.
- (5) Coleman & Delia O'Malley, Inver, Rosmuck, Co. Galway.

(b)

- (6) James & Ann Mulligan, Moyard, Clifden, Co. Galway.
- (7) Albert & Margaret Hynes, Kilcornan, Clarinbridge, Co. Galway.
- (8) Michael & Annette Conlon, Sheeaunroe, Spiddal, Co. Galway.
- (9) Mrs. Teresa O'Donoghue, Ballyglass East, Ardrahan, Co. Galway.
- (10) Thomas & Brid Folan, Loughaunbeg, Inverin, Co. Galway.
- (11) Margaret McDonagh, Derrarthamore, Carraroe, Co. Galway.
- (12) James & Bridget O'Neill, Clonberne, Ballinasloe, Co. Galway.
- (13) Kathleen Griffin, Gortmore, Woodlawn, Ballinasloe.
- (14) Jane Vallely, Gorteenaglogh, Renvyle, Co. Galway.
- (15) John & Bridie Mulryan, Annagh East, Corrandulla, Co. Galway.
- (16) Christopher & Mary Dooley, Gortnahoon, Cappataggle, Ballinasloe.
- (17) Mrs. Angela Barrett, 39 Cullairbaun, Athenry, Co. Galway.
- (18) Thomas and Christina Regan, 49 St. Laurencefields, Loughrea, Co. Galway.
- (19) Bridget Mulkern, Lettercallow, Lettermore, Co. Galway.
- (20) Gerard & Geraldine Mahon, Cloonee, Ballymoe, Co. Galway.
- (21) Mrs. Mary Connolly, Gilkagh, Menlough, Ballinasloe.
- (22) Patrick & Bridget Keane, Lettermass, Spiddal, Co. Galway.
- (23) Michael Conroy (Annie), Rosmuck, Co. Galway.
- (24) Daniel & Eileen Fitzpatrick, 61, Fairyhill, Portumna, Co. Galway.
- (25) Michael & Nora Cooney, Muckinagh, Camus, Co. Galway.
- (26) Thomas & Mary Nutley, Lisdonnellroe, Kilconnell, Ballinasloe.
- (27) Barbara McLeod, Big House, Lettermullen, Co. Galway.
- (28) Mrs. Sarah Mannion, Murvey, Roundstone, Co. Galway.
- (29) Sean & Sibeal Joyce, Killeaney, Kilronan, Aran Islands.

(c)

- (30) Paul & Marian Coady, 15, Kinvara, Co. Galway.
- (31) Mark & Bridget Sullivan, Kilbricken, Rosmuck, Co. Galway.
- (32) Richard & Carolyn Knight, 6, Ardrahan, Co. Galway.
- (33) Mrs. Mary Manto, 4, New Estate, Ardrahan, Co. Galway.
- (34) Martin & Ann Dillon, Bohoona, Spiddal, Co. Galway.
- (35) Christy & Mary O'Connor, Eskermore, Ballinamore Bridge, Ballinasloe.
- (36) Joseph & Pauline Moore, 2, Fairyhill, Portumna.
- (37) Dermot & Bridie Finn, Garrymore, Ballymackward, Ballinasloe.
- (38) Senan & Angela Drury, 55, Pollroebuck, Loughrea.
- (39) Michael & Margaret Lally, 51, Dublin Road, Tuam.
- (40) Patrick & Marie Carter, Wormhole, Roscahill, Co. Galway.
- (41) John & Brigid Maher, 52, St. Laurencefields, Loughrea.
- (42) James & Mary Finn, Laraghmore, Ballyglunin, Tuam.
- (43) Thomas & Mary Corcoran, Boliska, Spiddal, Co. Galway.
- (44) Patrick & Una Kelly, Cloondahamper, Lavally, Tuam.
- (45) Peter & Mary Rabbitte, Lavally East, Tuam.
- (46) Matthias & Maureen Casey, Ardmore, Kilkerrin, Carna, Co. Galway.
- (47) Patrick & Elizabeth Broderick, Garryhubert, Kylebrack, Loughrea.
- (48) John & Mary Folan, Loughconneera, Kilkerrin, Connemara.
- (49) John & Patricia Moloney, 42, Pollroebuck, Loughrea.
- (50) Michael & Carmel Quigley, 44, Fairyhill, Portumna.
- (51) Patrick & Bernadette Murphy, 3, New Estate, Mountbellew.
- (52) Thomas & Philomena O'Donnell, 43, Fairyhill, Portumna.
- (53) John Muldoon, Derrew, Ballycrissane, Ballinasloe, Co. Galway.
- (54) Timothy & Margaret Moran, 2, Gortnamona, Headford.
- (55) Brendan & Mary Sheil, 5, Pollroebuck, Loughrea.
- (56) John & Marian Newell, 6, Mylespark, Corofin, Tuam.
- (57) Anthony & Kathleen Dempsey, 9, Parkmore Estate, Tuam, Co. Galway.
- (58) John & Mary Ward, Ballynacurragh, Kilchreest, Loughrea.
- (59) Dudley Grealish, Kilbricken, Romuck, Co. Galway.
- (60) Michael & Sara Connolly (Ned), Lettermuckoo, Camus, Co. Galway.
- (61) Peter & Mary Conroy, Kilbricken, Rosmuck, Co. Galway.
- (62) Flan & Bridget Moroney, St. Bridget's Road, Portumna.
- (63) Matthew Daly, Lissananny, Kilconly, Tuam.
- (64) Mrs. Mary Kilkelly, 24, St. Joseph's Park, Tuam.
- (65) Aidan & Rosemarie McNeice, 3, Milltown, Tuam, Co. Galway.
- (66) Martin & Martina Quinn, 79, Parkmore Estate, Tuam.
- (67) Edward & Ann Tierney, 17, Cullairbawn, Athenry, Co. Galway.

2795 - DISPOSAL OF PLOTS OF LAND TO THE FOLLOWING IN ACCORDANCE WITH SECTION 83 OF THE LOCAL GOVERNMENT ACT, 1946 AND SECTION 88 OF THE HOUSING ACT, 1966 - SECTION 83 NOTICES DATED 27th FEBRUARY, 1989.

- (1) Thomas Forde, Corrafaireen, Ballyglunin, Co. Galway.
- (2) Ellen Comer, Gorteen, Dunmore, Co. Galway.

It was proposed by Deputy Micheal Kitt, seconded by Councillor P. McHugh agreed and resolved:-

"That Galway County Council hereby approve of the sale of Sites to Mr. Thomas Forde, Corrafaireen, Ballyglunin, Co. Galway and Ms. Ellen Comer, Gorteen, Dunmore, Co. Galway in accordance with the terms of notices dated 27th February, 1989, 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.

2796 - DECLARATION OF ROAD TO BE A PUBLIC ROAD.

It was proposed by Senator N. O'Conchubhair, seconded by Councillor M. O'Morain and agreed:-

"That Galway County Council hereby declare the following road to be a public road

AREA	FROM	TO	METRES.
Costelloe	Jimmy Carr's house on County Road 30 in Townland of Loughanbeg.	Comhar Chumann Salerna Gravel Pits in the Townland of Loughanbeg.	1,600

2797 - ROAD WORKS PROGRAMME 1989.

The Council considered the Road Works Programme 1989 which had been prepared by the County Engineer and a copy of which had been circulated to each Member.

Deputy Micheal Kitt welcomed the proposals set out in the report and proposed that the Road Works Programme 1989 as set out in the report be adopted. Councillor P. McHugh seconded Deputy Kitt's proposal.

Senator P. McCormack welcomed the allocation of £100,000 for improvement to the road to the Airport. He stated that he was not satisfied that surface dressing was being excluded from the programme and referred to the level of grants being received by the Council in 1989 as against the level of grant in 1984. He stated that he was not satisfied that there was a decrease of £50,000 in the Local Improvements Scheme allocation for 1989. Senator McCormack proposed that the total allocation of £330,800 - Special Improvement Works (E.E.C. Western Package) be allocated in full to the Connemara area for surface dressing on County Roads.

Councillor M. Loughnane stated that as there was an increase of two million pounds on National Primary Roads allocation it would be hard to explain to ordinary people that there was no provision for surface dressing on regional or county roads. He referred to a road from Ballymore Cross to Dunsandle which he stated was flooded from the 4th to the 18th March, 1989 and asked that the County Engineer examine this case as a matter of urgency. He proposed that temporary workers be employed by the Council. He stated that the allocation of certain grants should be on a mileage basis and that the grants should be spread equitably throughout the County. He referred to roads in the Athenry/Loughrea area where less than 50% of chips had remained on the road after surface dressing and asked that this matter be examined.

Councillor Joe Brennan supported the view that the Council should allocate funds for the roads in the Connemara area which were in a very bad condition.

Councillor James Joyce supported Councillor Loughnane regarding the employment of temporary men. Councillor Joyce also referred to the fact that no money had been provided for the Aughrim/Kilreekil road and that most of the national primary allocations were going to areas around Galway City. Councillor Joyce also asked that additional signposting be provided. Councillor Ulick Burke referred to the Cappataggle/Ballinasloe Road and the national secondary road at Killimor which he stated were in urgent need of improvements. He was disappointed that no allocations had been made for these roads..

Councillor Glynn referred to the need for improvements on the Milltown Road which he stated was now very important because of the traffic to Knock and the fact that a lot of oil and fertiliser was being delivered from Galway along this route. He also referred to the need to provide extra road signs.

Councillor Micheal O'Morain welcomed the road allocations and stated that the Council had to be reasonable and fair in the allocation of funds. He referred to the allocation of a £100,000 for the Airport Road and said that Galway Corporation should match any allocations made by the County Council towards the improvement of this road. He proposed that the potholing machine for which an allocation had been received be located in the Connemara Area. He also referred to the need to improve roads to facilitate tourism and aquaculture and hoped that the Council's proposals in relation to improvement of roads for these purposes would be submitted for E.E.C. structural funds. He also referred to the importance of renewing white lining along the national secondary roads in Connemara. He referred to a dangerous corner on the national secondary road Galway to Moycullen and

asked the County Engineer to make finance available for the total elimination of that corner. Councillor O'Morain stated that he would continue to seek additional funds for the Connemara area.

Senator N. O'Conchubhair welcomed the increase in the allocation of road grants in 1989 and referred to the increases proposed for the Connemara area. Councillor Welby welcomed the additional monies and the allocation of £100,000 for the Lough Inagh road. He referred to the need to have roadside drains opened to get water off the roads. He stated that the potholing machine should be located in the North Connemara area. He referred to the need to carry out improvements to the road between Cashel and Rosmuc in the area near Pearse's cottage and to bad potholes on the Lower Camus Road.

Councillor Michael Mullins supported the Councillors who proposed that additional temporary or part-time workers be recruited. He referred to the high level of motor taxation being collected and stated that additional road grants should be made available. Deputy Frank Fahey referred to the increases in the road grants and stated that he was prepared to accept that increases as proposed by the Engineer should go to the Connemara area. He asked that the Council take a special look at roads on the Aran Islands and asked that a Working Group be set up to establish priorities for road improvements on the Islands.

Deputy Noel Treacy referred to two pieces of roads which were in need of repair at Attymon/Glenty and the Kiltormer Road at Englishtown.

Following a further discussion Senator P. McCormack proposed an amendment to Deputy Kitt's proposal that the allocation of £333,800 F.E.O.G.A. Grant for Special Improvement Works (E.E.C. Western Package) be allocated in full to the Connemara area for surface dressing of County Roads. Councillor Joe Brennan seconded Councillor's McCormack's amendment. A vote for and against Councillor McCormack's amendment resulted as follows:-

FOR:- Councillor Brennan and Senator McCormack (2)

AGAINST:- Councillors J. Burke, U. Burke, J. Callanan, Deputy F. Fahey, Councillors P. Finnegan, P. Glynn, J. Joyce, Deputy M. Kitt, Councillor J. Lambert, M. Loughnane, P. McHugh, M. Mullins, P. Raftery, M. Ryan, Deputy N. Treacy and T. Walsh. (16).

Councillors J. McDonagh, N.O'Conchubhair, M. O'Morain and T. Welby abstained from voting. The Chairman declared Senator McCormack's amendment lost.

The Chairman then put Deputy Kitt's proposal to the Meeting, that the Road Works Programme 1989 as set out in the County Engineer's Report be adopted. A vote taken for and against Deputy Kitt's proposal resulted as follows:-

FOR:- Councillors J. Brennan, J. Burke, U. Burke, J. Callanan, Deputy F. Fahey, Councillors P. Finnegan, J. Joyce, Deputy M. Kitt, Councillors J. Lambert, M. Loughnane, Senator P. McCormack, Councillors J. McDonagh, P. McHugh, M. Mullins, Senator N. O'Conchubhair, Councillors M. O'Morain, P. Raftery, M. Ryan, Deputy N. Treacy, Councillors T. Walsh and T. Welby.

AGAINST:- Councillor F. Glynn

The Chairman declared Deputy Kitt's proposal carried, and declared that the Road Works Programme as outlined by the County Engineer was adopted by the Council.

2798 - REVISION OF ENGINEERING AREAS:

This matter was adjourned to the next Meeting of the Council

2799 - CONFERENCES:-

Conference - Instituid Forbairt Pobail an Iar Thuaiscirt - Peripheral Areas of Europe 1992 - 5th-7th May, 1989 in Falcarragh, Co. Donegal.

It was proposed by Deputy Micheal Kitt that in view of the importance of this Conference that five Members attend. The Council were informed that only three Members were allowed in accordance with the Conference Order 1947. Deputy Kitt requested that approval be sought to depart from the Circular so that five delegates could attend.

It was proposed by Deputy Micheal Kitt, seconded by Councillor P. McHugh and agreed that Councillors M. O'Morain, J. Joyce, and P. Raftery attend this Conference.

It was proposed by Councillor M. Ryan, seconded by Councillor Joe Lambert that Senator P. McCormack and Councillor J. McDonagh attend.

It was agreed that the matter would be reviewed in the light of whether sanction was forthcoming from the Department to the departure from the Conference Order to allow the attendance of five delegates.

Conference - An Taisce - Interactions between Aquaculture and Environment - 15th-16th April, 1989 - Connemara Coast Hotel.

It was proposed by Deputy Micheal Kitt, seconded by Councillor P. McHugh and agreed that Councillor M. O'Morain and Senator N. O'Conbhair attend the Conference.

It was proposed by Councillor M. Ryan, seconded by Councillor J. Lambert and agreed that Councillor J. McDonagh attend this Conference.

2800 - MALICIOUS INJURY DECREES.

The Malicious Injury Decrees as circulated were noted.

COUNCILLORS' NOTICES OF MOTION.

THAT GALWAY COUNTY COUNCIL REPAIR, RENEW AND RESURFACE THE ROAD LEADING TO HOUSE (DETAILS SUPPLIED) - MOTION BY DEPUTY NOEL TREACY.

The following written reply was given to Deputy Treacy:-

"The road in question is County Road 417 in the townland of Derryglassaun. It is a quite county road. Routine maintenance has been carried out on the road. However, the entire road requires surface dressing but it has not been possible to surface dress county roads for the last few years due to shortage of funds".

2801 - THAT GRANT FOR STRENGTHENING OF STRATEGIC COUNTY ROADS 1989 BE SHARED EVENLY BETWEEN THE ELEVEN ENGINEERING AREAS - MOTION BY COUNCILLOR MATT LOUGHNANE.

The following written reply was given to Councillor Matt Loughnane:-

"The Co. Road strengthening grant notified to date is £1.4M and this has already been shared out to the areas and approved by the Council".

2802 - THAT GALWAY COUNTY COUNCIL TAKE INTO PUBLIC OWNERSHIP A ROAD AT KILLANIN, CO. GALWAY, INDICATED ON ENCLOSED MAP - MOTION BY COUNCILLOR PADDY MCHUGH.

The following written reply was given to Councillor Matt Loughnane:-

"It would cost approximately £41,000 to bring this road up to the standard for adoption of public roads. There are no funds available in the current year to carry out this work"

2803 - THAT THIS COUNCIL TAKE THE INTAKE PIPE OUT FURTHER INTO THE LAKE OF THE CORNAMONA WATER SUPPLY - REASON BEING THAT THE PRESENT AREA IS BEING USED BY SWIMMERS - MOTION BY COUNCILLOR THOMAS WELBY.

The following written reply was given to Councillor Welby.

NOTICE OF MOTION - COUNCILLOR WELBY - (contd)..

"The relocation of the Cornamona Water Supply Intake will be examined. The present intake is located at the pier.

A survey will be carried out for an alternative intake point or an extended intake pipeline with a view to rectifying the situation.

2804 - THAT COUNTY COUNCIL CARRY OUT WORK AT KILGILL - TO PREVENT FURTHER FLOODING (DETAILS SUPPLIED) - MOTION BY COUNCILLOR JARLATH McDONAGH.

The following written reply was given to Councillor McDonagh:-

"Mr. Duggan's house is located on C.R. 151 and a small depression on the side of the road has been filled under routine maintenance. However, the main problem of flooding arises from the condition of the parking area in front of Mr. Duggan's house, which is not the responsibility of the County Council".

2805 - THAT THE COUNTY COUNCIL ERECT SIGN POST AS OUTLINED (DETAILS SUPPLIED) - MOTION BY COUNCILLOR JARLATH McDONAGH.

The following written reply was given to Councillor McDonagh:-

"An appropriate sign will be erected at the above location"

2806 - THAT THE COUNTY COUNCIL CARRY OUT URGENTLY NEEDED DRAINAGE WORK OPPOSITE HOUSE AT KILCAHILL, CLAREGALWAY (DETAILS SUPPLIED) - MOTION BY COUNCILLOR JARLATH McDONAGH.

The following written reply was given to Councillor McDonagh:-

"Flooding is due to the fact that the new parking areas are higher than the level of the existing road i.e. Co. Road 151. It is a matter for the landowner to provide adequate drainage

However, any pot holes at the location will be repaired within the next few weeks".

2807 - THAT LARGE WARNING SIGNS BE ERECTED ON THE APPROACH ROADS AT ROSSCAHILL NATIONAL SCHOOL, MOYCULLEN - MOTION BY DEPUTY ROBERT MOLLOY.

The following written reply was given to Deputy Robert Molloy:-

"It is proposed replacing the existing signs at the above school with 900 mm size signs, to be relocated in a more effective position. Road markings "Caution, school ahead" will be made on each approach, at the earliest opportunity.

It is not possible to employ a school warden at the location as the Killanin school is situated outside the speed limit signs on the National Secondary Route N.59.

The provision of a car parking space is a matter for the school authorities

There are no funds available for the provision of a hard shoulder.

2808 - THAT URGENT REPAIRS BE CARRIED OUT ON THE LINK ROAD BETWEEN BALLINDOOLEY CROSS AND MCHUGH'S P.O. - MOTION BY DEPUTY ROBERT MOLLOY.

The following reply was given to Deputy Molloy.

"The Council carried out some repairs to the above road over the past few months. However, it is necessary to raise the level of the existing road and this work would require funding by way of strengthening grants. No funds were provided in the current year and this location will be considered for future grant funding".

2809 - THAT IMMEDIATE REPAIRS BE CARRIED OUT TO THE ROAD AT AUGHANURE, OUGHTERARD, CO. GALWAY, FROM MARY WELBY'S TO O'CONNOR'S HOUSE. - MOTION BY DEPUTY ROBERT MOLLOY.

"The road in question measures 0.7 miles and it is in need of patching, surface repairs and surface dressing over its entire length. The estimate costs for this work is £6,000, for which there are no funds available. Minor surface repairs, however, will be carried out under routine maintenance, in order of priority and as resources permit".

- 2810 - THAT GALWAY COUNTY COUNCIL IMMEDIATELY RELOCATE THE 30 MILE SPEED LIMIT SIGN OUTSIDE A PERSON'S HOUSE (DETAILS SUPPLIED) THAT A PROPER TECHNICAL/ENGINEERING SUBMISSION BE MADE TO THE DEPARTMENT OF THE ENVIRONMENT TO ENABLE THIS TO BE DONE, IF NECESSARY, THAT THIS WORK BE DONE FORTHWITH AND THAT THE DATE OF SAME AND ALL OTHER INFORMATION RELATING TO SAME BE OUTLINED HEREAFTER - MOTION BY DEPUTY NOEL TREACY.

The following written reply was given to Deputy Treacy:-

"Relocation of the existing 30 mile speed limit is not recommended as the existing location is satisfactory from road traffic point of view. It should be noted that the above sign was erected prior to the erection of the dwelling house".

- 2811 - THAT THE COUNCIL CARRY OUT IMMEDIATE WORKS TO ALLEVIATE THE CONSTANT ACCUMULATION OF WATER FROM ADJOINING HOUSES, FLOOD WATER ETC, WHICH ARE CREATING A MAJOR NUISANCE OUTSIDE A HOUSE (DETAILS SUPPLIED) - MOTION BY DEPUTY NOEL TREACY.

The following written reply was given to Deputy Treacy:-

"There is a certain amount of flooding near Mr. Murray's house and farmyard due to surface water from the road and land on the Portumna side of his house. Road edging and opening of watercuts will be carried out in the near future and this should alleviate this problem".

- 2812 - THAT THE COUNCIL CLEARLY OUTLINE THE PRESENT POSITION PERTAINING TO PHASES 2A and 2B OF THE MID-GALWAY REGIONAL WATER SCHEME, THE AREAS TO BE SERVICED, THE VOLUME OF WATER AVAILABLE, THE EXPECTED USAGE OF WATER, THE EXACT POINTS TO WHICH THE COUNCIL MAIN PIPE HAS BEEN LAID TO DATE, IF TENDERS HAVE BEEN INVITED FOR ANY OF THESE 2 PHASES AND IF NOT, WHEN THEY WILL BE INVITED. - MOTION BY DEPUTY NOEL TREACY.

The following written reply was given to Deputy Treacy.

"The total length of pipework for the proposed Group Scheme known as Mid-Galway Phase 2A is 24.23 miles. The area to be served includes the area from Monivea to the outskirts of Athenry towards Attymon, but not including Attymon, which will be supplied from Phase 4. The phase 2A Scheme includes the Newcastle area and the Mountain North area.

The water demand for this proposed scheme is 94,000 gallons/day approximately.

The source of supply is the Mid-Galway Regional Water Supply Scheme at Monivea. This scheme was approved by Galway County Council in June, 1988.

It is understood that priced tender documents are expected to be received by the Consultant in Mid-April, 1989.

The total length of pipework in the proposed Group Scheme known as Mid-Galway Phase 2B is 14.33 miles. The area to be served includes the areas of Tiaquin, Gurteen, and Colemanstown.

The water demand for this proposed scheme is 73,000 gallons/day approximately.

The source of supply is at Killaclogher Townland which was laid under Phase 1 of Mid-Galway Group Water Supply Scheme.

The scheme was approved by Galway County Council in January, 1989.

It is understood that the Consultant has not yet received the necessary approval from the Department of the Environment to go to tender".

- 2813 - THAT GALWAY COUNTY COUNCIL FILL THE POTHoles ON THE APPROACH ROAD TO BEARNA PIER - MOTION BY COUNCILLOR PADDY McHUGH.

The following written reply was given to Councillor McHugh:-

"Maintenance work has been carried out on the above approach road".

- 2814 - THAT GALWAY COUNTY COUNCIL IMMEDIATELY ENSURE THAT A HUT AT THE KNOCKAVADDDY/FURBO/BEARNA ROAD JUNCTION IS REMOVED FORTHWITH TO ELIMINATE THE RESULTANT TRAFFIC HAZARD - MOTION BY COUNCILLOR PADDY McHUGH

The following written reply was given to Councillor McHugh:-

"The Landowners were advised that the County Council considered the shed in question to be in breach of the Planning Acts and they were requested to regularise the matter. They responded to the County Council by undertaking to remove shed.

The matter will now be pursued by way of legal proceedings since the landowners have not honoured their undertaking.

- 2815 - THAT COUNTY COUNCIL PROVIDE A FOOTPATH FROM FURBO BRIDGE TOWARDS CULLAGE, SPIDDAL - COUNCILLOR PADDY McHUGH.

The following written reply was given to Councillor McHugh.

"No funds were provided in the 1989 Estimates for the provision of a footpath at the above location.

- 2816 - WHAT IS THE PRESENT POSITION REGARDING GLEANNACHMURRIN REGIONAL WATER SCHEME AND THE PROPOSED RESERVOIR FOR CARRAROE - MOTION BY SENATOR N. O'CONCHUBHAIR.

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

"The water supplies proposal has been made and objections have been received. The Council is presently carrying out negotiations with the land owners in question with a view to resolving the matter. The first phase of the scheme involves the construction of a reservoir which will benefit the existing Carraroe Scheme. The Contract Documents for this phase of the scheme have been submitted to the Department of the Environment for approval on 13th October, 1987. When the Contract Documents have been approved the council will be in a position to advertise for tenders for the scheme.

- 2817 - THAT GALWAY COUNTY COUNCIL GIVE FULL DETAILS OF PLANNING APPLICATIONS AND EFFLUENT LICENCES SOUGHT AND GRANTED TO THE HALAL GROUP AT ROSSAVEAL. - MOTION BY SENATOR N. O'CONCHUBHAIR.

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

"Galway County Council considered that an improved standard of effluent treatment was needed in the case of the factory known as Unifish Ltd., Rossaveal. The owner agreed to install the necessary plant and equipment and planning permission has been granted for same. The discharge licence is under consideration at present. Set out hereunder are details of planning applications lodged by Unifish Ltd., in respect of their premises at Rossaveal.

- (a) Reference No. 57264 - Application for parking area, roadworks and boundary walls. No decision yet made as a reply is awaited to a request for further information.
- (b) Reference No. 57396 - Permission granted on 10th October, 1988, for retention of cold store, materials store and workshop.
- (c) Reference No. 57749 - Permission granted for realignment of Public Road on 3rd January, 1989.
- (d) Reference No. 58129 - Decision to grant Permission for effluent treatment plant issued on 16th February, 1989.

- 2818 - WOULD THE COUNTY MANAGER GIVE DETAILS OF WORKS AND LIGHTING PROPOSED FOR BARNAPIER OVER THE LAST SIX YEARS, WHO GRANTED THE MONEY AND WHY THIS WORK HAS NOT BEEN COMPLETED. - MOTION BY SENATOR N. O'CONCHUBHAIR.

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

"The matter is being investigated at present. It is hoped to have a report available for the next meeting"

- 2819 - THAT A CUL DE SAC SIGN BE ERECTED AT THE HEAD OF THE ROAD TO RINN VILLAGE, ORANMORE - MOTION BY COUNCILLOR MATT LOUGHNANE.

The following written reply was given to Councillor Loughnane.

"A sign will be erected as soon as possible".

- 2820 - THAT ROADSIDE BANKS BE REPLACED WITH HARD SURFACE ON ROAD FROM ATHENRY MART TO NEW CEMETARY CROSS - MOTION BY COUNCILLOR MATT LOUGHNANE.

The following written reply was given to Councillor Loughnane:-

"Removal of banks at this location is not recommended as it would undermine existing road side walls"

- 2821 - THAT KILMEAN BURIAL GROUND, KILRICKLE, LOUGHREA, BE KEPT OPEN. - MOTION BY COUNCILLOR MATT LOUGHNANE.

The following written reply was given to Councillor Loughnane.

"A recommendation was received from the Chief Medical Officer that, in the interest of protecting public health, public decency and respect for the dead, Kilmeen Old Burial Ground be closed. Acting on this recommendation application was made to the Minister for a Closing Order and public notice was given on 3/2/1989. Any person wishing to be excluded from the Closing Order is allowed until 3/4/1989 to make application to the Minister for an exception to the Order. In addition to those persons who may be exempted by the Minister certain categories of people are also automatically allowed burial in a closed burial ground provided certain specific conditions are satisfied. These categories are -

- (a) Widow or Widowers whose deceased partners in marriage are interred in the burial ground;
- (b) Married couples of whom one is of advanced age;
- (c) the last surviving member(s) of a family who is (are) of advanced age;
- (d) persons to whom, in the opinion of the Local Authority, exemption should be given for other special reasons.

The conditions to be observed by persons in the foregoing categories to qualify for exemption are -

- (a) there is adequate space in the burial ground;
- (b) each person concerned has a clear entitlement to burial in the burial ground;
- (c) the Medical Officer for the area is satisfied that the burial can be carried out without offence against public health or decency; and

- (d) the terms of any Order made by the Commissioners of Public Works relating to burials in an area which is a national monument are respected. It will not be necessary therefore to apply for the Minister's consent to burials in a closed burial ground within the limits of exemption categories provided for in a closing order if in the opinion of the local authority the specified conditions are satisfied.

Since publication of the notice of closure it has been indicated to Council Staff that there is some local objections to the proposal. However, no written objections or application for exceptions have been received either by this office or by the Department of the Environment to date.

If evidence is received to show that there is in fact local objection to the proposed closure then we will, of course, be prepared to reconsider the matter.

- 2822 - THAT THE DUMP AT DAVROS, MILLTOWN, BE ACQUIRED BY GALWAY COUNTY COUNCIL, SCREENED OFF AND WIRED, SO THAT IT CAN BE USED IN AN ORDERLY WAY BY THE LOCAL PEOPLE. - MOTION BY COUNCILLOR FRANK GLYNN.

The following written reply was given to Councillor Glynn:-

It is Council policy to phase out small inefficient dumps throughout the County and concentrate on up-grading the remaining dumps to make them more efficient and have them conform to Departmental and E.E.C. Standards.

It would not be practical, therefore, to consider acquiring extra dumps in the circumstances. I would also point out that there are two existing dumps in this area i.e. Tuam and Dunmore.

- 2823 - THAT THE KILCLOONEY GRAVEYARD BE COMPLETED FORTHWITH - MOTION BY COUNCILLOR FRANK GLYNN

The following reply was given to Councillor Glynn.

The completion of the extension to Kilclooney Graveyard was delayed due to inclement weather and poor ground conditions for the proposed works. It is proposed to commence the works mid-year and complete same.

- 2824 - THAT NATIONAL PRIMARY ROAD MONEY BE MADE AVAILABLE URGENTLY TO COMPLETE THE REMAINING SECTIONS OF THE TUAM/MILLTOWN COUNTY BOUNDARY N.P. ROAD AS THIS SECTION IS IN A DESPERATE NEED OF WIDENING AND STRENGTHENING. - MOTION BY COUNCILLOR F. GLYNN.

The following written reply was given to Councillor Glynn

"It is agreed that realignment of this section of road is necessary, but it is dependent on funds being made available from the Department of the Environment. It does not seem likely that funds will be made available in the near future, except perhaps on a very limited scale. However, design work on the route is continuing as resources permit".

- 2825 - THAT SOMETHING BE DONE TO MAKE SAFE THE DANGEROUS CROSSROADS AT PETERSWELL ON THE LOUGHREA GORT ROAD - MOTION BY COUNCILLOR JOE LAMBERT

The following written reply was given to Councillor Lambert:-

"The Council are arranging to put Advance 116 Warning Signs on the minor approaches to the above junction. However, there are no funds available in 1989 for widening this junction".

2826 - WHAT IS THE PROCEDURE TO HAVE ROADS SERVING A NUMBER OF HOUSES IN VILLAGES TAKEN BACK FROM BEING IN CHARGE OF THE COUNTY COUNCILS AND MADE PRIVATE ROADS AGAIN - SENATOR PADRAIC MCCORMACK.

The following written reply was given to Senator McCormack.

"There is a legal procedure in the Local Government Act, 1925 for the abandonment of roads under certain conditions.

The Council whose duty it is to maintain the road may apply to the Minister for the Environment to make an Order declaring that a particular road has been abandoned.

When the Council proposes to apply to the Minister for an Order it must give a months public notice of its intention to do so in a local newspaper in each of two successive weeks.

Before making an Order in respect of any road, the Minister must hold a local enquiry into the expediency of abandoning such a road. I trust that the foregoing outlines the procedure for you.

2827 - THAT REPAIRS BE CARRIED OUT TO THE FOLLOWING ROADS IN THE LETTERMULLEN AREA: THE KNOCK ROAD, THE FURNISH ROAD, AND THE CALLAHOLAM ROAD IN THE LETTERMULLEN AREA. THESE ROADS HAVE BEEN SEVERELY DAMAGED BY THE USAGE OF HEAVY LORRIES SERVICING AND ATTENDING FISH FARMS IN THE AREA - MOTION BY SENATOR MCCORMACK.

The following written reply was given to Senator McCormack:-

"The roads in question are non strategic County Roads as follows:-

- (i) C.R. 105, Furnace, measuring 1/4 mile approximately.
- (ii) C.R. 113, Knock, measuring 1 mile approximately.
- (iii) C.R. 99, Callaholam, measuring 2 miles approximately.

These roads are being subjected to heavy traffic not just from fish farm operations, but also from local development works in the case of the Knock Road.

The roads are in need of strengthening, reshaping and surfacing. The general estimated cost of repairs is £30,000 per mile. There are no funds available to carry out the necessary repair works on the above roads during the current year. There are other, more important roads, in a similar state of disrepair. Planning levies are imposed as a condition of planning of new developments, for the strengthening of roads, where appropriate".

2828 - WHAT IS THE POSITION AS REGARDS HAVING ROADS WHICH ARE COUNTY ROADS DECLARED PRIVATE ROADS AGAIN AND THOSE ROADS TO BE LEFT NOT IN CHARGE OF THE COUNTY COUNCIL - MOTION BY SENATOR P. MCCORMACK.

A written reply as at Minute No. 2826 above was given to Senator McCormack

2829 - FOR THE LIST OF PROJECTS SUBMITTED BY GALWAY COUNTY COUNCIL FOR THE STRUCTURAL FUND AND WHAT PRIORITIES ARE THESE SUBMITTED - MOTION BY COUNCILLOR JOE BURKE.

The following written reply was given to councillor Burke.

"The list of projects and the order of priorities are substantially the same as the lists that were circulated to members of the Council earlier. The roads and sanitary programmes were prioritised in the lists circulated and the only change that has been made relates to the upgrading in priority of the Tuam Regional Water Supply Scheme. The long list of tourism and community projects were not prioritised but the council has placed particular emphasis on those schemes it might be involved in itself such as the development of amenity schemes in the towns and villages of the county".

2830 - THAT A DETAILED REPORT BE PUT BEFORE THE COUNCIL ON THE PROBLEMS BEING EXPERIENCED WITH SEPTIC TANKS AND PERCOLATION AREAS IN THE LAURENCETOWN HOUSING SITE AT PRESENT - MOTION BY COUNCILLOR JAMES JOYCE

The following written reply was given to Councillor Joyce:

The surface water drainage system serving the above estate is piped to a nearby stream. Investigations carried out to date indicate that there is no evidence of effluent from the septic tank infiltrating the surface water system. Inspections have also revealed that the septic tank percolation system is operated satisfactorily.

2831 - THAT THE COUNCIL TAKE NOTE OF THE LARGE NUMBER OF COUNTY ROADS IN THE PORTUMNA ENGINEERING AREA WHICH WERE NEVER TARRED AND SURFACE DRESSED AND MAKE FUNDS AVAILABLE TO CARRY OUT THIS WORK - MOTION BY COUNCILLOR JAMES JOYCE.

The following written reply was given to Councillor Joyce.

The estimated cost of tarring and surface dressing gravel roads in the Portumna area comes to £65,000. There are no funds available in the current year to carry out this work"

2832 - THAT A SKIP BE PROVIDED AT THE TIGEENS IN POOLBOY, BALLINASLOE, TO PROTECT THE COUNCIL STAFF ON REFUSE COLLECTION DUTIES FROM THE HEALTH HAZARD FACING THEM IN THAT AREA IN THE IMPLEMENTATION OF THEIR DUTIES - MOTION BY COUNCILLOR JOE BRENNAN.

The following written reply was given to Councillor Brennan.

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

THE MEETING THEN TERMINATED

SUBMITTED, APPROVED & CONFIRMED:

Padraic McCormack CHAIRMAN

24/4/1989 DATE

COMHAIRLE CHONTAE NA GAILLIMHE
(Galway County Council)

Oifig an Runai,
Arus an Chontae,
GAILLIMH.

7u Aibreain, 1989.

CHUIG GACH BALL DE'N CHOMHAIRLE/

A Chara:

Iarrtar ort leis seo bheith i lathair ag cruinniú speisialta de Chomhairle Chontae na Gaillimhe a tionolfar ins na Foirgnithe Chontae, Gaillimh, De h-Aoine, an 14u la Aibreain, 1989, ar a 3.00 a chlog sa trathnona.

Mise, le meas,

E. O'GLIASAIN,
RUNAI.

A G E N D A

- (1) Review of County Development Plan.
- (2) Supreme Court Judgement - Sharpe and Grove Developments Limited and Dublin County Council. - Copy already circulated.
- (3) Association of Health Boards in Ireland - Annual Conference - Limerick - 12th/13th May, 1989. - Copy enclosed.
- (4) Manager's Business.

Minute Book.

MINUTES OF SPECIAL MEETING OF GALWAY COUNTY COUNCIL HELD AT COUNTY BUILDINGS,
GALWAY, ON FRIDAY, 14TH APRIL, 1989.

IN THE CHAIR: Councillor J. Molloy.

ALSO PRESENT:

Members: As recorded in the Attendance Book.

Councillors J. Brennan, J. Callanan, M. Fahy, P. Mac Gloinn, Senator T. Hussey, Councillors James Joyce, J. Lambert, M. Lynch, Senator P. McCormack, Councillors J. McDonagh, P. McHugh, J. Mannion, M. Mullins, M. O'Morain, P. O'Tuathail, P. Raftery, M. Ryan, T. Walsh, and T. Welby.

Officials: Mr. J. Howlett, Assistant County Manager; P. Flood, County Engineer; B. Callagy and L. Kavanagh, Senior Executive Engineers (Planning); T. Kavanagh, Acting County Secretary; A. Comer, Draughtsman/Technician.

The Opening Prayer was recited.

2833 - REVIEW OF COUNTY DEVELOPMENT PLAN:

A report entitled "Strategy for Review of County Development Plan" was circulated to each Member. Also circulated from the existing Plan were copies of Section VI (Development Policies and Development Objectives) and Section VII (Development Control Policies and Objectives).

Mr. Callagy outlined the proposed strategy for the Review of the County Development Plan. He went through the Strategy Report and explained the contents of the existing Plan and how the Plan might be reviewed. He explained that Part I of the existing Plan was non statutory and therefore, the review would concentrate on Part II which included the policies on development objectives and controls. Mr. Callagy explained the amendments which were being proposed in the Control Section (Section VII). In reply to Councillor Mannion, Mr. Callagy said that the Town Plans were not due for review yet but would have to be reviewed in due course.

Following discussion, Mr. Howlett suggested that the Members start considering Section VII of the Plan. Mr. Callagy went through the headings in Chapter 24 and referred to the proposed amendments set out in his Report.

Councillor Mannion asked about the up-to-date position in relation to the experiment for the treatment of septic tank effluent. Mr. Flood said that samples continued to be taken from the experiment in County Galway and the results looked reasonably good. However, Eolas was carrying out similar experiments in other Counties and it was most desirable that the results be pooled together. Eolas were the experts and had Bacteriologists working on it, and it could be a mistake to proceed just on the results on the Galway experiment. He said it would be necessary to see if the peat would deteriorate over time. He said that Bord na Mona were involved in the project from the point of view of identifying a suitable type of peat and Wavin Pipes were also involved in the design of a suitable pipe system. Mr. Flood said that he was hopeful that a satisfactory result would be achieved, but he would not put a time limit on it.

Councillor O'Morain asked what the Planners had in mind as regards house design and guidelines. Mr. Callagy said that it was intended to prepare brief house design guidelines which applicants could be given before they go to have their houses designed. He said that once houses have been designed, it is difficult to get applicants to change to a more suitable design. He said that he had done a survey of house designs and he had examples of some very good and bad designs. Mr. Howlett said that some years ago, An Foras Forbartha had brought out some design standards and more recently Bord Failte. He said that it was not a question of the Planning Authority laying down the Law as regards house design but rather guiding applicants at an early stage about suitable designs and not necessarily at any extra cost. This was an opportunity for the Planning Authority to try and improve house designs as was happening in other Counties.

Councillor O'Morain said that complying with the proposed guidelines could make it more costly to build a house. He said that it was again a question of the Planners telling people what kind of house to build and requiring them to build their houses in hollows. He said it was very expensive to build stone wall boundaries. He said that Members had been subjected to Planning Refusals time after time and people who wanted to settle on their holding should be allowed to do so. Referring to the development of backlands in Barna, he asked why other parts of the County be ignored.

Mr. Callagy said that applicants were not prevented from building on their own holdings and were not required to build stone walls. Neither were they told to put their houses in hollows. He said that the backlands in Barna needed attention because of the development pressures there and attention would be given to other villages as necessary.

Councillor Brennan said that he hoped the design guidelines would not result in all houses looking the same as people did not want their house to look the same as their neighbours. In regard to the completion of site development (V1), Councillor Brennan said that it takes time to fully complete the site works and boundaries and he hoped the Planning Authority appreciated this factor and allow reasonable time for completion. He questioned the desirability of only allowing single houses along rural roads (24.5(i)) from the point of view of company and safety.

Councillor McHugh said that the Members should know in advance of the Meeting what section of the Plan was to be discussed. He said he agreed with Mr. Callagy's views as regard house design. He said it was a question of educating people to come forward with suitable designs and said that it was something which could be done gradually. He said that a similar idea had worked extremely well in Cork and could be very successful if approached in the right manner. Councillor Ryan complained about house builders who had lost house grants because of mistakes made by Agents in the measurements on Drawings. Councillor Callanan asked what was the position in regard to people who had got Planning Permission on a site smaller than a half acre and cannot now meet that requirement. He said that Permission should be given in such cases as this was much more acceptable than leaving the sites derelict. Councillor Mannion said that some sites could be triangular in shape and while the site would have the necessary frontage (75 feet) and could comply with the septic tank requirements, they may not have the half acre requirement. He said he agreed fully with the inclusion of these minimum requirements in the Plan but he felt there would have to be room for some departure in exceptional cases. Mr. Callagy said that Council Officials could not ignore the requirements as set out in the Plan and had to abide by them.

Councillor Welby agreed with Councillor Mannion and said that Planning Officials in Mayo were much more flexible than in Galway. He said that relations of the landowner should be able to get Permission and the Plan should state that Permission would be granted to brothers, sisters, nieces and nephews of the landowner. He referred to a case in Clonbur where an applicant was refused on the only site he had. He said that it was difficult for an ordinary person to get Planning Permission. Mr. Callagy said that the Planning Act was introduced primarily for the benefit of the common good and that some restrictions had to be placed on developers. He said that the Planning Staff have a difficult job and do it to the best of their ability.

Councillor Joyce said that he would like to see the Plan being more positive. He referred to the E.C. Structural Plan and the projected reduction in the number of farm holdings. In other countries, the move from rural areas to cities was being reversed and he said the E.C. would support moves to rural areas for development. He said the County Plan should facilitate such moves for purposes such as small businesses, craft development, etc. He said it was difficult at present to get Planning Permission for development on Class 11 Roads such as the Ballinasloe/Portumna Road unless in the case of a landowner. He found it annoying to see Permission being refused on the grounds that "the development was contrary to the proper planning and development of the area".

He said that people do not have the money to set up businesses in towns and Cities, and these people were needed to maintain the fabric of our rural areas.

Mr. Callagy said that the Development Plan would have full regard to the E.C. Structural Plan. He said that a good deal of the Plan was devoted to positive development objectives. He fully agreed with building up rural village structures. Mr. Callagy explained that in considering Planning Applications, the Council is restricted to considering the proper planning and development of the area, regard being had to the provisions of the Development Plan and this was why this wording appeared in Planning Refusals, but other reasons were also given.

Councillor O'Tuathail referred to Chapter 23 relating to the Gaeltacht and said that it was past time that the Council and the Udaras got together to draw up a proper Development Plan for the Gaeltacht. He also enquired about plans for places like Carna, Carraroe, etc. Mr. Callagy said that some plans had been done for the Gaeltacht and these would need to be updated. He agreed that Plans would be helpful for places like Carraroe but resources did not permit the making of Plans for all Towns and Villages. Councillor O'Morain quoted Sections of the Plan dealing with the assimilation of buildings in the landscape and buildings not being unduly elevated in order to avoid being visually obtrusive. He said that there was a bias against building in rural areas and the Planners wanted to move people into boxes. He said the Plan needed to be changed to avoid this. Mr. Callagy disagreed with Councillor O'Morain.

The Chairman said that no decisions would be made in relation to Chapter 24 at that days Meeting. It was agreed that all Section V11 (Development Control Policies and Objectives) would be considered at the Planning Meeting in May and that Members who wished to send in proposals should do so before that Meeting.

2834 - HOUSING CONSTRUCTION CAPITAL ALLOCATION 1989:

Mr. Howlett informed the Meeting that the Council had been notified by the Minister for the Environment of a Capital Allocation of £528,000 to cover the Council's Expenditure in 1989 on its Housing Construction Programme. He said that the sum included £200,000 to cover expenditure on Caravan Parks for Travellers and 20 Rural Houses. Mr. Howlett said that the Halting Site at Ballygar had already started and the allocation would allow Tuam to be started this year. In reply to questions, Mr. Howlett said that the number of approved housing applicants was in the region of 200. Councillor Brennan said that he would be worried about spending money on Hardstands if the Travellers can refuse to go into them. Mr. Howlett said that great care had been taken in selecting the sites in Ballygar and Tuam for the very reason mentioned by Councillor Brennan.

2835 - SUPREME COURT JUDGEMENT - SHARPE AND GROVE DEVELOPMENTS LIMITED:

Mr. Howlett said that Mr. T.J. O'Donoghue, Law Agent, was unable to be at the Meeting as he was in the High Court in Dublin. Councillor Mannion asked that this item be put at the top of the Agenda for the next Planning Meeting and this was agreed.

2836 - ASSOCIATION OF HEALTH BOARDS IN IRELAND - ANNUAL CONFERENCE:

It was agreed to defer nominations for this Conference to the next Meeting.

2837 - JOINT CONFERENCE OF LIBRARY ASSOCIATION OF IRELAND AND NORTHERN IRELAND BRANCH BEING HELD IN GALWAY ON 19TH-22ND APRIL, 1989:

The Acting Secretary stated that the Library Committee had nominated Councillors J. Molloy and J. Mannion to attend the Joint Conference of the Library Association of Ireland and the Northern Ireland Branch of the Library Association being held in Galway from the 19th - 22nd April, 1989. He asked the Council to confirm the nominations. On the proposition of Councillor Joyce, seconded by Councillor Ryan, Councillors J. Molloy and J. Mannion were nominated to attend the Conference.

2838 - TWO-DAY CONFERENCE - PERIPHERAL AREAS OF EUROPE AT FALCARRAGH, CO. DONEGAL.
- 5TH/7TH MAY, 1989:

The Acting Secretary stated that the Department of the Environment had confirmed that in accordance with the Local Conferences Order, 1947, the maximum number of Members who may be authorised to attend the Conference was three. He said the Council had nominated 5 Members and this would need to be reduced to three. Councillors O'Morain and McDonagh agreed to withdraw their names which resulted in the following Members being nominated to attend the Conference:

Councillor James Joyce
Councillor Peter Raftery
Senator Padraic McCormack.

2839 - CONFERENCE ON THE USE AND PROTECTION OF COASTAL AREAS - 27TH/28TH APRIL, 1989:

On the proposition of Councillor Joyce, seconded by Councillor Callanan, it was agreed to nominate Councillors P. McHugh and J. Molloy to attend the two-day Conference on the use and protection of coastal areas being held in the European Commission Offices, Dublin, on the 27th and 28th April, 1989.

On the proposition of Councillor Ryan, seconded by Councillor McDonagh, it was also agreed to nominate Councillor Mannion to attend the Conference.

2840 - SYMPATHY:

Resolutions of sympathy were adopted with the following:

Mr. Gerry Callanan, Moylough, Ballinasloe.
Mr. Thomas Burke, The Square, Clifden, Co. Galway.
Mr. Sean Meehan, Ballinastack, Moylough, Co. Galway.

THE MEETING THEN TERMINATED

Submitted, approved and Confirmed,

John Malloy Chairman.

29/5/89 Date

Minute Book.

COMHAIRLE CHONTAE NA GAILLIMHE
(Galway County Council)

Oifig an Runai,
Arus an Chontae,
GAILLIMH.

18u la Aibreain, 1989.

CHUIG GACH BALL DE'N CHOMHAIRLE/

A Chara:

Tarrtar ort leis seo bheith i lathair ag cruinniu de Chomhairle Chontae na Gaillimhe a tionolfar ins na Foirgnithe Chontae, Gaillimh, ar De Luain, an 24u la Aibreain, 1989, ar a 3.30 a chlog sa trathnona.

Mise, le meas,

E. O'GLIASAIN,
RUNAI.

A G E N D A

1. Consideration of Minutes of the following Meetings:-

- (a) Special Meeting of 10th March, 1989.
- (b) Monthly Meeting of 28th March, 1989.

2. Abstract of Accounts for 1988. - Report enclosed.

3. Sale of Houses to the following tenants in accordance with Section 90 of the Housing Act, 1966, as amended - Section 83 Notices dated 7th April, 1989, already circulated refer:-

- (1) Martin & Bina Flaherty, Normangrove, Kinvara, Co. Galway.
- (2) Joseph & Ann Walsh, Mullaghgloss, Renvyle, Co. Galway.
- (3) Patrick & Kathleen O'Dea, Glenafosha, Tuam.
- (4) Joseph & Peggy Fahy, Knockmoyle, Kylebrack, Loughrea.
- (5) Michael & Carmel Hynes, Gortadrigan, Peterswell.
- (6) Allen & Nora Wilson, Caislean, Inverin.
- (7) Joseph & Bernadette Wade, 81 Pollroebuck, Loughrea.
- (8) Michael & Mary Flannery, 27 Cullairbaun, Athenry.
- (9) Richard & Agatha Burke, Middlequarter, Inishboffin.
- (10) Patrick & Noreen Kenny, 54 St. Laurencesfields, Loughrea.
- (11) Joseph & Martina Gorman, 27 Marian Park, Portumna.
- (12) David & Margaret Ward, Weir Road, Tuam, Co. Galway.
- (13) George & Pauline O'Donnell, 16 Fairyhill, Portumna.
- (14) Patrick & Mary Doyle, Derreenboy, Kiltormer, Ballinasloe.
- (15) Peter & Nora Naughton, Callowfeenish, Carna, Connemara.
- (16) Anthony & Kathleen McHugh, Castlefrench, Ballinamore Bridge, Ballinasloe.
- (17) Michael & Josie Murphy, Ballaghaugeag, Ballymoe.
- (18) Benedict & Bridie Kelly, Newtown-Eyre, Kiltormer, Ballinasloe.
- (19) Dermot & Mary Mitchell, 8 Ahascragh, Ballinasloe.
- (20) Gerard & Margaret Hawkins, Cartron, New Inn, Ballinasloe.
- (21) Noel & Mary Glynn, Cappataggle, Ballinasloe.
- (22) Martin & Bridget Collins, Glenbrack, Gort.
- (23) Kevin & Ann Naughton, Oatfield, Cappataggle, Ballinasloe.
- (24) Gerard & Margaret Duane, Bookeen N., Kiltulla, Athenry.
- (25) Sean & Eileen O'Leaunde, Rossaveel, Ballinahown.
- (26) Patrick & Una Morris, Ballynastuckaun, Ballyglunin, Tuam.
- (27) Bartley & Nora Walsh, Kilkerrin, Connemara.
- (28) Vincent & Barbara McCarron, Bungowla, Kilronan, Inishmore, Aran Islands.
- (29) Luke & Mary Kerrigan, Cappanagapple, Clonbur.

- (30) Kevin & Mary Gillane, 53 Fairyhill, Portumna.
 (31) Christopher & Teresa McGrath, 13 New Estate, Glenamaddy.
 (32) John & Mary Nolan, Ballyaneen South, Gort.
 (33) Joseph & Bernadette Hogan, Ardberreen, Kiltormer, Ballinasloe.
 (34) Thomas & Margaret McDonagh, 3 Kilkerrin Road, Glenamaddy.
 (35) John & Philomena Monaghan, Culnagore, Kiltormer, Ballinasloe.
 (36) Diane Reid, 17 Kinvara, Co. Galway.
 (37) Ann Kelly, 8 Kilronan, Aran Islands.
 (38) Joseph & Sara Casey, Clonfert Demesne, Ballinasloe.
 (39) Martin Joe & Margaret Flaherty, Derryherbert, Renvyle.
 (40) Michael & Kathleen Laffey, Glennagarraun, Headford.
 (41) Frank & Rita Moran, Ballinvoher, Caherlistrane.
 (42) Michael & Delia Corless, Corafaireen, Ballyglunin, Tuam.
 (43) Mrs. Mary Lynskey, Caherkelly, Ardahan.
 (44) Frank & Anne Manning, Ballyeighter, Auhtrim, Ballinasloe.
 (45) Seamus & Jean Moran, 4 Ardour, Kilconly, Tuam.
 (46) Frank & Lucy Daniels, Upper Forge, Woodford.
 (47) Michael Clarke, Glen, Tuam.
 (48) Padraic & Agnes Keane, Lindsay's Farm, Abbeyknockmoy, Tuam.
 (49) Sean & Christina Thornton, Ballintleiva, Spiddal.
 (50) John & Margaret Connaire, Cloonshecahill, New Inn, Ballinasloe.
 (51) Robert & Mary Canavan, Bosisheen, Corrandulla.
 (52) Michael & Ellen Brennan, Clooncanon, Ahascragh, Ballinasloe.
 (53) Patrick & Margaret Caulfield, Curragh West, Dunmore.
 (54) Patrick & Ellen Forde, Moneen, Williamstown.
 (55) Patrick & Bridget O'Malley, Aillebrack, Ballyconneely.
 (56) John & Bridie Flaherty, Cullane, Carraroe.
 (57) Mrs. Annie Poland, Cloonconra, Clonfert, Ballinasloe.
 (58) Paul & Marion Conneely, 37 Tullyvoheen, Clifden.
 (59) Thomas & Julia Fallon, Ballindoooley, Galway.
 (60) Jarlath & Teresa Kelly, 63 Parkmore, Tuam.
 (61) John & Eileen Daly, 39 Pollroebuck, Loughrea.
 (62) Michael & Barbara Flaherty, Toombeola, Roundstone.
 (63) Michael J. & Bernadette O'Connor, 16 Crowe Street, Gort.
 (64) Peter & Josephine Harte, Fynagh, Eyrecourt, Ballinasloe.
 (65) Noel & Carmel Ryan, 5 Cloughbrack, Eyrecourt.
 (66) Delia Gill, Gurteen Baun, Kilronan, Aran Islands.
 (67) James & Bernadette Flynn, Corralough, Williamstown.
 (68) Francis & Teresa Tully, Derrybrien, Loughrea.
 (69) James & Bridie Rabbitte, Ardskeamore, Cummer, Ballyglunin, Tuam.
 (70) Martin & Kathleen Quinn, Springlawn, Mountbellew.
 (71) Kevin & Patricia Hession, Ballyeighter, Auhtrim, Ballinasloe.
4. Correspondence from Department of Justice re Galway Courthouse.
 - Details enclosed.
5. Environment Campaign 1989. - Details enclosed.
6. National Housing and Town Planning Conference - Brighton -
 31st October/2nd November, 1989. - Details enclosed.
7. Association of Health Boards in Ireland - Annual Conference -
 Limerick - 12th/13th May, 1989. - Details enclosed.
8. Nomination of Member to Western Regional Tourism Organisation for
 year 1989/1990.
9. Annual Conference of General Council of County Councils - Waterford -
 8th/10th June, 1989. - Details enclosed.
10. Revision of Engineering Areas.
11. Holding of Council Meeting in Aran Islands.
12. Malicious Injury Decrees - list herewith.
13. Business submitted by the County Manager.

COUNCILLORS' NOTICES OF MOTION

(a) Adjourned from previous Meeting:

DEPUTY NOEL TREACY: - I will propose:

14. That Galway County Council immediately relocate the 30 mile speed limit sign outside a person's house (details supplied) that a proper technical /Engineering submission be made to the Department of the Environment to enable this to be done, if necessary, that this work be done forthwith and that the date of same and all other information relating to same be outlined hereafter.

SENATOR NIOCLAS O'CONCHUBHAIR: - I will propose:

15. Would the County Manager give details of working and lighting proposed for Barna Pier over the last six years, who granted the money and why this work has not been completed.

SENATOR PADRAIC McCORMACK: - I will propose:

16. What is the procedure to have roads serving a number of houses in villages taken back from being in charge of the County Councils and made private roads again. The purpose of this Notice of Motion is to allow people to be in a position to repair the road themselves because their is now no future in waiting for the County Council to carry out repairs as the money is not being provided for this work.

COUNCILLOR JAMES JOYCE: - I will propose:

17. That a detailed report be put before the Council on the problems being experienced with septic tanks and percolation areas in the Laurencetown Housing site at present, the overflow from the site is going into a shore which leads to the Laurencetown River.

COUNCILLOR JOE BRENNAN: - I will propose:

18. That a skip be provided at the Tigeens in Poolboy, Ballinasloe, to protect the Council staff on refuse collection duties from the health hazards facing them in that area in the implementation of their duties.

(b) Other Motions received:

COUNCILLOR JARLATH McDONAGH: - I will propose:

19. That the County Council carry out vitally important improvement work on deadly bend at Waterdale. (Details supplied).

20. That the County Council inform me of the current position on proposed Cemetery - Social Employment Scheme. (Details supplied).

21. That the County Council use Social Employment Scheme for major overhaul of Cemetery. (Details supplied).

DEPUTY ROBERT MOLLOY: - I will propose:

22. That immediate repairs be carried out to the road leading to Mhaoris Graveyard at Baile na h-Abhann.

23. That immediate repairs be carried out on the Clooniffe Road, Moycullen, Co. Galway.

24. That Galway County Council open drains to draw off water which is flooding lands near Community Centre at Cornamona.

COUNCILLOR MATT LOUGHNAME: - I will propose:

25. That the Manager inform the Council the up-to-date position on revision of Polling Scheme.

COUNCILLOR MATT LOUGHNANE: - I will propose:

- 26. That the County Manager inform the Council of the up-to-date position on the proposal to provide a Burial Ground at Maree.

DEPUTY NOEL TREACY: - I will propose:

- 27. That Galway County Council carry out repairs at a location (details supplied) that the Council outline the repairs to be carried out, the date on which they will be carried out, and any other relevant detail.
- 28. That Galway County Council carry out repairs to a road (details supplied), and that these repairs be carried out immediately, the date on which the work will be carried out and any other relevant details.
- 29. That Galway County Council hereby carry out immediate repairs including surface dressing etc. to a road (details supplied), that this work be carried out forthwith, that the Council will outline the work to be done, the dates on which they will be carried out and any other relevant information.

COUNCILLOR P. McHUGH: - I will propose:

- 30. That Galway County Council carry out road repairs to roads in the vicinity of Mirah, Turloughmore.

COUNCILLOR P. FINNEGAN, DEPUTY M. KITT, SENATOR T. HUSSEY, COUNCILLOR P. RAFTERY, DEPUTY N. TREACY: - We will propose:

- 31. That the road to Jack Mullen's house at Currylea, Lavally, Tuam, recently done under L.I.S. be taken over by Galway County Council.

COUNCILLOR MARTIN LYNCH: - I will propose:

- 32. That Galway County Council remove the roadside banks on the road to Lady's Well, so that this would be ready for the 15th August, 1989.

DEPUTY FRANK FAHEY, SENATOR NIOCLAS O'CONCHUBHAIR, COUNCILLOR PADDY McHUGH, COUNCILLOR M. KILLILEA MEP: - We will propose:

- 33. That a working group be established comprising of two Council Officials, two Members of the County Council and two Members of An Coiste Forbartha on Inis Mor to identify the Council's working priorities on Inis Mor.

COUNCILLOR T. WALSH: - I will propose:

- 34. That Galway County Council request the Minister of State at the Department of Finance, Mr. Noel Treacy, T.D., to take steps to introduce amending legislation which would enable the Committee to carry out improvement works in addition to the maintenance drainage works which they are authorised to do at present on the River Suck; and that the Minister should initiate the necessary steps in the matter without delay.

COUNCILLOR PETER RAFTERY: - I will propose:

- 35. That the road from Seamus Flynn's house, Killeroran, to Islandcar School House be repaired.

- 36. That the land opposite the Islandcar School be eased.

COUNCILLOR P.J. FINNEGAN: - I will propose:

- 37. That the County Council take over the services in the following Estates in Tuam:-

Parkview Drive, Trinity Court, Bel-Air Drive, Cedar Court, and Millstream Park, - its now many months since a report was promised but it hasn't yet been made available.

SENATOR PADRAIC McCORMACK: - I will propose:

- 38. That approximately 3 miles of stretch off the Galway/Headford Road between Kilroe Cross and Cloughanover Community Centre, which is the most hazardous section of the Galway/Headford Road. I will be asking that a special application be made for a grant to improve the very bad turns on this road. About half a mile of this road between Luimnagh and Cross roads and the turn off for Kilcoona Primary School at Mausrevagh. This is the most serious section of the road and has been the scene of numerous accidents on this section during the month of November, 1988. I would ask that a special case be made to make funds available to have these bends improved.

COUNCILLOR MICHAEL FAHY: - I will propose:

- 39. That Galway County Council widen 400 yards of road leading to a dwellinghouse (details supplied).

- 40. That Galway County Council carry out necessary works outside business premises (details supplied).

COUNCILLOR JOE BURKE: - I will propose:

- 41. What is the current position is as regards the development of Dublin Road to Vicar Street via the Station.

Name and Address	Particulars of Claim	Area of Charge	Amount of Claim	Amount of Decree including costs.
Patrick Coyne, Clohanower, Co. Galway.	Damage to Vehicle	County at large		£444.55
Ryan Hotel, Group Renmore, Galway	Damage to Property	County at large		£160.70
Gerard Rushe, Bovinion, Mountbellew, Co. Galway	Damage to Motor Vehicle	County at large	£600	£327.50

MINUTES OF MONTHLY MEETING OF GALWAY COUNTY COUNCIL HELD AT THE COUNTY BUILDINGS, GALWAY, ON MONDAY, 24th APRIL, 1989.

IN THE CHAIR: Councillor P. Finnegan.

ALSO PRESENT:

Members:

Councillors J. Brennan, J. Burke, U. Burke, J. Callanan, M. Fahy, F. Glynn, Senator T. Hussey, Councillor J. Joyce, Deputy M. Kitt, Councillors 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, M. Ryan, Deputy N. Treacy, Councillors T. Walsh and T. Welby.

Officials:

Messrs. S. Keating, County Manager; E. Gleeson, County Secretary; P. Flood, County Engineer; E. Lusby, Finance Officer; J. Crotty, Deputy County Engineer; T. Kavanagh, Administrative Officer; and D. Barrett, Senior Staff Officer.

The Opening Prayer was recited.

2841 - VOTE OF GOOD WISHES:

The Members passed a vote of good wishes with Councillors Joe Lambert and Peter Raftery who were recently hospitalised and wished them speedy recoveries from their illnesses.

2842 - VOTE OF SYMPATHY:

A resolution of sympathy was adopted with Mr. & Mrs. Michael Mullen, 9, Fursey Road, Shantalla, Galway, on the death of their daughter, Peggy.

2843 - MINUTES:

On the proposal of Senator T. Hussey, seconded by Councillor Jarlath McDonagh, the Minutes of the Special Meeting of the Council held on the 10th March, 1989, were adopted as correct and signed by the Chairman.

On the proposal of Deputy Michael Kitt, seconded by Deputy Noel Treacy, the Minutes of the Monthly Meeting of the Council held on the 28th March, 1989, were adopted as correct and signed by the Chairman.

2844 - ROAD STRENGTHENING GRANTS 1988:

Councillor Matt Loughnane referred to two road strengthening Grants on the Dooras Road and the Ochilly Road, Woodford, where he stated it was necessary to carry out further works over the original works which were carried out last October. He asked that a report on the two jobs in question be brought before the next Meeting of the Council, and this was agreed.

2845 - ABSTRACT OF ACCOUNTS 1988:

The Council considered and approved the Abstract of Accounts 1988, details of which had been circulated to each Member by the Finance Officer.

It was proposed by Deputy Michael Kitt, seconded by Councillor Micheal O'Morain, and resolved:

"That the Council approve expenditure excesses, being the amounts set out in the Abstract of Accounts 1988 in excess of the adopted Estimates for that year under the various headings, such excesses being funded by other expenditure reductions and income increases."

2846 - COMPENSATION - BOUNDARY EXTENSION AND COUNTY BOROUGH STATUS GALWAY:

The Finance Officer informed the Meeting that the Minister for the Environment had agreed to receive a deputation on the 17th May, 1989, at 4.00 p.m. in Leinster House before making his determination on the compensation issues relating to the boundary extension and the County Borough Status compensation. The Members of the deputation had already been selected by the Council and the Finance Officer would be in contact directly with them to make the necessary arrangements.

2847 - DANGEROUS BEND ON MOYCULLEN ROAD:

In reply to Councillor Micheal O'Morain, the County Engineer indicated that all the statutory signs were in place at the location involved.

Councillor Micheal O'Morain stated that an articulated truck, the property of a firm in Navan had damaged the road at Carna at the junction with the road to the Parochial Hall. A large pothole had been made by the truck and he asked that the matter be taken up with the firm involved. It was agreed that the matter would be taken up with the firm involved.

In reply to Councillor P. McHugh, the County Engineer stated that no changes had been made to the roadworks programme which had been approved at the previous Monthly Meeting in Tuam.

In reply to Councillor Ulick Burke, the County Engineer stated that the statutory signs had been erected in relation to accident black spots, and the erection of any other signs were not advisable.

2848 - SALE OF HOUSES:

It was proposed by Deputy Noel Treacy, seconded by Councillor John Molloy, and agreed:

"That Galway County Council hereby approve the sale to the following tenants of the houses occupied by them in accordance with the terms of Notices dated 7th April, 1989, 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:

- (1) Martin & Bina Flaherty, Normangrove, Kinvara, Co. Galway.
- (2) Joseph & Ann Walsh, Mullaghgloss, Renvyle, Co. Galway.
- (3) Patrick & Kathleen O'Dea, Glenafosha, Tuam.
- (4) Joseph & Peggy Fahy, Knockmoyle, Kylebrack, Loughrea.
- (5) Michael & Carmel Hynes, Gortadrigan, Peterswell.
- (6) Allen & Nora Wilson, Caislean, Inverin.
- (7) Joseph & Bernadette Wade, 81 Pollroebeck, Loughrea.
- (8) Michael & Mary Flannery, 27 Cullairbaun, Athenry.
- (9) Richard & Agatha Burke, Middlequarter, Inishboffin.
- (10) Patrick & Noreen Kenny, 54 St. Laurencesfields, Loughrea.
- (11) Joseph & Martina Gorman, 27 Marian Park, Portumna.
- (12) David & Margaret Ward, Weir Road, Tuam, Co. Galway.
- (13) George & Pauline O'Donnell, 16 Fairyhill, Portumna.
- (14) Patrick & Mary Doyle, Derreenboy, Kiltormer, Ballinasloe.
- (15) Peter & Nora Naughton, Callowfeenish, Carna, Connemara.
- (16) Anthony & Kathleen McHugh, Castlefrench, Ballinamore Bridge, Ballinasloe.
- (17) Michael & Josie Murphy, Ballaghaugeag, Ballymoe.
- (18) Benedict & Bridie Kelly, Newtown-Eyre, Kiltormer, Ballinasloe.
- (19) Dermot & Mary Mitchell, 8 Ahascragh, Ballinasloe.
- (20) Gerard & Margaret Hawkins, Cartron, New Inn, Ballinasloe.
- (21) Noel & Mary Glynn, Cappataggle, Ballinasloe.
- (22) Martin & Bridget Collins, Glenbrack, Gort.
- (23) Kevin & Ann Naughton, Oatfield, Cappataggle, Ballinasloe.
- (24) Gerard & Margaret Duane, Bookeen N., Kiltulla, Athenry.
- (25) Sean & Eileen O'Lea, Rossaveel, Ballinahown.
- (26) Patrick & Una Morris, Ballynastuckaun, Ballyglunin, Tuam.
- (27) Bartley & Nora Walsh, Kilkerrin, Connemara.
- (28) Vincent & Barbara McCarron, Bungowla, Kilronan, Inishmore, Aran Islands.
- (29) Luke & Mary Kerrigan, Cappanagapple, Clonbur.

- (30) Kevin & Mary Gillane, 53 Fairyhill, Portumna.
- (31) Christopher & Teresa McGrath, 13 New Estate, Glenamaddy.
- (32) John & Mary Nolan, Ballyaneen South, Gort.
- (33) Joseph & Bernadette Hogan, Ardberreen, Kiltormer, Ballinasloe.
- (34) Thomas & Margaret McDonagh, 3 Kilkerrin Road, Glenamaddy.
- (35) John & Philomena Monaghan, Cullnagore, Kiltormer, Ballinasloe.
- (36) Diane Reid, 17 Kinvara, Co. Galway.
- (37) Ann Kelly, 8 Kilronan, Aran Islands.
- (38) Joseph & Sara Casey, Clonfert Demesne, Ballinasloe.
- (39) Martin Joe & Margaret Flaherty, Derryherbert, Renvyle.
- (40) Michael & Kathleen Laffey, Glennagarraun, Headford.
- (41) Frank & Rita Moran, Ballinvoher, Caherlistrane.
- (42) Michael & Delia Corless, Corafaireen, Ballyglunin, Tuam.
- (43) Mrs. Mary Lynskey, Caherkelly, Ardahan.
- (44) Frank & Anne Manning, Ballyeighter, Aughrim, Ballinasloe.
- (45) Seamus & Jean Moran, 4 Ardour, Kilconly, Tuam.
- (46) Frank & Lucy Daniels, Upper Forge, Woodford.
- (47) Michael Clarke, Glen, Tuam.
- (48) Padraic & Agnes Keane, Lindsay's Farm, Abbeyknockmoy, Tuam.
- (49) Sean & Christina Thornton, Ballintleva, Spiddal.
- (50) John & Margaret Connaire, Cloonshecachill, New Inn, Ballinasloe.
- (51) Robert & Mary Canavan, Bosisheen, Corrandulla.
- (52) Michael & Ellen Brennan, Clooncanon, Ahascragh, Ballinasloe.
- (53) Patrick & Margaret Caulfield, Curragh West, Dunmore.
- (54) Patrick & Ellen Forde, Moneen, Williamstown.
- (55) Patrick & Bridget O'Malley, Aillebrack, Ballyconneely.
- (56) John & Bridie Flaherty, Cullane, Carraroe.
- (57) Mrs. Annie Poland, Cloonconra, Clonfert, Ballinasloe.
- (58) Paul & Marion Conneely, 37 Tullyvoheen, Clifden.
- (59) Thomas & Julia Fallon, Ballindoooley, Galway.
- (60) Jarlath & Teresa Kelly, 63 Parkmore, Tuam.
- (61) John & Eileen Daly, 39 Pollroebeck, Loughrea.
- (62) Michael & Barbara Flaherty, Toombeola, Roundstone.
- (63) Michael J. & Bernadette O'Connor, 16 Crowe Street, Gort.
- (64) Peter & Josephine Harte, Fynagh, Eyrecourt, Ballinasloe.
- (65) Noel & Carmel Ryan, 5 Cloughbrack, Eyrecourt.
- (66) Delia Gill, Gurteen Baun, Kilronan, Aran Islands.
- (67) James & Bernadette Flynn, Corralough, Williamstown.
- (68) Francis & Teresa Tully, Derrybrien, Loughrea.
- (69) James & Bridie Rabbite, Ardskeamore, Cummer, Ballyglunin, Tuam.
- (70) Martin & Kathleen Quinn, Springlawn, Mountbellew.
- (71) Kevin & Patricia Hession, Ballyeighter, Aughrim, Ballinasloe.

In reply to Councillor Ulick Burke, the County Manager stated that tenants would commence repayment in accordance with the Purchase Scheme after the legal documents and Transfer Order had been completed in each case. Rent would be payable by the tenant up to that date.

2849 - GALWAY COURTHOUSE:

The Council considered a letter dated 23rd March, 1989, from the Department of Justice and other correspondence regarding the Galway Courthouse. The Department of Justice had indicated that the Minister for Justice proposed to commence Mandamus proceedings against the Council unless it signified its intention within 21 days to put the necessary remedial works as outlined by the Department of Justice in hands, in accordance with a satisfactory timetable.

The County Manager stated that he was surprised at the terms of the letter and wished to bring it to the notice of the Members. The Council had considered the question of improvements to Courthouses at its Estimates Meeting but were unable to provide any money for improvements because of the financial constraints imposed. The Council were subject to the same restrictions as all Government Departments which included the Department of Justice. The financial difficulties of the Council had been explained to the Department of Justice but their response was to point out the Council's legal obligations, despite the lack of funds.

The Council were, therefore, in a predicament and he wished to put the matter before the Members. The County Engineer had indicated that the cost of the remedial works was of the order of £155,000. The Council did not have that kind of money available and there was no question of the Council being able to carry out the repairs of the magnitude involved. The County Engineer was concerned regarding the condition of the roof and priority should be given to this matter if any money became available next year. An initial figure of the order of £50,000 would be required to commence some of the more urgent work.

Councillor Joe Burke expressed disappointment with the tone of the letter from the Department of Justice. He referred to the major problems which existed in relation to repairs to Council houses where he stated some tenants were living in appalling conditions because there were no resources available to the Council to carry out the most basic of improvements. He also referred to the condition of the roads in the County because of lack of funds and stated that by comparison with some Council houses, the Courthouses were in quite good shape. He was totally opposed to making any funds available for improvements to Courthouses and referred to the fact that the Department of Justice are collecting substantial monies in fines in the Galway area and that some of this money should be made available to carry out improvements to the Courthouses.

Senator Nioclás O'Conchubhair stated that he supported the views expressed by Councillor Joe Burke. The Department were collecting substantial fines and it was unfair to ask the Council to fund the improvements required. He referred to the recently announced review by the Minister for Justice in relation to Courthouses and proposed that Courthouses in the Gaeltacht areas should not be closed so that the people of the Gaeltacht might be afforded the opportunity to have Court cases conducted in Irish. Councillor Micheal O'Morain seconded Councillor O'Conchubhair's proposal.

Councillor Joe Brennan stated that the Council should be unanimous in rejecting the letter of the Department of Justice and stated that the Council should write back to the Department and inform them of the financial difficulties being encountered. It should be indicated to the Department of Justice that when money was made available, the work would be undertaken. A number of other Councillors spoke and supported the views expressed by the foregoing Councillors. Senator P. McCormack referred to the major cuts which the Council had encountered in relation to Block Grants. Senator T. Hussey stated that the Council should renew its call to the Department of Justice to take over the cost of Courthouses. He said that it was time that the Law was changed to remove the responsibility of the maintenance of Courthouses from Local Authorities. Councillor P. O'Tuathail stated that any additional monies available should be spent on roads.

The County Manager stated that any Government Department should not be in a position to exert pressure on the Council to overspend. The same rules in relation to keeping within budgets applied equally to Departments and to Local Authorities.

In reply to Councillor Joe Burke, the County Manager indicated that if a Court Order was obtained against the Council, the Council would have no option but to comply. It was agreed that the deputation which would be meeting the Minister on the 17th May, 1989, would raise this matter with him.

2850 - ENVIRONMENTAL CAMPAIGN 1989:

The Council approved of the Local Environment Campaign 1989, a copy of which had been circulated to each Member.

2851 - NATIONAL HOUSING AND TOWN PLANNING CONFERENCE - BRIGHTON:

It was proposed by Councillor Joe Callanan, seconded by Councillor Micheal O'Morain, that the Council send three delegates to this Conference. It was proposed by Councillor Joe Burke, seconded by Councillor P. O'Tuathail, that the Council send no delegate to this Conference.

A vote taken for or against Councillor Burke's amendment, resulted as follows:

FOR: Councillors J. Brennan, J. Burke, U. Burke, F. Glynn, Senator P. McCormack, Councillors J. MacDonagh, J. Mannion, P. O'Tuathail, and T. Walsh. (9)

AGAINST: 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, Councillor M. O'Morain, Deputy N. Treacy, and Councillor T. Welby. (13)

The Chairman declared Councillor Burke's amendment lost.

There were no further amendments and the Chairman declared Councillor Callanan's proposal that three Members attend the Conference carried.

It was proposed by Councillor J. Callanan, seconded by Councillor Micheal O'Morain, and agreed, that Councillors P. McHugh, and Senator Nioclás O'Conchubhair attend this Conference.

It was proposed by Councillor John Mannion, seconded by Councillor Michael Ryan, and agreed that that Councillor Mannion would nominate a third Member to attend at the next Monthly Meeting of the Council.

2852 - INDUSTRIAL PROMOTION BY THE GALWAY/BOSTON VENTURES:

It was proposed by Councillor Micheal O'Morain, seconded by Deputy Michael Kitt, and agreed that the attendance of the Chairman and the County Manager be approved on the Galway promotional tour to Boston from the 6th/8th May - 15th May, 1989.

2853 - ASSOCIATION OF HEALTH BOARDS IN IRELAND - ANNUAL CONFERENCE - LIMERICK - 12TH/13TH MAY, 1989:

It was proposed by Deputy Michael Kitt, seconded by Councillor O'Morain, and agreed that the attendance of Councillor Tom Welby and Senator T. Hussey be approved at this Conference. It was proposed by Councillor John Mannion, seconded by Senator P. McCormack, that the attendance of Councillor Martin Lynch be approved at this Conference. It was proposed by Senator P. McCormack, that the attendance of Councillor Michael Ryan be approved at this Conference. Councillor Michael Ryan withdrew his name and the attendance of Councillor Martin Lynch was approved by the Council.

2854 - COUNCIL MEETINGS - MAY 1989:

It was agreed on the proposal of the Chairman that the May Planning Meeting would be held on Friday, 19th May, 1989. It was also agreed on the proposal of the Chairman, that the Monthly Meeting of the Council would be held on the 29th May, 1989.

2855 - SHEEP DIPPING MEETING - CASTLEBAR - 4TH MAY, 1989:

It was proposed by Deputy Michael Kitt, seconded by Councillor Micheal O'Morain, and agreed that the attendance of Councillor T. Welby and J. Callanan, be approved. It was proposed by Councillor John Mannion, seconded by Councillor Jarlath McDonagh, and agreed that the attendance of Councillor Michael Ryan be approved.

2856 - NOMINATION OF MEMBER TO WESTERN REGIONAL TOURISM ORGANISATION FOR THE YEAR 1989/1990:

It was proposed by Senator P. McCormack, seconded by Councillor Martin Lynch, that Councillor J. Mannion be nominated.

It was proposed by Deputy Michael Kitt, seconded by Councillor P. McHugh, that Councillor T. Welby be nominated.

Councillor J. Mannion withdrew his name, and as there were no further proposals, the Chairman declared Councillor T. Welby to be the Member nominated by the Council to the Western Regional Tourism Organisation for the year 1989/1990.

2857 - ANNUAL CONFERENCE OF GENERAL COUNCIL OF COUNTY COUNCILS - WATERFORD - 8TH/10TH JUNE, 1989:

It was proposed by Deputy Michael Kitt, seconded by Councillor P. McHugh, that the attendance of Councillors Joe Callanan and M. Loughnane be approved at this Conference. It was proposed by Senator P. McCormack, seconded by Councillor Martin Lynch, and agreed that the attendance of Councillor J. Mannion be approved at this Conference.

2858 - CONFERENCE ON INTERACTION BETWEEN AQUACULTURE AND THE ENVIRONMENT AT THE CONNEMARA COAST HOTEL, FURBO, ON 15TH/16TH APRIL, 1989:

The Council were informed that owing to a bereavement in his family, Senator Nioclas O'Conchubhair was unable to attend this Conference. The Council agreed that the attendance of Councillor P. McHugh in place of Senator Nioclas O'Conchubhair, be approved.

2859 - REVISION OF ENGINEERING AREAS:

The Council considered the County Engineer's report dated 22nd February, 1989, which set out proposals to reduce the number of Engineering areas in County Galway from 11 to 9. In his report, the County Engineer indicated that the result of the reduction would mean transferring the Engineering services in Milltown and Portumna to adjoining areas and re-adjusting these adjoining areas, and other areas to accommodate the changes.

The County Manager informed the Council that because of staff cut backs, the Council were short of Engineers to carry out road design. Even in the current year, advance road design was essential to enable the Council to spend Road Grants allocated to it and if Engineers were not put on Design in the immediate future, the Council would not be in a position to spend the Grants allocated. There were two alternatives open to the Council - the redeployment of existing staff, or the seeking of sanction from the Minister for the Environment to recruit additional staff. The County Manager indicated that he had put a proposal to the Department of the Environment, but that no reply had yet been received. He was informing the Council that if he did not get sanction to employ additional staff, he would have no option but to redeploy existing staff in accordance with the County Engineer's report.

Councillor Micheal O Morain proposed that the question of recruiting additional Engineers for Road Design be raised with the Minister at the forthcoming deputation meeting.

Councillor Joe Burke stated that while the Council must have Design work carried out, the proposal of the County Engineer was unworkable. He stated that in relation to the Tuam and Mountbellew areas, that a third of the County was involved where the proposal was to cover it with two Engineers. There was 35% of the road mileage of the County in those two areas which would mean that each Engineer would have to cover 70% of the road mileage. The Engineers in the Loughrea and Gort areas would be covering around 11% of the mileage of the County whereas the three Engineers in the Connemara area would be covering only 7% each of the mileage of the County. He stated that the proposal was unacceptable.

Councillor Micheal O'Morain stated that it was essential that the three Engineering areas be retained in Connemara, particularly the Costello area which serves the Gaeltacht area.

Councillor Micheal O' Morain stated that the Council should go back to the Department and say that the Council could not afford to reduce the Engineering areas. Councillor Tiarnan Walsh stated that the Engineer in the Tuam Area would have to cover a vast area and the public would not accept any changes. He was totally opposed to the proposals of the County Engineer.

Councillor Ulick Burke stated that he was opposed to the County Engineer's proposals and disagreed totally with the disbanding of the Portumna area. He referred to areas along the Clare border which would be totally neglected under the new proposals. He stated that other Councils had advertised for Engineering staff and said that Galway County Council should be allowed to do likewise. He proposed that the deputation to the Minister seek approval to recruit additional Engineering Staff.

The County Engineer stated that the original complement of Engineers in the County was 52. This number had been reduced to 50 when the City had been extended, and in the intervening period, as a result of cutbacks, the number of Engineers employed by the Council had been reduced to 38, which included 6 Planners. The priority areas into the future were roads and sanitary services, and a substantial increase in Road allocations had been received in 1989. It was necessary to prepare Contracts and other documents and plan properly the construction of the work. The County Engineer stated that he had only two Draughtsmen to do advance planning work where there were a number of urgent jobs. The County Engineer stated that the amount of work had dropped substantially in the areas and as a result of the reduced work loads, he was trying to recover some staff from the areas. The number of men employed by the Council had dropped from 600 men to 280 men over the last number of years, and no surface dressing was being done by Area Engineers. The County Engineer stated that no Overseer would have any substantial change in his existing area, and the areas had been rationalised to tie in with Regional Water Supply Schemes. A number of other Councillors also spoke and indicated their disagreement to the proposals of the County Engineer. The County Manager outlined the impositions imposed on the Council by the embargo on the recruitment of staff and indicated that if the embargo continued, the Council would be forced to bring forward further proposals for the redeployment of staff. He had made a submission to the Department of the Environment for sanction to recruit additional staff, but if this approval was not forthcoming, Engineering staff would have to be redeployed in accordance with the proposals of the County Engineer. He was determined to put in place arrangements for the preparation of advanced designs for roadworks. Senator T. Hussey stated that he was totally opposed to the changes proposed for the Milltown area. Councillor Michael Ryan proposed that the Council go back to the Department of the Environment and request them to sanction the necessary Engineers required for advance design. Councillor J. Joyce stated that he was opposed to the abolition of the Portumna area as the area catered for the Shannonside area of County Galway. He also referred to the disruptions which would arise for the staff employed in the office and stated that there would be local resistance to moving the Council office from the Town. He was supported by Councillor Matt Loughnane who proposed that the County Engineer's proposals be rejected.

Deputy Noel Treacy stated that he wished to ensure that forward planning would be carried out by the Council. He could not understand, however, why the Portumna area would be without an Engineer, as this area was the gateway from the South-East to the west and was in strategic location. He asked that report be prepared for the Council setting out the whole Engineering structure and the workloads for each Engineer.

It was agreed following further discussion that the deputation to the Minister would take up the matter with him.

2860 - HOLDING OF MEETING IN THE ARAN ISLANDS:

It was proposed by Senator Nioclás O'Conchubhair, seconded by Councillor Matt Loughnane that the May Monthly Meeting of the Council to be held on the 29th May, 1989, be held in the Aran Islands.

Deputy R. Molloy proposed and Councillor Michael Mullins seconded that the Meeting be held in the Aran Islands in June 1989. A vote taken on whether the Meeting should be held in May or June resulted as follows:

FOR MAY: Councillors J. Callanan, P. Finnegan, F. Glynn, J. Joyce, M. Loughnane, P. McHugh, J. Molloy, Senator N. O'Conchubhair, and Deputy N. Treacy.

(9)

FOR JUNE: Councillors J. Burke, U. Burke, J. Mannion, Deputy R. Molloy, Councillors M. Mullins, P. O'Tuathail, and T. Walsh.

(7)

The Chairman declared that the May Monthly Meeting of the Council to be held on the 29th May, 1989, would be held in the Aran Islands as a result of the foregoing vote.

2861 - MALICIOUS INJURY DECREES:

The Malicious Injury Decrees as circulated were noted.

COUNCILLORS' NOTICES OF MOTION2862 - THAT GALWAY COUNTY COUNCIL IMMEDIATELY RELOCATE THE 30-MILE SPEED LIMIT OUTSIDE A PERSON'S HOUSE (DETAILS SUPPLIED): - MOTION BY DEPUTY NOEL TREACY:

The following written reply was given to Deputy Noel Treacy:

"Relocation of the existing 30 mile speed limit is not recommended as the existing location is satisfactory from road traffic point of view. It should be noted that the above sign was erected prior to the erection of the dwellinghouse."

Deputy Treacy requested that this Motion be adjourned to the next Monthly Meeting of the Council.

2863 - THAT THE COUNTY MANAGER GIVE DETAILS OF WORKING AND LIGHTING PROPOSED FOR BARNÁ PIER OVER THE LAST SIX YEARS: - MOTION BY SENATOR NIOCLÁS O'CONCHUBHAIR:

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

"Galway County Council has not carried out any works on Barna Pier over the last six years. However, a grant of £3,500 and £3,000 was allocated to the Office of Public Works by Roinn na Gaeltachta on 9/4/'84 and 19/5/'86 respectively for the provision of additional ladder and dredging and removal of berths at Barna Pier. The work was carried out by the Office of Public Works but the Council are not aware of the actual costs.

A grant of £12,500 was also provided by Roinn na Gaeltachta to the Office of Public Works for the provision of leading lights at the pier but was later suspended as the Department of Communications informed that they would not consent to the proposal as it was not in the public interest."

2864 - WHAT IS THE PROCEDURE TO HAVE ROADS SERVING A NUMBER OF HOUSES IN VILLAGES TAKEN BACK FROM BEING IN CHARGE OF THE COUNTY COUNCILS AND MADE PRIVATE ROADS AGAIN: - MOTION BY SENATOR PADRAIC MCCORMACK:

The following written reply was given to Senator Padraic McCormack:

"There is a legal procedure in the Local Government Act, 1925, for the abandonment of roads under certain conditions.

The Council whose duty it is to maintain the road may apply to the Minister for the Environment to make an Order declaring that a particular road is to be abandoned.

When a Council proposes to apply to the Minister for an Order, it must give a months public notice of its intention to do so in a local newspaper in each of two successive weeks.

Before making an Order in respect of any road, the Minister must hold a local enquiry into the expediency of abandoning such a road. I trust that the foregoing outlines the procedure for you."

2865 - LAURENCETOWN HOUSING SITE - PROBLEMS RE SEPTIC TANKS AND PERCOLATION AREAS: - MOTION BY COUNCILLOR JAMES JOYCE:

The following written reply was given to Councillor James Joyce:

"The surface water drainage system serving the above Estate is piped to a nearby stream. Investigations carried out to date indicate that there is no evidence of effluent from the septic tank infiltrating the surface water system. Inspections have also revealed that the septic tank percolation system is operating satisfactorily."

2866 - THAT A SKIP BE PROVIDED AT THE TIGEENS IN POOLBOY, BALLINASLOE: - MOTION BY COUNCILLOR JOE BRENNAN:

The following written reply was given to Councillor Joe Brennan:

"It is proposed placing a skip at Poolboy on every third week (Monday to Friday) on a trial basis for a period of 3 months."

2867 - BAD BEND AT WATERDALE: - MOTION BY COUNCILLOR JARLATH McDONAGH:

The following written reply was given to Councillor Jarlath McDonagh:

"Improvement to the bend at Waterdale on C.R. 148 will entail the removal of approximately 40 m. of roadside verge and soling and the removal and setting back of an additional 40 m. of existing boundary wall around the bend. The estimate of cost of the proposed works is £2,000 exclusive of land purchase costs.

There are no funds available to carry out this work. The work could be considered under a Notice of Motion Scheme."

2868 - THAT THE COUNTY COUNCIL INFORM YOU OF CURRENT POSITION ON PROPOSED CEMETERY - SOCIAL EMPLOYMENT SCHEME (DETAILS SUPPLIED): - MOTION BY COUNCILLOR JARLATH McDONAGH:

The following written reply was given to Councillor Jarlath McDonagh:

"A Social Employment Scheme, with 6 participants, was carried out on this Cemetery between February 1987, and February 1988, and all necessary work was completed. It is not considered necessary to continue this Social Employment Scheme."

2869 - THAT THE COUNTY COUNCIL USE SOCIAL EMPLOYMENT SCHEME FOR MAJOR OVERHAUL OF CEMETERY (DETAILS SUPPLIED): - MOTION BY COUNCILLOR JARLATH McDONAGH:

The following written reply was given to Councillor Jarlath McDonagh:

"This suggestion will be examined with a view to having a S.E.S. carried out."

2870 - THAT IMMEDIATE REPAIRS BE CARRIED OUT TO THE ROAD LEADING TO MHAORIS GRAVEYARD AT BAILE NA h-ABHANN: - MOTION BY DEPUTY ROBERT MOLLOY:

The following written reply was given to Deputy Robert Molloy:

"The estimated cost of carrying out improvement works on this road is £15,000. However, there are no funds available in the current year to carry out the above works."

- 2871 - THAT IMMEDIATE REPAIRS BE CARRIED OUT ON THE CLOONIFFE ROAD, MOYCULLEN: -
- MOTION BY DEPUTY ROBERT MOLLOY:

The following written reply was given to Deputy Robert Molloy:

"Repairs will be carried out within the next two weeks."

- 2872 - THAT GALWAY COUNTY COUNCIL OPEN DRAINS TO DRAW OFF WATER WHICH IS FLOODING
LANDS NEAR COMMUNITY CENTRE AT CORNAMONA: - MOTION BY DEPUTY ROBERT MOLLOY:

The following written reply was given to Deputy Robert Molloy:

"This work will be carried out within the next two weeks."

- 2873 - THAT THE MANAGER INFORM THE COUNCIL OF THE UP-TO-DATE POSITION ON REVISION
OF POLLING SCHEME: - MOTION BY COUNCILLOR MATT LOUGHNANE:

The following written reply was given to Councillor Matt Loughnane:

"A review of the Polling Scheme was undertaken by the Council in 1986 and much of the mapping work was completed. Also the County Registrar has altered the Polling situation in many areas by closing down private houses. This has been done at the request of the Department of the Environment. The finalisation of the Review was deferred due to the fact that it was likely that the constituency boundaries were to be redrawn. In the event of the Council wishing to proceed with the Review of the Polling Scheme at this stage, draft proposals for the Council's approval can be drawn up."

It was agreed to adjourn this Motion to the May Monthly Meeting of the Council.

- 2874 - THAT THE COUNTY MANAGER INFORM THE COUNCIL OF THE UP-TO-DATE POSIITON ON THE
PROPOSAL TO PROVIDE A BURIAL GROUND AT MAREE: - MOTION BY COUNCILLOR MATT
LOUGHNANE:

The following written reply was given to Councillor Matt Loughnane:

"Land has been acquired at Rinville for the provision of a new Burial Ground to serve the Oranmore/Maree area. A section of this land nearest the public road has to be drained before development works commence. The drainage proposal involves the purchase of two number wayleaves. Maps have been prepared and the price agreed on these wayleaves. One purchase agreement has been finalised and the formal agreement of the second landowner is awaited. The Council are endeavouring to reach agreement with the second landowner regarding this wayleave. If agreement is not reached in the near future, the Council intend to acquire compulsorily the land over which the wayleave is required."

- 2875 - THAT GALWAY COUNTY COUNCIL CARRY OUT REPAIRS AT A LOCATION (DETAILS SUPPLIED)
- MOTION BY DEPUTY NOEL TREACY:

The following written reply was given to Deputy Noel Treacy:

"Repairs will be carried out to the walls as soon as possible. However, there are no funds available for improvement works."

It was agreed that this motion would be adjourned to the May Monthly Meeting of the Council.

- 2876 - THAT GALWAY COUNTY COUNCIL CARRY OUT REPAIRS TO A ROAD (DETAILS SUPPLIED):
- MOTION BY DEPUTY NOEL TREACY:

The following written reply was given to Deputy Noel Treacy:

"Repairs to the above road have been carried out as part of routine County Road Maintenance."

It was agreed that this motion would be adjourned to the May Monthly Meeting of the Council.

- 2877 - THAT GALWAY COUNTY COUNCIL CARRY OUT REPAIRS TO A ROAD (DETAILS SUPPLIED):
- MOTION BY DEPUTY NOEL TREACY:

The following written reply was given to Deputy Noel Treacy:

"This road requires sheeting and surface dressing but there are no funds available in the current year to carry out this work. However, routine maintenance will be carried out as resources permit."

It was agreed that this motion would be adjourned to the May Monthly Meeting of the Council.

- 2878 - THAT GALWAY COUNTY COUNCIL CARRY OUT REPAIRS TO ROADS IN THE VICINTY OF MIRAH,
TURLOUGHMORE: - MOTION BY COUNCILLOR PADDY McHUGH:

The following written reply was given to Councillor Paddy McHugh:

"Patching of County Roads has been carried out recently in the vicinity of Mirah and adjacent areas. Minor surface repairs will be continued and carried out to roads as required, under routine maintenance, in order of priority, and as resources permit."

- 2879 - THAT THE ROAD TO JACK MULLEN'S HOUSE AT CURRYLEA, LAVALLY, TUAM, RECENTLY
DONE UNDER L.I.S. BE TAKEN OVER BY GALWAY COUNTY COUNCIL: - MOTIN BY
COUNCILLOR P. FINNEGAN, DEPUTY M. KITT, SENATOR T. HUSSEY, COUNCILLOR P. RAFTERY,
AND DEPUTY N. TREACY:

The following written reply was given to Councillor P. Finnegan, Deputy M. Kitt, Senator T. Hussey, and Deputy N. Treacy, and sent to Councillor P. Raftery who was not in attendance:

"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. The road requires to be surface dressed in order to bring it to a standard whereby it can be maintained under routine maintenance. It is considered inadvisable to take this road in charge as the costs of maintenance, without it first being surface dressed, would further strain the limited resources of the Council. There is no programme for surface dressing of County Roads. The estimate of costs for surface dressing is £6,600 for which there are no funds available."

- 2880 - THAT GALWAY COUNTY COUNCIL REMOVE THE ROAD SIDE BANKS ON THE ROAD TO LADYS
WELL SO THAT THIS WOULD BE READY FOR 15TH AUGUST: - MOTION BY COUNCILLOR
MARTIN LYNCH:

The following written reply was given to Councillor Martin Lynch:

"The cost of widening the above road by removal of side banks is estimated at £3,250. There are no funds available in the current year for carrying out this work. However, the work could be funded by Notice of Motion monies."

- 2881 - THAT A WORKING GROUP BE ESTABLISHED COMPRISING OF TWO COUNCIL OFFICIALS, TWO
MEMBERS OF THE COUNTY COUNCIL AND TWO MEMBERS OF AN COISTE FORBARTHA ON INIS
MOR TO IDENTIFY THE COUNCIL'S WORKING PRIORITIES ON INIS MOR: - MOTION BY
DEPUTY FRANK FAHEY, SENATOR NIOCLAS O'CONCHUBHAIR, COUNCILLOR PADDY McHUGH,
COUNCILLOR M. KILLILEA MEP:

It was agreed that this motion would be adjourned to the May Monthly Meeting of the Council.

- 2882 - RIVER SUCK DRAINAGE: - MOTION BY COUNCILLOR T. WALSH:

It was agreed that this Motion would be adjourned to the May Monthly Meeting of the Council.

- 2883 - THAT THE ROAD FROM SEAMUS FLYNN'S HOUSE, KILLERORAN, TO ISLANDCAR SCHOOL HOUSE BE REPAIRED: - MOTION BY COUNCILLOR P. RAFTERY:

The following written reply was sent to Councillor Peter Raftery:

"Repairs will be carried out to the worst stretch of this road within the next two months. It is not possible to carry out full repairs, due to shortage of funds."

- 2884 - THAT THE BEND OPPOSITE THE ISLANDCAR SCHOOL BE EASED: - MOTION BY COUNCILLOR PETER RAFTERY:

The following written reply was sent to Councillor Peter Raftery:

"The cost of easing of the above land is estimated at £20,000. However, there are no funds available in the current year."

- 2885 - THAT THE COUNTY COUNCIL TAKE OVER THE SERVICES IN THE FOLLOWING ESTATES IN TUAM: - MOTION BY COUNCILLOR P. FINNEGAN:

The following written reply was given to Councillor Peter Finnegan:

1. Parkview Drive:

The Council has been endeavouring without success to enforce the Developer to comply with the terms of the Planning Permission granted in this case. The road has not been taken in charge and the company does not appear to be in business at present. A detailed examination of the road surface is required to determine the costs involved in bringing the road up to acceptable standards. The Council had in the past sought a grant to complete the roads and footpaths but funds were not made available. The Council could consider carrying out some improvements if sufficient Notice of Motion money was made available.

2. Millstream Park:

Planning Permission for this estate was granted in September 1974 to B.M.H. Developments Ltd. The estate comprises of 38 houses. The approach road to the estate was taken in charge some years ago and public lighting was provided by the County Council. Contributions towards the cost of the approach road and the public lighting were received from the residents.

The Council have proposals for rectifying the defects in the sewerage system serving this estate which we expect to be implemented in the near future.

3 Other Estates:

With regard to the remaining Estates, the Council will contact the individual developers with a view to having them deal with any outstanding items in order to have the estates made suitable for taking in charge."

It was agreed that this Motion be adjourned to the May Monthly Meeting of the Council.

- 2886 - APPLICATION FOR GRANT FOR GALWAY/HEADFORD ROAD FOR APPROX. 3 MILE OF STRETCH BETWEEN KILROE CROSS AND CLOUGHANOVER COMMUNITY CENTRE: - MOTION BY SENATOR PADRAIC McCORMACK:

The following written reply was given to Senator Padraic McCormack:

"This application will be considered along with others when the 1990 Road Grants proposals are being sent to the Department.

In the meantime, it is proposed lowering and cleaning of grass verges in order to provide additional space for pedestrians. Additional road signs and white lining will be provided over the coming months."

- 2887 - THAT GALWAY COUNTY COUNCIL WIDEN 400 YARDS OF ROAD LEADING TO A DWELLINGHOUSE (DETAILS SUPPLIED): - MOTION BY COUNCILLOR MICHAEL FAHY:

The following written reply was given to Councillor Michael Fahy:

"This stop in road serves 2 hours and landowners. The estimated cost of widening same is £22,500. However, there are no funds available to carry out this work."

- 2888 - THAT GALWAY COUNTY COUNCIL CARRY OUT NECESSARY WORKS OUTSIDE BUSINESS PREMISES (DETAILS SUPPLIED): - MOTION BY COUNCILLOR MICHAEL FAHY:

The following written reply was given to Councillor Michael Fahy:

"Two new road culverts and road gullies were constructed at this location to relieve flooding."

- 2889 - WHAT IS THE CURRENT POSITION AS REGARDS THE DEVELOPMENT OF DUBLIN ROAD TO VICAR STREET VIA THE STATION: - MOTION BY COUNCILLOR JOE BURKE:

The following written reply was given to Councillor Joe Burke:

"Design work has been completed on this project. However, work cannot commence until funding is provided by the Department of the Environment."

- 2890 - POSITION REGARDING REPAIRS TO BE CARRIED OUT ON THE DEMOUNTABLE DWELLING BELONGING TO COLMAN GONNEELY, CORYULKA, LETTERMORE: - MOTION BY SENATOR NIOCLAS O'CONCHUBHAIR:

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

"An estimate has been prepared and arrangements have been made to have repairs carried out within the next few weeks."

- 2891 - THAT GALWAY COUNTY COUNCIL GIVE A FULL REPORT ON BAD CONDITION OF FURNISH ROAD, LETTERCALLOW: - MOTION BY SENATOR NIOCLAS O'CONCHUBHAIR:

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

"There are no strengthening work carried out on this road in the last few years as funds were not provided for same by the Department. However, maintenance work was carried out which included pot hole filling, patching and grouting. These works were only carried out in order to prolong the life of the road.

The condition of the road has deteriorated mainly due to extra traffic generated by Fish Farming activities."

- 2892 - THAT DOILIN BEACH, CARRAROE, BE INCLUDED FOR PUBLIC TOILET FACILITIES UNDER THE SCHEME ANNOUNCED BY DEPARTMENT OF THE ENVIRONMENT: - MOTION BY SENATOR NIOCLAS O'CONCHUBHAIR:

It was agreed that this Motion would be deferred to the May Monthly Meeting of the Council.

- 2893 - CORRESPONDENCE:

Copies of the following letter were circulated to each Member of the Council:

- (1) Letter dated 23rd February, 1989, from Carlow County Council re Tenant Purchase Scheme 1988.
- (2) Letter dated 1st March, 1989, from Castleblayney Urban District Council re crisis in the Bakery Industry resulting in a serious loss of jobs.
- (3) Letter dated 28th February, 1989, from Athlone Urban District Council re Rod Licence Dispute.
- (4) Letter dated 2nd March, 1989, from Carlow Urban District Council re finance for the construction of Local Authority Housing.
- (5) Letter dated 10th March, 1989, from Donegal County Council re air/sea rescue arrangements along the West Coast of Ireland.

- (6) Letter dated 2nd March, 1989, from Westport Urban District Council stating that the Council call on the Minister for Education to -
- (a) withdraw Sections 7 and 8 of the Circular 8.88 which gives the Department of Education alone the power to determine whether or not a student may repeat a year of post-primary school, and which restricts the grounds upon which a repeat year may be undertaken, and
- (b) drop the £200 charge for repeating the Leaving Certificate Examination.
- (7) Letter dated 8th March, 1989, from Donegal County Council re the provision of a Radio and T.V. service by R.T.E. for all of County Donegal of the same standard as that provided for the rest of the country.
- (8) Letter dated 20th March, 1989, from The Birmingham Six Committee re the release of the Birmingham Six who are wrongfully convicted and imprisoned for the 1974 Birmingham Pub Bombings.
- (9) Letter dated 7th April, 1989, from Donegal County Council re the Government to intervene and stop the extradition of Father Patrick Ryan to Britain.
- (10) Letter dated 6th April, 1989, from Tralee Urban District Council re repeal of the Fisheries Act so as to abolish the Trout Licence and protect a major portion of our tourists.
- (11) Letter dated 17th April, 1989, from the Irish Guide Dogs Association re National Dog Walk on Sunday 14th May, inviting Officials and Members of Galway County Council and their families to participate in the Walk.

THE MEETING THEN TERMINATED

Submitted, approved and Confirmed.

John Malloy Chairman.

29/5/89 Date

COMHAIRLE CHONTAE NA GAILLIMHE
(Galway County Council)

Oifig an Runai,
Arus an Chontae,
GAILLIMH

12u la Bealtaine, 1989

CHUIG GACH BALL DE'N CHOMHAIRLE/

A Chara,

Iarrtar ort leis seo bheith i lathair ag cruinniú speisialta de Chomhairle Chontae na Gaillimhe a tionolfar ins na Foirgnithe Chontae, Gaillimh, De h-Aoine, an 19u la Bealtaine, 1989 ar a 3.00 a chlog sa trathnóna.

Mise, le meas,

T. O'CAOMHANAIGH,
RUNAI SEALADACH.

A G E N D A

Resolution under Section 4 of the City & County Management (Amendment) Act, 1955:

- "That in accordance with Section 4 of the City & County Management (Amendment) Act, 1955 Galway County Council require the County Manager to grant Planning Permission to Martin Connolly, Ahalateeve, Creggs for the erection of dwellinghouse and septic tank - Planning Reference No. 58853.
T. Hussey. P. Raftery. P. McHugh.
- "That in accordance with Section 4 of the City & County Management (Amendment) Act, 1955, Galway County Council require the County Manager to decide to grant Full Planning Permission to Mr. Michael Kelly, Tyrone Kilcolgan, Co. Galway for a dwellinghouse and septic tank to be erected at Killeenaran, Kilcolgan, Co. Galway - Planning Reference No. 58348
M. Fahy. N. Treacy. Joe Lambert.
- "That in accordance with Section 4 of the City & County Management (Amendment) Act, 1955, Galway County Council require the County Manager to grant Planning Permission to Mrs. Mary Connolly, Kiltulla, Oranmore Co. Galway for erection of dwellinghouse and construction of septic tank at Newtown - Planning Reference No. 58341
J. Molloy P. McHugh T. Welby.
- Material Contravention County Development Plan - Mr. Michael J. McDonnell, Market Square, Ballygar - Planning Reference No. 58048
- Supreme Court Judgement - Sharpe and Grove Developments Limited and Dublin County Council - Copy already circulated.
- Disposal of plot of land to Messrs. Michael Kelly (Printing) Ltd., Poolboy Industrial Estate, Ballinasloe, Co. Galway, at Poolboy, Ballinasloe in accordance with Section 83 of the Local Government Act, 1946 - Section 83 Notice dated 2nd May, 1989 refers (already circulated).

/.....

- (6) Letter dated 2nd March, 1989, from Westport Urban District Council stating that the Council call on the Minister for Education to -
(a) withdraw Sections 7 and 8 of the Circular 8.88 which gives the Department of Education alone the power to determine whether or not a student may repeat a year of post-primary school, and which restricts the grounds upon which a repeat year may be undertaken, and
(b) drop the £200 charge for repeating the Leaving Certificate Examination.
- (7) Letter dated 8th March, 1989, from Donegal County Council re the provision of a Radio and T.V. service by R.T.E. for all of County Donegal of the same standard as that provided for the rest of the country.
- (8) Letter dated 20th March, 1989, from The Birmingham Six Committee re the release of the Birmingham Six who are wrongfully convicted and imprisoned for the 1974 Birmingham Pub Bombings.
- (9) Letter dated 7th April, 1989, from Donegal County Council re the Government to intervene and stop the extradition of Father Patrick Ryan to Britain.
- (10) Letter dated 6th April, 1989, from Tralee Urban District Council re repeal of the Fisheries Act so as to abolish the Trout Licence and protect a major portion of our tourists.
- (11) Letter dated 17th April, 1989, from the Irish Guide Dogs Association re National Dog Walk on Sunday 14th May, inviting Officials and Members of Galway County Council and their families to participate in the Walk.

THE MEETING THEN TERMINATED

Submitted, approved and Confirmed.

John Malloy Chairman.

29/5/89 Date

7. Review of County Development Plan - Section VII - Development Control Policies and Objectives.
8. Business submitted by the County Manager.

MONTHLY COUNCIL MEETING ON 24/4/'89.

14.

- (6) Letter dated 2nd March, 1989, from Westport Urban District Council stating that the Council call on the Minister for Education to -
- (a) withdraw Sections 7 and 8 of the Circular 8.88 which gives the Department of Education alone the power to determine whether or not a student may repeat a year of post-primary school, and which restricts the grounds upon which a repeat year may be undertaken, and
- (b) drop the £200 charge for repeating the Leaving Certificate Examination.
- (7) Letter dated 8th March, 1989, from Donegal County Council re the provision of a Radio and T.V. service by R.T.E. for all of County Donegal of the same standard as that provided for the rest of the country.
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- (11) Letter dated 17th April, 1989, from the Irish Guide Dogs Association re National Dog Walk on Sunday 14th May, inviting Officials and Members of Galway County Council and their families to participate in the Walk.

THE MEETING THEN TERMINATED

Submitted, approved and Confirmed.

John Malloy Chairman.

29/5/89 Date

COMHAIRLE CHONTAE NA GAILLIMHE

ARRANGEMENTS FOR COUNTY COUNCIL MEETING IN KILRONAN ON 29TH MAY, 1989.

Depart Rossaveal at 1.30 p.m. - Vessel (Seabird)

Lunch in Kilronan - 2.15 - 2.30 p.m.

County Council Meeting at 3.30 p.m. in Parish Hall

Councillors from the Galway Area and Officials to meet Island Representatives at 6.00 p.m.

Depart Kilronan at 7.15 p.m.

LUNCH - £5.50 each

COMHAIRLE CHONTAE NA GAILLIMHE
(Galway County Council)

Oifig an Runai,
Arus an Chontae,
GAILLIMH.

23u la Bealtaine, 1989.

CHUIG GACH BALL DE'N CHOMHAIRLE/

A Chara:

Iarrtar ort leis seo bheith i lathair ag cruinniú de Chomhairle Chontae na Gaillimhe a tionolfar i

HALLA AN PHAROISTE, CILL RONAIN, ARAINN,

AR DE LUAIN, AN 29u LA BEALTAINE, 1989.

ar a 3.30 a chlog sa trathnóna.

You are requested to attend a Meeting of Galway County Council to be held in

THE PARISH HALL, KILRONAN, ARAN ISLANDS,

ON MONDAY, 29th MAY, 1989.

commencing at 3.30 p.m.

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 for construction of septic tank at Polkeen for Aidan Tynan, 39, Sea Road, Galway. - Planning Ref. No. 58798."

John Molloy. T. Welby. 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 grant Permission to Sean Madden at Pollagh, Woodstock. - Planning Ref. No. 57406."

Jarlath McDonagh. John M. Mannion. Nioclás O'Conchubhair.

OTHER BUSINESS:

3. Consideration of Minutes of the following Meetings:
 - (a) Special Council Meeting on 14th April, 1989.
 - (b) Monthly Council Meeting on 24th April, 1989.
4. Overdraft Accommodation for quarter ending 30th September, 1989.
5. Fix date for Annual Meeting of the Council.
6. Raising of loan to finance cost of remedial works at Galway Courthouse.
7. Sale of plot of land to Mary Flynn, Cloonkeen, Killoran, Ballinasloe, Co. Galway. - Section 83 Notice dated 16th May, 1989, already circulated.

8. Report from Deputation to Minister for the Environment re Compensation - Boundary Extension and County Borough Status, Galway.
9. Housing Act, 1988 - Assessment of Housing Needs.
10. Conference - Roscommon - Europe 1992 - "Feiniúlacht na hEireann" - 23rd/25th June, 1989. - Details enclosed.
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 Galway County Council immediately relocate the 30 mile speed limit sign outside a person's house (details supplied) that a proper technical /engineering submission be made to the Department of the Environment to enable this to be done, if necessary, that this work be done forthwith and that the date of same and all other information relating to same be outlined hereafter.
14. That Galway County Council carry out repairs at a location (details supplied), that the Council outline the repairs to be carried out, the date on which they will be carried out, and any other relevant detail.
15. That Galway County Council carry out repairs to a road (details supplied), and that these repairs be carried out immediately, the date on which the work will be carried out and any other relevant details.
16. That Galway County Council hereby carry out immediate repairs including surface dressing, etc., to a road (details supplied) that this work be carried out forthwith, that the Council will outline the work to be done, the dates on which they will be carried out and any other relevant information.

COUNCILLOR MATT LOUGHNANE: - I will propose:

17. That the Manager inform the Council the up-to-date position on revision of Polling Scheme.

DEPUTY FRANK FAHEY, COUNCILLORS NIOCLAS O'CONCHUBHAIR, PADDY McHUGH, MARK KILLILEA MEP: - We will propose:

18. That a working group be established comprising of two Council Officials, two Members of the County Council, and two Member of an Coiste Forbartha on Inis Mor to identify the Council's working priorities on Inis Mor.

COUNCILLOR TIARNAN WALSH: - I will propose:

19. That Galway County Council request the Minister of State at the Department of Finance, Mr. Noel Treacy, T.D., to take steps to introduce amending legislation which would enable the Committee to carry out improvement works in addition to the maintenance drainage works which they are authorised to do at present on the River Suck; and that the Minister should initiate the necessary steps in the matter without delay.

COUNCILLOR P. FINNEGAN: - I will propose:

20. That the County Council take over the services in the following estates in Tuam:-

Parkview Drive, Trinity Court, Bel-Air Drive, Cedar Court, and Millstreeam Park,

its now many months since a report was promised but it hasn't yet been made available.

COUNCILLOR NIOCLAS O'CONCHUBHAIR: - I will propose:

21. That Doilin Beach, Carraroe, be included for public toilet facilities under the scheme announced by the Department of the Environment.

(b) Other Motions received:

COUNCILLOR JARLATH McDONAGH: - I will propose:

22. That the County Council erect immediately "No Dumping" signs and have current litter removed at Gort Bog. (Details supplied).
23. That the County Council extend speed limit at Claregalway as outlined. (Details supplied).
24. That Galway County Council utilise Structural Funds to give badly needed face lifts to the following areas. (Details supplied).

DEPUTY ROBERT MOLLOY: - I will propose:

25. That work commence immediately on the resurfacing of the Kilronan/Killeaney Road, Inishmore, Aran Islands, Co. Galway.
26. That arrangements be made to immediately commence resurfacing of the lower road from Kilronan to Kilmurvey.
27. That arrangements be made to carry out improvement works to Kilmurvey Pier to include the following:-
 - (a) Repair and extension of the Pier.
 - (b) Construction of Slipway.
 - (c) The provision of toilet facilities for the 1989 summer season.
 - (d) Carry out improvements at the blind corner where the Gortnagopple Road meets the Kilronan/Kilmurvey road.

COUNCILLOR PETER RAFTERY: - I will propose:

28. That the potholes on the following roads be filled- Killeroran, Gunnode, Trehill, and Lissavruggy.
29. That the road leading to Michael Fahy's house be taken over and maintained by the County Council.

COUNCILLOR THOMAS WELBY: - Will propose:

30. That this Council erect retaining walls on the Coast Road, Inishboffin, beside New Pier site, in the interest of public safety because of coastal erosion.
31. What is the present position re Development of Derrymoyle, Oughterard?
32. What were the results of trial holes dug for the proposed extension of Lettermornacoile Burial Ground?

COUNCILLOR MATT LOUGHNANE: - I will propose:

33. That road repairs and hedge cutting work be carried out at the location for which details are supplied; also that water tables be kept open.
34. That repairs be carried out to the parapet of the bridge at the Avenue, Dunsandle, Athenry.

DEPUTY NOEL TREACY: - I will propose:

35. That the speed limits at Portumna Road, Killimor, be relocated southwards on the Portumna Road to take into account access to the town, local commercial and residential properties, church entrances, etc., and that this work be carried out without delay.
36. That the Council carry out immediate permanent repairs including surface dressing, etc., to a road (details supplied); that this work be carried out forthwith; that the Council will outline the work to be done, the date on which the work will be carried out and any other relevant information.

DEPUTY NOEL TREACY: - I will propose:

37. That full access to a proper public water supply be made available to the people of Tynagh, the present position on all sources and why the delay in repairing the public water pump, and when this will be done?

AN COMHAIRLEOIR PEADAR O'TUATHAIL: - Molaim:

38. Go scriobhfadh an Comhairle Chontae go dtí an t-Aire Oideachas chun bru a chur uirthé caitheachais a cheadu chun gairmscoil Cholmcill, Indreabhan, Co. na Gaillimhe, a dheisiú - ta an scoil i ndroch chaoi faoi lathair agus ta ar na scolairí dul trasna an príomh bhothar chun freastal ar rangannaí i oifigi de chuid an Udaras. Mar Udaras Pleanála do Chomhairle Chontae na Gaillimhe, ba cheart gurbh abhar imní e seo don Chomhairle.

SENATOR PADRAIC McCORMACK: - I will propose:

39. That improvements be carried out to the Headford to Greenfields, Claran Road, particularly at a spot at the head of the By Road from Carrabeg. Along that section, there is a grass margin of about 60 feet long by 15 feet wide left where the road was widened. If this grass margin and clay bank was removed and a hard surface installed, it would improve greatly the safety of this road.
40. That urgent roadworks be carried out to the Ballinahalla Road, Moycullen, which is in a very bad state of repair.
41. That a "No Dumping" sign be erected at Oranswell Cross, Bushypark, Galway, and also at the entrance to Tom Flaherty's house, Brownville, Bushypark, as there is considerable indiscriminate dumping taking place there.

COUNCILLOR PADDY McHUGH: - I will propose:

42. That Galway county Council provide a report on the adequacy of the sewerage treatment facility serving County Council cottages at Kilronan, Aran.
- That proposals for improvement works for same be prepared.
 - That a timescale for the carrying out of the improvement works be provided.
 - That the works be carried out as soon as possible to eliminate the resultant pollution.
43. That Galway County Council carry out remedial works to the East Road, Inishmore, from Kilmurvey to Kilronan.
44. That Galway County Council provide me with a timescale for the erection of the temporary toilet facilities at Kilmurvey, Inishmore.

COUNCILLOR JAMES JOYCE: - I will propose:

45. That the Social Employment Schemes for Laurencetown - Clonfert (St. Brendan's Cathedral Grounds) and Esker (Banagher) be commenced as soon as possible.
46. That all of the houses on Redmount Hill, between Eyrecourt and Laurencetown, be given the option of using the Refuse Collection Service.
47. That the work on the Doon Cemetery entrance and Mr. Clarke's road be commenced as soon as possible.

COUNCILLOR MICHAEL FAHY AND DEPUTY FRANK FAHEY: - We will propose:

48. That Galway County Council carry out repair works to put an end to flooding from the front of dwellinghouse of James Killoran's house at Ballinderreen, Kilcolgan.

COUNCILLOR MICHAEL FAHY: - I will propose:

49. That Galway County Council carry out repairs on the Frenchfort Road, Oranmore.
50. That Galway County Council carry out works to close lay-by from traders near John Murphy's house at Kiltiernan, Kilcolgan.

APRIL 1989

DECREES

DAMAGE

MAJORITYS

Name and Address	Particulars of Claim	Area of Charge	Amount of Claim	Amount of Decree including costs.
Padraic Bruen, 112 Renmore Park, Galway.	Damage to Property	County at large	£50,000	£14,509.01
Breda Bruen & Mary Thornton, 112 Renmore Park, Galway.	Damage to Property	County at large	£20,000	£14,281.89
John Fitzgerald, T/A The Cellar Bar, Eglinton Street, GALWAY.	Damage to Property	County at large	£1,000	£1,171.75
City Car Sales, Bohermore, Galway.	Damage to premises	County at large	£5,000	£3,373
Francis Conway, New Inn, Ballinasloe, Co. Galway	Damage to Property	County at large	£125,000	£13,161.52

COMHAIRLE CHONTAE ROSCOMÁIN

Teach Cúirt Roscomáin



ROSCOMMON COUNTY COUNCIL
Courthouse, Roscommon

Telephone No. (0903) 26100

Date: 5th May, 1989.

Ref.: General & Personnel.

TO: EACH COUNTY SECRETARY.

Re: Dr. Douglas Hyde Conference.

Dear Sir,

This Council in association with Lakeland are organising a Conference from the 23rd to 25th June, 1989. The theme of the Conference is "Europe 1992 - Féiniulacht na hÉireann".

The Conference will examine the state of our cultural identity within the enlarged European context and will therefore be of interest to everybody concerned with the preservation of an Irish cultural identity.

I would appreciate if you would bring the attention of your Council to the Conference and let me know who will be attending, in due course.

Yours faithfully,

J. Kearney,
County Secretary.

All Communications to be addressed to:
THE COUNTY SECRETARY

EUROPE 1992 - Feiniulacht na hÉireann

FRIDAY, 23rd June, 1989

7.00 p.m. - 8.00 p.m.
Registration of delegates

8.00 p.m. - 8.30 p.m.
Official opening of Conference
Cathaoirleach : Senator B. Mullooly,
Chairman, Roscommon County Council.
Aoi Onorach : Mr. John Wilson, Minister for Tourism.

8.30 p.m. - 9.30 p.m.
Minority Cultures - The need for their Preservation!
Cathaoirleach : Dr. Colm O hEocha
Leachtóir : Mr. John D.A. Robb

9.30 p.m. - 10.00 p.m.
Te agus ceapairi/Refreshments

SATURDAY, 24th June, 1989

10.00 a.m. - 10.40 a.m.
'Folklore collection in Roscommon'
Cathaoirleach : Donall O Riagain
Leachtóir : Barbara Flynn

10.40 a.m. - 11.15 a.m.
'The Irish Hedge Schools'
Cathaoirleach : Donall O Riagain
Leachtóir : James Hoban

11.15 a.m. - 11.45 a.m.
Te/caife

11.45 a.m. - 12.30 p.m.
'Gneithe de theagasc de hÍde'
Cathaoirleach : Donall O Riagain
Leachtóir : Breandan O Conaire

12.30 p.m. - 1.15 p.m.
'An Gaeilge Anois'
Cathaoirleach : Liam O Murchu
Leachtóir : Proinsias Mac Aonghusa

1.15 p.m. - 2.30 p.m.
Lon/Lunch

2.30 p.m.
Turasanna Loganta/Local Tours.
Te/Tea

8.15 p.m. - 9.00 p.m.
Comhaltas Ceoltoirí Éireann
Dun na Sí
An Mhota - Co na Iarmhí

9.15 p.m. - 10.00 p.m.
'Language Revival - The Welsh Experience'
Cathaoirleach : Stiofan O Laoire
Cainteoir : Denley Owen

10.00 p.m.
Tuarascail - Breandan O Madagain.

SUNDAY, 25th June, 1989

10.00 a.m.
Ceol Aifreann O Riada

An tArd Eoglais, Bealach an Dóirín

An tEaspag Tomás O Floinn a leanh.

MINUTES OF SPECIAL MEETING OF GALWAY COUNTY COUNCIL HELD AT THE COUNTY BUILDINGS, GALWAY, ON FRIDAY, 19TH MAY, 1989.

IN THE CHAIR: Councillor P.J. Finnegan.

ALSO PRESENT:

Members: As recorded in Attendance Book.

Councillors J. Brennan, J. Callanan, M. Fahy, Senator T. Hussey, Councillor J. Joyce, Deputy M. Kitt, Councillors J. Lambert, M. Loughnane, Senator P. McCormack, Councillors J. McDonagh, P. McHugh, J. Molloy, M. Ryan, T. Walsh, and T. Welby.

Officials: Messrs. S. Keating, County Manager; J. Crotty, Deputy County Engineer; E. Gleeson, County Secretary; D. Barrett, Senior Staff Officer; B. Callagy, S.E.E. (Planning); L. Kavanagh, S.E.E. (Planning); and T. Kavanagh, Administrative Officer.

The Opening Prayer was recited.

2894 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 58853 - APPLICANT: MARTIN CONNOLLY

The resolution as set out on the Agenda was proposed by Senator T. Hussey, and seconded by Councillor Joe Callanan. The County Manager submitted the following report. a copy of which had been circulated to each Member:

LOCATION:

The site is located on a minor County road in the townland of Aghalateeve approximately two miles south of Glinsk.

PLANNING HISTORY:

Permission was first sought in November 1988 by the applicant (ref. no. 57827) and a trial hole to assess the suitability of the soil for septic tank development was required in a request for further information. The field proved to be waterlogged and the Chief Medical Officer recommended refusal on the grounds that the development would be prejudicial to public health.

CONSIDERATION:

The applicant subsequently rang the Planning Office and

2.

stated that his family owned additional land in the vicinity but that his father wished to retain it for other members of the family. He was requested to forward a map of the family holding but declined to do so.

The extent of waterlogging of the site was unusual in that the water level rose to within three inches of the ground surface on the date of inspection. A water table as high as this makes any proper percolation and treatment of effluent impossible and the implications for public health are indisputable.

RECOMMENDATION:

Refusal is recommended as follows:

1. Owing to the water logging of the site the soil would be unable to provide an effective medium for the treatment of septic tank effluent and the development would be liable to constitute a public health hazard and would thus be contrary to the proper planning and development of the area."

Mr. Liam Kavanagh, Senior Executive Engineer (Planning), stated that the site in question was waterlogged and that the report of the County Medical Officer had indicated that the site did not pass the test of percolation requirements. The County Engineer had visited the site and had indicated that the site was waterlogged. The site had failed the trial hole test as required.

Senator T. Hussey stated that this site was the only choice available to the applicant. He stated that adequate drainage could be provided on the site and that there was only one other site available on the family lands which was required for another member of the applicant's family. The registration of other lands occupied by the family was not in order. The applicant wanted to build in the location in question in order to reside near his parents. The experience of septic tanks in the area were that there are no problems with existing ones and the land in the area was mostly wet and waterlogged. Councillor Joe Brennan stated that if the Section 4 was passed, it appeared that the Manager could not allow the development in view of the report of the County Medical Officer regarding percolation.

Senator T. Hussey stated that it could not be known whether the septic tank would work until it was put in place. The applicant was agreeable to putting in extra safeguards and the land would be drained to provide adequate drainage.

The County Manager stated that the problem in this case was

3.

that the ground was waterlogged and that the septic tank would not work as there were no means of percolation or purification of effluent. The effluent from the tank would be dispersed through the water system and would cause pollution.

Councillor Michael Ryan stated that the type of land involved held surface water. There was a layer of thick soil about two feet on the surface, but that if mould drains were dug below this layer, there would be good soakage underneath.

Mr. L. Kavanagh indicated that a trial hole of 2 metres deep was dug in this case and the situation found was not suitable.

Deputy M. Kitt stated that the trial hole was dug in December, 1988. He said that another relation living nearby had a septic tank which was operating adequately.

Mr. L. Kavanagh stated that the Council could not generalise in relation to the requirements for septic tanks. The appropriate tests had to be carried out where the Council felt they were required and this site was not found suitable based on the tests carried out.

Following further discussion, it was agreed to adjourn further consideration of this Section 4 Resolution to allow the applicant to submit further proposals in relation to the drainage of the site. Senator T. Hussey stated that he would discuss the matter with the applicant to have the latest date for a decision extended.

2895 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 58348 - APPLICANT: MICHAEL KELLY

The resolution as set out on the Agenda was proposed by Councillor Michael Fahy, and seconded by Councillor Joe Lambert. The 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 shores of an inlet of Galway Bay 1 mile northwest of Ballindereen.

PLANNING HISTORY:

The applicant who was married within the past year lives with his parents approximately one and half miles from the site. The land holding is fragmented in this and in adjacent townlands and has other suitable locations for a dwellinghouse with adequate road frontage.

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This particular site overlooks a Bay inlet where the applicant's family has shellfish beds and he wishes to be adjacent to this sea farming activity for convenience and security reasons. In the course of the previous application on this site, the applicant was advised that suitable sites existed, some of which had a view of the Bay, but he did not accept this nor did he appeal the previous decision.

Septic tank percolation areas are required to be at least 300 ft. from the High Water Mark but the configuration of the peninsula on which the site is located does not allow for compliance with this. A site inspection has shown a recently deposited line of seaweed which would be just over 100 ft. from the percolation area. The normal distance requirements should be strictly adhered to along this coastline in view of its importance in oyster and other shellfish cultivation.

RECOMMENDATION:

1. The proposed development would be contrary to the proper planning and development of the area as it would be likely to lead to a health hazard due to the proximity of the septic tank and percolation area to the high water mark on the seashore in the vicinity of commercial oyster beds."

Mr. L. Kavanagh, Senior Executive Engineer, Planning, stated that the applicant had attended in the Planning Office and discussed his application with the Planning Officer. The difficulties in relation to the septic tank proposal were outlined to him. The applicant submitted a map of his holding which indicated that it was fragmented. The

applicant had stated he wanted the house in the location proposed so that he would have a view of his oyster fishing operations. The house was within 300 feet from the high water mark and he would not like to see a house in this location on scenic amenity grounds. The major problem was, however, in relation to the septic tank which could give rise to pollution.

Councillor Michael Fahy stated that two planning applications had been submitted in relation the site in question. The sea level was 200 feet from the site. The applicant was involved in harvesting of Oysters and Shellfish, and under no circumstances would he carry out development which would cause pollution in the area involved. Councillor Fahy stated that Planning Permission was granted for septic tanks in that area over the last 10 years and the question of pollution had not arisen before. The applicant wanted to have the site at the location in question because the family holding was fragmented and the site involved afforded the applicant an opportunity to keep a watch on the Oyster and Shellfish operation.

Councillor Joe Lambert stated that the applicant required to build in that location for security reasons and that the application should be granted.

Councillor Michael Fahy stated that the site was over 200 feet away from the sea and that the septic tank would not cause pollution.

Councillor Matt Loughnane stressed the security aspect of the application and stated that the drainage proposed did not present a pollution problem.

In reply to Councillor Brennan, Mr. L. Kavanagh stated that the Council had given Permission to a local person to build a new house with a septic tank, and Planning Permission had also been given for the reconstruction of a house which was still being lived in.

Councillor Michael Fahy stated that Planning Permission was granted for an extension to a house and the septic tank was within 80 feet of the sea.

Deputy Frank Fahey indicated his support for the application and stated that a house at the location involved was vital to the business of the applicant. A vote taken for or against the resolution as set out on the Agenda resulted as follows:

FOR: Councillor J. Callanan, Deputy F. Fahey, Councillors M. Fahy, P. Finnegan, Senator T. Hussey, Councillor J. Joyce, Deputy M. Kitt, Councillor M. Loughnane, Senator P. McCormack, Councillors J. MacDonagh, P. McHugh, J. Molloy, M. Ryan, T. Walsh, and T. Welby.

(15)

AGAINST: Councillors J. Brennan and P. O'Tuathail.

(2)

The Chairman declared the resolution as set out on the Agenda carried.

2896 - **RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 58341 - APPLICANT: MRS. MARY CONNOLLY**

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

LOCATION:

Site is located on the Moycullen-Oughterard National Secondary Road approximately 2.5 miles north of Moycullen.

PLANNING HISTORY:

Ref. No. 57882: Outline Permission refused for erection of 2 no dwellinghouses on proposed site to the north in December, 1988. Applicant: Mr. Michael Connolly. A "For Sale" sign was posted on the margin opposite the sites at the time of inspection. Sign referred to 2 no. sites.

Ref. No. 58220: Outline Permission granted for 2 no. dwellinghouses on the same family lands but fronting onto a County Road to the north in March, 1989. Applicant: Mr. Michael Connolly.

PLANNING CONSIDERATIONS:

Proposed site is located on the National Secondary Road at a point where the maximum speed limit applies. Applicant's family lands at this location have frontage onto an unrestricted County Road to the north. Outline Permission (Ref. 58226) referred to above was recently granted for 2 no. dwellinghouses fronting onto this County Road. These sites should cater for family housing needs for the present. Furthermore, as a "For Sale" sign was posted adjacent to the site recently, it would appear that the intention is to sell once planning permission was obtained. Therefore, there is no essential housing need in this case.

RECOMMENDATION:

1. The development would endanger public safety by reason of a traffic hazard because the site being located on a heavily trafficked section of National Secondary Road where the maximum speed limit applies, 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 the National Road network.
2. The proposed development would contravene Chapter 25 (Table 25/b) of the County Development Plan which limits development along this road to local family housing need, a category of development which does not apply in this case."

Councillor John Molloy stated that there were five members in the family, all working in the Galway City area. This was the only area where Mr. Connolly could give sites to his family and there was not enough land on the by-road. He doubted if the "For Sale" sign, mentioned in the report, referred to the site which was the subject of this application, as he understood that there were other sites for sale further up along the by-road.

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Councillor T. Welby stated that the "For Sale" sign referred to sites belonging to a man living in the Moycullen area who had sites for sale further up along the by-road.

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

FOR: Councillors J. Callanan, Deputy F. Fahey, Councillors M. Fahy, P. Finnegan, J. Joyce, P. McHugh, J. Mannion, J. Molloy, M. Ryan, T. Walsh, and T. Welby.

(11)

AGAINST: Councillors Joe Brennan and P. O'Tuathail.

(2)

The Chairman declared the resolution as set out on the Agenda carried.

2897 - MATERIAL CONTRAVENTION OF COUNTY DEVELOPMENT PLAN - MR. MICHAEL J. McDONNELL, MARKET SQUARE, BALLYGAR - PLANNING REFERENCE NO. 58048:

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

"The matter arises out of a notice of a proposed resolution under Section 4 of the City and County Management (Amendment) Act, 1955, submitted by Councillors M. Ryan, T. Walsh and P. Raftery. It was considered that the proposed development would contravene, materially, the County Development Plan and this being the case, the County Council could not, lawfully, consider granting permission without first having gone through the procedure prescribed in Section 39(d) of the Local Government (Planning and Development) Act, 1976. The procedure is set out in the letter dated 23rd March, 1989, to the signatories of the Section 4 Notice, and a copy of that letter is attached with this report for your information.

LOCATION:

The proposed site is located on the Mountbellew/Ballygar National Secondary Route approximately a quarter of a mile south east of Ballygar.

PLANNING HISTORY:

49854: Outline Planning Permission for seven houses was refused in 1985 on the grounds of traffic hazard and over concentration of septic tanks. Applicant: Mr. McDonnell.

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CONSIDERATION:

The site is located on the National Secondary Route where the maximum speed limit applies and the development would give rise to a traffic hazard and be contrary to the provisions of the County Development Plan. Although the proposed grouping of the accesses is a minor mitigation of the traffic hazard the principle of not permitting new accesses onto this route remains.

The area of the site is approximately 1.1 acres and the proposal to site four houses within this restricted area would not comply with the minimum site size of 1/2 acre as required by the County Development Plan and would result in an over concentration of septic tanks which would be liable to give rise to a public health hazard.

The proposed building line of 40 ft. is far short of the requirement of the 90 ft. building line necessary along National Routes and the site depth submitted would not allow for the prescribed building line and an adequate distance from each house to its septic tank drainage system.

RECOMMENDATION:

Refusal is recommended for the following reasons:

1. The proposed development would endanger public safety by reason of a traffic hazard because the site is located on a heavily trafficked 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 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.
3. Owing to the restricted area of the site (1.1 acres approximately) the proposal to site four houses thereon would result in an over concentration of septic tanks which would be liable to give rise to a public health hazard and this development would thus be contrary to the proper planning and development of the area."

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Councillor Michael Ryan stated that there were two and a half acres in the field concerned and he proposed that Planning Permission be granted for three sites on condition that each site consist of half an acre of land and that each site had a 90 foot frontage.

Mr. L. Kavanagh stated that the applicant was not making any claim as regards need. The proposal was in contravention of the County Development Plan and he was against the principle of allowing ribbon development on National Secondary Routes.

Councillor Michael Ryan stated that the speed limit signs could be relocated to bring this area inside the speed limit. He referred to the road from Ballygar to Roscommon Town where there appeared to be no restriction in relation to the building of houses along the same National Secondary Road. He said that there was a demand for housing in Ballygar, and the sites could be sold. Mr. L. Kavanagh indicated that Planning Permission for 22 houses in total had been given in Ballygar over the last 5 years, and none of the houses had been erected.

In reply to queries from Councillors Welby and O'Morain, the County Manager indicated that the question of what constituted a Material Contravention of the Development Plan was decided by the County Manager, taking each case on its merits. Material Contravention procedure would be operated where proper and appropriate and there was no question of bargaining on what did or did not constitute Material Contravention of the County Development Plan. In the present case, there were serious problems in relation to the application, as regards size of site and frontage along National Secondary Route. There were also four houses involved.

It was proposed by Councillor Michael Ryan, seconded by Councillor Tiarnan Walsh that Planning Permission be granted in this case for three houses subject to conditions that each site would be a half acre in size and would have a 90 foot frontage. A vote taken for or against the resolution proposed by Councillor Michael Ryan, resulted as follows:

FOR: Councillor J. Callanan, Deputy F. Fahey, Councillors M. Fahy, P. Finnegan, Senator T. Hussey, Councillor J. Joyce, Deputy M. Kitt, Councillors M. Loughnane, J. MacDonagh, P. McHugh, J. Mannion, M. O'Morain, P. O'Tuathail, M. Ryan, T. Walsh, and T. Welby.

(17)

AGAINST: None.

The Chairman declared the Resolution which was proposed by Councillor Michael Ryan carried.

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2898 - SUPREME COURT JUDGEMENT - SHARPE AND GROVE DEVELOPMENTS LIMITED AND DUBLIN COUNTY COUNCIL:

It was agreed that this matter would be adjourned to the next Planning Meeting and that Mr. T.J. O'Donoghue, Law Agent, would be requested to attend to discuss the case with the Members.

2899 - SALE OF PLOT OF LAND TO MESSRS. MICHAEL KELLY (PRINTING) LTD., POOLBOY INDUSTRIAL ESTATE, BALLINASLOE, CO. GALWAY, AT POOLBOY, BALLINASLOE:

It was proposed by Councillor J. Joyce, seconded by Councillor Joe Callanan, and agreed:

That Galway County Council hereby approve of the sale of a plot of land comprising .07 hectares (0.168 acres) approximately in the townland of Poolboy, Ballinasloe, to Michael Kelly (Printing) Ltd., Poolboy Industrial Estate, Ballinasloe, in accordance with notice dated 2nd May, 1989, under Section 83 of the Local Government Act, 1946, which has been circulated to each Member of the Council."

2900 - NEW INN DUMP:

Councillor Joe Callanan referred to the condition of the Council's Dump at New Inn. He asked that the Council endeavour to acquire a new Dump and that arrangements be made to cover refuse being left at the Dump at present and to keep the area tidy. He was supported by Deputy Michael Kitt who said that he had received complaints of refuse burning late at night at the Dump.

2901 - SPECIAL PLANNING MEETING - JUNE 1989:

The Members agreed, on the proposal of the Chairman, that the Special Planning of the Council would be held on the 16th June, 1989.

2902 - MONTHLY MEETING - MAY 1989 - 29TH MAY, 1989, TO BE HELD IN KILRONAN:

The Chairman outlined the arrangements for travel to the Meeting in Kilronan as follows:

Depart Rossaveal at 1.30 p.m. - Vessel (Seabird)
Lunch in Kilronan - 2.15-2.30 p.m.
County Council Meeting at 3.30 p.m. in Parish Hall

Councillors from the Galway Area and Officials to meet Island Representatives at 6.00 p.m.

Depart Kilronan at 7.15 p.m.

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2903 - REVIEW OF COUNTY DEVELOPMENT PLAN - SECTION 7 - DEVELOPMENT CONTROL POLICIES AND OBJECTIVES - CHAPTERS 25 AND 26:

Councillor O'Morain stated that he did not wish to see written into the new Development Plan any conditions which would prohibit small businesses in the Connemara area from developing and expanding. He proposed that a statement be included in the Plan that the Council wished to see an orderly development of rural areas which would ensure a facility for the people living in these areas to provide homes and set up businesses in such areas. Councillor Welby seconded Councillor O'Morain's proposal.

Deputy Frank Fahey proposed that a statement be inserted in the new plan that the Council make adequate provision for the development of tourism in high scenic areas of the County. The Plan should make provision to allow houses to be built where the scenic amenity area would not be spoilt. He referred to the need for the provision of holiday homes which would provide jobs in their construction and in their future administration. Such development would assist in the provision of badly need employment in the areas concerned. He referred to roads in the Clifden/Ballyconneely/Roundstone area where housing could be provided without interfering with the visual amenities in the area. There were several places in these areas where houses would not be visible from anywhere except from the sea and the development of houses in these areas should be allowed. He proposed that the Council draft a statement to accommodate this type of development and incorporate it in the Development Plan.

The County Manager stated that the Council in dealing with Planning Applications had to ensure that development was in accordance with the proper planning and development of the area having regard to the Development Plan. The Council were obliged by Law to provide for the proper planning and development of their area in drawing up its Development Plan. The present Plan had listed the Amenity Areas and the Plan stated what would be allowed in each particular case.

Deputy Fahey stated that the Council should allow for housing development in its area where houses would not be obtrusive on the landscape and where there were no septic tank problems. There were certain areas where development would blend in nicely with the landscape and he proposed that development be allowed in such cases. Councillor O'Morain seconded Deputy Fahey's proposal. Councillor O'Morain stated that it was important that tourism development be promoted in some areas where other activities such as agriculture were not economically viable. He stated that a Development Plan should try to maintain a rural balance in this regard. The County Manager agreed that the proposals made would be examined and that a Draft Statement would be brought back

12. MINUTES OF SPECIAL MEETING OF THE COUNCIL ON 19/5/'89

back before the Members in regard to the points raised.

Councillor James Joyce stated that there appeared to be a trend as indicated in E.E.C. Studies that people were moving out of Cities and living in rural areas again. He supported this type of development.

The County Manager stated that the trend appeared to be in the opposite direction in many cases and that people were influenced by the cost of travel if living in rural areas. The Development Plan at present allowed for the development of single rural houses and a large volume of the Council's Planning Permissions were in respect of such houses. The policies as set out in the present Plan allowed for this type of development.

Councillor Joe Callanan proposed that where Planning Permission had already been granted in respect of sites of less than the half acre requirement in accordance with the present Plan, that Planning Permission should be renewed in such cases and that the new Plan should provide for this. It was agreed that Councillor Callanan would submit details of any cases which he had in mind and that they would be examined by the Council.

Councillor Callanan stated that he was not in favour of moving people into the towns and also stated that development along National Roads should be allowed in certain circumstances. He was not in favour of insisting that people build their houses along rural by-roads only.

The County Manager indicated that in the interest of proper planning and development, it was necessary to maintain the National Roads system as safe as possible. Reports from the former Foras Forbartha had indicated that every new opening onto National Primary and Secondary Roads created traffic hazards, and the Council should keep unnecessary development off these roads.

Councillor Callanan referred in particular to the Ballinasloe/Athenry road and the Ballinasloe/Portumna road, and asked that a report be prepared on what development might be allowed along these roads for incorporation in the new Development Plan. Councillor J. Joyce suggested that the Council should consider a third category of road in addition to the categories set out on Page 268 of the existing Plan with a view to allowing development on certain roads under certain circumstances. It was agreed that this matter would be examined.

Councillor Michael Ryan referred to the existence of derelict sites and stated that the Council should introduce a policy of insisting on the clearance of such sites. In reply to

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Deputy Michael Kitt, the County Manager indicated that new legislation was impending in relation to derelict sites.

2904 - SEMINAR - DEVELOPMENT AND THE ENVIRONMENT IN MULLINGAR - 1ST AND 2ND JUNE, 1989:

It was proposed by Deputy Michael Kitt, seconded by Councillor Joe Callanan, and agreed that Councillor John Molloy be nominated to attend this Conference.

It was proposed by Councillor Michael Ryan, seconded by Councillor Tiarnan Walsh and agreed that Councillor Jarlath McDonagh attend this Conference.

THE MEETING THEN TERMINATED

SUBMITTED, APPROVED + CONFIRMED:

John Molloy
CHAIRMAN

26th JUNE, 1989.

DATE

MINUTES OF MONTHLY MEETING OF GALWAY COUNTY COUNCIL HELD IN THE PARISH HALL, KILRONAN, ON 29TH MAY, 1989.

IN THE CHAIR: Councillor J. Molloy.

ALSO PRESENT:

Members: As recorded in the Attendance Book.

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

Officials:

Messrs. S. Keating, County Manager; P. Flood, County Engineer; D. O'Donoghue, Assistant City and County Manager; E. Gleeson, Acting Assistant County Manager; J. Crotty, Deputy County Engineer; R. Killeen, and L. Kavanagh, Senior Executive Engineers; E. Lusby, Finance Officer; H. Newell, Assistant Engineer; D. Barrett, Senior Staff Officer; and T. Kavanagh, Acting County Secretary.

The Opening Prayer was recited.

2905 - Duirt an Leas Cathaoirleach gur mor an onoir do bheith i gceannas an cruinniu i gCill Ronain an la sin mar Leas Cathaoirleach de Chomhairle Chontae na Gaillimhe. Duirt se gur ocaid stairuil e don Comhairle Chontae mar thuig se gurb e an cead uair a bhi cruinniu den Comhairle ar Oilean Arainn. Duirt se nach raibh se ar chumas Cathaoirleach an Comhairle Chontae an Comhairleoir O Finneagain bheith i lathair agus d'iarr se air leathsceal a dheanamh ar a shon. Duirt se go raibh an Comhairle eolach faoi suiomh forimeallach muintir na n-oilean agus na riachtannaisi a bhaineann leis an suiomh sin agus gur deanann an Comhairle gach iarracht chun deileal leis na riachtannaisi sin as an maoin ata ar fail. Duirt se go raibh suil aige go mbeadh tuiscint nios fearr ag na Comhairleoiri go leir de bharr an cruinniu seo ar deachracha muintir na n-oileain os rud e go bhfuil siad in ann an oilean a fheiceail doibh fein. Duirt se go mbeadh Comhairleoiri ag bualadh le toscaireacht os na n-oileain sa trathnona agus go raibh suil aige go mbeadh toradh maith as an diospoireacht sin.

2. MINUTES OF MONTHLY MEETING OF THE COUNCIL ON 29/5/1989

2906 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 58798 - APPLICANT: AIDAN TYNAN

The following report which was circulated to each Member was submitted by the County Manager:

"LOCATION:

The proposed development is located on the Galway/Tuam National Primary Route approximately two miles outside the Urban boundary.

PLANNING HISTORY:

58259: An application for full planning permission for a dwellinghouse was made earlier in the year by this applicant for a dwellinghouse with the access to be taken directly onto the National Primary Route. Permission was refused on the grounds of traffic hazard and on the grounds that it would be contrary to the provisions of the County Development Plan.

CONSIDERATION:

The proposed development is a variation on 58259 in that the applicant proposes to build the house in the same location, but to take his access from a by road by means of a 160 metre long service road located at the rear of an existing row of houses. The proposed service road scales 13 ft. in width. There are a number of difficulties with this proposal.

a) The junction between the proposed service road and County Road no. 141 is close (60 ft.) to the junction between the County Road and the national primary route. The proposed junction is located on a bend with very limited visibility for traffic approaching from the west. In view of the junctions proximity to the national primary route, the proposed junction is deemed to be hazardous.

b) Experience has shown that as a long term proposition such service roads are unsatisfactory for residents and in due course, there is likely to be pressure for a direct access onto the National Primary Route. This pressure invariably culminates in a Section 4 resolution to permit the direct access. (it should be noted that the proposed service road being 160 m. in length is unusually long and is located at the rear of the site which will be found to be inconvenient by the residents of the proposed house.)

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c) There is already an undesirable row of dwellings fronting onto the National Primary Route and the proposed development will aggravate this ribbon development with consequent loss of visual amenity.

RECOMMENDATION:

It is proposed to refuse Permission for this development for the following reasons:-

1. The proposed development would involve the creation of a substandard junction in close proximity to a junction between a County Road and a National Primary Route which would be liable to seriously inconvenience and cause a serious traffic hazard to other road users.

2. The proposed development would contribute to and aggravate an already undesirable instance of ribbon development along a National Primary Route which would be detrimental to the visual amenities of the area, and contrary to the proper planning and development of the area."

The County Engineer said that Councillor J. Molloy had made consultations in relation to the application and this should have been stated in the report. He drew attention to the main points in the report and he considered that the development would create a traffic hazard.

The resolution as set out on the Agenda was proposed by Councillor T. Welby. He said he was proposing the resolution on the basis that the entrance was on to the Secondary Road. The resolution was seconded by Councillor Callanan.

Councillor Brennan asked about the houses on the adjoining sites and was informed by Mr. Liam Kavanagh that some may be pre-planning and some may have been granted Permission in the early planning days prior to the declaration of the route as a National Primary Route. Councillor Brennan said that he saw a report in the newspaper recently involving a Court case relating to a Section 4 Resolution passed by Galway County Council and asked the position about it. The County Manager said that his decision was upheld in the Court but the written Judgement had not yet been received. Councillor Brennan said that no case had been made on Planning grounds for the granting of Permission in the case of the present Section 4 Resolution and therefore, he proposed that the application be refused. Councillor J. Burke seconded Councillor Brennan's proposal.

Councillor O'Morain said that there was a difference between the present application and the application referred to by Councillor Brennan involving the Court case which Councillor

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O'Morain said was a commercial development. The County Engineer said that the Development Plan allows certain concessions for commercial development along certain routes. Councillor O'Morain said that the applicant was complying with the Development Plan by exiting on to a County Road but the County Engineer said that the exit was very close to a junction with the National Primary Route.

Councillor Joyce asked what type of development on the site would be considered as proper planning and development. The County Manager replied that such a decision could only be made following consideration of an application. The County Engineer said that the number of applications refused overall was small.

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

FOR: Councillors U. Burke, J. Callanan, Deputy F. Fahey, Councillor M. Fahy, Senator T. Hussey, Councillors 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, and T. Welby.

(17)

AGAINST: Councillors J. Brennan, J. Burke, J. Lambert, M. Mullins, and P. O'Tuathail.

(5)

Deputy R. Molloy abstained.

The Chairman declared the resolution carried.

2907 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 57406 - APPLICANT: SEAN MADDEN

It was noted that a decision granting Permission had issued in this case.

2908 - MINUTES:

On the proposal of Councillor J. Brennan, seconded by Councillor M. Loughnane, the Minutes of Special Meeting of the Council held on 14th April, 1989, were adopted as correct and signed by the Chairman.

On the proposal of Councillor Brennan, seconded by Councillor Loughnane, the Minutes of the Monthly Meeting of the Council held on the 24th April, 1989, were adopted as correct and signed by the Chairman.

Referring to Minute No. 2844, Councillor Loughnane said that

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he had received a copy of a report of the County Engineer and asked that the report be circulated and the matter put on the Agenda for the next Meeting. This was agreed.

Referring to Minute No. 2859, Senator Hussey asked if the sanction which had been received for the Recruitment of Temporary Engineers would obviate the need to close two Engineering Offices. The County Manager replied that subject to the availability of Temporary Engineers, it would not be necessary to close the two Offices in question. This was welcomed by Senator Hussey and other Members.

2909 - OVERDRAFT ACCOMMODATION FOR QUARTER ENDING 30TH SEPTEMBER, 1989:

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

"That Galway County Council hereby approve the raising of Overdraft to the extent of 3 million pounds on the Council's Revenue and Capital Accounts for the quarter ending 30th September, 1989, subject to the sanction of the Minister for the Environment."

Senator O'Conchubhair asked about the rate of interest paid by the Council on Overdraft and if the Council was free to shop around. Mr. Lusby explained that the Council was getting the most favourable rates. The County Manager explained that the Bank was also the Council's Treasurer and made payments based on Advice Note. He said that the Council would be free to raise loans for Capital Works from other Banks or Institutions but in the case of Current Account, it would not be feasible to be switching around. Senator O'Conchubhair referred to the situation arising in 1992 and asked that consideration might be given to acquiring cheaper finance in other countries if this was possible.

Councillor Welby suggested the question of a Finance Committee be considered by the Council at a subsequent Meeting.

2910 - FIXING OF DATE FOR ANNUAL MEETING:

The Acting Secretary stated that under the Local Elections Regulations, the Annual Meeting of the Council would have to be held within the period 20th June, 1989, to 18th July, 1989, inclusive. He said that the normal Monthly Meeting of the Council was due to be held on the 26th June, 1989, and the Planning Meeting on 14th July, 1989.

Councillor Brennan proposed that the Annual Meeting be held on the 26th June and this was seconded by Deputy Molloy. Councillor O'Morain proposed that the Annual Meeting be held

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on 14th July, and this was seconded by Senator O'Conchubhair. A vote taken to hold the Annual Meeting either on the 26th June or the 14th July resulted as follows:

FOR 26TH JUNE: Councillors J. Brennan, J. Burke, U. Burke, J. Lambert, M. Lynch, Senator P. McCormack, Councillors J. McDonagh, J. Mannion, Deputy R. Molloy, Councillors M. Mullins, P. O'Tuathail, M. Ryan, and T. Walsh. (13)

FOR 14TH JULY: Councillor J. Callanan, Deputy F. Fahey, Councillor M. Fahy, Senator T. Hussey, Councillors J. Joyce, M. Loughnane, J. Molloy, Senator N. O'Conchubhair, Councillors M. O'Morain, and T. Welby. (10)

Councillor P. McHugh abstained.

The Chairman declared that the 1989 Annual Meeting of the Council would be held on the 26th June, 1989.

2911 - RAISING OF LOAN TO FINANCE COST OF REMEDIAL WORKS AT GALWAY COURTHOUSE:

The County Manager said that the Deputation to the Minister for the Environment on 18th May, 1989, had mentioned the problem of the cost of remedial works at Galway Courthouse. The Minister was not able to be of any assistance and pointed out that in Law, responsibility for the Courthouse rested with Galway County Council. The County Manager said that in order to avoid Court proceedings against the County Council, he had formulated a proposal for the raising of a loan of £110,000 in order to carry out the most needy and urgent works. These included the roof, cleaning and re-pointing of walls, replacing windows and external doors, fire prevention measures, refurbishing of toilet facilities, provision of tea room facilities, redecoration and floor coverings, replacement and additional furniture, door at staircase at Stamping Office. He requested the Council's approval to the raising of the loan.

Deputy Molloy said that the Galway Courthouse was a prime building in the City and was in a dreadful condition both for the public using it and for the Staff. He said that some provision had been made in the 1989 Estimates but it was deleted. He said he had asked that discussions take place with the Corporation with a view to the Corporation taking over the Courthouse but nothing had happened. He proposed that Galway Corporation be asked if it was interested in taking over the Courthouse. Councillor J. Burke agreed with this. He said that there were more urgent areas where the Council could spend its scarce resources and said that it was unlikely that the Council would be forced in the Courts to carry out the works. The County Manager pointed out that in

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other Counties, the Minister for Justice had succeeded against the Local Authorities. He said that Galway Corporation would have to contribute to the loan repayments and in reply to Councillor Mannion, said that the Corporation also contributes to the maintenance of all Courthouses in the County. Senator Hussey proposed that the Minister be asked to contribute towards the cost of the works. Councillor U. Burke proposed that the Minister for Justice be asked to recoup the cost but it was pointed out that a similar request was made previously and the Minister for Justice indicated that he was not empowered to make a contribution.

Councillor Joyce suggested that pressure might be put on the Council to carry out works on other Courthouses but the County Manager said that Galway Courthouse had a special status and the High Court on Circuit held Sittings there. The problems in other Courthouses would not be of the same scale.

Dúirt an Comhairleoir O'Tuathail nar cheart e an Comhairle Chontae a ioch as na h-oibreacha deisiuchan mar ní raibh go leor airgead ann chun "demountables" a dheisiú.

Councillor O'Morain said that the Council should move slowly in regard to Deputy Molloy's proposal in view of the dissatisfaction in regard to reaching agreement with the Corporation on the compensation issue. Councillor Brennan said that under the Law, the Council was responsible for the Courthouse and they had no option but to proceed as recommended by the County Manager. He said it was unlikely that the Corporation would take over the Courthouse.

2911(a) It was proposed by Councillor Brennan, seconded by Deputy Fahey and resolved that Galway County Council approve of the raising of a loan of £110,000 for the carrying out of remedial works at Galway Courthouse, the loan to be raised from such source and on such terms as may be approved by the Minister.

2911(b) In reply to Councillor O'Morain, the County Manager said that liability for the loan repayments could form part of the agreement with the Corporation.

2912 - SALE OF PLOT OF LAND TO MARY FLYNN AT CLOONKEEN, KILLORAN, BALLINASLOE:

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

"That pursuant to Section 83 of the Local Government Act, 1946, and Section 88 of the Housing Act, 1966, Galway County Council hereby approve the sale of a plot of land at Cloonkeen, Killoran, Ballinasloe, to Mary Flynn, in

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accordance with the Section 83 Notice dated 16th May, 1989, as circulated to each Member."

2913 - DEPUTATION TO MINISTER FOR THE ENVIRONMENT RE COMPENSATION - BOUNDARY EXTENSION AND COUNTY BOROUGH STATUS:

The Acting Secretary stated that the Deputation had met the Minister for the Environment on Thursday, 18th May, 1989, as arranged. In the course of the discussions, the Minister was of the opinion that both parties would be prepared to meet again with a view to aiming at an agreed settlement. The Minister considered that a local settlement if it could be agreed rather than a centrally directed one, would be more appropriate and he accordingly asked that both parties meet with a view to coming to an agreement. A letter dated 19th May, 1989, had also issued from the Department of the Environment stating that the Minister was anxious to bring the proceedings to a speedy conclusion and that he had set the 8th September, 1989, as a target for concluding the discussions.

Deputy Molloy proposed that discussions commence with Galway Corporation. This was seconded by Councillor Brennan and agreed. It was also agreed that a Meeting would take place on Monday, 19th June, 1989. The same negotiating team would represent Galway County Council, i.e.,

Deputy M. Kitt, Deputy R. Molloy,
Councillor M. Killilea, Councillor T. Welby,
Councillor M. O'Morain, Councillor J. Callanan,
Deputy F. Fahey, Councillor J. Mannion,
Councillor M. Ryan, Councillor J. Burke.

2914 - HOUSING ACT, 1988 - ASSESSMENT OF HOUSING NEEDS:

Mr. Gleeson, Acting Assistant County Manager, stated that certain Sections of the 1988 Housing Act were now in force including Section 9 which referred to the Assessment of Housing Needs. Mr. Gleeson explained the position in regard to Housing Needs as follows:

1. Under the Housing Act, 1988, each housing authority is required to carry out, every three years, an Assessment of Housing Needs in its area.
2. The Assessment is intended to be a framework for establishing the genuine need for housing and replaces the Waiting List system operated by some local authorities.
3. The Assessment must set out the numbers and categories of persons who are likely to require accommodation from the authority during the forthcoming three years.

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4. The initial Assessment must be undertaken at 30/9/1989.
5. The new Assessment will be an integral part of the procedure for letting houses. An applicant must be included in the Assessment in order to be considered for a house.
6. An applicant may be accepted subsequently for inclusion in the next Assessment and such a person is also eligible for consideration in the letting of a house.
7. The first Assessment will be carried out by Galway County Council by 30/9/1989:-
 - (a) A formal Application must be submitted by each applicant.
 - (b) Anyone who has already applied need not apply again but may have to supply up to date information - 280 applications on hands at present.
 - (c) The Council will carry out a full review of applications on hands.
 - (d) Notice will be served on all adjoining local authorities and Health Boards.
 - (e) Public notice will be given in local press in the current week.
8. The decision to include an applicant in an Assessment will be based on the most up to date circumstances of applicant and will be subject to review when a tenant is being considered for the leasing of a house.
9. When the Assessment is completed a new Scheme of Priority must be made by the Council to take account of various categories of need identified in the Assessment of Housing Needs. A Draft Scheme will be put before the Council at its September Meeting.

In reply to Councillor Loughnane, Mr. Gleeson said that the 1989 Housing Capital Allocation was £528,000 for 20 rural houses and halting sites. He said it would enable 32 houses to be completed. Councillor Brennan said that the Council was well aware of the housing need and that advertising in the newspapers would only give people false hopes. Senator Hussey said that an assessment would need to be carried out at shorter than 3 year intervals. Councillor U. Burke complained about the lack of new houses for Loughrea and Tuam. Councillor J. Burke said that the Council did an assessment only a year ago and should not have to repeat it. He said that the Council had 100 sites on which houses could be built for applicants and that there was now a housing crisis emerging in County Galway. He said that a major social change was taking place and that a smaller housing unit was now required for one parent families. He said that a special case should be made for Galway.

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Rinne an Comhairleoir O'Tuathail tagairt do na 280 iarrathoiri tithiochta ar an liosta agus duirt se go raibh cuid mhaith doibh as Connamara agus gur cheart a lan iarrathoiri eile bheith ar an liosta. Bhi daoine bochta a gconai i dtithe dona agus ni fuair an Comhairle suiomh fos do sceim tithiochta i gConnamara. Duirt Teachta O Maoilli go raibh eolas ag an Comhairle ce mheid tithe a bhi a iarradh agus nach dtugadh rialacha nua tithe breise duinn.

Mr. Gleeson explained that an applicant can be accepted for inclusion in the next assessment and does not have to wait three years. He said that the new procedures are similar to what the Council is already operating and that the Council already has much of the information that is required. Councillor U. Burke said that the only houses which will be available in places like Loughrea and Woodford are those which may be vacated by people emigrating. Councillor Mannion agreed that wherever the Council had acquired sites for houses that these should get priority as they are generally urgent cases.

2915 - CONFERENCE - ROSCOMMON - EUROPE 1992 - FEINIULACHT NA h-EIREANN - 23RD/25TH JUNE, 1989:

On the proposition of Councillor M. Loughnane, seconded by Councillor Joyce, it was agreed that Councillors M. Fahy, J. Molloy and J. McDonagh be nominated to attend the Douglas Hyde Conference being held in Ballaghdereen from the 23rd to the 25th June, 1989.

2916 - MALICIOUS INJURY DECREES:

The Malicious Injury Decrees, details of which were circulated with item no. 11 on the Agenda were noted.

BUSINESS SUBMITTED BY THE COUNTY MANAGER

2917 - REVISION OF ENGINEERING AREAS:

The County Manager said that as the Department had sanctioned the recruitment of Temporary Engineers, it would not be necessary to revise the Engineering areas as already explained earlier in the Meeting.

2918 - FORBAIRT OILEAN ARAINN TEO.:

At this point, the Chairman invited Colie O h-Iarnain, Inishmore, to address the Meeting. Cuir an t-Uasal O h-Iarnain failte roimh na Comhairleoiri agus an h-Oifigi. Duirt se gur ocaid stairiul e mar s'e an chead uair a raibh cruinniu den Chomhairle in Oilean Arann agus go raibh suil aige nach an ceann deireannach e. Theastaigh o muintir na

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n-oilean diospoireacht leis an Comhairle mar gheall ar fadhbanna agus forbairt na n-oilean. Duirt se go raibh liosta acu de na rudai gur mhaith leo iad a phle leis na Comhairleoiri Contae. Ba mhaith leo rud eile Inneall Doiteain a chur ar an liosta freisin. Duirt se gur mhaith leis an Doctuir Broderick caint freisin mar gheall ar an sceim searachas.

COUNCILLORS' NOTICES OF MOTION

2919 - ESTABLISHMENT OF A WORKING GROUP - MOTION BY DEPUTY FAHEY, SENATOR N. O'CONCHUBHAIR, COUNCILLORS P. MCHUGH, M. KILLEA:

Deputy Fahey said that the Council does work on the islands without any consultation with the islanders and he proposed that a Working Group be established comprising two Councillors, two Officials, two representatives from Inishmore, and one from Inishmaan, and Inishere, this would allow the islanders to express their opinion in relation to priorities. Councillor McHugh seconded Deputy Fahey's proposal. The County Manager said that Officials would not be Members of the group but would advise and facilitate it. There was disagreement as to the number of Councillors to be Members of the group. Councillor Brennan proposed that there be one Councillor representing Fianna Fail, one representing Fine Gael, one representing the P.D.s and one Independent. This was seconded by Councillor J. Burke and agreed. The following Councillors were nominated -

Councillor McHugh, Councillor McDonagh,
Deputy Molloy, agus An Comhairleoir O'Tuathail.

It was agreed that all the items listed in the submission from the islanders would be brought before this group.

2920 - RELOCATION OF 30 MILE SPEED LIMIT - MOTION BY DEPUTY TREACY:

The following written reply was given to Deputy Treacy:

"Relocation of the existing 30 mile speed limit is not recommended as the existing location is satisfactory from road traffic point of view. It should be noted that the above sign was erected prior to the erection of the dwellinghouse."

2921 - REPAIRS TO TEMPLEMOYLE CEMETERY WALLS - MOTION BY DEPUTY TREACY:

The following written reply was given to Deputy Treacy:

"Repairs will be carried out to the walls as soon as soon as possible. However, there are no funds available for improvement works."

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2922 - REPAIRS TO ROAD LEADING TO LANDS AT CURRANTARAMUID, MONIVEA.
- MOTION BY DEPUTY TREACY:

The following written reply was given to Deputy Treacy:

"Repairs to the above road have been carried out as part of routine County Road maintenance."

2923 - REPAIRS TO ROAD LEADING TO VILLAGE OF CURRAGHCREAN, LAVALLY, TUAM. - MOTION BY DEPUTY TREACY:

The following written reply was given to Deputy Treacy:

"This road requires sheeting and surface dressing but there are no funds available in the current year to carry out this work. However, routine maintenance will be carried out as resources permit."

2924 - REVISION OF POLLING SCHEME: - MOTION BY COUNCILLOR LOUGHNANE:

The following written reply was given to Councillor Loughnane:

"A review of the Polling Scheme was undertaken by the Council in 1986, and much of the mapping work was completed. Also the County Registrar has altered the Polling situation in many areas by closing down private houses. This has been done at the request of the Department of the Environment. The finalisation of the Review was deferred due to the fact that it was likely that the constituency boundaries were to be redrawn. In the event of the Council wishing or proceed with the Review of the Polling Scheme at this stage, draft proposals for the Council's approval can be drawn up."

Councillor Loughnane proposed that the Polling Scheme be revised and that a final date for the making of submissions. He said that some people who were living a quarter of a mile from a Polling Booth had to travel 6 miles to vote and this was unacceptable. He expressed the hope that the Polling Booths in the forthcoming Elections would be the same as in the Referenda. Councillors Ryan and Joyce agreed that some people particularly old people had to travel too far to vote, and asked that the Councillors wishes be conveyed to the County Registrar.

2925 - TAKING OVER OF ESTATES IN TUAM: - MOTION BY COUNCILLOR FINNEGAN:

The following written reply was given to Councillor Finnegan:

CEDAR COURT: This is a development of 8 no. detached

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houses. Roads and footpaths considered to be in order. Turnign circular at end of road has not been constructed in accordance with planning requirements.

Sanitary Services: Sewers and drainage net work has been inspected and are considered to be in order.

Street lighting has been provided in accordance with Planning Permission with the exception of one street light on the turning circle referred to above.

Open Spaces: Site No. 9 has been expanded into the open space proposed for this development and located adjacent to the Tuam to Galway Road. Open space at the northern end of the development has been left undeveloped.

Recommendation: That the development be taken in charge subject to the open space being developed and the turning circle to the access road.

TRINITY COURT: This is a development of 6 detached houses and 16 semi-detached houses.

Roads: Consists of a single loop cul-de-sac road off the Main Galway to Claremorris Road, N.17 with a footpath on each side. The road has been constructed in accordance with Planning Reference 22145 and on a recent inspection was in a satisfactory state.

Footpaths: A small number of kerbs may need to be repaired due to wear and tear.

Sanitary Services: The drainage system is a separate system and is considered to be in a satisfactory state. There is no history of any complaints in this regard.

Street lighting has been provided in accordance with planning details.

Open Space to the south west of the development is in a very unsatisfactory state.

The Council would be concerned about the

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unfenced River Nanny in the immediate locality and the erection of a safety barrier will have to be seriously considered before the development can be taken in charge.

Recommendation: The scheme be taken in charge subject to the open space being developed and the erection of a relevant site safety fence.

BEL-AIR DRIVE: This is a development of 28 detached houses off the Ballygaddy Road constructed in two phases.

Roads: Consist of a single access road with 2 spurs terminating in cul-de-sacs with a footpath on each side. The road has been constructed in accordance with Planning and is considered satisfactory.

Sanitary Services: Drainage consists of a combined net work system and following an inspection is considered to be satisfactory. There is no history of any complaints regarding sanitary services in this area. Public lighting has been satisfactorily installed.

Open Spaces: The proposed open space to the east of the phase 2 development has been developed for housing and there is no open space in the area requiring maintenance.

Recommendation: That the scheme be taken in charge.

PARKVIEW: This is a development of approximately 30 detached houses on a link road extending between Bishop Street and the Dunmore Road.

Roads: Roads consists of a main access road with a secondary or rear access road looping on to the main access road. The rear access road has not been satisfactorily constructed or completed. It is a gravel road and not considered in a satisfactory state for taking in charge. The main access road is considered to be satisfactory.

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Sanitary Services: Consists of a separate system of drainage. The system has been inspected and appears to be satisfactory. There is no history of complaints regarding sanitary services.

Public Lighting has not been provided on the rear access road as detailed on the planning requirements.

Open spaces: There is a derelict shed at the northern end of the development.

Recommendation: That the development be only taken in charge subject to the satisfactory completion of the rear access road and associated street lighting and removal of the structure referred to previously.

MILLSTREAM PARK:

This is a development of semi-detached houses on the Weir Road. This development has not been completed in a satisfactory manner. There are ongoing problems with sanitary services requiring the Council to carry out ongoing emergency work to avoid health nuisances. This development does not qualify for taking in charge under normal procedures."

2926 - PUBLIC SEWERAGE SCHEME FOR KILRONAN:

At this point the Chairman allowed Dr. Broderick, Kilronan, address the Council in regard to the plans for a Sewerage Scheme for Kilronan. Dr. Broderick agreed to the need for a Sewerage Scheme but complained about the location of the proposed Pumping Station in particular. The Chairman said that the Officials would examine the points made by Dr. Broderick.

2927 - PUBLIC TOILET AT DOILIN BEACH: - MOTION BY SENATOR NIOCLAS O'CONCHUBHAIR:

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

"The scheme recently announced by the Department of the Environment was for improvements at larger beaches but did not include the provision of public toilets. The only allocation to Galway County Council under that scheme, was for improvements to Knock Beach, Inverin.

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We are pursuing the matter of provision of public toilets at beaches and elsewhere with Sanitary Services or Lottery Grants and Doilin Beach will be considered."

2928 - NO DUMPING SIGNS - MOTION BY COUNCILLOR JARLATH McDONAGH:

The following written reply was given to Councillor McDonagh:

"There are 'No Dumping' signs on this road at present but they are not having the desired affect. Additional signs are not considered necessary. The clean up of the area will be considered in the coming clean-up week in so far as resources permit."

2929 - EXTENSION OF SPEED LIMIT AT CLAREGALWAY: - MOTION BY COUNCILLOR JARLATH McDONAGH:

The following written reply was given to Councillor McDonagh:

"This will be considered at the next Review of Speed Limits."

2930 - STRUCTURAL FUNDS: - MOTION BY COUNCILLOR JARLATH McDONAGH:

The following written reply was given to Councillor McDonagh:

"Galway County Council as part of its submission in connection with Region 5 suggested that funds be provided to enable Local Authorities to give a face lift and improve facilities in towns and villages throughout the Region, particularly those which act as tourism centres. The Council must now await developments in this area."

2931 - RESURFACING OF THE KILRONAN/KILLEANEY ROAD, INISHMORE: - MOTION BY DEPUTY ROBERT MOLLOY:

The following written reply was given to Deputy Molloy:

"Work on the Kilronan/Killeaney road will be carried out in the near future when all arrangements for materials, plant and shipping have been finalised."

Deputy Molloy said that the road was very badly damaged by vehicles working on the Airport and required to be repaired urgently. The County Engineer said that work would start immediately on the road. Deputy Fahey also stressed the urgency of the works and said that the Minister for the Gaeltacht had agreed to contribute up to 50% of the cost.

2932 - LOWER ROAD FROM KILRONAN TO KILMURVEY: - MOTION BY DEPUTY MOLLOY:

The following written reply was given to Deputy Molloy:

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"The road is not in charge of Galway County Council."

Deputy Molloy said that he was not satisfied with the reply. He said that some years ago, the road was blacktopped but not taken in charge. The road was now impassable. If it was repaired, it could be used by tourists and would relieve traffic on the main road. The suggestion to repair the road under an L.I.S. Scheme was not practical as it was unreasonable to expect the local people to pay a huge local contribution.

At this point, Senator Nioclás O'Conchubhair took over as Chairman. Deputy Molloy proposed that the Council make a commitment to provide funds in the 1990 Estimates for the surface dressing of the Lower Road from Kilronan to Kilmurvey. This was seconded by Senator McCormack and agreed.

2933 - IMPROVEMENT WORKS TO KILMURVEY PIER - MOTION BY DEPUTY MOLLOY:

The following written reply was given to Deputy Molloy:

"(a) Repair and extension of the Pier;

Storm damage to Kilmurvey Pier has been examined by the Office of Public Works and proposals for repairs have been submitted to the Department of the Marine. The Council is awaiting the outcome of developments. The repair work could not be considered under the Council's routine maintenance fund. Extension of the pier is also a matter for the Office of Public Works.

(b) Construction of Slipway:

Proposals for the construction of a slipway can be considered by the Office of Public Works in the overall assessment for the extension and repair of the existing pier.

(c) The provision of toilet facilities for the 1989 Summer Season:

Temporary toilet facilities will be provided in the vicinity of Kilmurvey Pier. It is expected that the facilities will be in place before the end of June, 1989.

(d) Carry out improvements at the blind corner where the Gortnagopple Road meets the Kilronan/Kilmurvey Road:

Improvement of sight distance at the intersection of the Gortnagopple Road with the Kilronan to Kilmurvey Road will require the replacement of the existing boundary

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wall with a post and wire fence and preferably the acquisition of a small area of land in addition. The Council understands that the landowner is not agreeable either to the replacement of the wall or the disposal of any land."

Deputy Molloy asked that the Office of Public Works be urged to press ahead with the repair to the pier. He asked that the Council formulate a plan for the repair and extension of the slipway. The County Engineer said that these works would have to be funded by the Office of Public Works. Deputy Molloy welcomed the proposal to provide temporary toilets at Kilmurvey for the coming tourist season. Deputy Molloy said that he was not satisfied with reply relating to improvements at the blind corner where the Gortnagopple Road meets the Kilronan/Kilmurvey Road. He said it was an extremely dangerous corner and that the Council had power to acquire land and should use these powers in this instance. The County Engineer said that there were hundreds of dangerous junctions throughout the County but he agreed to examine the junction in question.

2934 - FILLING OF POTHoles ON KILLERORAN, GUNNODY, TREHILL AND LISSAVRUGGY ROADS: - MOTION BY COUNCILLOR RAFTERY:

The following reply was given to Councillor Raftery:

"Potholes on the roads listed above will be repaired in due course as part of normal routine County Road Maintenance."

2935 - TAKING OVER OF ROAD TO MICHAEL FAHY'S HOUSE: - MOTION BY COUNCILLOR RAFTERY:

The following reply was given to Councillor Raftery:

"This road is just a breen. It serves landowners only and apparently some bog. It would not qualify for adoption under N.O.M. procedures. However, it would seem to qualify for re-construction under L.I.S. procedures and Mr. Fahy should be advised to pursue that particular line."

2936 - RETAINING WALLS ON COAST ROAD, INISHBOFFIN: - MOTION BY COUNCILLOR WELBY:

The following reply was given to Councillor Welby:

"The Council's Engineering Staff are presently investigating all aspects of the problems caused by coastal erosion on Inishboffin. Site investigation work at the collapsed retaining wall has been carried out and the results are being studied. Various methods

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of providing coastal protection are being looked at and costed to see if an economical solution can be found."

2937 - DEVELOPMENT OF DERRYMOYLE: - MOTION BY COUNCILLOR WELBY:

The following reply was given to Councillor Welby:

"The Council have no plans at present for further development at Derrymoyle."

2938 - LETTERMORENACOILLE BURIAL GROUND - MOTION BY COUNCILLOR WELBY:

The following reply was given to Councillor Welby:

"Two trial holes were dug on the commonage to the east of the existing burial ground. Trial holes were also dug on O'Donnells land to the north of the burial ground. The County Medical Officer has reported that both sites are unsuitable on public health grounds having regard to the result of the tests."

Councillor Welby said that there was very little space left in the existing Burial Ground and that an alternative site would have to be found. He said that the Trial Holes were tested during bad weather and a better result might have otherwise been achieved. He asked that the C.M.O. re-examine.

2939 - REPAIRS TO ROAD AT STEPHENS HOUSE AT ARDFRY, ORANMORE: - MOTION BY COUNCILLOR LOUGHNANE:

The following reply was given to Councillor Loughnane:

"The road referred to is a stop end County Road and is not by any means a tourist road. Minimal patching and drainage will be carried out as funds and manpower allow. Hedge cutting may be carried out later in the year if funds are available."

2940 - BRIDGE AT THE AVENUE, DUNSANDLE, ATHENRY: - MOTION BY COUNCILLOR LOUGHNANE:

The following reply was given to Councillor Loughnane:

"Damage to parapet appears to be vandalism. It is proposed to carry out some repairs as far as County Road Maintenance funds allow."

2941 - SPEED LIMITS AT PORTUMNA ROAD, KILLIMOR: - MOTION BY DEPUTY TREACY:

The following reply was given to Deputy Treacy:

20. MONTHLY COUNCIL MEETING HELD ON 29TH MAY, 1989.

"This will be considered at the next Review of Speed Limits."

2942 - REPAIRS TO ROAD AT SPRINGFIELD, KILLORAN: - MOTION BY DEPUTY TREACY:

The following reply was given to Deputy Treacy:

"This road was recently patched with gravel. It is a gravel road and there is no funding for surface dressing this road in this year's allocation. This would be suitable for Notice of Motion funding."

2943 - TYNAGH WATER SUPPLY: - MOTION BY DEPUTY TREACY:

The following reply was given to Deputy Treacy:

"The position as regards the public pump in the middle of the village is that there was a problem with regard to access to the pump to carry out repairs. This matter is now sorted out and it is hoped to have the pump repaired by the end of May. A second public pump in the village opposite the G.A.A. grounds has been in continuous working order for the past number of years."

2944 - GAIRMSCOIL CHOLMCILL, INDREABHAN: - MOLADH O'N CHOMHAIRLEOIR PEADAR O'TUATHAIL:

Duirt an Comhairleoir O'Tuathail go raibh droch caoi ar an scoil faoi lathair agus go raibh ar na scolairi dul trasna an príomh bothar chun freastal ar ranganna in oifigi de chuid an Udaras. Duirt se gur staid dainsearach e sin agus mhol se litir a chur o'n Chomhairle go dtí an t-Aire Oideachas chun airgead a cheadu chun Gairmscoil Cholmchill a dheisiu. Cuidigh an Teachta O Maoilli leis an Run.

2945 - HEADFORD TO GREENFIELDS ROAD - MOTION BY SENATOR McCORMACK:

The following written reply was given to Senator McCormack:

"The road in question is C.R. 116. The old roadside fence was set back to improve sight distance and safety at the location near the junction with the bye road from Carrabeg. There are no proposals to realign this section of County Road. Whilst funds remain scarce proposals for the re-alignment of County Roads are a low priority. Priority must be given to the maintenance and upkeep of the existing carriageway."

Senator McCormack said that he was not satisfied with the reply and asked that funds be provided in the 1990 Estimates.

21. MONTHLY COUNCIL MEETING HELD ON 29TH MAY, 1989.

2946 - SEWAGE DISPOSAL FROM COUNCIL COTTAGES AT KILRONAN: - MOTION BY COUNCILLOR MCHUGH:

The following written reply was given to Councillor McHugh:

"The communal septic tank serving 9 no. houses in Kilronan was constructed 13 years ago and has been functioning satisfactorily since then. The only complaints received relates to odours which are a normal feature of septic tanks but this was minimised by the erection of a vent shaft some years ago. Further improvements were carried out in the last few months by the construction of a percolation area to provide a more modern facility for disposal of the effluent. The existing facilities are adequate and can only be improved by the construction of a permanent Sewerage Scheme for Kilronan."

Councillor McHugh said that the disposal system from the Council houses was not satisfactory. He said that a percolation area was provided on private property and that the landowner only gave permission for a pipe to be laid. He asked the County Engineer to re-examine the situation which he said was a source of pollution.

2947 - ROAD FROM KILRONAN TO KILMURVEY: - MOTION BY COUNCILLOR MCHUGH:

The following written reply was given to Councillor McHugh:

"This road is not in charge of Galway County Council."

2948 - TOILET FACILITIES AT KILMURVEY: - MOTION BY COUNCILLOR MCHUGH:

The following written reply was given to Councillor McHugh:

"Temporary toilet facilities will be provided in the vicinity of Kilmurvey Pier. It is expected that the facilities will be in place before the end of June, 1989."

2949 - SOCIAL EMPLOYMENT SCHEME FOR LAURENCETOWN - MOTION BY COUNCILLOR JOYCE:

The following written reply was given to Councillor Joyce:

"Every effort will be made to have these Social Employment Schemes commenced as soon as possible."

22. MONTHLY COUNCIL MEETING HELD ON 29TH MAY, 1989.

2950 - REFUSE COLLECTION FOR REDMOUNT HILL - MOTION BY COUNCILLOR JOYCE:

The following written reply was given to Councillor Joyce:

"The provision of a refuse collection service to the persons listed will be investigated and if it is found to be feasible, they will be notified by arrangements."

2951 - DOON CEMETERY: - MOTION BY COUNCILLOR JAMES JOYCE:

The following written reply was given to Councillor James Joyce:

"The position is that all the legalities in relation to the transfer of land, etc., have been finalised. The Council is now in a position to commence the proposed works and these will be started shortly."

2952 - ROAD REPAIRS AT JAMES KILLORAN'S HOUSE AT BALLINDERREEN, KILCOLGAN - MOTION BY COUNCILLOR M. FAHY AND DEPUTY F. FAHEY:

The following written reply was given to Councillor M. Fahy and Deputy F. Fahey:

"Repairs can be carried out to the above area when the County Council maintenance gang are carrying out pot hole repairs in the Ballinderreen area. This should be in about two months time."

2953 - REPAIRS TO FRENCHFORT ROAD - MOTION BY COUNCILLOR M. FAHY:

The following written reply was given to Councillor M. Fahy:

"There is a Group Water Scheme at Frenchfort which is not yet complete. The road is in very poor condition and some patching of the road is currently being carried out. The estimate of costs for the complete repair amounts to £23,000. There are no funds available for this work from County Road Maintenance."

2954 - LAYBY AT KILTIERNAN - MOTION BY COUNCILLOR M. FAHY:

The following written reply was given to Councillor M. Fahy:

"The two access roads leading from N.18 to John Murphy's house are public roads and cannot be closed to traffic. The green area between the N.18 and these access roads is planted with trees but could be used for parking. I am not aware of it being used for parking to date."

23. MONTHLY COUNCIL MEETING HELD ON 29TH MAY, 1989.

2955 - CORRESPONDENCE:

The following correspondence was circulated to each Member of the Council:

(1) Copy of letter dated 20th April, 1989, from Donegal County Council regarding an Air/Sea Rescue arrangements along the West Coast of Ireland.

(2) Copy of letter dated 3rd May, 1989, from Monaghan Urban District Council regarding the introduction of a property tax.

2956 - SYMPATHY:

A vote of sympathy was adopted with Councillor Michael Ryan on the recent death of his brother.

Resolutions of sympathy were also adopted with the following:

Mr. Liam Keller, Ard Mhuire, Ballinasloe.
Mrs. Jenny Smyth, Cloonboo, Moylough, Ballinasloe.
Mrs. James Bodkin, Cloonaskragh, Moylough, Ballinasloe.
Mr. Danny Keaveney, Barna, Glenamaddy.
Mrs. Greally, Farm, Williamstown via Castlereagh.

THE MEETING THEN TERMINATED

SUBMITTED, APPROVED & CONFIRMED:

John Malloy
CHAIRMAN

26th JUNE, 1989
DATE

COMHAIRLE CHONTAE NA GAILLIMHE
(Galway County Council)

Oifig an Runai,
Arus an Chontae,
GAILLIMH.

13u la Meitheamh, 1989.

CHUIG GACH BALL DE'N CHOMHAIRLE/

A Chara:

Iarrtar ort leis seo bheith i lathair ag cruinniu speisialta de Chomhairle Chontae na Gaillimhe a tionolfar ina na Foirgnithe Chontae, Gaillimhe, De Luain, an 19u la Meitheamh, 1989, ar a 3.00 a chlog sa trathnna.

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 Martin Connolly, Ahalateeve, Creggs, for the erection of a dwellinghouse and septic tank. - Planning Reference No. 58853."

T. Hussey. P. Raftery. P. McHugh.
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 Outline Permission to Maureen Rosso Joyce for the erection of dwellinghouse and septic tank at Bunnaghapaun. - Planning Reference No. 57404."

T. Welby. John Molloy. Frank Fahey. Michael Fahy.
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 construction of garage at Moanbaun, Athenry, for Patrick Holland. - Planning Ref. No. 58721

Ulick Burke. Martin Lynch. Paddy McHugh. Jarlath McDonagh.
4. Supreme Court Judgement - Sharpe and Grove Developments Limited and Dublin County Council - Copy already circulated.

5. High Court Judgement Michael Flanagan, "St. James", Ballyclery, Kinvara, Co. Galway. - Planning Reference No. 55841.
6. Legal Opinion received by General Council of County Councils in relation to Section 4 Motions and Councillor Liability.
7. Refuse Collection Service.
8. Review of the County Development Plan.
9. Business submitted by the County Manager.

MINUTES OF SPECIAL MEETING OF GALWAY COUNTY COUNCIL HELD AT THE COUNTY BUILDINGS, GALWAY, ON MONDAY, 19TH JUNE, 1989.

IN THE CHAIR: Councillor P.J. Finnegan.

ALSO PRESENT:

Members: As recorded in Attendance Book.

Councillors J. Brennan, U. Burke, J. Callanan, M. Fahy, P. Mac Gloinn, Senator T. Hussey, Councillors J. Joyce, Deputy M. Kitt, Councillors J. Lambert, M. Loughnane, M. Lynch, Senator P. McCormack, Councillors J. McDonagh, P. McHugh, J. Mannion, J. Molloy, Councillor M. Mullins, Senator N. O'Conchubhair, Councillors M. O'Morain, P. Raftery, M. Ryan, Councillors T. Walsh, and T. Welby.

Officials: Messrs. S. Keating, County Manager; D. O'Donoghue, Assistant City and J. Howlett, Assistant County Manager; E. Gleeson, County Secretary; P. Flood, County Engineer; J. Crotty, Deputy County Engineer; L. Kavanagh, S.E.E. (Planning); B. Callagy, S.E.E. (Planning); and D. Barrett, Senior Staff Officer.

The Opening Prayer was recited.

2957 - VOTES OF SYMPATHY:

On the proposal of the Chairman, the Council passed votes of sympathy with Deputy Noel Treacy on the recent death of his father and with the widow and family of the late Mr. Joe Kinneen, Project Engineer with Galway County Council. All the Members associated themselves with the votes of sympathy. The County Manager, on his own behalf and on behalf of the staff, also associated himself with the votes of sympathy. The Members, the County Manager and the County Engineer, paid tribute to the late Mr. Joe Kinneen for the excellent work he had carried out on behalf of the Council during his years of service. The Council adjourned for a short period as a mark of respect.

The Chairman proposed a vote of congratulations with the Members of the Council who had recently been elected to Dail Eireann.

2. MINUTES OF SPECIAL MEETING HELD ON 19/6/1989.

2958 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 58853 - APPLICANT: MARTIN CONNOLLY.

The County Manager informed the Council that it was proposed to grant Planning Permission in this case.

2959 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 57404 - APPLICANT: MAUREEN ROSSO JOYCE.

The resolution as set out on the Agenda was proposed by Councillor John Molloy and seconded by Councillor P. McHugh.

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

"LOCATION:

Site is located off the Oughterard-Costello road approximately 2 miles south of Oughterard.

HISTORY:

Ref. No. 13923: Permission granted for erection of dwellinghouse on family lands in August 1973. Applicant: Thomas Joyce - dwellinghouse has been built.

Ref. No. 48906: Outline Permission granted on another site on family lands for dwellinghouse in July 1985. Applicant Mrs. Brigid Toomey who claimed to be daughter of landowner (John Joyce). Application based on 2nd family claim. No development has yet taken place on this site.

Ref. No. 57671: Application for outline permission on another site on family lands for dwellinghouse. Applicant: Anne Marie Joyce Millard. Request for Further Information of 25th November, 1988, not yet replied to.

PLANNING CONSIDERATIONS:

The site is located in an extremely elevated area overlooking a considerable area of countryside in an area of Outstanding scenic amenity with views of special amenity value. There are 2 no. dwellinghouses on family lands at present - original farmhouse and dwellinghouse erected under Permission Ref. No. 13923.

3. MINUTES OF SPECIAL MEETING HELD ON 19/6/1989.

In addition, there is a site on which Permission Ref. No. 48906 was granted and on which no development has yet taken place. In addition, there is application ref. 57671 and current application. As a permission which was granted approximately 4 years ago on the basis of essential housing need has not been acted upon and subsequent application not followed up, there would appear to be no urgent housing need in this situation.

RECOMMENDATION:

The proposed development would be located in an elevated and exposed location in an area of Outstanding Scenic Amenity with 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. The development would obstruct a view the preservation of which is an objective of the County Development Plan and if permitted, would 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 refusal of permission was recommended and he outlined the history of this case. He stated that the applicant was proposing to erect the house on the highest knob of land in the site and in the area. The area concerned was of outstanding scenic amenity and the proposed development would, if carried out be seen for miles along the Oughterard road. If the applicant put forward another site for development, the Council would examine it. The main objection in this case was that the highest spot in the whole area had been selected for the erection of the house.

Councillor T. Welby stated that the landowner, Mr. J. Joyce, had died and had left a site to each of his daughters and sons for the building of houses by them. The second son of Mr. Joyce was living at home with his mother and he stated that this application was for a second family dwellinghouse for the applicant. Councillor Welby stated that an Englishman had been allowed to erect a house in the same area and there was no reference in the report to that development. The Planning Permissions granted would be taken up by other members of the family. The applicant was married to an American and was now back home in Ireland and intended to live in the area.

In reply to Councillor Welby, the County Engineer stated that the house referred to by Councillor Welby as having been erected by the Englishman was well secluded and if one were travelling along the Seanapheistin road, only the roof of the house could be seen. The main objection to the present application which was under consideration was that the full front of the house would be located in an exposed position on

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the knob of the hill.

In reply to Councillor Welby, the County Manager indicated that if there was any question of the applicant proposing to build on another site, a new Planning Application would have to be submitted. The County Engineer indicated that the applicant could come and talk to the Planning Officials regarding any proposals which she might have for the relocation of the house on the present site. It was agreed on the proposal of Councillor Welby, that the matter would be adjourned to the Monthly Meeting of the Council to be held on the 26th June, 1989, and that in the meantime, the applicant would discuss the case with Planning Officials.

2960 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 58721 - APPLICANT: PATRICK HOLLAND.

The Resolution as set out on the Agenda was proposed by Councillor Ulick Burke, seconded by Councillor Martin Lynch.

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

"LOCATION:

The proposed development is located on the Athenry-Turloughmore road approximately 1/2 mile north of Athenry, in the townland of Moanbaun.

PLANNING HISTORY:

Ref. No. 57288: An application for full planning permission for a machinery and tractor garage was made in July 1988, by the above applicant. Permission was refused.

CONSIDERATION:

The development consists of a tractor and machinery workshop of 2025 sq. ft. approx. It is proposed to site the workshop 20 ft. from the boundary of the adjoining site on which a dwellinghouse is built. The development would be approximately 40 ft. from this dwelling. Due to the intrusive effect of noise and fumes which would arise from the development, the residential amenity of the dwellinghouse would be seriously impaired. The applicant has submitted a letter stating that the occupier of the dwellinghouse has no objection to the development. However, the house is an unvested County Council cottage, the occupancy of which would change.

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RECOMMENDATION:

Refusal is recommended as follows:

The proposed development would be seriously injurious to the residential amenity of the existing dwellinghouse on the adjoining site to the north west because of its close proximity to it and the intrusive effect of noise and fumes which would inevitably arise from the development."

The resolution as set out on the Agenda was proposed by Councillor Ulick Burke and seconded by Councillor Martin Lynch. Councillor Ulick Burke stated that the applicant wished to establish his own Garage to carry out engine repair work. He stated that there would not be any significant noise involved which would interfere with any houses in the adjoining area. He referred to the existing house referred to in the report, and stated that it was a small Council house which was more unoccupied than occupied over the years. The house was a small one unlikely to be accommodating a family and the development should be allowed with conditions which would set out normal trading conditions as a conditions of Planning Permission. The history of the applicant's operation in Athenry showed that there was no excessive noise involved in his operation. The only noise would be the starting of tractors and there were never any objections to this up to now.

Councillor P. McHugh stated that the development would be a small operation and that no hazards would be involved.

Councillor Martin Lynch stated that the applicant was trying to improve his situation and hoped to take on two additional employees in due course. He stated that the development was proposed in a disused sandpit and that the adjacent house was not occupied. One could not even hear the noise of a tractor in the distance involved. The applicant could not get another site and he urged the Council to give this man the height of consideration as he was a young man with a family. Councillor Lynch stated that the development would enhance the area as the Sandpit in its present condition was a danger to children.

The County Manager asked if the applicant could not move further away from the houses if the development was in a gravel pit. Councillor Lynch stated that the applicant had sought to get additional lands from the landowner but was unsuccessful.

The County Engineer stated that one of the main issues in this case was the possible interference with residential amenities of the existing house, and there was no reason why the amenity should be encroached upon by the granting of this

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Permission. Councillor Ulick Burke stated that there would be no huge spraying or panel beating work involved and the work in the Garage would simply be on engine repair work.

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

FOR: Councillors U. Burke, J. Callanan, Senator T. Hussey, Deputy M. Kitt, Councillor M. Lynch, Deputy P. McCormack, Councillors P. McHugh, J. Molloy, M. Mullins, Senator N. O'Conchubhair, Councillors M. O'Morain, P. Raftery, M. Ryan, and T. Welby. (14)

AGAINST: Councillor J. Brennan. (1)

Councillor P. Finnegan abstained from voting.

The Chairman declared the resolution as set out on the Agenda carried.

2961 - REGISTER OF ELECTORS:

A number of Councillors complained that the names of a number of people entitled to vote at the recent Elections were not included in the current Register of Electors. Senator Nioclás O'Conchubhair stated that he had received numerous complaints that people who had been on the Register had been struck off for no apparent reason. He asked that a full investigation be carried out in relation to these cases. Councillor Ulick Burke stated that people in the Portumna area had complained that names had been removed without any reason given, and stated that clear instructions should be given to the persons involved in the compilation of the Register and that a proper job should be done in the compilation of the Register in future.

The County Manager stated that any complaints made to the Council would be investigated fully. It would be desirable that a representative sample of complaints should be established to enable the Council to investigate the matter fully. The Council were informed that there was an annual National campaign in relation to the compilation of the Register and that the initial onus was on people themselves to ensure that their name was on the Register of Electors. The legal procedures for the up-dating of the Register of Electors were outlined to the Members.

It was agreed that any complaints made regarding the Register would be investigated fully.

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2962 - SUPREME COURT JUDGEMENT - SHARPE AND GROVE DEVELOPMENTS LIMITED AND DUBLIN COUNTY COUNCIL.
HIGH COURT JUDGEMENT - MICHAEL FLANAGAN "ST. JAMES" BALLYCLERY, KINVARA, CO. GALWAY. - PLANNING REFERENCE NO. 55841.
LEGAL OPINION RECEIVED BY GENERAL COUNCIL OF COUNTY COUNCILS IN RELATION TO SECTION 4 MOTIONS AND COUNCILLOR LIABILITY.

It was agreed that these three matters which were interrelated would be considered together. Copies of the Judgements in the cases of the Sharpe and Grove Case and the Flanagan Case were circulated to each Member. A copy of the Legal Opinion received from the General Council of County Councils was also circulated to each Member.

Mr. T. O'Donoghue, Law Agent, gave a brief summary of each of the cases. Mr. O'Donoghue reminded the Councillors that he had outlined details of the Sharpe case to the Members at earlier Meetings. The issues which arose in the Flanagan case were that the Council were restricted to considering the proper planning and development of their area in dealing with a Planning Application under a Section 4 Resolution. The Judge had held that the Council had considered matters other than matters relating to proper planning and development and that these matters must have affected the minds of Councillors in reaching a decision and consequently, he ruled that their decision was incorrect.

The Law Agent indicated that it appeared that the Judge took the view that where an applicant had any kind of discussion with one or more Councillors that such a discussion made it impossible for at least those Members to exclude from their minds in making a Decision how an applicant might be personally affected if they did not pass the Section 4 Resolution. There was a clear report from the County Engineer in this case as to the existence of a traffic hazard and nothing had emerged from the Meeting to contradict that report. The Law Agent indicated that there were two other main grounds of argument opened by the County Council in this case, namely, where the Councillors only had before them the report of the Engineers that they could not lightly find against them, and secondly, that where there were previous refusals, particularly by An Bord Pleanala, and where the circumstances had not changed, it was hard to see how the Council could fairly grant Planning Permission.

Councillor O'Morain asked if there were legal implications for a Councillor who visited a site of a Section 4 Application. He also asked if an applicant could engage his own experts who would make his case at the Council Meeting.

In reply, the Law Agent stated that there could possibly be a legal implication for the validity of a Section 4 resolution if a Councillor visited a site. This would depend on the

8. MINUTES OF SPECIAL MEETING HELD ON 19/6/1989.

particular circumstances of the case. The Law Agent stated that an applicant could have his own experts heard by the Members at a Meeting but that these experts could not argue on his behalf. He advised the Members that this would not be a Hearing relating to the application. It would be a matter of the applicant's experts stating their case for the consideration of the Council.

Councillor Ulick Burke stated that the Legal Advice now given raised questions regarding the system of consultation which had been established and queried whether it was advisable to engage in consultation in future in view of this Legal Advice. Councillor Burke also stated that there were other contributions to the debate which were not taken into account by the Judge.

The Law Agent stated that he had mentioned this point before in relation to a query at a previous Meeting as to who the Members were representing when they discussed a Section 4 Application. He said that Councillors were not representing anybody, that they were exercising a quasi judicial function and that they had to do so in accordance with the requirements of the Law which restricted them to considering the proper Planning and Development of their area. They were not entitled to take into account extraneous matters such as the applicant's financial and family circumstances.

Councillor O'Morain stated that the Council should consider amending the Development Plan to allow consideration of the applicant's economic circumstances. The County Manager stated that the County Development Plan was not a vehicle for evading the Law and that Councillors were confined by Law to considering the proper planning and development of their area in dealing with Planning Applications.

In reply to Councillor Loughnane, the County Manager stated that a different situation existed where an Elected Member called to the Planning Office to make representations with regard to any particular matter, and the situation of a Councillor in the Council Chamber exercising a Statutory function. A Councillor considering a Section 4 Resolution at a Council Meeting should try to disregard any preconceptions relating to the case and consider the information put before the Members at the Meeting by the Officials, the applicant and any third party.

Councillor O'Morain asked if the Councillors who signed a Section 4 Resolution were placing themselves in a difficulty. The Council were informed that the Section 4 procedure was a mechanism for putting a resolution on the Agenda of a Council Meeting for discussion. It did not mean that the Councillor signing the notice of the resolution would vote for it or vote at all at the Meeting.

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Councillor J. Joyce suggested that Insurance cover be provided to cover the Members against any claims arising for negligence in the passing of a Section 4 Resolution. The County Manager stated that no Insurance Company would cover such a risk.

It was agreed, following further discussion, that this matter would be adjourned to the Planning Meeting to be held on Friday, 14th July, 1989, and that the Law Agent would prepare a written report for that meeting on all of the issues involved for consideration by the Members. The Law Agent indicated that he would prepare such a report and asked that any Councillors who had questions relating to these matters would submit them to him in advance of the Meeting so that he could prepare appropriate replies.

2963 - REFUSE COLLECTION:

The Members considered the report of the Assistant County and City Manager, Mr. O'Donoghue, dated 14th June, 1989, a copy of which had been circulated to each Member. The report set out recommendations in relation to the revision of the areas and Mr. O'Donoghue gave details of the revisions to the Meeting.

Mr. O'Donoghue indicated that the new tag system for the collection of refuse was in operation and he gave details of the charges. Mr. O'Donoghue also indicated that the Council were agreeable to consider applications from Private Collectors for permits to operate in areas not serviced by the Council.

Councillor Joe Callanan stated that there were certain areas where there was a poor up-take of the Council service. He stated that such areas should be allocated to private operators and he had received representations from locals in some areas that they wanted the local operators.

The County Manager indicated that the review of the refuse collection system was carried out with a lot of co-operation from the workers and the Unions involved. The Council were prepared to allow private operators in areas not covered by the Council routes but the Council expected the co-operation of the private operators who could not function at all without access to Council Dumps. They were getting preferential rates for the disposal of refuse at Dumps and as long as the Council were operating on a route, private operators would not be allowed to collect along the same routes. Deputy Michael Kitt stated that there were areas where light loads were being collected by the Council and he asked for information in relation to such areas.

Councillor Michael Ryan stated that he had received a lot of approval from members of the public for the new tag system.

10. MINUTES OF SPECIAL MEETING HELD ON 19/6/1989.

He was in favour of allowing Private Collectors cover areas where no service was being provided.

Councillor Michael Mullins stated that the Private Operators had cleaned up a lot of areas not covered by the Council. He stated that the Council should carry out a further examination on their proposals to see if better arrangements to that set out in the report before the Meeting could be put in place. Councillor Ulick Burke stated that he had received 45 signatures from residents in the Portumna area regarding their refuse collection. A Private Collector in the area had been taken off the road by the Council. Following a discussion, it was agreed that the recommendations set out in the report would be further reviewed and that the matter would be brought back to the next Monthly Meeting of the Council for further consideration.

2964 - ANNUAL MEETING

On the proposal of the Chairman, it was agreed that the Annual Meeting of the Council would be held in Williamstown on the 26th June, 1989.

2965 - VOTES OF SYMPATHY

Votes of sympathy were also passed with the following:

Mrs Thomas Kilroy, Killasolan, Mountbellew, Co. Galway.
Mr. Michael Pettit, Kilkerrin, Ballinasloe, Co. Galway.
Mrs Shaughnessy, Belwell, Dunmore, Co. Galway.

THE MEETING THEN TERMINATED

SUBMITTED, APPROVED & CONFIRMED:

John Malley
CHAIRMAN

24. 7. 89

DATE