

Mrs. Rosario Brennan, Tonroe, Ardrahan on the death of her daughter.
The Tierney Family, Caraun, New Inn, Ballinasloe on the death of Vincent Tierney.
Mrs. Ellen Glynn, Cuddoo, Colemanstown, Ballinasloe on the death of her son Sean.
Mr. Joe Fahy, Newgrove, Kilrickle, Loughrea on the death of his wife, Katie.

Mr. Donal O'Donoghue, Assistant City and County Manager on his own behalf and on behalf of the Staff associated himself with the vote of sympathy to the Widow and Family of the late Mr. O'Malley, and also with the other Votes of Sympathy.

The Chairman adjourned the Meeting for a short period as a mark of respect.

ON RESUMPTION.

3161 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER - 59772 - APPLICANT - MICHAEL & MARY FLANAGAN.

Councillor Michael Fahy proposed the resolution as set out on the Agenda stating that he was doing so having carefully considered the report of Mr. F. T. Abbott, Consulting Engineer. He stated that a copy of Mr. Abbott's report had been circulated to each Member and he asked the Chairman to allow Mr. Abbott who was present at the Meeting to address the Members. Councillor Joe Lambert seconded the resolution as set out on the Agenda and as proposed by Councillor Michael Fahy.

The following report, a copy of which had been circulated to each Member prior to the Meeting, was read by Mr. L. Kavanagh, Senior Executive Engineer, Planning.

LOCATION

The site is located on the N.67 National Secondary Route approximately one and a half miles north of Kinvara.

PLANNING HISTORY.

Ref. No. 26171: Outline Planning Permission granted to Mr. Patrick Flanagan in January, 1978 for the erection of a dwelling-house on a larger site incorporating the site of the present application. The Outline Permission was granted on the basis of an essential housing need claim.

Ref. No. 27488: Approval granted to Mr. Patrick

Flanagan for the erection of a dwellinghouse in May, 1978. This house is occupied by the present applicant, Mr. Michael Flanagan.

Ref. No. 44340: Planning Permission to Mr. Michael Flanagan Jnr. in January, 1983, for the erection of a garage subject to the use being restricted to non-commercial purposes. This garage has now been converted without permission into a self contained living unit.

Ref. No. 53541: Planning Permission refused to Mr. Michael Flanagan on March 26th 1987 for the retention of a fuel and animal feed store. This planning application was the subject of a Resolution under Section 4 of the City and County Management (Amendment) Act, 1955, which was passed at a County Council Meeting on the 13th March, 1987. After considering legal advice, the County Manager decided to refuse permission on the grounds that the development constituted a traffic hazard and was in contravention of the County Development Plan. An appeal was lodged with An Bord Pleanala. By decision dated 31st August, 1987, An Bord Pleanana refused Permission.

Ref. No. 55841: Planning Permission refused to Mr. Michael Flanagan for continuance of use of a building as a commercial store on the 29th July, 1988. This planning application was the subject of a Resolution under Section 4 of the City & County Management (Amendment) Act, 1955 which was passed at the County Council Meeting on the 29th July, 1988. After consulting with the County Law Agent who was present at that Meeting, the Deputy County Manager informed the members that he proposed to refuse planning permission. A High Court review of the decision was then sought by the applicant. This was rejected by the Court and the County Manager's decision was upheld.

Ref. No. 59561: Planning Permission refused to Michael and Mary Flanagan for retention of commercial use of building and yard and permission for rear extension to same.

PLANNING CONSIDERATION.

The current proposal is substantially similar to that of 55841. There is now proposed to be a single access serving the house, chalet and commercial store adjoining the southern boundary of the site and an extension comprising an office and toilet which is to be connected to the existing septic tank.

The development is located on a narrow substandard section of the National Secondary Route at a point where maximum speed limit applies and where sight distance from the proposed access in a southerly direction is only 43.10 metres, and the proposal is evidently very deficient and consequently hazardous.

Apart from the particular deficiency in this case there is the important matter of restricting commercial development along National Routes in the interests of traffic safety and so as to preserve their traffic capacity and primary function as inter urban transportation routes. The business has been operating in defiance of planning laws and statutory orders in recent years and should not be treated as a "fait accompli" by granting permission for its retention.

RECOMMENDATION.

Refusal is recommended for the following reasons:

1. The proposed development would constitute a traffic hazard because it would be located on a narrow, unrealigned section of the National Secondary Route at a point where the maximum speed limit applies and the traffic generated by the development would interfere with the safety and free flow of traffic along this route.
2. The proposed development would contravene Chapter 25, Table 25 B which seeks to restrict development along this route in the interest of traffic safety.

The following Report of the Senior Staff Officer, Planning Section was also circulated to each Member for consideration, prior to the Meeting.

"Mr. & Mrs. Flanagan called to the County Council's

Planning Office on the 26th September, 1989, and asked that the following matters be considered in connection with the above planning application:

1. They contended that planning permission should be granted and stated that a condition could be inserted in the decision restricting them to the use of one 12 ton lorry only.
2. They proposed that all materials being stored on site would be kept to the rear of the premises and screened from public view.
3. They proposed that boundary planting would be carried out to screen the development.
4. They proposed that only one entrance would be established to be shared by both the dwellinghouse and the animal feed store.
5. They proposed that the store would be painted a suitable colour to blend with the adjoining dwelling.
6. They maintained that the development, the subject of their planning application is not a commercial development in that no sales are made from the site. They stated that all business is transacted by telephone and that deliveries are made from the site by Mr. Flanagan with a 12 ton lorry.
7. They stated that the business is seasonal, taking place over 8 months of the year and that very little business was carried out during the months of May, June, July and August, as there was very little demand for fuel or animal feed during those months.

They considered that the Council should, for the reasons specified above, decide to grant planning permission.

Mr. Frank Abbott then addressed the Meeting. He stated that he was a Consulting Engineer based in Mullingar and had been retained by some of the Members of the Council to advise in relation to the Planning Application by Michael & Mary Flanagan for retention of fuel and animal feed store at Ballclery, Kinvara. He read from the following report, copies of which were handed out to the Members at the Meeting.

PLANNING APPLICATION NO. 59772

1. GENERAL

[A] I HAVE BEEN RETAINED BY MEMBERS OF THE GALWAY COUNTY COUNCIL IN RELATION TO THE PLANNING APPLICATION BY MICHAEL & MARY FLANAGAN FOR RETENTION OF FUEL AND ANIMAL FEED STORE AT BALLYCLEASE, KINVARA. APPLICATION REF: 59772

OTHER PROPOSALS PREVIOUSLY HAVE BEEN MADE FOR THE SITE BUT THESE HAVE BEEN REJECTED PRINCIPALLY ON THE BASIS OF TRAFFIC SAFETY.

[B] MY BRIEF IS THEREFORE TO:

[I] CARRY OUT DETAILED SURVEY OF PROPOSED DEVELOPMENT, PAYING PARTICULAR ATTENTION TO APPROACH ROADS ON EACH SIDE, INCLUDING SIGHT DISTANCES, VERTICAL AND HORIZONTAL ALIGNMENT, AND TO THE DESIGN OF THE ACTUAL ACCESS.

[II] I AM TO PREPARE A REPORT IN RELATION TO THE SAFETY AND TRAFFIC IMPLICATIONS OF THE PROPOSED DEVELOPMENT.

2. NATURE OF PROPOSED DEVELOPMENT

[A] THE APPLICATION IS FOR THE RETENTION OF FUEL AND ANIMAL FEED STORE BEING OPERATED FOR THE PAST FEW YEARS BESIDE THEIR HOUSE BY MICHAEL AND MARY FLANAGAN.

[B] IN ORDER TO FACILITATE THEIR APPLICATION, THE FLANAGANS, HAVING PRIMARILY THE INTEREST OF ROAD SAFETY IN MIND ARE PROPOSING TO MAKE THE FOLLOWING CHANGES TO THE EXISTING ARRANGEMENTS:

[I] THEY ARE PREPARED TO EXTINGUISH THEIR EXISTING DOMESTIC GATEWAY AND SHARE A COMMON ENTRANCE WITH THE STORE. THIS WOULD HAVE THE EFFECT NOT ONLY OF MINIMISING THE NUMBER OF ENTRANCES, BUT OPTIMISING THE POSITION OF

HILL AFFORDING MAXIMUM VISIBILITY IN EACH DIRECTION.

[II] THEY ARE PREPARED TO PERMANENTLY REMOVE THE SIGN (SHOWN IN PHOTOGRAPH NO. [15]) WHICH THEY HAD PREVIOUSLY IN POSITION OUTSIDE THE STORE.

[III] THEY ARE PROPOSING AS PART OF THEIR RETENTION PLANS TO DISCONTINUE THE PRACTICE OF STORING PALLETS OF GOODS IN FRONT OF THE PROPOSED STORE AND INSTEAD, HAVE STRUCTURED PROPOSALS FOR STORING SUCH GOODS OUT OF VIEW, BEHIND A PROPOSED SCREEN WALL, TO THE RIGHT AND TO THE REAR OF THE STORE ON A PROPERLY CONCRETED YARD FOR THAT PURPOSE.

[IV] WHILST THE AREA IN FRONT OF THE STORE IS PRESENTLY OPEN ALONG ITS FULL FRONTAGE TO THE ROAD, THE FLANAGANS NOW PROPOSE TO RESTRICT ACCESS TO THE ENTRANCE SHOWN A-B (REF DRAWING NO. [M.F. /1] ENCLOSED) WHICH IS THE OPTIMUM SUCH POSITION.

THE FLANAGANS ARE FURTHER AGREEABLE TO BELLCAST THE ENTRANCE FURTHER, IF SO REQUIRED BY THE COUNTY COUNCIL.

[C] IT MUST BE APPRECIATED THAT THIS A FUEL/FOOD STUFF DELIVERY BUSINESS AND NOT A RETAIL BUSINESS WHICH WOULD DEPEND ON PEOPLE COMING IN OFF THE ROAD TO MAKE SMALL SUNDRY PURCHASES. IN THAT RESPECT IT IS NOTED:-

[I] THEY DO NOT HAVE A DISPLAY WINDOW OR A COUNTER OR A SERVICE HATCH, OR INDEED ANY FORMAL FACILITY FOR CATERING WITH CALLERS IN THE USUAL RETAIL SENSE.

[II] THEY DO NOT HAVE A COUNTER HAND, NOR IS THE STORE PERMANENTLY ATTENDED.

[III] THEY NOW HAVE NO IDENTIFYING SIGN, NOR IS THE STORE SPECIALLY FLOOD LIT. THE PRESENCE OF PALLETS OF GOODS STACKED IN FRONT OF THE STORE MAY IN THE PAST HAVE BEEN CONSIDERED AN ALLUREMENT OF SORTS, BUT THIS IS NO LONGER THE CASE AS IN (B II) ABOVE.

[D] I HAVE ATTENDED AT THE STORE BETWEEN 3P.M. AND 5.30P.M. ON WEDNESDAY 13TH SEPTEMBER 1989 AND SATISFIED MYSELF THAT THERE WERE NO CASUAL PURCHASERS CALLING TO THE

STORE DURING THE TIME OF MY ATTENDANCE.

[E] MICHAEL AND MARY FLANAGAN ASSURE ME THAT THEIR MODE OF OPERATION IS THAT THEY CARRY OUR EXCLUSIVELY THE BUSINESS OF DELIVERY OF GOODS THAT ARE ORDERED ON THE PHONE FROM THEIR CUSTOMERS FROM THE SURROUNDING COUNTRY-SIDE OVER A RADIUS OF APPROXIMATELY 15 MILES. THEY BASE THEIR BUSINESS ON THE FACT THAT THEIRS IS A DELIVERY BUSINESS, AND THAT THERE IS NO EXTRA CHARGE FOR SUCH DELIVERY (REF PHOTOGRAPH NO. [15]).

[F] I SATISFIED MYSELF AS TO THE BONAFIDE OF THIS ALLEGATION AS FOLLOWS:-

[I] INSPECTION OF FACILITIES AT STORE.

[II] SIGHT OF OLD SIGN (AS IN PHOTOGRAPH NO. [15])

[III] INSPECTION OF ADVERTISEMENTS INSERTED BY THE FLANAGANS TO SOLICIT BUSINESS, WHICH HIGHLIGHT THE FACT THAT THE GOODS ARE DELIVERED, THAT THEY ARE DELIVERED FREE OF CHARGE AND THE ADVERT PROVIDES A TELEPHONE NUMBER ONLY, WHERE CONTACT CAN BE MADE (ADVERTS ENCLOSED BY WAY OF APPENDIX). IT WAS NOTED, IN PARTICULAR IN THESE ADS. THAT NO MENTION WAS MADE AS TO WHERE THE STORE WAS SITUATED, - NO ADDRESS GIVEN.

[G] THE GOODS ARE DELIVERED IN THE YELLOW 10 TON FORD CARGO LORRY SHOWN IN PHOTOGRAPHS AND NEED CREATE NO MORE TRAFFIC THAN THE AVERAGE PROGRESSIVE FARM WHO OF COURSE HAS MUCH LESS ROAD WORTHY VEHICLES.

[H] I CONCLUDED THAT THE AMOUNT OF EXTRA TRAFFIC INVOLVED WOULD BE MINUSCULE.

3 SITE INSPECTION

[A] THE SITE WAS INSPECTED BY ME ON WEDNESDAY 13TH SEPTEMBER, 1989 AND AS A RESULT I HAVE PREPARED:-

[I] PHOTOGRAPHS NOS [1 - 15] SHOWING VIEWS TO THE ENTRANCE AT 30M INTERVALS IN EACH DIRECTION.

[II] DRAWING NO. [M.F./1] SHOWING PLAN OF ENTRANCES IN RELATION TO ADJOINING ROAD AND NEARBY DEVELOPMENT.

[III] DRAWING NO. [M.F./2] SHOWING HORIZONTAL AND

VERTICAL ALIGNMENT OF APPROACH ROAD IN EACH DIRECTION FOR A DISTANCE OF APPROXIMATELY 200M.

[C] THE DRAWINGS WILL SHOW:-

[I] THE POINT ON THE ROAD (MARKED DRAINAGE 'O') IMMEDIATELY OPPOSITE THE PROPOSED FLANAGAN ENTRANCE IS THE HIGHEST POINT IN EACH DIRECTION FOR AT LEAST 200M.

[II] THERE IS VISIBILITY OF 199M IN THE KINVARA DIRECTION, WHILST THE VISIBILITY IN THE KILCOLGAN DIRECTION IS 219M. THIS VISIBILITY WAS DETERMINED ON THE BASIS OF THE PHOTOGRAPHS WHERE THE FLANAGAN LORRY WAS PLACED JUST OFF THE ROAD AT THE PROPOSED ENTRANCE. IT WAS ALSO ADDITIONALLY ASCERTAINED, MORE CONSERVATIVELY, ON THE BASIS OF EYE HEIGHT OF 1M AT A DISTANCE OF 1M BACK FROM THE EDGE OF THE ROAD.

[III] THE ROAD WIDTH IS APPROXIMATELY 5.4M (17.71) AFFORDING ADEQUATE WIDTH FOR A CAR (5'-6") AND A LORRY (7'-10") TO PASS IN COMFORT, (AND EVEN TWO LORRIES).

4 SAFETY CONSIDERATIONS

[A] THE ROAD-WAY IN QUESTION IS PART OF SECONDARY NATIONAL ROAD-WAY IDENTIFIED ROUTE N67 AND CLASSIFIED RNU 100 (A RURAL NATIONAL UNDIVIDED ROAD FOR SPEEDS OF 100KM PER HOUR). REFERENCE TO FORAS FORBORTHA PUBLICATION RT 260 "NATIONAL ROADS AND TRAFFIC FLOWS 1980" WOULD INDICATE AN AADT (ANNUAL AVERAGE DAILY TRAFFIC) OF 1,090 VEHICLES PER DAY, 9% OF WHICH ARE HEAVY GOODS VEHICLES.

IT IS IN THIS RESPECT A RELATIVELY QUITE COUNTRY ROAD COMPARED WITH FOR INSTANCE WITH OTHER SIMILARLY DESIGNATED ROADS, SAY THE N 52 AT KILBEGGAN - MULLINGAR WITH A DAILY TRAFFIC OF 2,289 OF WHICH 23% IS HEAVY GOODS TRAFFIC.

FORAS FORBORTHA RESEARCHES WOULD INDICATE THAT THIS ROAD, AS INSPECTED BY ME IMMEDIATELY OUTSIDE THE DEVELOPMENT, WOULD HAVE A MAXIMUM CARRYING CAPACITY OF 950 VEHICLES PER HOUR AT A MAXIMUM TOTAL SIGHT DISTANCE OF 450M, (WHICH JUST ABOUT OBTAIN IN THIS CASE). THE ROAD CAN THEREFORE NOT BE REGARDED AS OVER-TAXED.

[B] THE FORAS FORBORTHA PUBLICATION RT 181 GEOMETRIC DESIGN GUIDELINES HAS BECOME (RIGHTLY OR WRONGLY) THE BIBLE

FOR LOCAL AUTHORITIES IN THEIR DELIBERATIONS OF SUCH MATTERS AS MR. FLANAGAN'S APPLICATION.

RT 181 STATES, INTER ALIA IN RELATION TO ACCESS ONTO RURAL ROADS AS FOLLOWS:-

[I] D2.1

Intersections should be designed and laid out in such a way that

- (a) drivers are not required to make unexpected or hazardous manoeuvres.
- (b) capacity is sufficient to ensure that no movement is subjected to an unreasonable delay.
- (c) expenditure on safety and capacity is in balance with the expected results.
- (d) pedestrian movement is as safe as possible.

Observations of existing traffic movements and behaviour, together with studies of road accident records may indicate appropriate improvements in the case of existing intersections.

[III] D 2.2

D2.2 Safety

The layout should induce drivers, particularly those unfamiliar with the locality, to negotiate an intersection correctly and without difficulty by day or by night. Thus, intersections should be:

- (a) recognisable as such in good time with the complete layout easy to see (e.g. locate intersection in a trough, build islands on minor road arms, remove obstacles from fields of vision etc.)
- (b) designed to be easily understood (e.g. use physical layout to emphasise priority regulations, use simple and familiar intersection types, minimise conflicts, provide optical guidance by islands, road markings and signs etc.)
- (c) suitable for the traffic pattern (e.g. give easier path to the major flows, follow natural vehicle paths, ensure that large vehicles can, if required, manoeuvre without encroaching on islands or road edges, facilitate right turn movements etc.)

Where possible, the numbers of intersections on through routes should be minimised - for example, by combining two minor roads at least 35m before they join the major road. This will normally lead to a reduction in accident numbers.

[IIII] D 2.3

D2.3 Capacity

In urban areas the provision of the required route capacity and the avoidance of excessive delays require high capacity intersections, particularly since intersections normally limit the capacity of urban roads. In rural areas intersection capacity is not usually as critical and the provision of the required level of service demands that interference with through traffic is minimised.

The capacity requirements of the design year normally determine the intersection layout to be constructed. However, the future upgrading of the intersection capacity to a value approaching that of the roadway between intersections should be safeguarded by suitable control of development. This means that, for the more important intersections, estimates of traffic volumes for a period beyond the design year may be required. Intersection capacity and the prediction of intersection traffic volume are considered in Section D6.

[IV] TABLE D 3.1

(a) Rural Road Classes

Major Road Class	RCU 40	RCU 60	RRU 40	RCU 80	RRU 100	RND 120
			RNU 40	RRD 80	RRD 100	
Distance Type			RRU 60	RNU 80	RNU 100	
			RRD 60	RND 80	RND 100	
			RNU 60			
Distance along major road (metres) (1) X - distance	80	160	170	230	280	340
Distance from edge of major carriageway along minor road (metres) (2) Y - distance						
(i) Yield control	6	6	12	12	12	12
(ii) Stop control	3	3	3	3	3	3

[V] — D 5.5.

D5.5 Private Entrances

Where private entrances are permitted (see Chapter B4), the appropriate sight distance indicated in Table D3.1 should be available in both directions along the major road from a point 3m back from the carriageway edge.

CONSIDERATION OF PREVIOUS APPLICATIONS WOULD HAVE BEEN HEAVILY COLOURED BY THE ABOVE.

[C] HOWEVER, RT 181 EMPHATICALLY STATES IN ITS OPENING FORWARD.

"This report contains recommendations on geometric design guidelines for at grade intersections. Guidelines for the classification, alignment and cross section elements of roads were contained in report RT.180 published by An Foras Forbartha in May, 1977.

It is intended that the recommendations of this report, and of report RT.180, will be incorporated into a Road Design Manual being prepared by An Foras Forbartha in response to a request from the then Minister for Local Government. The Manual will contain tables, specifications and guide rules but, in the interests of brevity and clarity, will not include the supporting reasoning.

This report merely presents guidelines and ought not to be used as though its contents represented standards requiring rigid conformity."

[E] THERE ARE A NUMBER OF COMPELLING REASONS WHY THE FULL RIGOURS OF RT 181 NEED NOT NECESSARILY APPLY IN THIS INSTANCE. THE RECOMMENDATIONS OF RT 181 TAKE ON BOARD SUCH ALL-EMBRACING FACTORS AS A HIGH LEVEL OF ROAD CAPACITY, EVEN MAKES ALLOWANCE FOR USER UNFAMILIARITY WITH INTERSECTIONS (D 2.2)

IN THIS INSTANCE WE ARE CONCERNED EXCLUSIVELY WITH TYPICALLY A 10 TON CARGO LORRY, PRESUMABLY WITH A M.O.T. CERTIFICATE, DRIVEN BY A COMPETENT CLASS 'E' DRIVER, PERCHED NOT 1M BUT NEARLY 2M HIGH, WITH CLEAR VISIBILITY FOR APPROXIMATELY 200M IN EACH DIRECTION, ONTO A ROAD THAT IS BOUNDED AT EACH END OF VISION BY A CURVE THAT VIRTUALLY PRECLUDES SPEEDS GREATER THAN THE STATUTORY MAXIMUM (55 M.P.H.)

[F] APPLYING, AS REQUIRED TO DO SO BY RT 181, THE DICTATES OF "SOUND ENGINEERING JUDGEMENT", RATHER THAN BEING GUIDED STRICTLY BY THE BUREAUCRATIC NEATNESS OF RT 181, WE CONSIDER THE SAFETY ASPECTS OF THE PROPOSAL ON ITS OWN MERITS, IN LIGHT OF THE ACTUAL SITE SURVEY AND ALL THE PERTINENT FACTS AVAILABLE.

5 ACCIDENT ANALYSIS

[A] IRRESPECTIVE OF REFINEMENTS INTRODUCED BY THE COUNTY COUNCIL UNDER RT 181, THE BASIC QUESTION ARISES "IS AN ACCIDENT LIKELY TO BE CAUSED BY THE INTERSECTION WHICH IS PRIMARILY DUE TO THE PRESENCE OF THE INTERSECTION?"

- [B] VARIOUS RESEARCHES HAVE VERY FIRMLY ESTABLISHED THE STOPPING SIGHT DISTANCE AT VARYING SPEEDS IN ORDER TO AVERT AN ACCIDENT - THIS BEING THE SUM OF THE REACTION DISTANCE PLUS THE BREAKING DISTANCE GIVEN BY THE FORMULA

$$D = D = \frac{V}{30F} \quad (\text{IMPERIAL UNITS FT})$$

THIS FORMULA IS MODIFIED TO TAKE ACCOUNT OF GRADIENT AS FOLLOWS:-

$$D = D = \frac{V}{30(F+G)} \quad \text{WHERE } G = \text{GRADIENT.}$$

FLAT ROAD SIGHT STOPPING DISTANCES AT THE MAXIMUM 55 M. P.H. ON WET ROAD ARE GENERALLY AGREED TO BE 114 YDS OR 104M.

THIS IS THE UNIVERSALLY ACCEPTED FIGURE IN THE RULES OF THE ROAD. THIS FIGURE MUST IN TURN BE ADJUSTED DOWN TO TAKE ACCOUNT OF THE MEASURED AVERAGE OF GRADIENT ON THE APPROACH, TO APPROXIMATELY 101M.

- [C] THE DISTANCES OBTAINING IN THIS INSTANCE ARE THEREFORE ACTUALLY TWICE THE SAFE REQUIREMENT. IF AN ACCIDENT WERE TO HAPPENED THE INTERSECTION IT MUST BE ATTRIBUTED TO NEGLIGENCE ON THE PART OF EITHER OR BOTH OF THE DRIVERS IN FAILING TO REACH AND TOTALLY DISREGARDING THEIR OWN HUMAN POTENTIAL. IN NO WAY COULD SUCH AN ACCIDENT BE ATTRIBUTED TO EITHER THE PRESENCE OF OR THE DESIGN OF THE INTERSECTION AS IS NOW PROPOSED.

6 CONCLUSION

- [A] I HAVE EXAMINED THE PROPOSAL IN DETAIL, AND VISITED THE SITE WITH A VIEW TO ESTABLISHING THE EXACT NATURE OF THE DEVELOPMENT, AND SURVEYING THE APPROACH ROADS.
- [B] I SATISFIED MYSELF THAT, IN VIEW OF THE NATURE OF THE DEVELOPMENT, NO APPRECIABLE EXTRA TRAFFIC WILL BE GENERATED, AND IT WAS NOTED THAT THE ROAD HAD REACH NO-WHERE NEAR SATURATION CAPACITY FOR SUCH A ROAD.

- [C] I AM EXTREMELY HAPPY WITH THE SITING OF THE ENTRANCE AT WHAT IS THE OPTIMUM POSITION, TOGETHER WITH THE CORRESPONDING WILLINGNESS OF THE FLANAGANS TO EXTINGUISH ANOTHER LESS SUITABLE ENTRANCE IN LINE.

ALSO I FIND ATTRACTIVE THE PROPOSALS TO ABOLISH ROAD ADVERT SIGNS AND MATERIAL FROM THE FORE COURT WHICH MIGHT HAVE PROVED TO BE AN ALLUREMENT AND A DISTRACTION TO PASSING MOTORISTS.

- [D] I HAVE APPLIED THE CRITERIA OF "SOUND ENGINEERING JUDGEMENT" TO THE PROPOSAL IN RELATION TO ROAD SAFETY AND FIND THAT IN VIEW OF ACTUAL MEASURED VERTICAL AND HORIZONTAL ALIGNMENT, TOGETHER WITH SIGHT DISTANCES IN THE ORDER OF 220 YDS THERE IS OVER DOUBLE THE MAXIMUM REQUIRED SIGHT STOPPING DISTANCE FOR THE AVERAGE MOTORIST, WHO TRAVELS WITHIN THE SPEED LIMITS.

I SEE NO CIRCUMSTANCES THEREFORE IN WHICH ANY FUTURE ACCIDENT SHOULD IT OCCUR COULD BE ATTRIBUTED TO EITHER THE PRESENCE OR TO THE DESIGN OF THE INTERSECTION.

- [E] INDEED, IN PASSING I NOTED THAT GALWAY COUNTY COUNCIL WOULD APPEAR TO HAVE ARRIVED AT BROADLY THE SAME CONCLUSIONS THEMSELVES IN RELATION TO THIS POINT IN THE ROAD BY THEIR VERY RECENT ERECTION OF ONE OF THEIR OWN HOUSE (CORLESS) AT A POINT DIRECTLY OPPOSITE THE PROPOSED DEVELOPMENT, PRESUMABLY HAVING TAKEN ALL THE ABOVE MATTERS INTO ACCOUNT.

Mr. Abbott also showed photographs taken by him in the course of his inspection on the Site. The Drawings referred to by Mr. Abbot were attached to his report.

Councillor Joe Brennan referred to the history of this case and to the fact that the High Court had by way of Judicial Review upheld the County Manager's decision. In reply to Councillor Brennan the Deputy County Manager agreed that that was the case. Councillor Brennan stated that this application had been rejected on a number of occasions and he found it difficult to see how the Council could grant permission for an unauthorised development. He proposed that Planning Permission be refused in the case under consideration.

Councillor Michael Fahy asked that Mr. Patrick Keane, Solicitor who was present at the Meeting be allowed to address the Members. The Chairman agreed.

Mr. Keane then addressed the Members of the Council and stated that the application now being considered by the Members was not the same as previous applications. It was considerably different. He stated that when the previous case came before the Court on Judicial Review it was refused by the Judge on the grounds that the Members of the Council had considered matters other than the proper planning and development of the area. The Members on the previous occasion had urged as reasons for the passing of the resolution matters other than matters relating to proper planning and development. Mr. Keane said that today we are dealing strictly with planning matters, engineering advice etc.

Councillor Joe Burke seconded Councillor Brennan's amendment that planning permission not be granted in this case. Councillor Burke stated that Mr. Abbott had referred to the house provided by the County Council. Councillor Burke stated that the house provided by the County Council was a private house and Mr. Flanagan had also got permission for a private house. The objection in this case was to commercial use being carried on on the site of Mr. Flanagan's private house. The Council had been specific in granting permission for the garage in that development be restricted to non-commercial use. The present application was merely a ruse to get planning permission, and it would be blatantly inconsistent for the members if permission was granted in the present case. Councillor Burke referred to the applicant's proposal that boundary planting would be carried out to screen the development. He stated that the problem in this case was that a traffic hazard existed and that the screening of the site would not help. While the present use existed it was a traffic hazard. Councillor Burke stated that the report of the Senior Executive Engineer, Planning Control clearly stated that the sight distance from the proposed

access in a southerly direction was only 43.10 metres and that the proposal was evidently very deficient and consequently hazardous.

Mr. Frank Gilmore, Acting Senior Executive Engineer, Road Design, stated that the document of An Foras Forbartha relating to design guidelines already referred to stated at Table D 3.1 that in relation to site distances at private accesses there should be a sight distance in both directions of 280 metres from a point 3 metres from the edge of the carriageway. Lesser distances might be allowable in certain cases based on sound engineering judgement, but in this case there was only a sight distance of 43.10 metres at maximum and this deficiency would not be acceptable. A site distance of 200 metres might be obtained from the centre of the carriageway but the design guidelines required that the distance be measured from 3 metres back from the edge of the carriageway.

In reply to Councillor Micheal O'Morain, Mr. T. J. O'Donoghue, Law Agent, outlined the procedure in relation to Judicial Review whereby the acts of any public official could be scrutinised by the High Court. In this case the County Manager's decision to refuse planning permission to Mr. Flanagan was scrutinised. The documents relating to the case were presented by the applicant and not by the County Council and any lacking in the documentation was not the fault of the Council. The book of documents presented on behalf of the applicant was up to a 100 pages and all the relevant documentation including the Engineering reports were put before the High Court by the County Council. The High Court found in favour of the decision of the County Manager.

In response to the judicial review proceedings a number of grounds were put forward by the Council in support of the Manager's decision, including the ground that the Members did not consider the proper planning and development of their area. The Judge in giving his decision did not go beyond the issue that the Members were restricted to considering the proper planning and development of their area. The Judge noted that a number of Members had met with the applicant before the meeting at which the Section 4 resolution was considered and he held that Members by so doing did not approach the case in an unbiased way. Other reasons were also put forward by the Council but the Judge did not go beyond the aforementioned issue.

Deputy P. McCormack asked if it were not the duty of elected Members to meet the applicant and find out all sides of the case. Mr. T. J. O'Donoghue stated that he had given a long written report to the Members where he had made it quite clear that it was one thing to meet a client as a public representative but that when members proposed to move a Section 4 resolution, they must deal with the case impartially. In dealing with a Section 4 resolution the

Members did not represent anybody. They represented the County Council and must deal with the case impartially. It had been mentioned in an affidavit in the Judicial Review that the applicant met a number of Members of the Council before the Meeting. The inference therefore was that these

Members were biased and unable to consider the matter impartially.

Councillor Joe Lambert stated that the present application was a new one and the Flanagans had given commitments that they were not selling anything in the store. We were only adding to the dole queue if this permission was not granted. Councillor O'Morain stated that Councillor Lambert should not refer to matters which might prejudice the applicant's case.

Councillor Michael Fahy asked that Mr. Keane Solicitor be allowed to address the Members again. Mr. Keane read from a document which he described as his Barrister's notes on the case and not a copy of the High Court Judgement. He stated that Mr. Justice Blaney had expressed the view that matters referred to by the Members such as the threat of emigration and unemployment for five employees when considering the previous application were not proper grounds for consideration in connection with the planning application.

Councillor Joe Burke stated that the Council's Engineers answers to the matters raised by him were reasonable. He asked if Mr. Abbott would accept that the criteria used by the County Council were correct. Mr. Abbott again addressed the Meeting and stated that any suggestion that he stood in the middle of the road to take measurements was without foundation. He said that there were a variety of tables in the Foras Forbartha Guideline and they served the purpose of bureaucratic neatness but what mattered was that sound engineering practices were applied. He asked the Members to look at the situation on the ground as recorded in the photographs which had been taken one metre off the road. There was visibility at 210 metres in the Kilcolgan direction. This visibility was determined on the basis of the photographs where the Flanagan lorry was placed just off the road at the proposed entrance. The visibility was also ascertained on the basis of eye height at the distance of one metre back from the edge of the road.

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

FOR : Councillors J. Callanan, M. Fahy, P. Finnegan, Sen. T. Hussey, Councillor J. Joyce, Deputy M. Kitt, Councillor J. Lambert, Dep. P. McCormack, Councillors J. McDonagh, P. McHugh, J. Mannion, J. Molloy, M. O'Morain, P. Raftery, M. Ryan, T. Walsh and T. Welby. (17)

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

O'Tuathail. (3)

The Chairman declared the resolution as set out on the Agenda carried.

3162 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NO. 57720 - APPLICANT - MR. MALACHY DONNELLAN.

The resolution as set out on the Agenda was proposed by Deputy P. McCormack and seconded by Councillor Jarlath McDonagh. Mr. L. Kavanagh, S.E.E., submitted the following report, a copy of which had been circulated to each member.

LOCATION.

The proposed development is located on the Athenry/ Ballinasloe Regional Route and is situated approx 2 miles east of Athenry.

PLANNING HISTORY.

- Ref. No. 23712: An application for outline planning permission was made by a Mr. Oliver Fahy, Slieveroe, Athenry in early 1977 for 3 dwellinghouses on a site which included the site in question. Permission was refused on the grounds of a major traffic hazard.
- Ref. No. 25427: An application was made for outline planning permission for a housing development in late 1977. Two only were permitted due to future road works and traffic safety - applicant Mr. O. Fahy.
- Ref. No. 41372: An application for outline planning permission for a housing development for 5 houses was made in 1982 by Mr. N. Gormley c/o E.S.B. House, Tuam on a larger site which included the site in question. Permission was refused on the grounds similar to previous. It was subsequently refused by An Bord Pleanala on appeal 1983.
- Ref. No. 51274: In 1985 an application for full planning permission for a house was made on a site to the East of the site in question by Mr. M. Donnellan. Permission was granted.

- Ref. No. 52094: In 1986 an application for the retention and completion of a dwellinghouse was made by Mr. M. Donnellan on the site above mentioned (51274). Granted.
- Ref. No. 52623. An application for full planning permission was lodged by Mr. M. Donnellan in 1986 for a dwellinghouse on a site adjacent to but including part of the site in question and to the West of it. Permission was granted.
- Ref. No. 54079: An application was made in 1987 for outline permission for 3 houses on a site which overlapped the site referred to in files 52623 and 51274 and 52094 by Mr. M. Donnellan. Permission was refused.

PLANNING CONSIDERATIONS:

The proposed development obstructs a Restricted Regional Route on a bad bend with very poor sight distance.

The proposed development would be premature pending the realignment of the proposed regional route adjoining the site and would prejudice the said realignment.

The restricted Regional Route adjoining the site is Class 2 Control which restricts development to farmholding families with a special housing need, which does not exist in this case as Mr. Donnellan has his own house in Turloughmore and this site is not part of a farmholding.

RECOMMENDATION:

It is proposed to refuse permission for this development for the following reasons:

1. The proposed development would constitute a traffic hazard because it would be located at a sharp bend on a busy Regional 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 development along this route to the housing needs of farmholders families, a category of need which is not deemed to apply in this case.

3. The proposed development would be prejudicial to the realignment of the Regional Route which is likely to encroach on the lands in question.

Mr. Kavanagh also submitted a map showing road realignment proposals which affected the site in question.

Deputy P. McCormack asked for further information in relation to the realignment proposals. He also asked how long the realignment plans were in existence and if they were just a line on a map. He also asked if improvements could be carried out to the front of the road adjoining the site.

In reply, Mr. L. Kavanagh stated that the design of the realignment had been done about 10 years ago and there were plans in existence as far back as 1977. In reply to Deputy McCormack, Mr. D. O'Donoghue stated that the Council were always involved in forward planning for roadworks. It was important to plan for improvements so that works could be effected as and when finance became available.

Deputy P. McCormack stated that there was little hope of this realignment ever being done and the development of the site in an orderly manner would improve the situation.

In reply to Councillor Joe Burke, Mr. L. Kavanagh stated that the proposed development contravened Table 25B of Chapter 25 of the County Development Plan. Councillor P. O'Tuathail stated that the Council should have regard to the price of the land if required in the future and if planning permission were granted.

A Vote taken for or Against the resolution as set out on the Agenda, resulted as follows:-

- | | |
|----------|---|
| FOR: | Councillors J. Callanan, M. Fahy, M. Lynch, Deputy P. McCormack, Councillors J. McDonagh, P. McHugh, J. Molloy, M. Mullins, M. Ryan, and T. Welby. (10) |
| AGAINST: | Councillors J. Brennan, J. Burke and P. O'Tuathail. (3) |

Senator T. Hussey abstained from Voting.

The Chairman declared the resolution lost as the number of the members voting in favour of the resolution did not exceed one third of the total number of members of the Council.

3163 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NO. 59185 - APPLICANT: MR. EDWARD SWEENEY

It was agreed that consideration of this resolution would be adjourned to the next Planning Meeting. It was also agreed that Councillor P. McHugh would arrange with the applicant to

consent to an extension of time for the consideration of this application.

3164 RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NO. 58965 - MR. DONAL CRAIGIE.

The resolution as set out on the Agenda was proposed by Deputy P. McCormack and seconded by Councillor Jarlath McDonagh.

Mr. L. Kavanagh, S.E.E., Planning read the following report, a copy of which had been circulated to each member.

LOCATION:

The site is located in the townland of Mountross on the shores of Lough Corrib to the East of the Knockferry.

PLANNING HISTORY:

Ref. No. 13699: Outline Permission was originally granted to a Mrs. Moira Craigie, on the basis that it was a farmhouse on 37 acres. The 37 acres included the lands lodged in respect of this application.

Ref. No. 15049: Approval was granted to Mrs. Moira Craigie in 1973 on foot of Outline Permission 13699.

CONSIDERATION:

The proposed dwellinghouse will be located some 200 metres from the shore on the crest of a localised hill. The developer has not submitted any proposals for the minimisation of its impact on the surrounding landscape.

The site is within an area of Outstanding Scenic Amenity as marked on Map M.4.B of the County Development Plan, Paragraph 26.3 of the County Development Plan states that generally only housing of the "essential housing need" category will be permitted. Although the proposed house will be located on a holding of some 12 acres, the applicant stated in a letter received on 12th July, 1989, that the development does not come within any of the essential housing need categories listed, and that the purpose of the application is to facilitate the sale of some 12 acres of the applicants farm holding. The Development Plan is quite categoric in its wording which states that only essential housing needs will be permitted and as the applicant has not made such a claim the application must be refused. It should be noted that the thrust of development control policy is to

restrict development along the immediate hinterland of the Corrib Catchment in the interests of amenity and public health, and proposals such as this would directly conflict with this policy and set a precedent for further such non-essential development and consequent erosion of the unique and non-replaceable environmental amenity of the Corrib Country.

RECOMMENDATION:

Refusal is recommended as follows:-

1. The proposed development would be contrary to the proper planning and development of the area because it would be located close to the shoreline of Lough Corrib, in an area comparatively free from housing development and which is designated as an Area of Outstanding Scenic Amenity in the County Development Plan, and the proposed development would contribute to the erosion of the scenic and environmental amenity of the area and would be in conflict with the policy of the Planning Authority which restricts development in the area to the housing needs of farmholders families. Such a need does not exist in this instance as the site is for sale.

Deputy P. McCormack stated that the site was located about three quarters of a mile off the public road and was not visible from any public road or from the lake. He had visited the site himself to establish the position. In reply to Councillor Michael Ryan, Mr. L. Kavanagh stated that the development would be in conflict with the policy of the Council which restricted development in the area to the housing needs of farmholders families. Such a need did not exist in this instance, as the site was for sale.

A Vote taken for or against the resolution set out on the agenda resulted as follows:-

FOR: Councillors J. Callanan, M. Fahy, P. Finnegan, Senator T. Hussey, Deputy P. McCormack, Councillors J. McDonagh, P. Mc Hugh, J. Mannion, J. Molloy, M. Mullins, P. Raftery, M. Ryan, and T. Welby. (13).

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

Councillor Matt Loughnane indicated that he was abstaining from voting as he was not present for the discussion on this case. The Chairman declared the resolution as set out on the Agenda carried.

3165 - SHEEP DIPPING COMMITTEE OF FIVE CONNACHT COUNTIES AND COUNTY DONEGAL - ATHENRY - 19TH OCTOBER, 1989.

It was proposed by Deputy Micheal Kitt and seconded by Councillor P. Raftery and agreed that the attendance of Councillors J. Callanan and T. Welby be approved at this meeting. It was proposed by Councillor J. Mannion and seconded by Councillor Michael Ryan and agreed the attendance of Councillor T. Walsh be approved at this Meeting.

3166 - SALE OF HOUSES:

It was proposed by Councillor P. Finnegan and seconded by Councillor Matt Loughnane, 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 27th September, 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) Michael & Betty Brogan, Gorteeny, Woodford, Co. Galway.
- (2) Andrew & Mary O'Sullivan, Woodstock, Moycullen, Co. Galway.
- (3) John and Bridget Mullen, Addergoole Beg, Dunmore Tuam Co. Galway.
- (4) Michael & Pelelope Feeney, Knock Lettermullen, Co. Galway.
- (5) Seamus & Rose Marie Hogan, Lurganmore, Killimor, Ballinasloe, Co. Galway.
- (6) Martin & Teresa Fleming, Cappagh, Dunmore, Tuam, Co. Galway.
- (7) Margaret Bindon, Stradbally North, Clarinbridge, Co. Galway.
- (8) Martin & Mary Murray, Toomard, Newbridge, Ballinasloe, Co. Galway.
- (9) Mr. Thomas Molloy, Ballygurrane, Athenry, Co. Galway.
- (10) John & Nora Cloherty, Ardmore, Kilkerrin, Carna, Co. Galway.
- (11) Mrs. Evelyn Coyne, Mullaghgloss, Renvyle, Co. Galway.
- (12) Mrs. Ann O'Donnell, Hollymount, Peterswell, Co. Galway.
- (13) Christy & Mary O'Connor, Castlegar, Mountbellew, Co. Galway.
- (14) Peter & Mary O'Malley, Dunloughan, Ballyconneely, Co. Galway.
- (15) Gerard & Fidelma Stankard, 75, Parkmore Estate, Tuam, Co. Galway.
- (16) Patrick & Margaret Devaney, 2, Mylespark, Corofin, Tuam, Co. Galway.
- (17) Frank & Mary Hynes, Rahard, Athenry, Co. Galway.
- (18) Thomas & Bridie Keady, Lettercallow, Lettermore, Co. Galway.
- (19) Mrs. Mary Treacy, Cappataggle, Ballinasloe, Co. Galway.

- (20) Mr. Danny Wallace, Cullane, Carraroe, Co. Galway.
- (21) Paul & Josephine Daniels, 74, St. Laurencesfields, Loughrea, Co. Galway.
- (22) Mary Ann Riordan, Inchy, Kylebrack, Loughrea, Co. Galway.
- (23) David & Sarah Broderick, 1, St. Laurencesfields, Loughrea, Co. Galway.
- (24) Henry & Peggy Flattery, Ballinphuill, Brownsgrrove, Tuam, Co. Galway.
- (25) Patrick & Mary Walsh, Gorteenagloah, Renvyle, Co. Galway.
- (26) Martin & Mary O'Flaherty, Loughaunbeg, Inverin, Co. Galway.
- (27) Joseph & Catherine Kiely, Burnthouse, Rosscanill, Co. Galway.
- (28) Paul & Sally Lally, Maumeen, Lettermore, Co. Galway.
- (29) Bernard & Nora McKeogh, Turlicar, Monivea, Athenry, Co. Galway.
- (30) James & Catherine Bermingham, Fawnarevagh, Ardahan, Co. Galway.
- (31) Denis & Josephine Flaherty, Knockroe, Atymon, Athenry, Co. Galway.
- (32) James & Assumpta Mullins, Rahard, Athenry, Co. Galway.
- (33) Thomas & Bridie Connolly, 60, Pollroebuck, Loughrea, Co. Galway.
- (34) Patrick & Kathleen Glancy, 69, Pollroebuck, Loughrea, Co. Galway.
- (35) Frank & Bridget Roan, Corlacken, Creggs, Co. Galway.
- (36) Michael & Margaret Nee, Sconce, Lettermore, Co. Galway.
- (37) Gerard & Barbara Aspell, Currywongane, Kylemore, Connemara, Co. Galway.
- (38) Aidan & Noreen Cahill, 2, Lowville, Ahascragh, Ballinasloe, Co. Galway.
- (39) Patrick & Margaret Forde, Derrvoober, Woodford, Co. Galway.
- (40) Eamon & Marie Burns, Cloonconra, Clontert, Ballinasloe, Co. Galway.
- (41) Christie & Noeleen Tully, Ballinastack, Cloonminda, Castlerea, Co. Galway.
- (42) Mr. Frank Kenny, 67, Pollroebuck, Loughrea, Co. Galway.
- (43) Matthew & Nora Joyce, Upper Camus, Camus, Co. Galway.
- (44) Patrick & Nancy Canavan, Moyrus, Carna, Co. Galway.
- (45) Thomas & Ann Conroy, Shanacavass, Lettermore, Co. Galway.
- (46) Mrs. Maureen Joyce, Ballinakill, Lettermullen, Co. Galway.
- (47) Sean & Brid Kelly, Maumeen, Lettermore, Co. Galway.
- (48) Michael & Kathleen O'Donnell, Letterard, Cashel, Co. Galway.
- (49) Kieran & Ann Comer, Coorhoor, Kilnadeema, Loughrea, Co. Galway.
- (50) Patrick & Eilish Searson, 6, Cloughbrack, Eyrecourt, Ballinasloe, Co. Galway.
- (51) Michael & Mary Donegan, 1, New Estate, (Kilkerrin Road), Glenamaddy, Co. Galway.

- (52) Patrick & Marion King, 16, Tullyvoheen, Clifden, Co. Galway.
- (53) Martin & Teresa Faherty, 21, Tullyvoheen, Clifden, Co. Galway.
- (54) Declan & Celia Curley, 2, St. Laurencesfields, Loughrea, Co. Galway.
- (55) Hugh & Ann Connern, 5, Ardour, Kilconly, Tuam, Co. Galway.
- (56) James & Veita Conneely, 42, Tullyvoheen, Clifden, Co. Galway.
- (57) James & Nancy Connolly, 3, Fairgreen, Roundstone, Co. Galway.
- (58) James & Lena Reilly, 1, Killimor, Ballinasloe, Co. Galway.
- (59) William & Teresa Logue, 46, Cullairbaun, Athenry, Co. Galway.
- (60) Mrs. Bridie Wilkinson, 22, Cullairbaun, Athenry, Co. Galway.
- (61) Tony & Elizabeth O'Brien, 32, Parkmore Estate, Tuam, Co. Galway.
- (62) Patrick & Phil Nolan, 14, Convent Road, Kinvara, Co. Galway.
- (63) Michael & Bridget Mulhare, 1, Cloughbrack, Eyrecourt, Ballinasloe, Co. Galway.
- (64) Thomas & Mary Woods, 9, Fairgreen, Roundstone, Co. Galway.
- (65) Gerard & Mary Sheridan, 51, Cullairbaun, Athenry, Co. Galway.
- (66) Patrick & Jacqueline Parsons, 70, Dublin Road, Tuam, Co. Galway.
- (67) Brian & Ann Keary, 15, Shannon Park, (Fairhill), Portumna, Co. Galway.
- (68) Gerard & Bridie Fahy, 12, New Estate, Headford, Co. Galway.
- (69) John King, Lettershinna, Cashel, Co. Galway.
- (70) Michael & Frances Quinn, Cloonbrusk, Dunmore, Tuam, Co. Galway.
- (71) Michael & Roisin Whelan, 8, Mountbellaw, Co. Galway.
- (72) Joseph & Margaret Moloney, 6, Dublin Road, Tuam, Co. Galway.
- (73) Ms. Barbara Joyce, 8, Killeany, Aran Islands, Co. Galway.
- (74) Mrs. Margaret Birrane, Rusheenamanagh, Carna, Co. Galway.
- (75) Vincent & Monica Kennedy, 60, St. Laurencesfields, Loughrea, Co. Galway.
- (76) Thomas J. & Winifred Hynes, 4, Dublin Road, Tuam, Co. Galway.

3167 - REVIEW OF THE COUNTY DEVELOPMENT PLAN:

The Members were informed that Section 7 containing the Development Control Policies and objectives of the Development Plan had been reviewed. It was proposed in the Review of the Plan to add a new chapter on Environmental Protection dealing with Water Pollution and Environmental issues such as forestry, aquaculture and mining. There were two other documentary changes to be made in relation to advertising structures and land use policies and guidelines. The Council were given details of the remaining parts of the Plan to be reviewed and stated that it was hoped to have discussion documents on these outstanding areas for consideration of the Members at the next Planning Meeting. The Members noted the position.

Councillor Matt Loughnane referred to the need to control the development of housing adjacent to the lands of secluded religious orders. He asked that this matter be examined with the review of the Plan.

Councillor James Joyce asked that a fourth category of development road be established whereby a native to a townland along a regional road might be allowed to develop a site for housing if he so wished. Mr. B. Callagy stated that such a proposal would be against the controls which were already in place. The roads mentioned in the current plan were important roads and he was not in favour of establishing a further class of regional road. There were only four regional roads referred to in the plan and he gave details of these roads. Councillor J. Joyce stated that he would be proposing that a separate Class 3 development would be incorporated in the new Development Plan which would allow an extra concession to people who are natives of a townland bordering such roads to build a house for their families.

Deputy P. McCormack stated that a number of Councillors had left the Meeting in the course of consideration of the Section 4 Resolution which appeared at Item No. 2 on the Agenda, to open Tenders received by the Council. He stated that this had resulted in some Members not being in a position to vote on the Resolution. The Deputy County Manager indicated that it was a matter for Members themselves to absent themselves from the Meeting and that the Chairman had declared the result in relation to the resolution referred to.

3168 - NEW INN DUMP.

Councillor Michael Mullins thanked the Officials of the Council for the arrangements which had been put in place in

relation to the closure of New Inn Dump. He expressed the hope that the Council would complete the clean up operation at the dump following the closure.,

THE MEETING THEN TERMINATED.

SUBMITTED, APPROVED & CONFIRMED:

John Molloy
CHAIRMAN

27/10/89

DATE

COMHAIRLE CHONTAE NA GAILLIMHE
(Galway County Council)

Oifig an Runai,
Arus an Chontae,
GAILLIMH.

17u 1a Deire Fomhair, 1989.

CHUIG GACH BALL DE'N CHOMHAIRLE/

A Chara:

Iarrtar ort leis seo bheith i lathair ag cruinniú míosúil de Chomhairle Chontae na Gaillimhe a tionolfar ins na Foirgnithe Chontae, Gaillimh, ar De Luain an 23u 1a Deire Fomhair, 1989 ag tosnu ag a 3.30 a chlog sa trathnona.

Mise, le meas,

E. O GLIASAIN,
RUNAI

A G E N D A

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

1. "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to grant Planning Permission to Miss Mary King for the erection of a dwellinghouse and septic tank at Kiltullagh, Oranmore, - Planning Ref. No. 59412.

John Molloy. Nioclás O'Conchubhair. Paddy 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 Permission for the erection of two dwelling houses at Cahercrea East, Loughrea - Planning Ref. No. 59364.

Noel Treacy. James Joyce. Patrick Finnegan. Ulick Burke.

2.

3. Consideration of Minutes of the following Meetings:-

- (a) Special Meeting held on 8th September, 1989.
- (b) Monthly Meeting held on 25th September, 1989.

4. Sale of Plot of land at Rossaveal to Peter McDonagh, Clynagh Carraroe, Co. Galway under Section 88 of the Housing Act, 1966 - Section 83 Notice dated 18th September, 1989 already circulated.

5. Sale of plot of land at Ballybane to Margaret and Pauline Folan, Ballybane under Section 88 of the Housing Act, 1966 - Section 83 Notice dated 18th September, 1989 already circulated.

6. Revision of Remuneration for Grade IV to VII Officers and Analogous Grades.

7. Auditors Report for financial year ended 31st December, 1988 - Copy enclosed.

8. Assessment of Housing Needs.

9. E.C. Structural Funds - Report to follow.

10. Applications for Remission of County Rates from the following:-

- (a) Galway Bay Cheese Co.
- (b) Denis Conway, Oghilly Sawmill.
- (c) Tuohy & Grealish Ltd.
- (d) Connemara Celtic Crystal Co.
- (e) Padraic O'Griofa.
- (f) Potaireacht Tir an Fhia.

- (g) Workshops in Spiddle Craft Village.
Reamon O'Flaherty.
Robert D'Eath.
Maire N Thaidhg.
Phroinsias MacGuinneagain.
Gearoid O'Murchu.
Susan Keogh.
Albert Bourlier.
Roisin Conamara Teo.
Celtic Gold.

11. Essential Repairs Grants.

12. Nomination of one person to Regional Advisory Council of Teagasc - Details enclosed.

13. Conference - West County Inn, Ennis on 24th and 25th November, 1989 - "The Tourism Explosion - Implications for Ireland".

13a Litir de 9 Deire Fomhair, 1989 o Fiontar Flanders (coip istigh le seo).

14. Business submitted by the County Manager.

COUNCILLORS' NOTICES OF MOTION.

(A) Adjourned from previous Meeting.

AN COMHAIRLEOIR PEADAR O'TUATHAIL: - MOLAIM:

15. Go iorgadh an Comhairle Chontae (ionadaithe le socru as cruinniu) cruinniu leis an t-Aire Comhshaoil le droch staid na boithre Chontae a phle leis.

DEPUTY NOEL TREACY: - I will propose:

16. That Galway County Council lower the culvert at a location in County Galway (details supplied), that these works be carried out immediately, the reasons why these works have not been carried out to date be outlined hereafter and any other relevant details, the date on which these works will be carried out, the description of the works to be carried out and other details.

(B) Other Motions received:

COUNCILLOR JARLATH Mc DONAGH - I will propose:

17. That County Council carry out examination with a view to improving entry to cemetery. (location given)

18. That County Council instal new range in Local Authority house (details herewith).

19. That County Council immediately apply for S.E.S. Scheme for refurbishing of old Cemetery at Cahergowan.

DEPUTY ROBERT MOLLOY - I will propose:

20. That immediate repairs be carried out to Ballinabrough Road Inverin, Co. Galway.

21. That repairs be carried out to the surface of Bothar Doire Lochain Thiar, Spiddal, Co. Galway which is in a dangerous condition because of large potholes.

22. That immediate repairs be carried out to the road leading to the house of Mairtin O Curraoin, Aille, Indreabhan, Co. na Gaillimhe.

COUNCILLOR JAMES JOYCE: - I will propose.

23. That the fence surrounding the Council Housing Estate in Laurencetown be repaired now as it is the worst eyesore in

the village.

24. That the Donnellans of Clare Road, Kiltormer (Pat & Rose) be provided with a small house for the rest of their lives as the demountable dwelling they have been living in for approx. 20 years is most unsuitable.

DEPUTY PADRAIC McCORMACK - I will propose:

25. That a special grant be allocated towards the repair of two roads in need of major repair in the Cornamona area. The Doorus West to the Doorus East Road which is in need of major resurfacing and repair and the Cremlin Road, Cornamona. These roads are in a very bad state and a major grant would be necessary for the repair of same. I am asking that they be included for a major grant.
26. That Galway County Council take steps to alleviate the serious flooding that occurs at John Gavin's house, Carraganew, Maam, Co. Galway. This particularly dangerous to this householder due to the recent flooding.
27. That a 7 ft. barrier be erected at the entrance to the car park in Oughterard to prevent the parking of lorries and caravans there.

COUNCILLOR T. WELBY - I Will ask.

28. What progress has been made on tackling coast erosion on Inishboffin near the new Pier site.

DEPUTY NOEL TREACY - I will propose.

29. That the drain at a location in County Galway (details supplied) be piped and shored immediately, that the necessary remedial works be carried out thereto, to ensure that the discharge of water off the public roadway does not affect private property; the details of the works to be carried out be outlined hereafter; the dates on which the work will be carried out and any other relevant information.
30. That Galway County Council immediately remove a sign at a location (details supplied in Co. Galway), this sign be moved northwards for circa 20 yards, to ensure proper visibility, security and protection for road users and adjacent house owners, etc, the date on which this work will be done, and any other relevant information.
31. That Galway County Council immediately clean and improve the drain at a location in Co. Galway (details supplied), that these works be carried out immediately, the dates on which they will be carried out be outlined and any other relevant information.

5.

COUNCILLOR JOE BURKE - I will ask:-

32. What plans are prepared to improve the road from Tuam to Athlone (via Bog Road). No improvement has been carried out on this road.

COUNCILLOR MATT LOUGHNANE - I will propose:

33. That the piped drain be freed and grid replaced at the location mentioned in the accompanying note.
34. That a footpath be erected from the new National School, Athenry to the entrance road at Lady's Well.

COUNCILLOR PATRICK FINNEGAN - I will propose.

35. That this Council move the 30 mile speed limit signs in Ballymoe further out the Castlerea Road and in the meantime erect warning signs to slow down traffic from Ballymoe to Cloonee as this road has had numerous accidents in recent months.
36. That this County Council take urgent action to improve the condition of Tuam footpaths as some of them are causing difficulties for pedestrians.

DEPUTY MICHEAL KITT - I will propose:

37. That Galway County Council plaster, cap and paint a wall in the Forest View Estate, Mountbellew and that a weedy area in the Estate be re-seeded.

COUNCILLOR PADDY MCHUGH - I will propose.

38. That Galway County Council carry out immediate essential repairs to a Council House to prevent water leaking into Kitchen.
39. That Galway County Council organise a Social Employment Scheme to upgrade the footpath from Gortnamona to Corner Chapel including removal of growth from walls and reinstating wall where necessary.

COUNCILLOR MICHAEL FAHY - I will propose.

40. That Galway County Council remove bend and improve visibility on the Ballylennon Road, Gort outside Thomas Counihan's house.
41. That Galway County Council remove bend and improve visibility on the entrance of the Caherfinisker Road, Athenry on National Primary Road, Galway - Dublin Road.

6.

42. That Galway County Council outline in detail of progress made on the Oranmore Sewerage Scheme and when is expected scheme will commence.

COMHAIRLE CHONTAE NA GAILLIMHE
GALWAY COUNTY COUNCIL

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

MO THAG

My Ref.

DO THAG

Your Ref.

EG/ROB



BOSCA POIST UIMHIR 27,
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19th October, 1989

TO EACH MEMBER OF GALWAY COUNTY COUNCIL

A Chara,

I wish to refer to Item No. 2 on the Agenda for the Council Meeting of the 23rd October, 1989.

The name of the applicant was omitted from the Resolution set out at Item No. 2.

The Resolution should read as follows:-

"That in accordance with Section 4 of the City & County Management (Amendment) Act, 1955, Galway County Council require the County Manager to grant Permission for the erection of two dwelling houses at Cahercrea East, Loughrea to Mr. Thomas Callanan, Carra, Kilrickle, Loughrea, Co. Galway. Planning Ref. No. 59364.

Noel Treacy. James Joyce. Patrick Finnegan. Ulick Burke.

Mise, le meas,

E. GLEESON,
RUNAI.

MINUTES OF MEETING OF GALWAY COUNTY COUNCIL HELD AT THE COUNTY BUILDINGS, GALWAY, ON MONDAY, 23RD OCTOBER, 1989.

IN THE CHAIR: Councillor J. Molloy.

ALSO PRESENT:

Members: As recorded in Attendance Book.

Councillors J. Brennan, J. Burke, U. Burke, J. Callanan, Councillors M. Fahy, P. Finnegan, P. Mac Gloinn, Senator T. Hussey, Councillors J. Joyce, Deputy M. Kitt, Councillors J. Lambert, M. Loughnane, M. Lynch, Deputy Padraic McCormack, Councillors J. McDonagh, P. McHugh, J. Mannion, M. Mullins, N. O'Conchubhair, 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; T. J. O'Donoghue, Law Agent; J. Howlett, Assistant County Manager; L. Kavanagh, S.E.E., Planning; E. Gleeson, County Secretary; A. Fleming, Administrative Officer; D. Barrett, S.S.O., Planning; and T. Kavanagh, Administrative Officer.

The Opening Prayer was recited.

3169 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 59412 - APPLICANT: MARY KING.

The resolution set out on the Agenda was proposed by Councillor P. McHugh and seconded by Councillor Nioclás O'Conchubhair. The County Engineer submitted the following report, a copy of which had been circulated to each Member prior to the Meeting:

"LOCATION:

The proposed development is situated on the Oranmore-Claregalway National Secondary Route (N64) slightly less than 1/2 mile from Carnmore Cross on the Claregalway side of the X roads.

PLANNING HISTORY:

Ref. No. 24120: In 1977, Outline Permission was

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granted with enurement for 4 no. dwellinghouses on a site 100 ft. to the north west of the site in question. Applicant: Edward King, Kiltullagh.

Ref. No. 26412: In 1978, an application for approval of one dwellinghouse on the above (24120) site - no decision. Applicant: Joseph King.

Ref. No. 26845: In 1978 an application for permission for one house on a site adjacent to the one in question and to the south east of it was lodged. Permission was refused. Applicant: Michael King.

Ref. No. 26849: In 1978, an application for Permission for one house on a site adjacent to above (26845) was lodged. Permission was refused. Applicant: Joseph King.

Ref. No. 45652: In 1983, an application for Permission for one house was lodged on the above site (26849). Permission was granted with an Enurement Clause. Applicant: Gerard King.

Ref. No. 47037: In 1983, an applicant for Permission for a dwellinghouse on the adjacent site to the south east. Permission was refused. Applicant: Michael F. King.

Ref. No. 47699: In 1984, an application was lodged for Permission for one house on the above site 47037. Permission was granted. Applicant: Michael F. King.

Ref. No. 58845: In April 1989, an application for Permission for one dwellinghouse on the site in question. Permission was refused. Applicant: Ms. M. King.

PLANNING CONSIDERATIONS:

The site is located on the National Secondary Route N.64 Oranmore/Claregalway Route which has a Class 1 restriction in the County Development Plan. This restricts housing development to the needs of farmholders families where sites are not available on minor roads. In the present case, there are lands on minor roads adjoining the applicants parents house which are suitable for house building and the proposal would therefore not qualify for location along the National Route.

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The two existing adjacent houses were granted prior to 1985 when Class 1 control did not apply and policy was less restrictive. The pressure for development along this road and the on-going ribbonisation resulted in a more restrictive policy and an upgrading to Class 1 Control in the 1985 Development Plan.

RECOMMENDATION:

It is proposed to refuse Permission for this development for the following reasons:

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 along the route.

2. The proposed development would contravene Chapter 25, Table 25A of the County Development Plan which restricts development along this route to the housing needs of farm holders families who have no alternative sites on minor roads. As alternative sites are available on this land holding, the proposal would thus be in conflict with the said Plan."

The Chairman, Councillor John Molloy, stated that the landowner in this case was a small farmer who owned about 35 acres of land. The owner intended to give sites to Members of his family and that was why he had applied for Outline Permission for four dwellinghouses in 1977. Since then, the road had been upgraded and realigned through some of the owners lands. The owner had given land for road realignment. Two members of the family had already built houses at the location concerned and the present applicant was another member of the family working in Galway. The applicant was agreeable to use one of the existing exits which was owned by her brother and she should, therefore, be entitled to build a house at the location applied for. The other lands referred to in the report were located along a boreen road over which 7 or 8 farmers travelled. It would not be suitable to build a house in that area and he stated that Planning Permission should be granted in respect of the application being considered at the Meeting.

The County Engineer stated that he was not in favour of an existing access being shared with another house. He stated that there were always difficulties in relation to such an arrangement if either houses were being sold in the future, and a new owner would initiate pressure to create a new separate access. The County Engineer also stated that if an access were to be used by two houses, it would double the pressure on the single access. Service vehicles would be

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using the access and other vehicles seeking entrance might have to wait in the middle of the road while service vehicles were serving either the houses. The County Engineer stated that the road was not realigned at the point of the present site and the road actually narrowed at that point. There were undoubtedly dangers at the point concerned particularly for the residents themselves where relatively fast moving traffic was coming into a narrow point and a build up of houses. There were also houses on the other side of the road which were erected before the road was upgraded which would add to the danger of people crossing the road. It was intended that further realignment would be carried out in 1990 subject to the availability of funds and the County Engineer stated that in his view, the Council in granting this Permission would be creating a situation where a serious accident could occur.

The Chairman indicated that the applicant had no intention of selling the site and wished to erect a house for her own occupation.

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

FOR: Councillors U. Burke, J. Callanan, M. Fahy, P. Finnegan, Senator T. Hussey, Deputy M. Kitt, Councillors J. Lambert, M. Lynch, J. MacDonagh, P. McHugh, J. Mannion, J. Molloy, N. O'Conchubhair, P. Raftery, Deputy N. Treacy, Councillors T. Walsh, and T. Welby.

(17)

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

(3)

Councillor Glynn abstained from voting.

The Chairman declared the resolution as set out on the Agenda carried.

3170 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 59364 - APPLICANT: THOMAS CALLANAN:

The resolution as set out on the Agenda was proposed by Deputy Noel Treacy and seconded by Councillor P. Finnegan.

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

LOCATION:

The proposed development is located on the N66 National Secondary Route from Loughrea to Gort approximately 3/4 mile outside Loughrea near Glenville Lodge in the townland of Cahercrea East.

PLANNING HISTORY:

Ref. No. 25784: In 1977, an application for permission for 1 house was lodged on a site within the boundaries of the site in question. Permission was refused. Applicant: P. O'Donnell, Garda Station, Loughrea.

Ref. No. 25923: In 1977, an application for permission for one dwellinghouse was lodged on a site adjacent to the east of above (25784) and also within the boundaries of the site in question. Permission was refused. Applicant: Patrick J. Dixon, Garda Station, Loughrea.

Ref. No. 26725: In 1978 (January) an application for Outline Permission for one house was re-submitted on the site in file 25784. Outline Permission was refused. Applicant: Patrick O'Donnell.

Ref. No. 27802: Later in 1978 (May) the same site as that referred to in files 25784 and 26725 was lodged for Outline Planning Permission. Outline Permission was refused. Applicant: P. O'Donnell.

Ref. No. 30867: In early 1979, an application for Permission for one house was lodged on the site referred to in file 25923. Permission was refused. Applicant: John J. Farragher, Cuscarrick, Loughrea.

Ref. No. 38147: In early 1981, an application for Outline Permission was lodged for one house on the above site (30867). Outline Permission was refused. Applicant: Ms Clare Nolan.

CONSIDERATION:

The sites are located on a bend of the National Secondary Route where the maximum speed limit applies and which is 3/4 miles outside the town boundary and one mile from the area zoned for residential development. Some ribbonisation of housing has occurred in the immediate area, almost all of which was permitted prior to the 1979 Development Plan.

The current County Development Plan restricts development outside the 30 m.p.h. speed limit on this route so as to limit the number of new accesses and the

consequent risk of traffic accidents. Sufficient lands have been zoned in Loughrea for housing development and proposals such as this should be located either within the residential zones of Loughrea or on one of the several minor roads in the hinterland which are not subject to the restrictions of Tables 25.A and 25.B

No housing need has been claimed in this case.

RECOMMENDATION:

It is proposed to refuse Permission for this development for the following reasons:

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 housing development along this route to the housing needs of farmholders families. Such a need has not been claimed in this instance."

The County Engineer stated that he wished to advise the Council that the proposed development would constitute a traffic hazard. Deputy Noel Treacy referred to the part of the County Engineer's report which stated that some ribbonisation of housing had occurred in the immediate area and stated that Planning Permission for some of these developments had been granted since 1979. There was an urgent need for public housing in the Loughrea area as major job creation was proposed by the provision of new industry in the future. He stated that a number of permissions had been granted between this location and the town boundary over the last 10 years and he could not see how two further houses would create additional traffic problems. He had examined the site himself and he felt that two houses would improve the alignment of the road in that the Council could impose the usual conditions regarding the setting back of frontages which would increase visibility. He asked that the application be treated in the context of the proper planning and development of the area.

The County Engineer indicated that the Drawings submitted with the application indicated that the existing stone wall would be retained. This wall was shown along the existing road and he could not see any improvement in sight distance being achieved if the development was allowed. Deputy Treacy stated that the applicant would accept a condition

that the walls be set back and the grass margin removed. The County Engineer stated that the applicant had no authority to carry out any works other than on his own site. He stated that there was a further bend along the road which would not improve the situation. The County Engineer stated that major realignment was needed and it was not just a simple matter of widening the road at the proposed sites. The grass margin was there already. The County Engineer also stated that the Minister in referring to need was referring to general housing need in the area, whereas the report circulated to the Members, referred to family need as provided for in the County Development Plan.

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

FOR: Councillors U. Burke, J. Callanan, M. Fahy, P. Finnegan, Senator T. Hussey, Deputy M. Kitt, Councillor J. Lambert, Deputy P. McCormack, Councillors J. MacDonagh, P. McHugh, J. Mannion, J. Molloy, M. Mullins, N. O'Conchubhair, P. Raftery, Deputy N. Treacy, Councillors T. Walsh and T. Welby.

(18)

AGAINST: Councillors J. Brennan and J. Burke.

(2)

Councillors Glynn and Peadar O'Tuathail abstained from voting.

The Chairman declared the resolution as set out on the Agenda carried.

3171 - APPLICATION FOR PLANNING PERMISSION TO RETAIN COMMERCIAL USE OF BUILDING AND YARD AND PERMISSION TO PROVIDE REAR EXTENSION TO SAME IN THE TOWNLAND OF BALLYCLERY, KINVARA. APPLICANTS: MICHAEL AND MARY FLANAGAN - PLANNING REFERENCE NO. 59772:

Councillor Michael Fahy referred to the resolution under Section 4 of the City and County Management (Amendment) Act, 1955, which was passed at the Council Meeting of the 13th October, 1989, and which required the Manager to grant Planning Permission to Michael and Mary Flanagan to retain commercial use of building and yard and permission to provide rear extension to same at Ballyclery, Kinvara. Councillor Fahy also referred to the Council's letter of the 19th October, 1989, which had been issued to each Member and which had stated that the Deputy County Manager, having obtained legal advice in relation to the case, had decided to refuse Planning Permission in this case. Councillor Fahy asked that the Legal Adviser outline to the Meeting the grounds on which the Planning Permission had been refused. He stated

that the Planning application had been presented to the Members in a manner which was the best ever presented to the Council.

Councillor Lambert stated that he also wished to be associated with the request made by Councillor Fahy. Deputy Michael Kitt also queried the legal position in this case. He stated that the Manager had refused to implement Section 4 Resolutions requiring that Planning Permission be granted for known reasons in the past, such as where Councillors brought up matters not relevant to proper planning and development. He asked what the position was regarding Councillors who were not present for the debate on a particular resolution and who came in late and subsequently voted on the resolution. He also asked what the position was if the Councillor stayed silent during the debate on a Section 4 Resolution and asked that the Law Agent cover these points in his reply to the Council.

The Law Agent stated that the Planning case of applicants, Michael and Mary Flanagan, which was the subject of a Section 4 Resolution at the previous Meeting, was a difficult one. He had been present during the debate on the Section 4 Resolution at the previous Meeting and the matter was subsequently referred to him by the County Manager for advice. A number of points arose in relation to this case.

The case had a long history including a number of refusals of Planning Permission in the past. The case had been referred to the High Court by way of a Judicial Review and the County Manager's decision to refuse to implement the terms of a previous Section 4 Resolution was upheld by the High Court.

The Law Agent indicated that the view had to be taken that the Planning Application the subject of the Section 4 Resolution which was considered at the Meeting of the 13th October, 1989, was substantially the same as the application which had been formerly refused. There were a number of small changes in the application.

A number of reasons for refusal arose and the Law Agent indicated that he had advised in the past as to these reasons. The advice available to the Council was set out in the County Engineer's report who had consistently stated the reasons for refusal. The County Engineer had not wavered or changed in his recommendations and his reports had not been seriously queried in the past.

A second Advice by a private Consulting Engineer was available to the Members at the Meeting of the 13th October, 1989. The question arose as to whether the decision taken by the Council was reasonable in the circumstances. The County Manager had come to the conclusion that the decision

taken was not reasonable. The County Engineer's report was consistent in the past in relation to this case. The County Engineer's report was unbiased and neutral and must carry a substantial weight in arriving at a decision. There was a history of refusals of Planning Permission in this case and the Council could not lightly change its mind unless there were changes in circumstances. There was nothing in this case to allow the Council to change its mind as the County Engineers reports had consistently recommended refusal of Permission.

Mr. O'Donoghue also stated, in reply to Deputy Kitt's query, that a situation where a Councillor who was not present for a full debate on the Section 4 Resolution, and subsequently voted, could present a problem. Mr. O'Donoghue, also stated that a reference had been made by a Member at the previous Meeting to a matter which was not strictly a Planning matter in the course of the debate.

Taking all the circumstances into account, including the past history of this case, his advice was that the Members could not have acted reasonably in coming to their decision and he had advised the County Manager not to comply with the terms of the Section 4 Resolution in this case.

Councillor Michael Fahy stated that the High Court had held on the previous occasion that humanitarian grounds should not be considered but that as the last Section 4 Resolution which was considered at the Meeting of the 13th October, 1989, had been debated on proper planning and development considerations, this should show a different light on what was a different application.

Mr. T.J. O'Donoghue, Law Agent, stated that a number of grounds were put forward by the Council in response to the Judicial Review proceedings. The Judge in giving his decision did not go beyond the issue that the Members were restricted to considering the proper planning and development of their area. The Judge had indicated that in coming to this conclusion, he was influenced also by the fact that the applicant met some or all of the Members of the County Council on the morning of the Meeting at which the Section 4 Resolution was considered.

Councillor Ulick Burke asked how the Judge had established that some or all of the Members had met the applicant on the morning of the Meeting. Mr. T.J. O'Donoghue, Law Agent, indicated that the Judge was aware of this matter as a result of a document placed before the Court. This document had not been submitted by the County Council and it was not an issue which was pleaded by the County Council.

In reply to Councillor Ulick Burke, the County Manager

indicated that the Council were awarded costs in the High Court application and that details of the costs could be made available in due course.

Councillor P. Finnegan asked if the Council Members could not make a decision on the basis of what they heard at the Meeting, and if it was suggested that the Council did not do that in the Flanagan case.

The Law Agent, in reply, stated that when dealing with a Section 4 Resolution, the Members of the Council were placed in a quasi judicial role and they must act as would a Judge or a Judicial Body. In complying with a requirement of a Section 4 Resolution duly passed, the Manager was merely signing the Order as an administrative function but it had been held in a Supreme Court case that if the Manager was of the opinion that the Members could not reasonably have come to the Decision made, and was of the opinion that the Decision reached was unreasonable, he should not implement it.

Deputy P. McCormack stated that he always visited the site which was the subject of a Section 4 Resolution to grant Planning Permission in an endeavour to establish both sides of the case. There was no other way in which a public representative could deal with the case except to go out and see the site and meet the Applicant. He stated that it appeared that the Judge had no knowledge of public representatives in this regard or how a public representative operated. If a public representative went out, he must get the applicant to show him the site and he must discuss the case with the applicant. A public representative could not otherwise make a decision or judgement on the case, and in his opinion, this was a logical way to approach the matter. Deputy McCormack also asked why Section 4s, which were passed in other Counties, were not referred by the Manager for legal advice.

Mr. T.J. O'Donoghue, Law Agent, stated that the difficulty in relation to discussions with the applicant, was that a Member might be prejudiced by the discussions. In the Flanagan case, Councillors met the applicant before the Meeting and their minds might have been made up before the case was fully debated at the Meeting.

Deputy P. McCormack stated that if discussions with an applicant prejudiced a Section 4 Planning case, it was a ridiculous situation for public representatives to be put in.

The Law Agent indicated that when Members proposed a Section 4 Resolution, they took over the role of the County Manager and they must act impartially in coming to their decision. In the Flanagan High Court case, the Council did not contend

in the Judicial Review proceedings that Members met with the applicant.

Councillor J. Joyce stated that if discussions with objectors prejudiced the case, the question also arose as to whether the County Engineer should be regarded as an objector.

The Law Agent stated that the County Council was not an objector in a Planning case.

Councillor Joe Burke stated that the Council should get a Barrister's Opinion in relation to the issues which had arisen. The Members were given a power under Section 4 to direct a Manager to do certain things and he was seriously asking if Members were being thwarted in the use of that power. He believed that the power was being withdrawn from them. He stated that if the Planning Officer went out to a site, there was a presumption that he would bring in an unbiased opinion, but when applicants invited Members out to see the site, the same credit was not given to a Member as to a Planning Officer. He believed that certain inconsistencies existed in the Law if this was the case.

Councillor Tiarnan Walsh stated that the recent Flanagan application was a new one but that it was not treated as a new application as the Law Agent in his opening address referred to the history of the case. If that was the case, he saw little point in making new applications if similar applications were refused in the past. The recent application was a new and independent application.

Councillor Michael Ryan asked what was wrong in this Council as regards the passing of Section 4 Resolutions and if when Section 4s were passed in other Counties, the Manager implemented them. Councillor P. McHugh asked if the Law Agent had made a judgement on the quality of the evidence of the private Engineer at the Meeting of the 13th October. Councillor Ulick Burke asked if the Judge referred to all of the Members or some of the Members and if he had referred to all of the Members as having been met by the applicant a serious error of judgement had been made.

The Law Agent stated that the provisions of a Section 4 Resolution gave rights to the Members to direct the Manager to do certain things in certain circumstances. When Members invoked the Section 4 provisions, they were merely taking over the Manager's function but they were not overruling the Manager. When Members invoked the provisions of a Section 4 Resolution, in relation to a Planning application, they must exercise their function in a quasi judicial way. Members must act impartially. They were taking over the role of the Manager in the particular case and their function was not to overrule the Manager. A Planning Officer was not the

person who made the decision in relation to the application. A Planning Officer was a paid Official who must deal with the application in accordance with the Law. The Law Agent also had to act in accordance with the Law and was not the person making the decision. In reply to the query of Councillor Tiarnan Walsh, the Law Agent stated that unless there were changes in circumstances in relation to similar planning applications, the Council could not change its mind in relation to an earlier decision. It was well established that the Council had to take the previous history of cases into account when dealing with a particular planning application. In relation to the query raised by Councillor Michael Ryan regarding the position of other Counties, the Law Agent referred to a planning case in Dublin which wound up in the High Court. In reply to Councillor Ulick Burke, the Law Agent read from the High Court decision delivered on the 25th May, 1989, in the Flanagan Case which stated that in coming to his conclusion, the Judge was influenced also by the fact that the applicant, as stated in a supplementary Affidavit, met on the morning of the Meeting all the Members of the County Council who subsequently attended it.

Councillor Ulick Burke stated that this statement was totally inaccurate, and he asked that the Law Agent request the Legal Advisers representing the Flanagans to state if in fact the submission made to the Court was correct. The Law Agent stated that he would check if the document referred to was a public record or not. He would examine the position.

In reply to Deputy Noel Treacy, the Law Agent stated that he was not in a position to advise on Constitutional rights regarding an applicant who wished to meet with a public representative to discuss a Planning application. Councillor P. Finnegan asked if the Law Agent took into account the presentation of the private Engineer at the previous Meeting. The Law Agent stated that the Manager took into account everything relating to the case and formed the opinion that the Council could not reasonably have come to their decision having regard to the facts, history, and general circumstances of the case. The Law Agent stated that each case must be considered on its merits, and if two sets of Engineering advice were available, the Council in considering a Section 4 Resolution must take all reports before it into account. Councillor Michael Fahy asked if the applicant could seek compensation in this case as the business had been going on for a number of years. The Law Agent replied that compensation would not be payable under any circumstances in the Flanagan case as the development was unauthorised.

3172 - RELEASE OF SEAN MCGHETTIGAN:

Councillor F. Glynn proposed that the Council adopt a

Resolution requesting the Taoiseach and the Minister for Justice to release Sean McGhettigan, who was in prison in Portlaoise since 1974, on compassionate grounds. Councillor Glynn stated that Mr. McGhettigan's father lived in South Galway, that he was an aged man, and that Mr. McGhettigan should be released on compassionate grounds to take care of his father. Councillor P. O'Tuathail seconded Councillor Glynn's proposal.

Councillor Ulick Burke stated that he wished to be disassociated from the terms of this resolution. He stated that the condition of an elderly man who had the facilities of the State in relation to the care of the elderly should not be used in this case. He wished to be totally disassociated from the Resolution, and stated that he would prefer to withdraw from the Meeting. Deputy P. McCormack stated that he also wished to be disassociated from the terms of the resolution. Councillor J. Brennan stated that he did not know the full background to the case and stated that the Council should call on the Government to review the case with the intention of early release on compassionate grounds. He was supported by Councillor J. Burke.

Senator T. Hussey and Deputy P. McCormack felt that Councillor Glynn should submit a Notice of Motion for the consideration of the Council in relation to this matter. Deputy Treacy stated that the matter was a serious one and the Council Members were not clear on what they were voting on. There were legal procedures for Judicial Review and the Council should not be put in the position of voting on a matter on which the Members were not absolutely clear on. Following further discussion, Councillor Nioclás O'Conchubhair proposed that the Minister for Justice be requested to review the case of Sean McGhettigan on compassionate grounds within the next 30 days. He asked Councillor Glynn to accept his motion. Councillor Glynn agreed. Councillor Ulick Burke stated that he wished to disassociate himself from the motion which was agreed.

3173 - MINUTES:

On the proposition of Councillor J. Callanan, seconded by Deputy Michael P. Kitt, the Minutes of the following Meetings were adopted and signed by the Chairman:

- (a) Special Meeting held on 8th September, 1989.
- (b) Monthly Meeting held on 25th September, 1989.

3174 - SALE OF PLOT OF LAND AT ROSSAVEAL:

It was proposed by Deputy Michael Kitt, seconded by Councillor John Mannion, and agreed:

"That Galway County Council hereby approve of the sale

of a site at Rossaveal to Peter McDonagh, Clynagh, Carraroe, Co. Galway, in accordance with the terms of Notice dated 26th September, 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."

3175 - SALE OF PLOT OF LAND AT BALLYBANE:

It was proposed by Deputy Padraic McCormack, seconded by Deputy Michael P. Kitt, and agreed:

"That Galway County Council hereby approve of the sale of a site at Ballybane to Margaret and Pauline Folan, Ballybane, Galway, in accordance with the terms of Notice dated 18th September, 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."

3176 - REVISION OF REMUNERATION FOR GRADE IV TO VII OFFICERS AND ANALAGOUS GRADES:

It was proposed by Councillor Joe Callanan, seconded by Deputy P. McCormack, and agreed:

"That Galway County Council approve of the Revision of Remuneration as outlined in respect of Grade IV to V11 Officers and Analagous Grades, such increases to be implemented in accordance with Clause 3 of the Agreement on Pay in the Public Service and in accordance with letter of Sanction, Circular Letter EL 12/89 from the Department of the Environment dated 4th October, 1989."

3177 - AUDITORS REPORT FOR FINANCIAL YEAR ENDED 31ST DECEMBER, 1988:

It was proposed by Deputy Michael Kitt, seconded by Councillor P. Finnegan, and agreed that the Auditor's report on the Accounts of Galway County Council for the year ended 31st December, 1988, a copy of which had been circulated to each Member of the Council, be adopted.

3178 - ASSESSMENT OF HOUSING NEEDS:

Mr. J. Howlett, Assistant County Manager, outlined the details of the Assessment of Housing Needs carried out by the Housing Section under the provisions of Section 9 of the Housing Act, 1988. Mr. Howlett outlined in a report, copy of which had been circulated to each Member, details of the numbers assessed under the various categories of housing need. He indicated that a total of 410 applicants had been assessed, and that a further 75 were under assessment. The estimated total approved housing list was of the order of 326

applicants. Mr. Howlett also circulated a draft scheme of priorities for the consideration of the Members and stated that this matter would be placed on the Agenda for the next Council Meeting.

Councillor Joe Callanan proposed that the Council send a resolution to the Minister for the Environment seeking additional funds for House Construction. He was supported by a number of Councillors.

Councillor J. Joyce congratulated the Minister on extending the date for the House Repair Grants. He stated that the whole question of improvement of existing houses needed consideration. Councillor Ulick Burke stated that the Council were now only catering for emergency cases in the construction of houses. He stated that there were a number of elderly people living in bad housing conditions, on their own, who had to go into Nursing Homes for the Winter. In reply to Councillor U. Burke, Mr. John Howlett indicated that the Council had a substantial land bank available throughout the County. Councillor P. O'Tuathail stated that the situation regarding repairs to existing houses should be reviewed. He referred in particular to demountable houses which were in bad condition throughout the County. Councillor Welby also stated that he wished to see further repair works carried out to Council houses. He also referred to the fact that Registered Builders could not be got by the Council in islands such as Inishboffin and stated that special provisions should be made regarding the islands. Mr. J. Howlett stated that there were rigid regulations regarding the employment of Registered Builders by the Council. This matter had been gone into by the Council previously.

3179 - REMISSION OF RATES - GALWAY BY CHEESE COMPANY LTD.:

It was proposed by Deputy Michael P. Kitt, seconded by Councillor P. Finnegan, and resolved:

"That Galway County Council in accordance with the provisions of the Industrial Development Acts, 1969-1981, hereby remit two-thirds of the rates leviable by the Council on the valuation of the premises at Rinkippen Farm, Tuam, occupied by Galway Bay Cheese Company Ltd., the remission to have effect in respect of the years 1st January, 1988, to 31st December, 1997, inclusive, the appropriate certificates under the Acts having been issued by the Industrial Development Authority."

3180 - REMISSION OF RATES - DENIS CONWAY, OGHILLY SAWMILLS:

It was proposed by Deputy Michael P. Kitt, seconded by

Councillor P. Finnegan, and resolved:

"That Galway County Council in accordance with the provisions of the Industrial Development Acts, 1969-1981, hereby remit two-thirds of the rates leviable by the Council on the valuation of the premises at Ohilly, Woodford, occupied by Denis Conway, Oghilly Sawmills, the remission to have effect in respect of the years 1st January, 1986, to the 31st December, 1995, inclusive, the appropriate certificates under the Acts having been issued by the Industrial Development Authority."

3181 - REMISSION OF RATES - TUOHY & GREALISH LTD.

It was proposed by Deputy Michael P. Kitt, seconded by Councillor P. Finnegan, and resolved:

"That Galway County Council hereby approve the remission of two-thirds of the Rates leviable in respect of the premises at Carnmore, Oranmore, occupied by Tuohy & Grealish Ltd., in respect of the years 1st January, 1987, to 31st December, 1996, inclusive, in accordance with Section 26 of the Udaras na Gaeltachta Act, 1979, the appropriate Certificate under the Act having been issued by Udaras na Gaeltachta."

3182 - REMISSION OF RATES - CONNEMARA CELTIC CRYSTAL COMPANY LTD.

It was proposed by Deputy Michael P. Kitt, seconded by Councillor P. Finnegan, and resolved:

"That Galway County Council hereby approve the remission of two-thirds of the Rates leviable in respect of the premises at Moycullen, occupied by Connemara Celtic Crystal Company Ltd., in respect of the years 1st January, 1986, to 31st December, 1995, inclusive, in accordance with Section 26 of the Udaras na Gaeltachta Act, 1979, the appropriate Certificate under the Act having been issued by Udaras na Gaeltachta."

3183 - REMISSION OF RATES - PADRAIC O GRIOFA:

It was proposed by Deputy Michael P. Kitt, seconded by Councillor P. Finnegan, and resolved:

"That Galway County Council hereby approve the remission of two-thirds of the Rates leviable in respect of the premises at Teeranea, Lettermore, occupied by Padraic O'Griofa, in respect of the years 1st January, 1986, to 31st December, 1995, inclusive, in accordance with Section 26 of the Udaras na Gaeltachta Act, 1979, the appropriate Certificate under the Act having been issued

by Udaras na Gaeltachta."

3184 - REMISSION OF RATES - POTAIREACHT TIR AN FHIA:

It was proposed by Deputy Michael P. Kitt, seconded by Councillor P. Finnegan, and resolved:

"That Galway County Council hereby approve the remission of two-thirds of the Rates leviable in respect of the premises at Teeranea, Lettermore, occupied by Potaireacht Tir an Fhia, in respect of the years 1st January, 1984, to 31st December, 1990, inclusive, in accordance with Section 26 of the Udaras na Gaeltachta Act, 1979, the appropriate Certificate under the Act having been issued by Udaras na Gaeltachta."

3185 - REMISSION OF RATES - WORKSHOPS IN SPIDDAL CRAFT VILLAGE:

It was proposed by Deputy Michael P. Kitt, seconded by Councillor P. Finnegan, and resolved:

"That Galway County Council hereby approve the remission of two-thirds of the Rates leviable in respect of the premises at the Spiddal Craft Village, occupied by -

Reamon O'Flaherty
Robert D'Eath
Maire Ni Thaidhg
Phroinsias Mac Cuinnagain
Gearoid O'Murchu
Susan Keogh
Albert Bourlier
Roisin Conamara Teo.
Celtic Gold

in respect of the years 1st January, 1986, to 31st December, 1995, inclusive, in accordance with Section 26 of Udaras na Gaeltachta Act, 1979, the appropriate Certificate under the Act having been issued by Udaras na Gaeltachta."

3186 - E.C. STRUCTURAL FUNDS:

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

3187 - ESSENTIAL REPAIRS GRANTS:

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

3188 - NOMINATION OF ONE PERSON TO REGIONAL ADVISORY COUNCIL OF TEAGASC:

The Council considered a letter dated 10th October, 1989, from Teagasc regarding Regional Advisory Councils to Teagasc. The letter asked that the Council nominate a suitable person to take part in the work of the Athenry Advisory Council. It was proposed by Deputy Michael Kitt, seconded by Senator T. Hussey, and agreed that Councillor Joe Callanan be nominated by the Council to the Athenry Advisory Council of Teagasc. The Chairman declared Councillor Callanan elected.

3189 - CONFERENCE - WEST COUNTY INN, ENNIS, ON 24TH AND 25TH NOVEMBER, 1989 - "THE TOURISM EXPLOSION - IMPLICATIONS FOR IRELAND":

It was proposed by Deputy Michael Kitt, seconded by Councillor P. McHugh, and agreed that Councillors P. Raftery and T. Welby be nominated to attend this Conference.

It was proposed by Councillor Jarlath McDonagh, seconded by Councillor Joe Lambert, and agreed that Councillor John Mannion be nominated to attend this Conference.

3190 - LITIR DE 9 DEIRE FOMHAIR, 1989, O FIONTAR FLANDERS:

It was proposed by Deputy Michael Kitt, seconded by Senator T. Hussey, and agreed that Councillor Nioclás O'Conchubhair be appointed as the Council's nominee to travel with the delegation as set out in the letter of 9th October. It was proposed by Councillor J. Mannion, seconded by Councillor Ulick Burke, and agreed, that Deputy P. McCormack be nominated to attend also.

3191 - TUAM SEWERAGE SCHEME:

Mr. J. Howlett informed the Members that the plans for the Tuam Sewerage Scheme had been recently completed. The Council had been in communication with the Goodman Organisation who had indicated that they did not intend to use the Council's facility in Tuam. Councillor Joe Burke welcomed the fact that the planning of the Sewerage Scheme was proceeding. Senator T. Hussey also stated that it was important that the Sewerage Scheme be separated from the Goodman proposals and he welcomed the fact that the plans were proceeding. Deputy Michael Kitt asked that the Tuam Water Supply and Sewerage Schemes be placed on the Agenda for discussion at the next Council Meeting.

3192 - SCHOOL MEDICAL SERVICE:

Councillor J. Joyce referred to the letter from the Western Health Board dated 18th October, 1989, regarding the School

Medical Services. Councillor Joyce stated that he wished to reject the present cutbacks in the School Medical Services on the following grounds:

- (a) The cutbacks were taking place in County Galway only and it was affecting the children of our County - people who had no Political voice.
- (b) It was worse than false economy which only eventually lost money. This would probably lead to many physical defects in children being undetected in time and untreated.
- (c) The screening to be carried out by the School Nurses would be extremely limited and it was unfair to the Nurses to be made responsible for detecting Medical and psychological problems.
- (d) It seemed that the service would no longer be free to all children. Parents who did not possess Medical Cards would have to pay the G.P. or the Consultant.
- (e) School Principals normally have no nursing or medical expertise and should not be expected by the Health Board to refer any children for examination.
- (f) Children were normally examined by a Doctor when they were sick and were then treated for their illness.

Councillor Joyce called on the Western Health Board and the Minister for Health to provide a proper level of medical service in National Schools and to make sufficient funds available to do so. He was supported by Deputy Michael Kitt.

3193 - REFORM OF LOCAL GOVERNMENT:

Councillor Paddy McHugh proposed that the Council support the resolution of Athlone Urban District Council which had been circulated to the Members "That the promised reform of Local Government be introduced by the Minister of the Environment before the next Local Elections".

3194 - BUNOWEN BRIDGE:

Deputy Noel Treacy asked that the Council consider the provision of a wooden bridge on a temporary basis for cyclists and pedestrians while the new Bunowen Bridge was being constructed. The County Engineer stated that a grant had been allocated for the construction of the new bridge. If the Department would allow some money to provide a temporary footbridge, the Council would consider that, but the provision of a footbridge would take some time. Deputy Noel

Treacy stated that some school children in the area had to make a detour of 8 miles and he asked that a report on the matter be submitted to the next Meeting of the Council.

COUNCILLORS' NOTICES OF MOTION:

- 3195 - GO LORGADH AN COMHAIRLE CHONTAE (IONADAITHE LE SOCRU AS CRUINNIU) CRUINNIU LEIS AN T-AIRE COMHSHAOIL LE DROCH STAID NA BOITHRE CHONTAE A PHLE LEIS: - MOLADH O'N CHOMHAIRLEOIR PEADAR O'TUATHAIL:

Mhol an Comhairle scriobh chuig an Aire maidir leis an abhar seo.

- 3196 - THAT GALWAY COUNTY COUNCIL LOWER THE CULVERT AT A LOCATION IN COUNTY GALWAY (DETAILS SUPPLIED) - MOTION BY DEPUTY NOEL TREACY:

The following written reply was given to Deputy Noel Treacy:

"This culvert is required for the drainage of lands serving a number of land owners. As this type of work is normally arranged through the Farm Development or Land Drainage Section of the Department of Agriculture it is recommended that the landowners involved contact the Department at Hynes Building, Galway, regarding same."

- 3197 - THAT THE COUNTY COUNCIL CARRY OUT EXAMINATION WITH A VIEW TO IMPROVING ENTRY TO CEMETERY (DETAILS SUPPLIED): - MOTION BY COUNCILLOR JARLATH McDONAGH:

The following written reply was given to Councillor Jarlath McDonagh:

"There are at present 2 access routes to this cemetery both of which pass over private lands. The access from Road C.R. 148 is approximately 650 m. long while that from C.R. 137 is approximately 1,000 m. long and this latter route is the one now most frequently used.

The legal position with regard to the rights of way over these routes is being investigated at present.

The provision of a new road to this old Cemetery would be a major undertaking and there are no funds available for such work. The new Cemetery which has been provided and developed nearby on Road C.R. 148 is expected to cater for the future needs of this area."

- 3198 - THAT COUNTY COUNCIL INSTAL NEW RANGE IN LOCAL AUTHORITY HOUSE (DETAILS SUPPLIED) - MOTION BY COUNCILLOR JARLATH McDONAGH:

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

"Repairs to the above dwellinghouse have recently been carried out. The range was not replaced as it was considered to be working satisfactorily.

However, a further inspection will be carried out and a replacement range will be provided if considered necessary."

- 3199 - THAT COUNTY COUNCIL IMMEDIATELY APPLY FOR SOCIAL EMPLOYMENT SCHEME FOR REFURBISHING OF OLD CEMETERY AT CAHERGOWAN: - MOTION BY COUNCILLOR JARLATH McDONAGH:

The following written reply was given to Councillor Jarlath McDonagh:

"The Council have requested the Archaeological Section of U.C.G. to prepare a report on the archaeological and historical aspects of the burial ground. An S.E.S. application cannot be submitted to FAS until this report comes to hand as the project may not be suitable for inclusion under a Social Employment Scheme."

- 3200 - THAT IMMEDIATE REPAIRS BE CARRIED OUT TO BALLINABROUGH ROAD INVERIN: - MOTION BY DEPUTY ROBERT MOLLOY:

The following written reply was given to Deputy Robert Molloy:

"This road will be considered for inclusion in the FEOGA Grant Works for 1990."

- 3201 - THAT REPAIRS BE CARRIED OUT TO THE SURFACE OF BOTHAR DOIRE LOCHAIN THIAIR, SPIDDAL: - MOTION BY DEPUTY ROBERT MOLLOY:

The following written reply was given to Deputy Robert Molloy:

"Minor surface repairs have been carried out on this road."

- 3202 - THAT IMMEDIATE REPAIRS BE CARRIED OUT TO THE ROAD LEADING TO THE HOUSE OF MAIRTIN O CURRAOIN, AILLE, INDREABHAN: - MOTION BY DEPUTY ROBERT MOLLOY:

The following written reply was given to Deputy Robert Molloy:

"It is hoped to have repair works carried out to this road in November, 1989."

- 3203 - THAT THE FENCE SURROUNDING THE COUNCIL HOUSING ESTATE IN LAURENCETOWN BE REPAIRED: - MOTION BY COUNCILLOR JAMES JOYCE:

The following written reply was given to Councillor James Joyce:

"The fence referred to is a timber post and rail fence and requires some additional posts and repair to some of the rails. The estimated cost is £650 and it anticipated that repairs will be carried out before the end of the year, subject of funds being available."

- 3204 - THAT THE DONNELLANS OF CLARE ROAD, KILTORMER, BE PROVIDED WITH A SMALL HOUSE: - MOTION BY COUNCILLOR JAMES JOYCE:

The following written reply was given to Councillor James Joyce:

"Mr. & Mrs. Donnellan were provided with a new demountable dwelling in December 1977. This dwelling has been inspected and I am informed by the County Engineer that repairs, including the provision of a new roof, have been carried out. The demountable is now in a satisfactory condition and it is not proposed to provide a new house for Mr. & Mrs. Donnellan."

- 3205 - REPAIRS TO ROADS IN THE CORNAMONA AREA: - MOTION BY DEPUTY PADRAIC McCORMACK:

The following written reply was given to Deputy Padraic McCormack:

"There are no funds available for the above roads in the current year. However, this proposal will be considered along with others when 1990 Discretionary Grants proposals are being examined."

- 3206 - FLOODING AT JOHN GAVIN'S HOUSE, CARRAGANEW, MAAM: - MOTION BY DEPUTY PADRAIC McCORMACK:

The following written reply was given to Deputy Padraic McCormack:

"An inspection was carried out on 19/10/'89, following several days of heavy rain and it was observed that water is flowing into a fully and not into the house owners gateway."

- 3207 - THAT A 7 FT. BARRIER BE ERECTED AT THE ENTRANCE TO THE CAR PARK IN OUGHTERARD: - MOTION BY DEPUTY PADRAIC McCORMACK:

The following written reply was given to Deputy Padraic McCormack:

"A barrier will be erected at the above car park during the first week in November."

- 3208 - COAST EROSION ON INISHBOFFIN NEAR THE NEW PIER SITE: - MOTION BY COUNCILLOR T. WELBY:

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

"An allocation of £40,000 was made towards coastal protection at Inishboffin during the current year. This money has now been expended but further works will have to be considered for 1990."

- 3209 - THAT THE DRAIN AT A LOCATION IN COUNTY GALWAY (DETAILS SUPPLIED) BE PIPED AND SHORED IMMEDIATELY: - MOTION BY DEPUTY NOEL TREACY:

The following written reply was given to Deputy Noel Treacy:

"It is hoped to have the necessary works carried out before the end of the current year."

- 3210 - THAT GALWAY COUNTY COUNCIL IMMEDIATELY REMOVE A SIGN AT A LOCATION (DETAILS SUPPLIED) IN COUNTY GALWAY: - MOTION BY DEPUTY NOEL TREACY:

The following written reply was given to Deputy Noel Treacy:

"The sign was erected prior to the house owner erecting his dwelling house. The sign will be removed when the costs of removal of same is paid by the house owner."

- 3211 - THAT GALWAY COUNTY COUNCIL IMMEDIATELY CLEAN AND IMPROVE THE DRAIN AT A LOCATION IN COUNTY GALWAY (DETAILS SUPPLIED): - MOTION BY DEPUTY NOEL TREACY:

The following written reply was given to Deputy Noel Treacy:

"The complaint is being examined at present and it is hoped to have a reply available for the next Meeting."

- 3212 - WHAT PLANS ARE PREPARED TO IMPROVE THE ROAD FROM TUAM TO ATHLONE (VIA BOG ROAD): - MOTION BY COUNCILLOR JOE BURKE:

The following written reply was given to Councillor Joe Burke:

"This stretch of road involves the following roads: Regional Road 332 from Tuam to Horseleap Cross, N63 from Horseleap to Mountbellew, County Road 459 from Mountbellew to Ballyforan, and Regional Road 363 to Ballyforan Bridge.

There are no funds available in the current year to carry out repairs to the above routes. However, the above Regional routes and County Road will be considered along with others for inclusion under the 1990 Discretionary Grant Programme.

Strengthening works on the N63 can only be carried out if special funds are made available by the Department of the Environment under the National Secondary Improvement Programme."

- 3213 - THAT THE PIPED DRAIN BE FREED AND GRID REPLACED AT THE LOCATION (DETAILS SUPPLIED): - MOTION BY COUNCILLOR MATT LOUGHNAME:

The following written reply was given to Councillor Matt Loughname:

"It is hoped to have the necessary works carried out in November, 1989."

- 3214 - THAT A FOOTPATH BE ERECTED FROM THE NEW NATIONAL SCHOOL, ATHENRY, TO THE ENTRANCE ROAD AT LADY'S WELL: - MOTION BY COUNCILLOR MATT LOUGHNAME:

The following written reply was given to Councillor Matt Loughname:

"The length involved is 392 metres. The road is narrow and land would need to be acquired before a footpath was laid in order to widen the road. The estimated cost of laying the footpath is £7,840 plus £5,000 for the building of boundary fence. There are no funds available in the current year to carry out the above work."

- 3215 - THAT THIS COUNCIL MOVE THE 30 MILE SPEED LIMIT SIGNS IN BALLYMOE FURTHER OUT THE CASTLEREA ROAD: - MOTION BY COUNCILLOR PATRICK FINNEGAN:

The following written reply was given to Councillor Patrick Finnegan:

"This proposal will be considered when the next review of speed limits for the County takes place."

Existing warning signs will be replaced with enlarged signs."

- 3216 - THAT THIS COUNTY COUNCIL TAKE URGENT ACTION TO IMPROVE THE CONDITION OF TUAM FOOTPATHS: - MOTION BY COUNCILLOR PATRICK FINNEGAN:

The following written reply was given to Councillor Patrick Finnegan:

"Repairs will be carried out to some footpaths at selected locations towards the end of the year. There are not sufficient funds available in the current year to carry out repairs to all the footpaths requiring attention."

- 3217 - THAT GALWAY COUNTY COUNCIL PLASTER, CAP AND PAINT A WALL IN THE FOREST VIEW ESTATE, MOUNTBELLEW: - MOTION BY DEPUTY MICHEAL P. KITT:

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

"An estimated cost of this work is being prepared by the County Engineer and a decision regarding the carrying out of these works will be considered, having regard to the availability of housing maintenance funds."

- 3218 - THAT GALWAY COUNTY COUNCIL CARRY OUT IMMEDIATE ESSENTIAL REPAIRS TO A COUNCIL HOUSE TO PREVENT WATER LEAKING INTO KITCHEN: - MOTION BY COUNCILLOR PADDY MCHUGH:

The following written reply was given to Councillor Paddy McHugh:

"Repairs will be carried out in November 1989."

- 3219 - THAT GALWAY COUNTY COUNCIL ORGANISE A SOCIAL EMPLOYMENT SCHEME TO UPGRADE THE FOOTPATH FROM GORTNAMONA TO CORNER CHAPEL: - MOTION BY COUNCILLOR PADDY MCHUGH:

The following written reply was given to Councillor Paddy McHugh:

"The question of a Social Employment Scheme for this work will be investigated and application will be made in due course, if the work is suitable for S.E.S. At first sight, it would appear to be work which would normally be undertaken by the County Council, which would make it ineligible for S.E.S. grant."

- 3220 - THAT GALWAY COUNTY COUNCIL REMOVE BEND AND IMPROVE VISIBILITY ON THE BALLYLENNON ROAD, GORT, OUTSIDE THOMAS COUNIHAN'S HOUSE: - MOTION BY COUNCILLOR MICHAEL FAHY:

The following written reply was given to Councillor Michael Fahy:

"The cost of improving this bend is estimated at £1,500. There are not sufficient funds available in the current year to carry out this work. However, the work could be carried out if N.O.M. funds were provided."

- 3221 - THAT GALWAY COUNTY COUNCIL REMOVE BEND AND IMPROVE VISIBILITY ON THE ENTRANCE OF THE CAHERFINISKER ROAD, ATHENRY: - MOTION BY COUNCILLOR MICHAEL FAHY:

The following written reply was given to Councillor Michael Fahy:

"The bend is located on the N6 National Primary Route Realignment and improvement works on National Routes are 100% exchequer funded. However, there are no funds available in the current year to carry out this work."

- 3222 - THAT GALWAY COUNTY COUNCIL OUTLINE IN DETAIL OF PROGRESS MADE ON THE ORANMORE SEWERAGE SCHEME AND WHEN IS EXPECTED SCHEME TO COMMENCE: - MOTION BY COUNCILLOR MICHAEL FAHY:

The following written reply was given to Councillor Michael Fahy:

"This Scheme involves the pumping of Sewage from Oranmore into the Galway City Drainage Network. The estimated cost of the scheme is £3.2m. and the Preliminary Report was submitted to the Department of the Environment in February, 1988. There has been a number of meetings between the Inspector of the Department of the Environment, the Council's Consulting Engineers and the Council's own Technical Staff regarding technical aspects of the proposal.

It is expected that all outstanding matters will be resolved at an early date and that the Report will be sanctioned by the Department of the Environment so that Contract Documents may be prepared."

- 3223 - SYMPATHY:

Resolutions of sympathy were adopted with the following:

Mr. Desmond Morris, Bridge Street, Clifden.
Mr. and Mrs. James Jennings, Cloonminda, Williamstown.
Mrs. Nora Dillon, Clonmoylan, Ballyshrule, Ballinasloe.
Mr. John King, N.T., Cleggan, Co. Galway.
Mrs. Delia Lydon, Tooreen, Moyard, Co. Galway.
Mrs. P. Tierney, Caraun, New Inn, Ballinasloe, Co. Galway.

MINUTES OF MEETING HELD ON THE 23rd OCT., 1989. 27.

3224 - CORRESPONDENCE:

Copies of the following correspondence were circulated to each Member:

(a) Letter dated 5th October, 1989, from Tralee Urban District Council re Contribution to the Kerry Hostel in London.

(b) Letter dated 29th September, 1989, from Monaghan County Council re attacks on tourists, and re-activation of the Local Advisory Health Committees.

THE MEETING THEN TERMINATED

SUBMITTED, APPROVED & CONFIRMED:

John Malloy
CHAIRMAN

27/11/89

DATE

COMHAIRLE CHONTAE NA GAILLIMHE
(Galway County Council)

Oifig an Runai,
Arus an Chontae,
GAILLIMH.

3u 1a Samhain, 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, ar De h-Aoine, an 10u 1a Samhain, 1989 ag tosnu ag a 3.00 a chlog sa trathnóna.

Mise, le meas,

E. O GLIASAIN,
RUNAI

A G E N D A

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

1. "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to grant Outline Permission to Mr. Edward Sweeney for the erection of a dwellinghouse and septic tank at Ballinduff. - Planning Reference No. 59185."

Paddy McHugh. Padraic McCormack. Jarlath McDonagh.
Thomas Welby.

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 full Permission for the erection of a dwellinghouse and septic tank at Tonroe, Ardahan, Co. Galway. - Planning Ref. No. 59401".

Michael Fahy. Thomas Welby. Joe Lambert.

2.

3. "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to grant Permission to Patrick Fahy, for the erection of house at Pollough, Moycullen. - Planning Ref. No. 59807."

P. McCormack. John M. Mannion. T. Welby.

4. "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to grant Permission to Brendan Shaughnessy for the erection of a house. - Planning Ref. No. 60043."

P. McCormack. John M. Mannion. John Molloy.

5. Material Contravention of County Development Plan - Planning Application Ref. No. 59429 for Outline Permission for the erection of 5 houses in the Townland of Gortrevagh - Applicant: Piers Clancy.

OTHER BUSINESS:

6. Review of County Development Plan.

7. Sale of plots of land to the following:

- (a) Martin Mullen, Trabane, Lettermore.
- (b) Timothy & Joseph Nevin, Brackloonbeg, Bullaun, Loughrea.
- (c) Legal Reprs. of Patrick Thornton (Deceased), Ballard, Spiddal.
- (d) Liam & Eileen O'Connor, Ballymoneen Road, Barna.
- (e) Mrs. Mary Lee.
- (f) John & Collette Power.

- Section 83 Notices dated 18th October, 1989, already circulated.

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

- IN THE CHAIR: (a) Councillor P. Finnegan.
(b) Councillor J. Joyce.

ALSO PRESENT:

Members: As recorded in the Attendance Book.

Councillors J. Brennan, J. Burke, J. Callanan, M. Fahy, Senator T. Hussey, Councillor M. Killilea, Deputy M. Kitt, Councillors J. Lambert, M. Loughane, M. Lynch, Deputy P. McCormack, Councillors J. McDonagh, P. McHugh, J. Mannion, John Molloy, N. O'Conchubhair, M. O'Morain, P. O'Tuathail, P. Raftery, M. Ryan, and T. Welby.

Officials: Messrs. S. Keating, County Manager; P. Flood, County Engineer; E. Gleeson, County Secretary; B. Callagy, and L. Kavanagh, Senior Executive Engineers (Planning); F. Gilmore, Acting Executive Engineer; D. Barrett, Senior Staff Officer; and T. Kavanagh, Administrative Officer.

In the absence of the Chairman, and Vice-Chairman, Deputy McCormack proposed that the Councillor Ryan take the Chair. This was seconded by Councillor Lambert.

Councillor M. Killilea, MEP, proposed that Councillor P. Finnegan take the Chair, and this was seconded by Councillor McHugh. It was then agreed unanimously that Councillor P. Finnegan be appointed Acting Chairman and he took the Chair.

The Opening Prayer was recited.

- 3225 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 59185 - APPLICANT: EDWARD SWEENEY:

Councillor McHugh proposed that the Resolution be deferred to the next Meeting. This was agreed unanimously.

- 3226 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 59401 - APPLICANT: JOSEPH HANLON:

Councillor M. Fahy proposed the resolution set out on the Agenda. Councillor Lambert seconded by Resolution.

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

"LOCATION:

The proposed development is located on the Galway-Gort National Primary Route and is approximately 3 1/3 miles south of Kilcolgan in the Townland of Tonroe.

PLANNING HISTORY:

Ref. No. 44173A: In 1982, an application for Outline Permission for the erection of a dwellinghouse on the above site was lodged. Permission was refused. Applicant: Brendan Guilfoyle.

Ref. No. 44383: Later in 1982, an application for Outline Permission for a dwellinghouse on the same site was lodged. Outline Permission was granted on the basis of housing need. Applicant: Brendan Guilfoyle.

PLANNING CONSIDERATIONS:

Outline Permission was granted in 1983 to a Mr. Brendan Guilfoyle who stated that the old house on the site was his native house which was left to him by his father. He intended to move out from Galway City and live on this land where he was raised and build a new house to replace the old one.

It would appear that the site was sold in the following year to the present applicant and the Outline Permission lapsed in 1988. The present applicant lives on the adjacent site and states that the proposed house is for his retirement and the present house will be occupied by his daughter when she marries.

The applicant is not a farmer and does not qualify in Table 25.A for inclusion along this road.

RECOMMENDATIONS:

It is proposed to refuse Permission for this development for the following reasons:

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

2. The proposed development would contravene Chapter 25, Table 25A of the County Development Plan which

restricts development along this route to the housing needs of farmholders families, a category of need which does not apply in this case."

The County Engineer went through the main points in the Report. He emphasised that the site was along an extremely speedy section of the National Primary Route where there was a high volume of traffic, including heavy traffic. It was a dangerous road where vehicles travel above the 60 miles per hour limit, and an extra access point on the road increased the possibility of accidents. He said that there had been some fatal accidents in the County in recent weeks and the proposed development would constitute a traffic hazard. He appealed that Permission be not granted.

Councillor M. Fahy said that of all the Section 4s he had proposed, he was very disappointed that this particular application had to go to a Section 4 because in 1984, the applicant purchased the site with Outline Planning Permission and no stipulation attached. When the Outline Permission expired, the applicant was drawing up plans for the house and he believed he would have got Planning Permission. Councillor M. Fahy said that he had made several representations that Permission would be granted because of the Outline Permission and that he owed no compliments to anyone. The house was for the applicant and his family and was a second family house. Councillor Fahy said that he did not accept the arguments about the danger in view of the fact that Outline Permission was granted, and as such should be treated as a normal application.

Councillor Lambert said that the applicant bought the site with Outline Planning Permission and that Permission should be granted without a Section 4 Resolution. He asked if Permission would have been granted if applied for before the Outline Permission expired. Councillor J. Burke said that the County Engineer had made a strong plea that the application be refused. He said that the Outline Permission was granted on the basis of a second family dwelling whereas the present application is not. He asked if Permission would have been granted if applied for before the Outline Permission expired. The County Engineer replied that it would, and said that if this was regarded as a second family application, then any applicant could get Permission along the National Primary Road. He said that the Outline Permission was granted on the basis of a genuine second family claim, and the applicants then sold the site, and the Outline Permission has now expired.

Councillor Joe Burke proposed that the application be refused. Councillor M. Fahy said that Mr. Guilfoyle got Outline Planning Permission in order to sell the site. The County Manager said that this was not correct. The County Engineer read a statement dated 2nd December, 1982, from Mr.

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Guilfoyle. Councillor M. Fahy said that Mr. Hanlon paid the full price for the site with Planning Permission, he was in no hurry to build and was sure there would be no problem.

Councillor J. Burke asked in what year did Mr. Hanlon buy the site. The County Engineer replied that he bought the site the year after Outline Permission was granted and had four years to avail of it.

Councillor Brennan seconded Councillor Burke's proposal that Permission be refused. Deputy McCormack said that the Outline Permission was not confined to Mr. Guilfoyle. The County Manager said that Mr. Guilfoyle would not have got Outline Permission if it had not been a genuine second family claim. A vote taken for or against the resolution resulted as follows:

FOR: Councillors M. Fahy, P. Finnegan, Senator T. Hussey, Councillor M. Killilea, MEP, Deputy M. Kitt, Councillor J. Lambert, Deputy P. McCormack, Councillors J. McDonagh, P. McHugh, J. Mannion, N. O'Conchubhair, M. Ryan, and T. Welby. (13)

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

During the voting and before he voted, Councillor O'Conchubhair asked what Section 4 Resolution was being voted upon and was advised that it was No. 2 on the Agenda.

The Chairman declared the resolution carried.

3227 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 59807 - APPLICANT: PATRICK FAHY:

The resolution set out on the Agenda was proposed by Deputy McCormack and seconded by Councillor Mannion.

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

"LOCATION:

Site is located on the Galway-Moycullen National Secondary Route.

PLANNING HISTORY:

Ref. No. 7810: Outline Permission refused on a smaller site which forms part of proposed site for factory in

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1970. Applicant: T. O hEigartaigh.

Ref. No. 9017: Outline Permission refused for 2 no dwellinghouses on proposed site in February 1971. Applicant: P. Fahy.

Ref. No. 23769: Outline Permission refused by Planning Authority and on appeal on proposed site in August 1977. Applicant: P. Fahy.

Ref. No. 31008: Outline Permission for 1 no. dwellinghouse granted by Section 4 direction on proposed site in June 1979. Applicant: Patrick Fahy.

Ref. No. 33865: Approval granted on proposed site for dwellinghouse in June 1980.

PLANNING CONSIDERATIONS:

Site is located on a restricted National Secondary Road at a point where the maximum speed limit applies. Applicant has not made a housing need claim and has clearly replied no to all housing need categories on application form. During discussions on Outline Permission Ref. No. 31008 granted by Section 4 direction, it was stated (see Minutes) that applicant needed a house for himself and had no accommodation. The fact that the house was not constructed during the period of the Permission indicates that no housing need existed.

RECOMMENDATION:

Refusal recommended as follows:

1. The proposed development would endanger public safety by reason of a traffic hazard because the site is located on a heavily trafficked National Secondary Route where the maximum speed limit applies and the traffic movements generated by the development would interfere with the safety and free flow of traffic on the road.

2. The proposed development would contravene the County Development Plan (Chapter 25, Table 25B) which limits developments along this road to local family housing needs, a category of development which does not apply in this case."

Having gone through the report, the County Engineer said that the site was on the right hand side of a narrow section of road after the realigned section at Woodstock, and further on the road, there had been a number of fatal accidents. The road had a serious accident record. He said the sight distance was restricted on the Galway side of the site and in

his view, the development would constitute a specific traffic hazard. He appealed to the Members not to grant Permission.

Deputy McCormack said that there was only one person involved in this and previous applications on the site. Outline Permission and Approval were granted on the site but the applicant could not proceed then. He said the applicant can proceed now and for that reason, he was proposing that Permission be granted. Deputy McCormack asked what plans the Council had for continuing the road improvement at Woodstock. The County Engineer replied that any road development there was dependent on Road Grants and he had no expectation of any grants in the foreseeable future. He agreed that further road improvement was necessary. In reply to a question from Deputy McCormack, the County Engineer said that the workmen were completing agreements previously made with landowners.

Councillor J. Burke remarked that the County Manager had granted Approval although a Section 4 Resolution was previously involved. The County Manager replied that Approval was granted on foot of the Outline Permission.

Councillor J. Burke proposed that the application be refused and this was seconded by Councillor Brennan. A vote taken for or against the resolution set out on the Agenda resulted as follows:

FOR: Councillor P. Finnegan, Senator T. Hussey, Councillor M. Killilea, MEP, Deputy M. Kitt, Councillors J. Lambert, M. Lynch, Deputy P. McCormack, Councillors J. McDonagh, P. McHugh, J. Mannion, N. O'Conchubhair, M. Ryan, and T. Welby.

(13)

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

(3)

The Chairman declared the resolution carried.

3228 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 60043 - APPLICANT: BRENDAN SHAUGHNESSY:

Councillor McHugh said that he had an interest in this application and he then left the Meeting.

The resolution set out on the Agenda was proposed by Deputy McCormack and seconded by Councillor Ryan.

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

"LOCATION:

The proposed site is located in the Townland of Balroebuck More on the Galway/Headford National Secondary Route a short distance to the north of the Corrandulla turn-off.

PLANNING HISTORY:

Ref. no. 58902: The applicant lodged an application similar to the current one. It was refused on the grounds of traffic hazard and of failing to comply with the requirements of an essential housing need claim.

PLANNING CONSIDERATIONS:

In Planning Application No. 58902, the applicant states that he is living in London and intends coming home to live in Ireland. His brother is the owner of a holding which comprises some 6 acres and this is the basis of a claim for a second house on the family farm. However, 6 acres cannot seriously be interpreted as a farmholding as defined in the County Development Plan, and furthermore, there is no indication where the applicant's brother lives or whether there are additional family lands elsewhere.

The proposed access is located between two sharp bends where sight distance is grossly inadequate for this category of route and traffic going to and from the site would be at serious risk to itself and to traffic on the major road.

RECOMMENDATION:

It is proposed to refuse Permission for this development 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 with substandard sight distance 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) The proposed development would contravene the County Development Plan (Chapter 25, Table 25B) which

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limits development along this road to those where essential family housing need exists, a category of development which does not apply in this case as the lands shown do not constitute a viable farm holding."

The County Engineer, having gone through the report, said that the National Secondary Route in question was a very heavily trafficked one, including heavy traffic. He said that sight distance at the location was grossly deficient and a specific traffic hazard would exist if the development went ahead.

He read out the following objection from Mr. Patrick Leonard, Balroobuck, Currandulla:

"I hereby object to Planning Permission for a house at Balroobuck, Currandulla, for Brendan Shaughnessy. My reasons for objection are as follows:

- (a) Obstruction of view from my house;
- (b) Septic tank would be too close, in danger of causing health hazard."

The County Engineer urged that Permission not be granted on grounds of safety. Deputy McCormack said that the applicant was a member of the Shaughnessy Family living in England and wanted to return home, and therefore, it was a genuine family application. He said he had looked at the site and he was in no doubt that if the front wall was kept back, it would not cause a traffic hazard, and would in fact improve the alignment. He said that the applicant owns the land from the site to the corner, and he was willing to accept a condition to have the fence moved back from the site to the corner. The County Engineer said that he did not see how the applicant could do anything to improve the road realignment as the road would have to be widened on the other side of the road in order to improve it.

Councillor J. Burke asked if the objection in relation to the septic tank had been investigated. The County Engineer replied that the location of the septic tank would not appear to be a problem.

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

FOR: Councillors M. Fahy, P. Finnegan, Senator T. Hussey, Councillor M. Killilea, MEP, Deputy M. Kitt, Councillors J. Lambert, M. Lynch, Deputy P. McCormack, Councillors J. McDonagh, J. Mannion, N. O'Conchubhair, M. O'Morain, M. Ryan, and T. Welby.

(14)

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

(3)

The Chairman declared the resolution carried.

3229 - **MATERIAL CONTRAVENTION OF COUNTY DEVELOPMENT PLAN - PLANNING APPLICATION REFERENCE NO. 59429 FOR OUTLINE PERMISSION FOR THE ERECTION OF 5 HOUSES IN THE TOWNLAND OF GORTREVAGH - APPLICANT: PIERCE CLANCY.**

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

MATERIAL CONTRAVENTION

NOTICE UNDER SECTION 4

"LOCATION:

Sites are located on a private passageway leading onto National Secondary Road approximately 1 mile south of Oughterard.

PLANNING HISTORY: No relevant planning history.

PLANNING CONSIDERATIONS:

Sites are located on a non-public passageway leading onto a restricted National Secondary Road at a point where the maximum speed limit applies and where the junction is inadequate for such development. The traffic generated by 5 no. dwellinghouses as proposed would interfere with safety and free flow of traffic on the National Secondary Road.

Furthermore, the sites are outside the area of the Oughterard Development Plan, and therefore, would be in direct contravention of the County Development Plan, Chapter 24.5(i) which seeks to positively discourage groups of houses along rural roads such as is proposed. If this proposal were permitted, it would result in a group of houses in an unserviced rural area remote from any existing centre. Finally, there is no housing need in this case.

RECOMMENDATION:

Refusal is recommended as follows:

1. The proposed development would contribute to a traffic hazard as the proposal would involve traffic coming into a National Secondary Road at a point where the maximum speed limit applies via an existing

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non-public passageway and the traffic generated by the proposed development would interfere with the safety and free flow of traffic along the said route.

2. The proposed development would contravene Chapter 25 (Table 25B) of the County Development Plan which limits development along this road to local family housing needs, a category of development which does not apply in this case.

3. The proposed development would contravene Chapter 24.5(i) which seeks to positively discourage groups of houses along rural roads such as is proposed."

The County Engineer said that the County Manager had determined in accordance with the provisions of the Local Government (Planning and Development) Act, 1976, that a grant of Outline Permission in this case would materially contravene the County Development Plan, and that the procedure set out in the 1976 Act, was then implemented. The County Engineer went through the report which had been circulated. He said that access to the proposed development was along an unsurfaced laneway which it was proposed to widen to 6 metres. He said that the sight distance to the National Secondary Route would be inadequate and recommended that Permission not be granted for the reasons set out in the report.

Councillor Welby asked if a map was submitted showing improved sight distance. The County Engineer replied that the map does not comply fully with Foras Forbartha standards. He stated that the applicant had said that he could acquire land to improve the access on both sides but a letter was only produced from one landowner and not the other. In reply to Councillor Welby, the County Engineer said that the proposal was not satisfactory. Councillor Welby proposed that a decision be deferred to the next Meeting. This was seconded by An Comhairleoir O'Conchubhair, and agreed.

3230 - ABANDONMENT OF ROADS:

Deputy McCormack proposed that an item be put on the Agenda for the next Monthly Meeting concerning the abandonment of roads. He said that some roads in Connemara were so bad and as there was no money available to repair them, the people had come to the conclusion that they would have to repair them themselves, and he wished to have the procedures for the abandonment of roads explained at the next Meeting. Councillors O'Conchubhair and Welby said that any proposal to abandon roads should be considered very carefully. Councillor O'Tuathail asked that all the necessary legal advice be made available at the next Meeting regarding the Abandonment of Roads. He said he would want to know if a road could be made public again after it had been abandoned,

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and whether L.I.S. grants would be available for roads that had been abandoned. It was agreed to put the item on the Agenda.

3231 - REVIEW OF COUNTY DEVELOPMENT PLAN:

The following documents had been circulated to the Members:

- (a) A draft of Chapters 7-13 inclusive, relating to Development Control Policies and Objectives, which are proposed to replace Chapters 24-28 of the existing Plan.
- (b) A summary of the main changes to the existing Plan which have been incorporated in Document (a) above.
- (c) A summary of the proposed new Chapter 12 relating to Environmental Protection.

Mr. Callagy explained that the existing Plan was in three parts, the Review Section, Development Policies and Objectives, and Development Control Policies and Objectives. He said that the Review Section which was non statutory, would be omitted from the new Plan. He said that the Members had already been circulated with the Draft of the two of the Sections of the proposed new Plan, and that the third Section containing Appendices would be ready for the next Meeting. Mr. Callagy then said he would deal with comments made by Members at the various Meetings held to date to discuss the Review.

Mr. Callagy said that at the first Review Meeting, Members had enquired about the up-to-date position on the experiment in relation to the treatment of septic tank effluent. Mr. Callagy said that the I.I.R.S. were still carrying out tests and that the experiment was not concluded. In regard to house designs in amenity areas, which was also raised at the that Meeting, Mr. Callagy said that the main points in the Bord Failte booklet would be summarised in Appendix C. Mr. Callagy then referred to a question which had been raised by Councillor Callanan in relation to sites which were less than half an acre and on which Permission had expired. He said if otherwise suitable, such sites would be considered as an exception.

Councillor Joyce took the Chair at this point.

Mr. Callagy said that a third category of Regional Road, where certain development might be permitted in particular circumstances, would be included.

Mr. Callagy said that other questions, which were raised at subsequent Meetings included a proposal from Councillor O'Morain to include a statement in the Plan that the Council would facilitate, where possible, the people who are natives

of Connemara to set up or extend their businesses in the area. Mr. Callagy said this will be included in the policy statement which will give the Council more flexibility. Mr. Callagy also said that in response to a proposal from Deputy Fahey, a statement would be included which would allow the Planning Authority to consider exceptional and fully substantiated cases of Housing or other beneficial tourism development in particular locations in amenity areas where adequate ground or tree screening is available to assimilate the development into the landscape.

Councillor Lynch referred to 71/2 acres of land in Athenry which the I.D.A. had sold, and which land was still zoned "Industrial". The County Manager said the fact that the I.D.A. sold the land does not change the requirement to plan for Industrial Development. He said that the Council as Planning Authority must provide for future Industrial Development in the area. The County Manager said that he would examine the matter raised by Councillor Lynch.

Councillor Ryan said that applicants for second family dwellings should be allowed to build on sites off their land holding. Councillor Ryan said it appeared to him that while there were restrictions on development around Ballygar, there appeared to be no similar restrictions around Mountbellew. He said that the Plan should apply equally to all towns. Mr. L. Kavanagh said that Planning restrictions applicable to National Secondary Routes apply equally to all towns, and that the development referred to by Councillor Ryan, referred to old Permissions.

Councillor Loughnane asked if An Bord Pleanala could grant Planning Permission which would contravene the County Development Plan. The County Manager replied that in considering a Planning Application, the Planning Authority and An Bord Pleanala were restricted to considering the proper planning and development of the area. However, if the Planning Authority wants to grant Planning Permission which would materially contravene the Development Plan, it must follow certain prescribed procedures. An Bord Pleanala may grant Permission which would materially contravene the Development Plan without going through such procedures. Councillor Loughnane said that where applicants had land on both Regional and County Roads, they should not be forced to build on County Roads, some of which were now almost impassable. The County Manager replied that Regional Roads were not there to serve as development roads. He said that Regional Roads were part of the Nation's transport system and should be preserved as such. Mr. Callagy then went through a list of amendments to the existing Plan and which will be included in the new Plan. Councillor Loughnane said that he was proposing that applicants for Planning Permission should not be restricted to building along County Roads, if there were suitable sites on Regional Roads. The Chairman decided

that this proposal would be brought forward at a subsequent meeting for decision.

Councillor Joyce agreed with the main policies set out in Chapter 9.3 for the Protection of Areas of Recreational Importance, i.e., Beaches, lakeshores, etc.

Councillor O'Tuathail referred to certain roads in scenic amenity areas where previously there would have been 10 to 12 houses but where now only 1 or 2 houses remained. He considered that a limited number of suitably designed houses and properly located should be allowed along such roads in order to help rebuild the community. He said that some of the locations in question are in very remote areas. Mr. Callagy said that it would be very difficult to provide for this without opening the flood gates, and said that the only solution was to deal with each application on its merits.

Councillor Welby said that in certain places in Connemara, people were now prevented from cutting turf by the O.P.W., and that people found it difficult to get bogs. Mr. Callagy said that the objection may relate to the cutting of turf in certain locations by modern machinery. Councillor Joyce said that he was at a Conference recently where Connemara was discussed and the need to have a policy for the preservation of boglands, etc., was made very clear. Councillor Joyce also recommended that the paragraph under Aquaculture dealing with Fish Farming on lakes or rivers which are used as sources of water supplies should be rephrased in so far as the possible danger to public health is concerned.

The Section on Afforestation in Chapter 12 of the Draft Plan as circulated was then discussed. Mr. Callagy explained that the planting of trees did not require Planning Permission but that there was some consultation by the Forestry Department with the Planning Authority. Councillor O'Tuathail said that a Consultative role was not sufficient. The County Manager said that the Council had written to the Forestry Department asking them to develop a National policy on afforestation and he asked the Members if they wished to support such a proposal. The Members agreed that a National policy on afforestation was very desirable.

Councillor Welby said that landowners should be encouraged to plant forests. Councillor Loughnane said that in the interests of safety, no trees should be allowed within 100 feet of the roadside. Councillor Ryan agreed that trees close to the roadside can make a road dangerous. Councillor O'Tuathail said that afforestation would have to be controlled in order to protect tourism where so many jobs were at stake.

Councillor Loughnane asked what was the attitude of the Planning Authority in relation to the special amenity area

around Loughrea lake. Mr. Callagy replied that a second family dwelling application would be considered. Councillor Joyce said that

3232 - SALE OF PLOT OF LAND AT TEERANEA, LETTERMORE:

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

"That Galway County Council hereby approve the sale of a plot of land at Teeranea, Lettermore, to Mr. Martin Mullen, Trabane, Lettermore, in accordance with the terms of Notice dated 18th October, 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."

3233 - SALE OF PLOT OF LAND AT BRACKLOONBEG, BULLAUN:

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

"That Galway County Council hereby approve the sale of a plot of land at Brackloonbeg, Bullaun, to Mr. Timothy & Joseph Nevin, Brackloonbeg, Bullaun, Loughrea, in accordance with the terms of Notice 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."

3234 - SALE OF PLOT OF LAND AT SPIDDAL WEST, SPIDDAL:

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

"That Galway County Council hereby approve the sale of a plot of land at Spiddal West, Spiddal, to the Legal Personal Representative of Patrick Thornton (Deceased), Ballard, Spiddal, in accordance with the terms of Notice dated 18th October, 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."

3235 - SALE OF PLOT OF LAND AT CORBOLEY, BARNA:

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

"That Galway County Council hereby approve the sale of plot of land at Corboley, Barna, to Liam & Eileen O'Connor, Ballymoneen Road, Barna, in accordance with terms of Notice dated 18th October, 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."

3236 - SALE OF PLOT OF LAND AT GORTYLOUGHLIN, MOYCULLEN:

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

"That Galway County Council hereby approve the sale of plot of land at Gortyloughlin, Moycullen, to Mrs. Mary Lee, in accordance with the terms of Notice dated 18th October, 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."

3237 - SALE OF PLOT OF LAND AT GORTYLOUGHLIN, MOYCULLEN:

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

"That Galway County Council hereby approve the sale of plot of land at Gortyloughlin, Moycullen, to John and Collette Power, in accordance with terms of Notice dated 18th October, 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."

3238 - SITES AT MOYCULLEN:

The County Secretary explained that the Rural Resource Organisation had notified the Council that corrections needed to be made in relation to sites at Moycullen.

Site No. 40:

The County Secretary explained that according to the resolution previously passed by the Council, the site was to be sold to Mr. W. Hoffler. The correct names of the purchasers were William Robin Hofler and Mary Hofler, and he asked the Council to approve of the amendment.

Site No. 37:

The County Secretary explained that according to the resolution previously passed, the site was to be sold to Frank Hardagen and Pauline Hardagen. The correct names of the purchasers were Frank Hargaden and Mary Hargaden, and he asked the Members to approve of the amendment.

On the proposition of Deputy Kitt, seconded by Councillor J. Molloy, the Council approved of the corrections in relation

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to the purchasers of Sites Nos. 40 and 37.

3229 - RESOLUTIONS OF SYMPATHY:

Resolutions of sympathy were adopted with the following:

Mrs. Mary Geraghty, Lehenagh, Castleblakeney, Ballinasloe.
Mrs. P. Kilkenny, Gortbrack, Gurteen, Ballinasloe.

THE MEETING THEN TERMINATED

SUBMITTED, APPROVED & CONFIRMED:

John Macalloy
CHAIRMAN

19th Dec 1989
DATE

COMHAIRLE CHONTAE NA GAILLIMHE
GALWAY COUNTY COUNCIL

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

MO THAG
My Ref.
DO THAG
Your Ref.



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

Telephone:
(091) 63151
Ext.

2nd November, 1989.

TO EACH MEMBER OF GALWAY COUNTY COUNCIL/

A Chara:

You are requested to attend the Estimates Meeting of Galway County Council which will be held at the County Buildings, Galway, on Monday, 13th November, 1989, commencing at 3.30 p.m.

Mise, le meas,

E. O'GLIASAIN,
RUNAI.

A G E N D A

1. Consideration and adoption of Estimate of Expenses for year 1990. (Copy of Estimate and of County Manager's Report herewith).
2. Determination in accordance with the Estimate of Expenses adopted of the rates in the pound to be levied for the several purposes specified in the Estimate for the financial year ending 31st December, 1990.
3. Making of Charges for Water supplied by Galway County Council for domestic purposes in respect of the period commencing 1st April, 1990, up to and including the 31st March, 1991.
4. Making of Charges in respect of Refuse Collection by Galway County Council from Domestic premises for the period 1st April, 1990, up to and including the 31st March, 1991.
5. Making and Sealing of Demand on Ballinasloe Urban District Council.

MINUTES OF THE STATUTORY ESTIMATES MEETING OF GALWAY COUNTY COUNCIL HELD AT THE COUNTY BUILDINGS, GALWAY, ON MONDAY, 13TH NOVEMBER, 1989.

IN THE CHAIR: Councillor John Molloy.

ALSO PRESENT:
Members: As recorded in the Attendance Book.

Councillors J. Brennan, J. Burke, U. Burke, J. Callanan, M. Fahy, M. Finnegan, P. Mac Gloinn, Senator T. Hussey, Councillor J. Joyce, Deputy M. Kitt, Councillors J. Lambert, M. Lynch, Deputy P. McCormack, Councillors J. McDonagh, P. McHugh, J. Mannion, M. Mullins, N. O'Conchubhair, 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; J. Howlett, and D. O'Donoghue, Assistant County Managers; P. Flood, County Engineer; E. Gleeson, County Secretary; T. Kavanagh, Administrative Officer; A. Fleming, Administrative Officer; and T. Coughlan, Senior Staff Officer; R. Killeen, Senior Executive Engineer.

The Opening Prayer was recited.

3230 - VOTE OF SYMPATHY:

Councillor Michael Ryan proposed a vote of sympathy with the widow of the late Councillor Brendan Holland, who had died recently. Councillor Holland was a serving Member of Galway Corporation, and a former Member of Galway County Council. During his public life, Councillor Holland had been Mayor of Galway, and Chairman of Galway County Council. Councillor Ryan paid tribute to the late Councillor Holland for his work on both authorities, and proposed that the Council adjourn the Meeting at 4.00 p.m. as a mark of respect.

Councillor Micheal O'Morain seconded the vote of sympathy. He paid tribute to the work of Councillor Holland and stated that Councillor Holland was Mayor of Galway when the new Cathedral was dedicated. He stated that Councillor Holland's pride in his County extended to both City and County and during his term as Chairman of the County Council, he had ably represented the County Council. All the Members present associated themselves with the vote of sympathy and paid tribute to the work of Councillor Holland.

STATUTORY ESTIMATES MEETING ON 13/11/'89.

2.

The County Manager, on his own behalf and on behalf of the Staff, associated himself with the vote of sympathy. He stated that the late Mr. Holland was greatly respected, and referred to his dedication and sincerity as a public representative. Mr. J. Howlett, Assistant County Manager, also associated himself with the expressions of sympathy and the tributes paid to the late Councillor Holland.

The Chairman associated himself with the vote of sympathy and paid tribute to the work of Councillor Holland.

Resolutions of sympathy were also adopted with the following:

Mrs. C. O'Neill, Glencroft, Leenane, Co. Galway.
Mrs. Devine, Mountpleasant, Loughrea, Co. Galway.
Mr. Michael Mannion, Sline, Moylough, Co. Galway.
Mrs. Scanlon, Fairfield, Creggs, Co. Galway.

3231 - ESTIMATE OF EXPENSES - YEAR 1990:

The Council commenced consideration of the Estimate of Expenses for the year 1990. The County Manager indicated that there was a statutory requirement on the Members to commence consideration of the Estimates at this Meeting. He gave details of the statutory provisions regarding the consideration of the Estimates, and stated that the latest date to which the consideration of the Estimates could be adjourned was Friday, 1st December, 1989.

The County Manager then outlined details of the documents which had been issued to each Member in connection with the Estimates. He indicated that the Estimate of Expenses had been circulated to each Member, and that in addition to the formal Estimate, a number of reports had been issued to the Members. He referred to his own report dated 31st October, 1989, a copy of which had been circulated to each Member, indicating details of the estimated income available to the Council in 1990, in the estimated sum of £29,694,210. The County Manager indicated that the Estimate was compiled on the basis of a rate increase of 5% and an increase of £5 per household for Water Charges in 1990. Details of the effect of any adjustments on the proposed increase on the income available were set out in the County Manager's report.

The County Manager indicated that a number of Appendices had also been issued to the Members for their consideration in connection with the Estimates. Appendix 1 dealt with details of Estimate provisions for various services in 1990. Appendix 2 set out a report on the road services and gave details of some of the major issues arising in consideration of the Estimates. There was also a report on the Housing Services, on the Public Water and Sewerage Schemes, and on Environmental Services. Details of the proposed Water Charges for 1990 were also circulated to each Member together with the formal statutory Estimate documents.

The County Manager gave details to the Members of the increase in Rate Support Grant, which he stated was of the order of 1.6% or roughly half the rate of increase in Inflation. He stated that some major problems existed for the Council in the maintenance of the Sanitary Services Schemes, with large pipe systems. He also referred to the serious shortfall in monies available for roads, and stated that there was a further wage increase due in 1990, which had to be met in accordance with the National Agreement.

Deputy McCormack referred to all of the documents which had been circulated to the Members, and stated that it was essential that the Council give

sufficient time to dealing with all of the issues which arose in the Estimates 1990. The County Manager stated that the Council had started the formal process of considering the Estimates, and that the latest date for finalising the Estimates, was the 1st December, 1989.

It was proposed by Deputy Michael Kitt, seconded by Councillor Michael Ryan, and agreed that further consideration of the Estimate of Expenses for the year 1990 would be adjourned to Friday, 17th November, 1989, at 3.00 p.m.

The Chairman then adjourned the Meeting.

SUBMITTED, APPROVED + CONFIRMED:

J. H. Malloy
CHAIRMAN

19th December 1989

DATE

COMHAIRLE CHONTAE NA GAILLIMHE
GALWAY COUNTY COUNCIL

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14th November, 1989.

TO EACH MEMBER OF GALWAY COUNTY COUNCIL

A Chara,

You are requested to attend the Adjourned Estimates Meeting of Galway County Council which will be held at the County Buildings, Galway on Friday, 17th November, 1989 commencing at 3.00 p.m.

Mise, le meas,

E. O'GLIASAIN,
Runai.

MINUTES OF PROCEEDINGS AT ADJOURNED ESTIMATES MEETING OF GALWAY COUNTY COUNCIL HELD AT THE COUNTY BUILDINGS, GALWAY, ON FRIDAY, 17TH NOVEMBER, 1989.

IN THE CHAIR: Councillor John Molloy.

ALSO PRESENT:

Members: As recorded in the Attendance Book.

Councillors J. Brennan, J. Burke, J. Callanan, M. Fahy, P. Finnegan, Senator T. Hussey, Councillor J. Joyce, Councillor M. Killilea, MEP, Deputy M. Kitt, Councillors J. Lambert, M. Loughnane, M. Lynch, Deputy 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.

An apology was received from Councillor Nioclás O'Conchubhair for his non-attendance at the Meeting.

Officials: Messrs. S. Keating, County Manager; E. Gleeson, County Secretary; J. Howlett, Assistant County Manager; P. Flood, County Engineer; T. Kavanagh, Administrative Officer; R. Killeen, S.E.E.; A. Fleming, Administrative Officer; C. Wallace, and T. Coughlan, Senior Staff Officers.

The Opening Prayer was recited.

3232 - VOTE OF SYMPATHY:

On the proposal of Councillor Micheal O'Morain, seconded by Councillor Michael Ryan, the Members passed a vote of sympathy with the Jesuit Community in Galway on the recent killings of Priests in San Salvador.

A resolution of sympathy was adopted with the following:

Mrs. Anna Kelly & Family, "Prague", Ardrahan, Co. Galway.

3233 - ESTIMATE OF EXPENSES - 1989:

The Council resumed consideration of the Estimates of Expenses for the year 1989. Deputy McCormack enquired if notification of the Road Grants for 1990 had been received.

ADJOURNED ESTIMATES MEETING ON 17/11'89.

2.

The County Manager stated that details of the allocation had not yet been received by the Department of the Environment but that the Road Grants would not have any bearing on the Estimates of Expenses as they were shown as Income and Expenditure on both sides of the Accounts as Contra Items. The County Manager stated that the Members were free to deal with the Estimates of Expenses and all of the Programmes set out.

Councillor Joe Brennan stated that the reports circulated to Members were comprehensive. He referred to the fact that the Rate Support Grants were only increased by 1.6% or half the rate of Inflation. He welcomed the proposal to withdraw from the Refuse Collection Service in East Galway and welcomed the fact that the service was being continued in the Connemara Area. In referring to the allocation of £10,000 for public lighting, he hoped that agreement would be reached, that an allocation would be made to each area. He asked what the position was in relation to Killure Burial Ground which was not mentioned in the 1990 proposals. He also referred to the work being carried out on the Hard Shoulders on the National Primary Road, and stated that the Council should call on the Government and the Minister for the Environment to cease work on Hard Shoulders and demand that the monies be made available for spending on County Roads. Councillor Brennan asked what monies the Council were being allocated under the Structural Funds. He stated that the Council should look leniently at the areas where the roads were in the worst condition, with a view to spending additional monies on these roads. He referred to a letter from Galway Chamber of Commerce asking that no increase be made in the Rates and stated that he would propose that there would be no increase in Rates above the 1.6% increase given by the Department of the Environment in the Rates Support Grant.

Councillor Mark Killilea, MEP, referred to the condition of the Connemara Roads and stated that there are roads in other parts of the County also in a bad condition. He referred to the condition of a road in the village of Carrabeg, Belclare, where people had to cross over fields to go to Mass. He also stated that he wished to see an allocation for the cutting of briars and suggested that some work be done on a yearly programme for cutting of briars. Councillor Killilea stated that protection from pollution was a National problem and in view of the scarce resources of the Council, the cost of dealing with pollution should be carried by the Department of the Environment. He asked how the economies of the purchase of chips versus production by the Council was working out. In relation to the Structural Funds, he stated that the regions should have greater input into the use of the funds, and that they should be spent on an equal basis throughout the country. Councillor Killilea, MEP, referred to the development of Corrib Airport, and stressed the need

to provide services such as adequate roads, to serve the Airport.

Deputy P. McCormack asked what the 1.6% increase in Rate Support Grant represented in real terms, and what the implications of such a small increase were for the Council. He stated that when Rates were abolished, the Council were to be compensated in full. This had not been done and he asked what the Rate Support Grant would be if full recoupment was made to the Council. Deputy McCormack stated that Mayo County Council had received an increase of 3.6% in Rate Support Grant, and he asked why Galway County Council had not received a similar allocation. Deputy P. McCormack referred to the County Engineer's Report, which indicated that £10 million were needed on an annual basis for improvements to County Roads. He stated that the condition of roads in some areas had reached a crisis situation and the Council would have to consider handing back such roads to local people. He indicated that the Council would be considering the abandonment of roads procedure at a future meeting.

Deputy McCormack referred to the Capital Programme for Water and Sewerage Schemes, and asked what progress could be made in implementing the Programme. He referred to the development of group water supply schemes at Derrydonnell and Clarinbridge where he stated that no allocations had yet been made. He also referred to the need to provide a new Sewerage Scheme at Headford and asked the position regarding the Oranmore Sewerage Scheme. He asked how many public lights could be provided out of the £10,000 provided in the Estimates, and referred to the need to provide monies in the Estimates for the cutting of briars along roads. He also referred to the letter of the Chamber of Commerce, and stated that the Council must seriously consider holding the Rates at present levels. Some premises had had their valuations increased and this on top of a 6% increase in Water Charges would create burdens for business people.

Councillor P. Finnegan also referred to the need to provide in the Estimates for the cutting of bushes. He referred to problems of flooding on County Roads, and stated that the complaints of local people, who often had suggestions regarding remedies, should be investigated thoroughly. He stated that there was need to provide monies to carry out improvements at Browns Grove School. He asked regarding the present position on the widening of the Railway gates in Tuam. He referred to difficulties in getting housing repairs done in certain places, and to the need for the provision of further rural houses. He welcomed the privatisation of the refuse collection service, and hoped that some of the saving achieved would find its way into the environment programme. He complimented the work of people involved in Tidy Towns. He expressed the hope that the Structural Fund would assist in funding the Tuam Sewerage

Scheme, and the Williamstown Sewerage Scheme, which he stated were high in priority. He also asked the present position regarding the Tuam Regional Water Supply Scheme. He referred to the Inter County Railway Committee, and asked that this matter be discussed at the November Meeting.

Councillor Micheal O'Morain proposed that the Subvention to the General Council of County Councils be increased to £2,000. He stated that the General Council of County Councils had decided to acquire a central office with a full time staff, and he hoped the Councillors would support his proposal. Councillor O'Morain referred to charges by Banks for the services afforded to local authorities. He had heard of one local authority who had received a bill for £40,000 for handling charges. If these charges were being introduced, the Council should consider its position and suggested that the General Council of County Councils should support the idea of a nationalised bank to serve local authorities. He enquired regarding the Compulsory Purchase Order for the Rosmuc Water Supply Scheme and to the need to provide additional rural housing and demountables. He referred to the condition of some of the Council's demountable houses, and stated that they were totally inadequate for old people who were the weaker section of the community. He asked what the rateable base was at present and stated that any further increase in Rates, other than in line with Inflation, would not be tolerated by the business community. He referred to the condition of the roads, and stated that unless realistic allocations were made, some roads would not exist in the near future.

Councillor Michael Mullins stated that the increase in grant allocation of 1.6% was totally inadequate when Inflation was running at around 4%. He was not in favour of an increase in Water Charges. He agreed that the refuse collection service should be privatised, and was glad to see that employment levels were being maintained. He supported Councillor Brennan in relation to Killure Burial Ground, and also asked what the position was in relation to an extension at Kilrickle Burial Ground. He asked for clarification regarding the Local Election 1990, and enquired as to the provision of £17,000 in Amenity Grants for the Aughrim Interpretative Centre. He also referred to the totally inadequate provision for roads.

Dúirt an Comhairleoir Peadar O'Tuathail go raibh ionadai o Coiste Pobail, Carna, i lathair, agus dúirt se gur mhaith le duine acu oraid a dheanamh.

The Chairman agreed that Maire T. Ni Chuinneagain address the Meeting. She outlined the position in relation to the condition of roads in her areas and called on the Members as Elected Representatives to reject the proposals in the Estimates for Roads and to refer them back to the County

ADJOURNED ESTIMATES MEETING HELD ON 17/11/'89. 5.

Engineer, and the Department of the Environment for further funding.

Ghabh an Comhairleoir Peadar O'Tuathail buiochas don Cathaoirleach and na ball uile as ucht an toscaireach a ghlacadh, agus rinne se tagairt faoin ganntannas airgead ata ar fail chun na boithre a dheisiu. Dúirt se go votalach se in aghaidh na Meastuchan ata os comhair an Chomhairle, agus rinne se tagairt freisin faoi droch staid na tithe "demountables" ar fud an Chontae.

Councillor Tiarnan Walsh, in referring to the case being made by the deputation from Carna, stated that there were other roads in the County which were equally as bad, and the problem was the lack of finance. He welcomed the progress on the Williamstown Sewerage Scheme and the provision of £9,000 to deal with storm flooding in Glenamaddy. He referred to the condition of roads in the Tuam area, and stated that as a Councillor from that area, he could not vote special allocations of money for road improvements in other areas.

He referred to the recent announcements regarding the rationalisation of Courthouses and asked the Council to ensure that the Courthouse in Glenamaddy be kept open.

Councillor Joe Callanan asked how much would be involved if the Council decided not to put up the Water Charges on business premises. He welcomed the proposals regarding the refuse service, and enquired if the Council would introduce a waiver system for hardship cases. He enquired the cost of erecting a public light and welcomed the provision of £3,000 for Kilconnell Water Supply, and £17,000 for the Aughrim Interpretative Centre. He also enquired regarding the Burial Grounds at Killure and Kilclooney, Ballinasloe. He referred to the need to provide additional rural housing and proposed that the Council send a resolution to the Minister seeking a substantial allocation for Housing in 1990. He also stated that consideration should be given to the allocation of loans for extensions and reconstruction of houses.

Councillor Michael Ryan stated that the Rates had been increased by 15% over the last three years and that he would find it difficult to support an increase of 5%. A number of businesses had been revalued which had increased the Rates also. He asked how much was outstanding in Water Charges and referred to the bad condition of County Roads in his area. He stated that the Council should employ an extra 100 men if extra money became available in the Road Grants. He asked that a proper "Stop" sign be provided in Newbridge Village.

Councillor James Joyce proposed that a Higher Education

ADJOURNED ESTIMATES MEETING HELD ON 17/11/'89. 6.

Grants Committee Meeting be held on Wednesday, 29th November, 1989, at 4.00 p.m. Councillor Joyce welcomed the increase in the allocation for Tourism in 1990. He referred to the recent announcement by the Minister for Education that an extra £1 million was being allocated by the Minister for School Library Books.

He hoped that Galway would get a fair allocation. He also asked that the Burial Ground at Clonfert be included for improvement and that the carpark be developed at Doon Burial Ground, Eyrecourt. He stated that the Council might consider some savings in the Amenity Grants for some projects which are grant aided from other sources.

He referred to the roads in the Connemara area and stated that there was a need for a major ring road around Connemara.

He proposed that the Council call on the Taoiseach and the Minister for the Gaeltacht to allocate Special Structural Funds to the Connemara area. He referred to the need to continue work on the Hard Shoulders on the National Primary Road to Ballinasloe. He referred to the high cost of the maintenance of Sewerage Schemes. He also stated that the Council should consider whether all water should be treated. He complimented the people involved in the Tidy Towns and stated that there was a need to introduce a waiver system if the Council were privatising the collection system.

It was proposed at this stage of the Meeting, by the Chairman and seconded by Councillor Michael Ryan, and agreed that further consideration of the Estimate of Expenses for 1990 be adjourned to Friday, 24th November, 1989. at 3.00 p.m.

THE CHAIRMAN THEN ADJOURNED THE MEETING.

SUBMITTED , APPROVED + CONFIRMED!

John Malloy
CHAIRMAN

17th December 1989.

DATE

COMHAIRLE CHONTAE NA GAILLIMHE
GALWAY COUNTY COUNCIL

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20th November, 1989.

TO EACH MEMBER OF GALWAY COUNTY COUNCIL/

A Chara:

You are requested to attend the adjourned Estimates Meeting of Galway County Council which will be held at the County Buildings, Galway, on FRIDAY, 24TH NOVEMBER, 1989, COMMENCING AT 3.00 P.M.

Mise, le meas,

E. O'GLIASAIN,
RUNAI.

MINUTES OF ADJOURNED ESTIMATES MEETING OF GALWAY COUNTY COUNCIL HELD AT THE COUNTY BUILDINGS, GALWAY, ON FRIDAY, 24TH NOVEMBER, 1989.

IN THE CHAIR: Councillor John Molloy.

ALSO PRESENT:

Members:

As recorded in the Attendance Book.

Councillors J. Brennan, J. Callanan, M. Fahy, P. Finnegan, P. Mac Gloinn, Senator T. Hussey, Councillor J. Joyce, Deputy M. Kitt, Councillors J. Lambert, M. Loughnane, M. Lynch, Deputy P. McCormack, Councillors J. McDonagh, P. McHugh, J. Mannion, M. Mullins, N. O'Conchubhair, M. O'Morain, P. Raftery, M. Ryan, P. O'Tuathail, T. Walsh and T. Welby.

Officials:

Messrs. S. Keating, County Manager; J. Howlett, Assistant County Manager; D. O'Donoghue, Assistant City and County Manager; P. Flood, County Engineer; E. Gleeson, County Secretary; A. Fleming, T. Kavanagh, Administrative Officers; E. Lusby, Finance Officer; C. Wallace, Senior Staff Officer.

The Opening Prayer was recited.

3234 - ESTIMATE OF EXPENSES FOR 1990:

Consideration of the Estimates was resumed from the previous Meeting, and the Chairman called on the Members who had indicated that they wished to speak on the Estimates.

Councillor Glynn said that the cause of the financial problems which the Council was facing goes back to the late 1970s at which time the Council was getting a Subvention of up to 80% from the State. He said that the Rate Relief Grant for 1990 set the Council back a further 21/2%. He complained about the National Primary Road near Milltown where lorries had to slow down to about 5 m.p.h.. He asked that the charges for grave spaces be standardised. While the demands from the O.P.W. and Health Board had ceased, the question of Courthouse Maintenance remained a problem. He said that the Department of Justice should make a subvention towards the maintenance costs. Councillor Glynn said that he would like to see extra funds provided for hedge cutting. He said that the imposition of charges was unjustifiable and inequitable as some County Boroughs were able to avoid having charges because of the income accruing from parking discs and carpark fees, etc. Councillor Glynn complained about the

MINUTES OF ADJOURNED ESTIMATES MEETING ON 24/11/'89. 2.

Ireland West Tourist Brochure. In regard to the promotion of Tourism in East Galway, he pointed out that Ballygar was not mentioned on the map and neither was Tuam which has excellent amenities including the Cathedral, Golf Course, etc. The map also gave the impression that one could still get to Ballinasloe by boat. He asked that these matters be brought to the attention of Ireland West.

Senator Hussey said that with the shortage of funds, the Councillors had very little discretion left. They can request the County Manager and the County Engineer to give priority to certain works. He said he would be reluctant to support the proposed increase in Rates particularly on business people. They also have to pay Water Charges which seemed unfair when Rates contain an element of Water Charges, and suggested that business people should be excused from the domestic water charge. Senator Hussey said that the Housing Programme in recent years was not as good as he would like it to be but he understood there would be a big improvement in the Housing Programme in 1990. He referred to the success of the Tenant Purchase Scheme and asked if the Capital monies could be used to clear the backlog of Essential Repairs as this would be a better proposal than providing Demountable Dwellings. He said that the Water and Sewerage Programme was very comprehensive, and while the schemes were funded by 100% grant, the Preliminary cost of schemes was substantial, and asked for some details of such costs. Senator Hussey asked if the Council had taken over any Group Water Schemes. He said the schemes were difficult to maintain, and the Council should consider taking over the bigger schemes. Referring to the announcement by the Banks on the proposal to impose Charges on Local Authorities, he urged that this be strongly opposed and that if they go ahead, the State should provide a Banking Service for Local Authorities. In regard to Courthouses, he suggested that the Minister for Justice be urged to collect the outstanding £7 million in Fines and use it to subvent Courthouse Maintenance. Deputy Hussey asked if the Roads Estimate was up for discussion and was informed by the County Manager that the Members must consider the Estimates in full including Roads. Senator Hussey welcomed the increase in Road Grants particularly for County Roads.

Councillor McDonagh welcomed the proposal to withdraw the refuse service from East Galway, resulting in a saving of £125,000. Referring to the staff embargo, he said that the Council should now be able to take on extra employees having regard to the Structural Funds, etc. Councillor McDonagh welcomed the provision for public lighting, small as it was, and pointed out the necessity for lighting outside Churches for evening Mass. He was disappointed that there was no public lighting scheme for Loughgeorge which is a very dangerous area. He requested information in relation to an extension to Carrowbrowne Burial Ground. Councillor McDonagh welcomed the statement of the Minister for the

MINUTES OF ADJOURNED ESTIMATES MEETING ON 24/11/'89. 3.

Environment to provide a grant for School Libraries and stressed the need for the resurfacing of County Roads and hedgcutting. He said that the Housing Programme was at an all time low, resulting in applicants having to wait years in order to get a house. Councillor McDonagh also referred to the statistic in the Housing Report which showed that 83% of tenants were unemployed. Councillor Lynch said that there were many disappointing features in the Estimates. Over the last three years, he said there was an increase of 15% on Rates and this was an outrageous burden on the business people. People felt that they were already contributing to water and refuse in the Rates and should not be liable for separate charges. When the Council withdraws the refuse service, Councillor Lynch asked if there will be any control over what private Collectors will charge, and if there will be any waiver system. Councillor Lynch asked if £25,000 was being provided for Raheen Road, Athenry, and also the necessary funds for the Mart Road which has a turnover of thousands of vehicles. He suggested that the necessary funds be taken from the provision for Local Elections and also the savings on refuse collection.

Deputy Kitt agreed that there was a housing problem but was confident that the position would improve in 1990, and suggested a joint venture programme might help. He considered that it might be cheaper for the Council to buy houses rather than build and requested that nobody be taken off the Waiting List. He welcomed the Water and Sewerage Programme, particularly in relation to Tuam, which should now be in a position to avail of industrial and other development. Deputy Kitt said that he was disappointed about Bunowen Bridge which was causing alot of inconvenience to the public. He asked that the Council get in touch with Bord na Mona and C.I.E. regarding the use of the alternative routes. Regarding Western Rail, Deputy Kitt said that other Counties were providing £5,000 assistance and he asked that the Council consider increasing the contribution to £5,000. He welcomed the increase of 46% in the Road Block Grant, and the overall increase of 28% Road Grant. Deputy Kitt said that a special allocation was required for Connemara Roads, and the Minister for the Environment should be asked for it. He welcomed the provision for Public Lighting and hoped that funds would be available for hedge cutting. He said that the County Managers' Association and Local Authority Members should fight the proposed Bank Charges. Councillor Lynch seconded Deputy Kitt's proposal for a special allocation of funds for Connemara Roads.

Councillor O'Conchubhair outlined the serious condition of roads in Connemara, and proposed that £4.6 million be spent in Connemara on a once off basis, otherwise it could be 50 years before some roads were repaired. He asked that improvement works be carried out on 11/2 miles of the Regional Road from Lettermore which was in a very bad

MINUTES OF ADJOURNED ESTIMATES MEETING ON 24/11/'89. 4.

condition. He also mentioned the road at Knock, the Inverin Road, Bealadangan Road, Furnace Road, Tully/Ballynahown Road, the road near the Industrial Estate, Costello, the road near Salerna, and other roads. Councillor O'Conchubhair said he was concerned about the housing shortfall resulting in a long Waiting List. He said that the Rate increases in recent years was hitting business people very hard. He complained about the long delay in the Gleannachmurrin Scheme, and asked that the quality of water at Teeranea be investigated. He also mentioned a problem which arises in Lettermore in the event of an electricity black-out, where apparently the pumps do not switch on automatically, leaving part of Lettermore without water. Councillor O'Morain seconded Councillor O'Conchubhair's proposal regarding the spending of £4.6 million on Connemara Roads.

Councillor Welby also supported Councillor O'Conchubhair's proposal. Councillor Welby welcomed the increased Road Grants and complimented the Engineering Staff on the speedy construction of the new bridge at Cloughbrack. He hoped that extra funds would be available for roads in Clonbur, Cong, Leenane, Maam, and Renvyle, which were in bad condition and subject to flooding. He said that hedge cutting was badly needed around Kylemore Abbey, Moyard, and Renvyle, and hoped that hedge cutting would get better attention in 1990. Councillor Welby said that he would also like to see an improvement in the Housing Programme and urged that repairs be done to Council houses which were not purchased. He said that business people were being hit hard with Rates and that the Council should be slow to increase them.

Councillor O'Morain supported Councillor O'Conchubhair's proposal and stressed the need for urgent attention to Connemara Roads.

He also objected to the use of County Road Funds for repair or reconstruction of bridges. Councillor McDonagh said that he omitted to refer to the Council's contribution to the General Council of County Councils. He said that the General Council was presently trying to set up a Secretariat and each Local Authority was asked to contribute an annual sum of £2,000, and he asked that this be provided in the Estimates.

Councillor Loughnane referred to the Loughrea Regional Water Supply Scheme and the adequacy of the existing Water Supply Scheme in Loughrea to meet fire fighting needs. He was informed by the County Manager that the Loughrea Scheme would be on the Agenda for the next Ordinary Council Meeting. Councillor Loughnane asked what was the position about Local Improvement Schemes as there was no mention of them in the grant notification. He said that even allowing for the increase in Road Grants, the allocation was totally insufficient having regard to the figure of £13 million

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mentioned in the County Engineer's report, which would be required for Regional and County Roads to start bringing them back into a reasonable condition. He said that there were roads in East Galway every bit as bad as Connemara Roads. As regards hedge cutting, he said that up to £300,000 was being spent County wide on hedge cutting and that consideration should be given to offering a hedge cutting contract on a County wide basis. Councillor Loughnane said that there was an urgent need for additional public lighting as some places had become a security risk without it. In regard to the Council's proposal to pull out of the refuse collection service, he said he hoped that old age pensioners would be catered for. Regarding the proposal to spend £4.6 million on roads in Connemara, Councillor Loughnane said that he was proposing a direct negative. Councillor Lambert seconded this proposal. Councillor Lambert said that the provision of housing was one of his biggest problems and also the question of repairs to demountables.

Councillor O'Tuathail also complained about the bad roads in Connemara and proposed that the County Engineer be given discretion to repair the worst roads. He said that the housing situation was a disgrace and people were emigrating as they could not get housing. The provision of demountables was totally unsatisfactory and he said that in some Counties, the local authority built one bedroom houses, and asked that this be examined. In regard to Burial Grounds, he said that Lettermornacoille Burial Ground and others were full and extensions needed to be provided. He also complained about the lack of progress on the Rosmuc Regional Water Supply Scheme, and the discharge of untreated effluent at Costello. Councillor Brennan seconded Councillor O'Tuathail's proposal that the County Engineer be allowed to repair the worst roads.

The County Manager then replied to some of the questions raised by the Members. In regard to Killure Burial Ground which was raised by Councillor Brennan and other Members, he said that it was programmed for work for the current year, but had to be deferred because of title problems. It will be rescheduled for 1990. With regard to Structural Funds, he said that allocations of such funds would be reflected in the National Estimates and there would not be separate allocations of Structural Funds to local authorities. In relation to hedge cutting, which was mentioned by Councillor Killilea and other Members, the County Manager said that the Roads Programme had not yet been prepared by the County Engineer as notification of Grants had only just been received. When preparing the Programme, hedge cutting would be considered in such a way as to get the best value for money. Replying to Deputy McCormack's question about the feasibility of implementing the Sanitary Services Programme, the County Manager said that he hoped that there would be an

MINUTES OF ADJOURNED ESTIMATES MEETING ON 24/11/'89. 6.

increase in the allocations. A list of schemes in planning had been circulated together with a list of schemes where a need exists but had not gone to the Planning stage because of the cost that would involve. Regarding the high cost of providing public lighting, the County Manager said that the Council was not confined to the E.S.B. and may look for prices elsewhere.

Replying to Councillor Finnegan's query about commercial businesses having to pay Rates plus Water Charges, the County Manager said that the amount collected in Water Charges does not cover in full the maintenance cost. With regard to Western Rail, he said that he would go along with the Councillors' wishes as regards making a contribution. Replying to Councillor O'Morain and other Members about proposed Bank Charges, the County Manager said that a special relationship had existed between the Banks as Treasurers and the Local Authorities over a long number of years and any change would have serious financial implications for all Local Authorities. If introduced, it could cost the Council between £45,000 and £50,000 per annum. The matter had been the subject of discussions with the County Managers' Association who are opposed to the charges as is the Minister on behalf of the Government. Councillor O'Morain said that one County Council was reported to have been billed for £40,000, and wondered if this was correct. The County Manager said that he was aware that the Health Board had to pay charges but the Galway County Council had not been billed. As far as he was aware, no local authority had paid the charges. In regard to House Construction, the County Manager said that as far as he understood it, the National allocation would be £51 million, of which £45 million would consist of proceeds of house sales, but the Council would have to await notification from the Minister. He said he understood that the question of Joint Venture was under consideration and the time was opportune for a fresh look at the financing of public housing and the views of the Councillors would be welcome. He said he would have no objection to increasing the contribution to the General Council of County Councils. He said that while demountable dwellings were not entirely satisfactory, they did fill a need and the most suitable type was purchased. In relation to the question of rateable base, the County Manager said that this used to be 9% but it was now 14% because of changes in relation to the E.S.B. and Telecom. He agreed that Aquaculture, Roads, and the lack of funds for their maintenance was now a very serious problem.

The County Manager said that he was concerned that an alternative refuse collection system would be in place in towns and villages when the Council's service pulls out. He said that arrangements were in hands and meetings would take place with Private Operators during the following week. Regarding extra employment on roads, the County Manager said

MINUTES OF ADJOURNED ESTIMATES MEETING ON 24/11/'89. 7.

that the first priority was to retain existing employment and if there was need for extra employees, and the money was available, casual employees could be recruited. The County Manager said that work was in progress in Kilrickle Burial Ground. He said that the Council's involvement in the Aughrim project would be to pay for the cost of the site and the preparation of plans and the rest would fall to Ireland West and the local community. The County Manager informed Councillor O'Tuathail that Local Improvement Scheme Grants could not be spent on County Roads. He understood that a grant would be available in 1990 but not as much as in previous years. With regard to Glenamaddy Courthouse, the County Manager said that the Members desire to have Court Hearings continue in Glenamaddy would be referred to the Department of Justice. He informed Councillor Walsh that he could not give a date in relation to the implementation of Williamstown Sewerage Scheme.

In reply to Councillor Callanan's queries, the County Manager said that the cost of foregoing the water rate increase on businesses would amount to £10,720. Dump receipts were estimated at £20,000 and Kilclooney Burial Ground would come up again for consideration in 1990. The County Manager informed Councillor Ryan that the question of control over Private Refuse Collectors was very important. He said that the reason for transferring Roadworkers from one area to another was in order to ensure the payment of wages. In reply to Councillor Joyce, the County Manager said that the Council had not yet been notified of its share of the special allocation for School Library Books. In regard to the preservation of thatched cottages, the County Manager said that the provision of £10,000 was intended to be used in conjunction with the Essential Repairs Grants for about five houses. The idea was most desirable but very expensive and the State should be involved. He said that no assistance was available for tourist roads and the idea of supplying treated and untreated water would appear uneconomical. The County Manager informed Councillor Glynn that the charges for grave spaces were standardised at £60, £120, and £180. He would welcome a Government Subvention in relation to Courthouses and would have to come back to the Council shortly in relation to Galway Courthouse. He said that the Council cannot use Revenue from house sales for Essential Repairs. In regard to the taking over of Group Water Schemes, the County Manager said that schemes supplied from County Council mains could be looked at. Replying to Councillor McDonagh about the staff embargo, the County Manager said that the staffing position was now at a critical level. Because of the shortage of Engineers, three Assistant Engineers were acting up as Executive Engineers in three Engineering Areas and the fact that the Executive Engineer in Ballinasloe was given a Career Break against the Council's wishes did not help the situation. He said that where lighting was provided outside Churches on the public

MINUTES OF ADJOURNED ESTIMATES MEETING ON 24/11/'89. 8.

road, he would like to be able to respond to that initiative by taking over responsibility for maintenance. He hoped that Grants would be forthcoming for the bridges under construction. He said that Bunowen Bridge was due to be completed in April.

The County Manager informed the Members that the final recalculated Rate Support Grant increase was £128,375. A grant in respect of outstanding Farm Tax amounted to £6,488 bringing the total to £134,863. The discretionary road grants for 1990 have been allocated on the understanding that the level of road expenditure financed by the local authorities from their own resources in 1990 will be at least at the 1989 level. The County Manager also advised the Members that the Lough Corrib Navigation Trustees had also demanded an increase £7,430 over and above the amount provided in the Draft Estimate.

The Chairman said that the final Estimates Meeting would take place on Friday, 1st December, 1989, at 3.00 p.m.

THE MEETING THEN TERMINATED

SUBMITTED, APPROVED + CONFIRMED:

Jed. Mollay
CHAIRMAN

19th Dec 1989
DATE

COMHAIRLE CHONTAE NA GAILLIMHE
(Galway County Council)

Oifig an Runai,
Arus an Chontae,
GAILLIMH.

20u 1a Samhain, 1989.

CHUIG GACH BALL DE'N CHOMHAIRLE/

A Chará:

Iarrtar ort leis seo bheith i lathair ag cruinniú speisialta de Chomhairle Chontae na Gaillimhe a tionolfar ins na Foirgnithe Chontae, Gaillimh, ar De Luain, an 27u 1a Samhain, 1989 ag tosnu ag a 3.30 a chlog sa trathnóna.

Mise, 1e meas,

E. O GLIASAIN,
RUNAI

A G E N D A

1. Material Contravention of County Development Plan - Planning Application Ref. No. 59429 for Outline Permission for the erection of 5 houses in the Townland of Gortrevagh. Applicant: Piersé Clancy.
2. Consideration of the Minutes of the following Meetings:
(a) Special Meeting of the Council on 13/10/'89.
(b) Monthly Meeting of the Council on 23/10/'89.
3. Overdraft accommodation for quarter ending 31/3/1990.
4. Fix date for December Meeting held on 23/10/'89.
5. Amenity Grants 1989. - Details enclosed.
6. Application for Grant Assistance from Galway County Community Games.
7. Local Environment Campaign 1989. - Details enclosed.
8. Audit of Accounts - River Suck Drainage Committee.
9. E.C. Structural Funds. - Details already circulated.

10. Essential Repair Grants. - Details already circulated.
11. Bunowen Bridge - Report enclosed.
12. Loughrea Water Supply - Group Scheme Development.
13. Abandonment of Roads.
14. European Community Development Exchange - Conference in Castlebar - 1st/3rd December, 1989. - Details enclosed.
15. Western Inter County Railway - Sligo/imerick Railway Line.
16. Unemployment in the North Galway Area.
17. Scheme of Letting Priorities.
18. Malicious Injury Decrees.
19. Business submitted by the County Manager.

COUNCILLORS' NOTICES OF MOTION:

(a) Adjourned from previous Meeting:

20. COUNCILLOR JARLATH McDONAGH: - I will propose:

That the County Council have serious water lodging problem alleviated at Claregalway School.

21. DEPUTY NOEL TREACY: - I will propose:

That Galway County Council immediately clean and improve the drain at a location in County Galway (details supplied) that these works be carried out immediately, the dates on which they will be carried out be outlined and any other relevant information.

(b) Other Motions received:

- COUNCILLOR JARLATH McDONAGH: - I will propose:

22. That the County Council seek to alleviate long standing flooding problem at Cashla, Athenry.

23. That the County Council surface dress road at Caherlea. (Details supplied).

24. That the County Council take steps immediately to have title registered. (Details supplied).

- DEPUTY ROBERT MOLLOY: - I will propose:

25. That immediate repairs be carried out to the road leading from Tullawee Bridge to Tullycross, Connemara, Co. Galway.

26. That immediate steps to commence construction of a new slipway at Clifden Promenade to facilitate swift and safe launching of the RNLi Lifeboat at Clifden Bay.

27. That immediate repairs be carried out to the potholes on the Letterard, Cashel, Co. Galway, leading to Caulfields house.

- DEPUTY PADRAIC McCORMACK: - I will propose:

28. That immediate roadworks be carried out to eliminate the danger of the very serious uneven surface on the main road between Moycullen and Oughterard at Killagoola Road. This uneven surface has been the cause of a number of accidents recently and is deteriorating at an alarming rate.

29. That the public light system on the main road at Claregalway be extended further out towards Loughgeorge as I think this was part of the original scheme plan for public lighting in Claregalway.

DEPUTY PADRAIC McCORMACK: (Continued)

30. That repairs be carried out to the footpath in Kinvara from Tom McCormack's house to Moy Crossroads, where there is a large amount of water lodging taking place on this footpath.

COUNCILLOR JAMES JOYCE: - I will propose:

31. That a major effort be made to complete the hard shouldering from Kilrickle to Oranmore.
32. That the re-alignment of the road from Kilrickle to Aughrim be commenced in 1990.

COUNCILLOR MARTIN LYNCH: - I will propose:

33. That Galway Council Council allocate £25,000 to finish off the road that has been started 4 years ago in Raheen, Athenry. Would you please make provisions to this need in this years Estimates 1989.
34. That Galway County Council put up children crossing signs at the Boys new school, and put some public lighting outside the school.
35. That the Galway County Council allocate money for public lighting in the Athenry area, make provision for this important need in this years Estimates.

COUNCILLORS P.F. GLYNN AND J. BURKE: - I will propose:

36. That funds be provided in the 1990 Estimates for the long proposed link road from Dunmore (National Secondary) to the Milltown Road (National Primary). This would have the effect of relieving the centre of Tuam Town of a lot of heavy traffic and all the most traffic emanating from the Dunmore/Clonberne area.

AN COMHAIRLEOIR PEADAR O'TUATHAIL: - Molaim:

37. Go rachfadh Comhairle Chontae na Gaillimhe ar aghaidh le leathnuchan Reilig Leitir-Mor-na-Coille, Camus, laithreach.
38. Go rachfadh Comhairle Chontae na Gaillimhe ar aghaidh le leathnuchan Reilig Leitirmoir, no suiomh nua a airisiu, mair is beagan ait ata fagtha sa Reilig seo.
39. Go rachadh Meitheal oibre thart ag lionadh scleigeannai ar bhoithre i gceantar Chonnamara - boithre nach bhfuil ro dhona faoi lathar - sular ndeanfar nios mo millteanas orthu leis an droch aimsir.

COUNCILLOR MATT LOUGHNANE: - I will propose:

40. That the facility be provided at the location mentioned. (Details supplied).
41. That flooding be prevented at the location mentioned in the details supplied.
42. That lights be provided at the location mentioned in the details supplied.

DEPUTY NOEL TREACY: - I will propose:

43. That Galway County Council carry out urgent and immediate repairs to a demountable dwelling at a location (details supplied) the windows, doors and other repairs be carried out and replaced, if necessary. That the necessary improvements to be carried out will take account of the need to protect electrical installations and connections in this dwelling, that the Council outline the date in which the work will be carried out and specify the works to be carried out.
44. That Galway County Council repair and resurface the road (details supplied) that these works be carried out immediately, that the Council outline the works to be carried out, the dates on which they would be carried out and any other relevant information.

COUNCILLOR T. WELBY: - I will propose:

45. What is the present position re the proposed extension to Lettermorenacaille Burial Ground, has any test been carried out recently on the adjoining grounds as to its suitability.
46. That this Council erect a barrier to the entrance to Oughterard Carpark to prevent it being used as a site for travelling traders, as much as 15 caravans were parked during last summer on this area, which was intended as a public carpark and as a place to hold a monthly fair, the fact that large numbers of people stayed on the site for weeks and no toilets for them to use, means that that place had been left in a terrible mess.
47. What is the reason for the delay in providing traffic route lighting for Moycullen Village.

COUNCILLORS JOE CALLANAN, J. BRENNAN, DEPUTY ML. P. KITT, COUNCILLORS JAMES JOYCE, AND MICHAEL MULLINS: - We will propose:

48. That this Council calls on the Minister for Finance to re-introduce an adequate tax allowance in respect of each child in all families in the forthcoming Budget and that the

6.

incoming ceiling for eligibility under the FIS scheme should be raised to £140 per week for a wage earner with one child and that the ceilings be adjusted accordingly for extra children.

COUNCILLOR MICHAEL FAHY: - I will propose:

49. That Galway County Council prohibit dumping adjacent to house. (Details supplied).
50. When is it expected that the Kinvara Regional Water Scheme will commence and when will same be completed and will areas of the Kinvara area that have no water scheme - will they be given a direct supply or can they organise a separate group scheme from the main supply.

COUNCILLOR PADDY MCHUGH: - I will propose:

51. That two acting Overseers in the Tuam Engineering District be appointed to permanent positions with immediate effect.
52. That provision be made in the Estimates for cutting briars, bushes and overgrown vegetation in the general North Galway area.
53. That provision be made in the Estimates and the programme of roadworks for 1990 for the carrying out of the following works:
 - (a) Strengthening works to the Galway/Headford road particularly along the Curraghline.
 - (b) Road realignment on the Galway to Tuam Regional Road particularly along Cahernaheena and Rosslodge.
 - (c) Road strengthening at Farmerstown, Annaghdown, adjacent to Patrick Moylan's house.

MINUTES OF PROCEEDINGS AT MONTHLY MEETING OF GALWAY COUNTY COUNCIL HELD AT THE COUNTY BUILDINGS, GALWAY ON MONDAY, 27th NOVEMBER, 1989.

IN THE CHAIR:

Councillor John Molloy,

ALSO PRESENT:

Members:

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

Officials:

Messrs. S. Keating, County Manager, P. Flood, County Engineer, L. Kavanagh, S.E.E. (Planning) R. Killeen, S.E.E., Roads, T. O'Donoghue, Law Agent, E. Lusby, Finance Officer, F. Dawson, S.S.O., E. Gleeson, County Secretary, T. Kavanagh, Administrative Officer, C. Wallace, S.S.O., T. Coughlan, S.S.O.

The Opening Prayer was recited.

3235 - Votes of Sympathy:

Councillor P. Finnegan proposed a vote of sympathy with the widow and family of the late Gay Browne, a Member of Tuam Town Commissioners who had died on the previous day. He stated that Commissioner Browne had served as a Commissioner and as Chairman of the Town Commissioners of Tuam and paid tribute to his work as a public representative. Councillor Finnegan proposed that the Council adjourn the Meeting at 4.45 p.m. as a mark of respect. Councillor Michael Ryan seconded the Vote of Sympathy and the proposal to adjourn the Meeting at 4.45 p.m. was agreed. All the Members present associated themselves with the Vote of Sympathy to the Family of Commissioner Browne and referred to his generosity and sincerity as a public representative. The County Manager on his own behalf and on behalf of the Staff also associated himself with the Vote of Sympathy, and Mr. J. Howlett, Assistant County Manager associated himself with the Vote of Sympathy.

A Vote of Sympathy was also passed with Mr. Michael Murray, Kilgarriff, Lavally, Tuam on the death of his Mother.

3236 - MATERIAL CONTRAVENTION OF COUNTY DEVELOPMENT PLAN - PLANNING APPLICATION REFERENCE NO. 59429 FOR OUTLINE PERMISSION FOR THE ERECTION OF 5 HOUSES IN THE TOWNLAND OF GORTREVAGH - APPLICANT PIERSE CLANCY.

The following report was circulated to each Member.

LOCATION

Sites are located on a private passageway leading onto National Secondary Road approximately 1 mile south of Oughterard.

PLANNING HISTORY - No relevant planning history.

PLANNING CONSIDERATIONS.

Sites are located on a non-public passageway leading onto a restricted National Secondary road at a point where the maximum speed limit applies and where the junction is inadequate for such development. The traffic generated by 5 No. dwellinghouses as proposed would interfere with safety and free flow of traffic on the National Secondary road.

Furthermore, the sites are outside the area of the Oughterard Development Plan and therefore, would be in direct contravention of the County Development Plan Chapter 24.5(i) which seeks to positively discourage groups of houses along rural roads such as is proposed. If this proposal were permitted it would result in a group of houses in an unserviced rural area removed from any existing centre

RECOMMENDATION.

Refusal is recommended as follows:

1. The proposed development would contribute to a traffic hazard as the proposal would involve traffic coming into a National Secondary Road at a point where the maximum speed limit applies via an existing non-public passageway and the traffic generated by the proposed development would interfere with the safety and free flow of traffic along the said route.
2. The proposed development would contravene Chapter 25 (Table 25B) of the County Development Plan which limits development along this road to local family housing needs, a category of development which does not apply in this case.
3. The proposed development would contravene Chapter 24.5(i) which seeks to positively discourage groups of houses along rural roads such as is proposed."

The County Engineer stated that the proposed development would constitute a traffic hazard and would contravene the County Development Plan. The County Engineer read a letter dated 22nd November, 1989 sent to the Council on behalf of the applicant stating that he had proposed to amend his proposal regarding a 3 metre recess to 4 metres of a recess. The County Engineer indicated that even if the applicant did so, the proposal would not meet the standards set out for junctions of the nature proposed.

Councillor T. Welby proposed that planning permission be granted in this case. He stated that the applicant would comply in any way with the conditions which the Council would impose on him. He was prepared to set back the entrance 4 metres on either side but there was a problem in relation to the western side in that he could not come to agreement with an adjoining landowner. If he was successful in buying a piece of land from this landowner, he would be prepared to set back the recess.

The County Engineer stated that the applicant was proposing to set back the recess a further metre but this additional metre was of no relevance as he could not achieve the sight distance required. The proposal was for the provision of a housing development on a non public passageway and the applicant had not got land on one side of its junction with the public road and had indicated that he could not acquire the necessary land. The proposal would contribute to a traffic hazard in that it was proposed to provide a non-public road which would open on to a National Secondary Road. Even if the standards were met, an applicant would not get a permission in such a situation as the provisions regarding local family need did not arise in this case, as there were five houses involved.

The County Engineer stated that a development of five houses would result in a minimum of 20 people using the access with at least five cars. A large number of turning movements would be created by people going in and out of the development and there would be also turning movements by vehicles serving these houses

which would generate a large amount of traffic all of which were potential traffic hazards. The road was quite narrow at the location involved and carried a large amount of commuter traffic, which would increase the risk of traffic hazards.

Councillor T. Welby stated that there was a factory operating 350 yards away from this location where 70 people were employed. The entrance to the factory was much more dangerous than this development.

In reply to Councillor P. McHugh, the County Manager stated that he had decided that he had decided that this was a material contravention of the County Development Plan because of the scale and number of houses involved which brought it into that category. The County Engineer stated that the factory existed for some time but the houses were new development which the Council could do something about by refusing permission. Councillor Joe Burke stated that the proposed development was not ribbon development and that there were a number of county roads onto the National Secondary Road. The County Engineer stated that this was the creation of a new road with access on to the National Secondary Route and was against the specific provisions of the Development Plan. It was sub-standard type development where people would have to live in the future.

It was proposed by Councillor T. Welby and seconded by Councillor N. O'Conchubhair

"That having considered the Planning Application made by Pierce Clancy for outline permission for the erection of 5 dwellinghouses in the townland of Gortrevagh (Planning Reference NO. 59429) 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 for or against the foregoing resolution resulted as follows:-

FOR:- Councillors U. Burke, P. Finnegan, Sen. T. Hussey, Deputy M. Kitt, Councillors J. Lambert, M. Lynch, Deputy P. McCormack, Councillors J. McDonagh, P. McHugh, J. Mannion, J. Molloy, N. O'Conchubhair, M. O' Morain, P. O'Tuathail, P. Raftery, M. Ryan and T. Welby. (17).

Councillors Brennan and Burke abstained from voting.
The Chairman declared the resolution set out on the Agenda carried.

3237 - MINUTES:

On the proposition of Councillor J. Mannion, seconded by Councillor Michael Ryan the Minutes of the following Meetings were adopted and signed.

- (a) Special Meeting held on the 13th October, 1989
- (b) Monthly Meeting held on the 23rd October, 1989.

3238 - OVERDRAFT ACCOMMODATION FOR QUARTER ENDING 31/3/1990.

It was proposed by Councillor John Mannion, seconded by Councillor P. Finnegan and resolved:

"That Galway County Council hereby approve the raising of Overdraft to the extent of £3 million on the Council's Revenue and Capital Accounts for the quarter ending 31st March, 1990, subject to the sanction of the Minister for the Environment."

3239 - DATE FOR DECEMBER MEETING, 1989.

It was proposed by Deputy Micheal Kitt, seconded by Councillor P. Finnegan and agreed that the December Monthly Meeting of the Council would be held on Tuesday, 19th December, 1989.

3240 - AMENITY SCHEMES, 1989.

The Council considered the Amenity Grants Allocations, 1989, details of which had been circulated to each Member. It was proposed by Senator T. Hussey, seconded by Councillor M. Loughnane and agreed that the following Amenity Grants be paid:-

<u>Applicant Body.</u>	<u>Amount.</u>
Annaghdown Sportsfield Development Committee.	£1,000
Ballinderreen Community Centre Committee.	£ 800
Comharchumann Bearna Teoranta	£ 600
Caltra Sportsfield Committee.	£ 500
Clare River Harriers A.C.	£ 500
Clarenbridge Pitch Development.	£1,300
Coiste Forbartha Chorr na Mona	£ 800
Glenamaddy Pitch & Putt Club.	£ 500
Lackagh Historical Society.	£ 500
Coiste Forbartha Pairc an Mhaimin.	£ 700
St. Brendan's Boy's N.S. Sports Committee.	£ 600
Menlough Pitch Development Committee.	£1,200
Milltown Sportsfield Development Committee.	£1,500
Monivea Community Council.	£ 400
Portumna Tidy Towns Committee.	£ 500
Westrail (Tuam) Ltd.,	£1,500
Turloughmore Field & Social Centre Committee.	£1,000
Williamstown Community Centre Committee.	£1,000
	£15,000

Senator T. Hussey in proposing the payment of the Amenity Grants for 1989 referred to the amount of money available for such grants and stated that the allocation for these grants should be increased. He proposed that the Council endeavour to get money under the National Lottery for Amenity Schemes. A number of Councillors welcomed the proposals under the Amenity Grants for 1989. The County Manager stated that the allocation was £15,000 in 1989 and that the Council endeavoured to spread this allocation as far as possible among the applications received. In reply to Councillor Finnegan he stated that there were proposals whereby the Lottery Funds which were disbursed by the Minister for the Environment and the Minister for Education would be brought before the Council for their consideration under new arrangements. Councillor Ulick Burke stated that the Council should send a resolution to the Minister asking him to allow the Council to submit the schemes in the first instance and that such schemes should come from local authorities up rather than from the Minister down.

Councillor M. O'Morain paid tribute to the work of the County Development Team who had an involvement in Amenity Grants. He proposed the Council get an

opportunity at least once a year to discuss with the County Development Officer, particulars of the work of the County Development Team and projections for the future year. The County Manager indicated that arrangements could be made to bring a report before the Council on the activities of 1989 early in 1990.

3241 - APPLICATION FOR GRANT ASSISTANCE FROM GALWAY COUNTY COMMUNITY GAMES

It was proposed by Councillor P. McHugh and seconded by Councillor P. Finnegan that a grant of £830 be made to Galway County Community Games. Councillor McHugh stated that the Council should consider giving a larger grant and said that arrangements should be made to clarify the requirements of the Committee. Deputy P. McCormack stated that the Community Games were entitled to a far larger grant and they asked that the Council consider the payment of a further grant. The County Manager stated that the amount of grant proposed in 1989 was equal to the deficit of the County Community Games Committee and further application could be made in 1990.

3242 - LOCAL ENVIRONMENT CAMPAIGN 1989.

The Members considered the Local Environment Campaign, 1989, a report on which had been circulated to each Member

It was proposed by Councillor P. Finnegan, seconded by Councillor Ulick Burke and approved that the recommendations in the report regarding the Tidy Towns and other competitions which had already been circulated be approved as follows:-

1. TIDY TOWNS COMPETITION.

(a) Large Towns - Category A

1st Prize - £500 - Mountbellew
 2nd Prize - £400 - Portumna
 3rd Prize - £300 - Clifden
 4th Prize - £200 - Tuam.

Most Improved Entry - £300 - Headford.
 Best New Entry - £300 - Loughrea

Best Display of Window Boxes, Hanging Baskets, etc.
 - £200 - Oughterard.

(b) Small Towns and Villages - Category B

1st Prize - £500 - Ardrahan.
 2nd Prize - £400 - Milltown.
 3rd Prize - £300 - Spiddal.
 4th Prize - £200 - Clarinbridge.

Most Improved Entry - £300 - Moycullen/Leenane (Joint Winners).

Best New Entry - £300 - Cor na Mona/Glinsk (Joint Winners).

Best Display of Window Boxes, Hanging Baskets etc - £200 - Ardrahan.

(c) Tidy Estates Competition.

Best Large Housing Estate (Over 50 houses=

1st Prize - £200 - Parkmore Estate, Tuam.
2nd Prize - £100 - St. Laurences Fields, Loughrea.

Best Small Housing Estate (Less than 50 houses).

1st Prize - £200 - Marian Park, Portumna.
2nd Prize - £100 - Lakeview Estate, Claregalway.

2. TIDY BURIAL GROUNDS COMPETITION.

1st Prize - £200 - Teampal Brendain, Rosshill, Clonbur.
2nd Prize - £150 - Abbey Cemetary, Duniry, Loughrea.
3rd Prize - £100 - St. John the Baptist, Eyrecourt.
4th Prize - £50 - Mountbellew Churchyard.

4. TIDY SCHOOLS COMPETITION.

1st Prize - £400 - Tullykyne, Moycullen.
2nd Prize - £300 - Gardenfield N.S. Gardenfield, Tuam.
3rd Prize - £100 - Presentation Primary School, Tuam.
4th Prize - £100 - Craughwell National School, Crinnage.

Councillor M. Loughnane asked that Councillors from the areas where the winning towns were situated should be informed of the arrangements regarding the presentation of the prizes.

3243 - AUDIT OF ACCOUNTS - RIVER SUCK DRAINAGE COMMITTEE.

The Council noted the Audit of Accounts for year ended 31st December, 1988.

3244 - BUNOWEN BRIDGE.

A report on the up to date position was circulated to each Member.

3245 - LOUGHREA WATER SUPPLY - GROUP SCHEME DEVELOPMENT.

The Council considered a report dated the 21st November, 1989 from the Assistant County Manager. The report indicated that the Council had proposals to provide a regional water supply scheme for Loughrea taking water from the Lake at an estimated cost of £5.7 M. The Loughrea Group Water Supply Scheme (Phase 1)

Kilnadeema, had been approved by the Department of the Environment and it had been indicated that the Department was prepared to fund the building of weirs fish passes, intake chambers etc., at Knockanima in order to comply with the water supply proposal for the abstraction of water. This work would be carried out by the Council and provision would also be made for the abstraction, pumping and treatment of sufficient waters to supply the proposed Loughrea Group Water Supply Scheme Phase 1 only. The development of the full treatment works etc., associated with the Regional Scheme which would supply water to Loughrea Town and its environs were not provided for at this stage.

Mr. Howlett stated that it would be preferable if the abstraction works and treatment works were built in accordance with the regional scheme proposals and also there was the question to be considered of supplying water to the group scheme in advance of supplying Loughrea Town whose development was severely restricted at present due to the inadequate water supply. In addition the Council were likely to come under considerable pressure for further group schemes to develop. The matter was being brought before the Members for their consideration in order that an early response could be made to the Department of the Environment.

The County Manager indicated that the only work which would be relevant to the ultimate regional water scheme was the provision of weirs and fish passes and that the pumping system and reservoirs proposed for the group scheme would be redundant when the new water scheme was provided. It was obvious that the provision of the regional water supply scheme in its entirety would take some considerable time.

Councillor Ulick Burke proposed that the Council go ahead with the group scheme development and that the Department be informed accordingly. He referred to the long delays encountered by this particular group scheme and stated that this group scheme development should be allowed to go ahead before the provision of the regional water scheme which would take some time. In reply to Councillor Matt Loughnane who asked if the shortage of water in Loughrea Town for fire fighting would be augmented by this particular scheme, the County Manager stated that the proposal to allow the group scheme to go ahead would not contribute any additional water to the Town supply and would serve the group scheme only. The County Manager stated that the Council would be constructing head works involved. Councillor Loughnane seconded the proposal that the group scheme development be allowed to go ahead and Councillor Michael Fahy also supported. It was agreed that the group scheme development would be allowed to go ahead in accordance with the proposals set out by the Assistant County Manager.

3246 - EUROPEAN COMMUNITY DEVELOPMENT EXCHANGE - Conference in Castlebar - 1st/3rd December, 1989.

It was proposed by Deputy Micheal Kitt, seconded by Councillor P. Finnegan and agreed that Senator T. Hussey and Councillor Joe Callanan be nominated to attend this Conference.

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

3247 - SCHEME OF LETTING PRIORITIES

It was proposed by Senator T. Hussey, seconded by Deputy Micheal Kitt and resolved:-

"that the Council approves of Draft Scheme of Priorities to be accorded in the letting of dwellings provided by the Galway County Council under the Housing Acts 1966 to 1988.

3248 - REMUNERATION OF GENERAL OPERATIVES AND RELATED GRADES.

The County Manager outlined details of the above Wage Increase to which the Minister had conveyed his Sanction by letter dated 21st November, 1989. It was proposed by Senator T. Hussey, seconded by Councillor Joe Callanan and agreed

"That Galway County Council approve of the Revision of Remuneration as outlined in respect of General Operatives and Related Grades, such increase to be implemented in accordance with Clause 3 of the Agreement on Pay in the Public Service and in accordance with letter of Sanction, Circular Letter EL 15/89 from the Department of the Environment dated the 21st November, 1989."

COUNCILLORS' NOTICES OF MOTION.

THAT THE COUNTY COUNCIL HAVE SERIOUS WATER LODGING PROBLEM ALLEVIATED AT CLAREGALWAY SCHOOL - MOTION BY COUNCILLOR JARLATH McDONAGH

3249 - The following written reply was given to Councillor McDonagh.

"The necessary works have now been carried out."

THAT GALWAY COUNTY COUNCIL IMMEDIATELY CLEAN AND IMPROVE THE DRAIN AT A LOCATION IN COUNTY GALWAY (DETAILS SUPPLIED) - MOTION BY DEPUTY NOEL TREACY.

3250 - The following written reply was given to Deputy Treacy.

"The drain in question flows adjacent to Capira dump and not through the Dump. There has been some indiscriminate dumping adjacent to the public road, and some of the refuse has found its way into the drain and consists mainly of plastic containers. Even though there is no evidence of

pollution our Environment Department are arranging to have laboratory tests carried out. The material will be cleared in the near future as resources permit".

THAT THE COUNTY COUNCIL SEEK TO ALLEVIATE LONG STANDING FLOODING PROBLEMS AT CASHLA, ATHENRY - MOTION BY COUNCILLOR JARLATH McDONAGH.

3251 - The following written reply was given to Councillor McDonagh.

"The estimated cost of carrying out drainage works at the above location is £3,400. However, there are no funds available in the current year to carry out this work".

THAT THE COUNTY COUNCIL SURFACE DRESS ROAD AT CAHERLEA (DETAILS SUPPLIED MOTION BY COUNCILLOR JARLATH McDONAGH.

3252 - The following written reply was given to Councillor McDonagh.

"Galway County Council has not surface dressed any county roads in recent years. This road also requires structural improvement. However, there are no funds available in the current year to carry out this work".

THAT GALWAY COUNTY COUNCIL TAKE STEPS IMMEDIATELY TO HAVE TITLE REGISTERED (DETAILS SUPPLIED - MOTION BY COUNCILLOR JARLATH McDONAGH.

3253 - The following written reply was given to Councillor McDonagh.

"The original registration of this property did not correspond with the situation as it existed on the ground. This resulted in registration and title difficulties. This matter has now been rectified and the Council's title has been registered in the Land Registry. The Co. Engineer is preparing a map of the land to be registered in the name of the tenant, and it is expected that this mapping will be completed within the next three weeks. The Council will then be in a position to register the land in the name of the tenant".

THAT IMMEDIATE REPAIRS BE CARRIED OUT TO THE ROAD LEADING FROM TULLAWEE BRIDGE TO TULLYCROSS, CONNEMARA, CO. GALWAY. - MOTION BY DEPUTY ROBERT MOLLOY

3254 - "Repair works have recently been carried out at this location. Further works will be carried out within the next few weeks".

THAT IMMEDIATE STEPS TO COMMENCE CONSTRUCTION OF A NEW SLIPWAY AT CLIFDEN PROMENADE TO FACILITATE SWIFT AND SAFE LAUNCHING OF THE RNLI LIFEBOAT AT CLIFDEN BAY.

3255 - The following written reply was given to Deputy Molloy.

"The existing pier was repaired last year and alterations were made to suit the launching of the RNLI Lifeboat. The RNLI service expressed satisfaction with the work carried out.

THAT IMMEDIATE REPAIRS BE CARRIED OUT TO THE POTHoles ON THE LETTERARD, CASHEL, CO. GALWAY, LEADING TO CAULFIELDS HOUSE. - MOTION BY DEPUTY ROBERT MOLLOY.

3256 - The following written reply was given to Deputy Molloy

"As this road is not in charge the Council are precluded from carrying out repairs to same.

However, the road may qualify for improvement under a Local Improvement Scheme."

THAT IMMEDIATE ROADWORKS BE CARRIED OUT TO ELIMINATE THE DANGER OF THE VERY SERIOUS UNEVEN SURFACE ON THE MAIN ROAD BETWEEN MOYCULLEN AND OUGHTERARD AT KILLAGoola ROAD. - MOTION BY DEPUTY PADRAIC Mc CORMACK.

3257 - The following written reply was given to Deputy McCormack.

"The above roadworks have now been carried out."

THAT THE PUBLIC LIGHT SYSTEM ON THE MAIN ROAD AT CLAREGALWAY BE EXTENDED FURTHER OUT TOWARDS LOUGHGEORGE AS I THINK THIS WAS PART OF THE ORIGINAL SCHEME PLAN FOR PUBLIC LIGHTING IN CLAREGALWAY - MOTION BY DEPUTY PADRAIC McCORMACK.

3258 - The following written reply was given to Deputy McCormack.

"There are no funds for additional public lights in the current year. However, a sum of £10,000 has been put forward in the 1990 Estimates and no commitment can be given until the Estimates are adopted".

THAT REPAIRS BE CARRIED OUT TO THE FOOTPATH IN KINVARA FROM TOM MCCORMACK'S HOUSE TO MOY CROSSROADS, WHERE THERE IS A LARGE AMOUNT OF WATER LODGING TAKING PLACE ON THIS FOOTPATH - MOTION BY DEPUTY PADRAIC MCCORMACK.

3259 - The following written reply was given to Deputy McCormack.

"There is water lodging on a depressed Bord Telecom manhole cover on the above footpath. The matter has been referred to Bord Telecom for attention.

THAT A MAJOR EFFORT BE MADE TO COMPLETE THE HARD SHOULDERING FROM KILRICKLE TO ORANMORE - MOTION BY COUNCILLOR JAMES JOYCE.

3260 - The following written reply was given to Councillor Joyce.

"Work on hard shoulders between Loughrea and Craughwell is in progress at present. Completion of the hard shoulders between Kilrickle and Oranmore is dependant on funds being made available by the Department of the Environment".

THAT THE RE-ALIGNMENT OF THE ROAD FROM KILRICKLE TO AUGHRIM BE COMMENCED IN 1990 - MOTION BY COUNCILLOR JAMES JOYCE.

3261 - The following written reply was given to Councillor Joyce.

"Improvement and re-alignment works on National routes are 100% exchequer funded. Re-alignment of this stretch of road will be carried out if funds are made available by the Department of the Environment. The Council has not been notified of the 1990 Road Grants allocation to date."

THAT GALWAY COUNTY COUNCIL ALLOCATE £25,000 TO FINISH OFF THE ROAD THAT HAS BEEN STARTED 4 YEARS AGO IN RAHEEN, ATHENRY. - MOTION BY COUNCILLOR M. LYNCH.

3262 - The following written reply was given to Councillor Lynch.

"The road will be considered along with others under the 1990 Discretionary Road Grants Programme. The 1990 Road Grants allocation has not been notified to date".

THAT GALWAY COUNTY COUNCIL PUT UP CHILDREN CROSSING SIGNS AT THE BOYS NEW SCHOOL, AND PUT SOME PUBLIC LIGHTING OUTSIDE THE SCHOOL - MOTION BY COUNCILLOR M. LYNCH.

3263 - The following written reply was given to Councillor Lynch.

"The above signs will be erected at the location mentioned. A sum of £10,000 has been put forward in the 1990 Estimates for public lighting and no commitments can be given until the Estimates are adopted".

THAT GALWAY COUNTY COUNCIL ALLOCATE MONEY FOR PUBLIC LIGHTING IN THE ATHENRY AREA, MAKE PROVISION FOR THIS IMPORTANT NEED IN THIS YEAR'S ESTIMATES - MOTION BY COUNCILLOR MARTIN LYNCH.

3264 - The following written reply was given to Councillor Lynch.

"Athenry requires additional lights to cover roads where building has recently progressed. At least six lights are required as a cost of £6,000. A sum of £10,000 has been put forward in the 1990 Estimates and no commitments can be given until the Estimates are adopted".

THAT FUNDS BE PROVIDED IN THE 1990 ESTIMATES FOR THE LONG PROPOSED LINK ROAD FROM DUNMORE (NATIONAL SECONDARY) TO THE MILLTOWN (NATIONAL PRIMARY. THIS WOULD HAVE THE EFFECT OF RELIEVING THE CENTRE OF TUAM TOWN OF A LOT OF HEAVY TRAFFIC AND ALL THE MOST TRAFFIC EMANATING FROM THE DUNMORE CLONBERNE AREA. - MOTION BY COUNCILLORS P.F. GLYNN AND J. BURKE.

3265 - The following written reply was given to Councillors Glynn and Burke.

"It is hoped to commence a preliminary survey of the route during 1990. Agreements are near finalisation with landowners concerning land acquisition for the inner relief road linking vicar street and the Dublin Road. Application has been made to the Department of the Environment for a grant to undertake this work during 1990. It is expected that the inner relief road will substantially reduce traffic congestion in the town centre."

GO RACHFADH COMPAHIRLE CHONTAE NA GAILLIMHE AR AGHAIDH LE LEATHNUCHAN REILIG LEITIR-MOR-NA-COILLE, CAMUS, LAITHREACH. - MOLADH O'N CHOMHAIRLEOIR PEADAR O' TUATHAIL.

3266 - Seo leanas an freagra a tugadh don Chomhairleoir O'Tuathail.

"Bhain an Comhairle Chontae poill triallacha ar an taobh thiar den reilig seo: ar thalamh O Domhnail, le deanai agus ta an Comhairle ag moladh an talamh seo a fhorbairt de reir na rialacha ata leaghta amach ag an Priomh Oifigeach Slainte. Beidh alan costas breise ag baint leis an obair seo ach ni feidir an fadhb a leigheas aon bhealach eile.

Ta an Comhairle Condae ag socrú leis an uaineair faoi lathair chun an talamh a cheannacht.

GO RACHFADH COMHAIRLE CHONTAE NA GAILLIMHE AR AGHAIDH LE LEATHNUCHAN REILIG LEITIRMOIR, NO SUIOMH NUA A AIRISIU, MAIR IS BEAGAN AIT ATA FAGTHA SA REILIG SEO - MOLADH O'N CHOMHAIRLEOIR PEADAR O' TUATHAIL.

3267 - Seo leanas an freagra a tugadh don Chomhairleoir O'Tuathail.

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

GO RACHADH MEITHEAL OIBRE THART AG LIONADH SCLEIGEANNAI AR BHOITHRE I GCEANTAR CHONNAMARA - BOITHRE NACH BHFUIL RO DHONA FAOI LATHAR - SULAR NDEANFAR NIOS MO MILLTEANAAS ORTHU LEIS AN CROCH AIMSIR. - MOLADH O'N CHOMHAIRLEOIR PEADAR O'TUATHAIL.

3268 - Seo leanas an freagra a tugadh don Chomhairleoir O'Tuathail

"Ta an fir oibre ag lionadh scleigeannai ar bhoithre i cDonnamara de reir tosaiochta gus de reir mar ata airgead ar fail.

THAT THE FACILITY BE PROVIDED AT THE LOCATION MENTIONED (DETAILS SUPPLIED - MOTION BY COUNCILLOR MATT LOUGHNANE.

3269 - The following written reply was given to Councillor Loughnane

"There are no funds available for public lighting in the current year. However, a sum of £10,000 has been put forward forward in the 1990 Estimates, and no committment can be given until the Estimates are adopted"

THAT FLOODING BE PREVENTED AT THE LOCATION MENTIONED IN THE DETAILS SUPPLIED - MOTION BY COUNCILLOR MATT LOUGHNANE.

3270 - The following written reply was given to Councillor Loughnane.

"The necessary works have now been carried out."

THAT LIGHTS BE PROVIDED AT THE LOCATION MENTIONED IN THE DETAILS SUPPLIED MOTION BY COUNCILLOR MATT LOUGHNANE.

3271 - The following written reply was given to Councillor Loughnane.

"There are no funds for additional public lights in the current year. However, a sum of £10,000 has been put forward in the 1990 Estimates and no commitment can be given until the Estimates are adopted."

THAT GALWAY COUNTY COUNCIL CARRY OUT URGENT AND IMMEDIATE REPAIRS TO A DEMOUNTABLE DWELLING AT A LOCATION (DETAILS SUPPLIED). - MOTION BY DEPUTY NOEL TREACY.

3272 - The following written reply was given to Deputy Treacy.

"An inspection of this demountable dwelling has been carried out. Repairs are necessary to three windows and the front door. External painting is also necessary. These repairs will be included in the work programme for the coming six weeks."

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

3273 - The following written reply was given to Deputy Noel Treacy.

"There are no funds available in the current year to carry out streghening works. Routine maintenance will be carried out as resources permit".

WHAT IS THE PRESENT POSITION RE THE PROPOSED EXTENSION TO LETTERMORENACOILLE BURIAL GROUND, HAS ANY TEST BEEN CARRIED OUT RECENTLY ON THE ADJOINING GROUNDS AS TO ITS SUITABILITY. - COUNCILLOR T. WELBY.

3274 - The following written reply was to Councillor Welby

"Extensive trial holes have been excavated on lands at the rear of this burial ground on O'Donnells land and it is recommended that theses lands

be developed to comply with Chief Medical Officer's standard conditions for burial grounds. This will involve considerable development cost over and above the norm but it is the only viable solution to the problem.

The Council are negotiating with the owner at the moment for the purchase of the land.

THAT THIS COUNCIL ERECT A BARRIER TO THE ENTRANCE TO OUGHTERARD CARPARK TO PREVENT IT BEING USED AS A SITE FOR TRAVELLING TRADERS - MOTION BY COUNCILLOR T. WELBY.

3275 - The following written reply was given to Councillor Welby.

"Galway County Council had intended erecting barriers at this location earlier this month but the workmen had to be put on grant jobs. However, the barriers will be erected within the next few weeks.

WHAT IS THE REASON FOR THE DELAY IN PROVIDING TRAFFIC ROUTE LIGHTING FOR MOYCULLEN VILLAGE - MOTION BY COUNCILLOR T. WELBY

3276 - The following written reply was given to Councillor Welby.

"A design for a Traffic Route Lighting Scheme has been requested from the E.S.B. On receipt of the design and estimate an application will be made to the Department of the Environment for funds and approval to the works."

THAT THIS COUNCIL CALLS ON THE MINISTER FOR FINANCE TO RE-INTRODUCE AN ADEQUATE TAX ALLOWANCE IN RESPECT OF EACH CHILD IN ALL FAMILIES IN THE FORTHCOMING BUDGET ETC. - MOTION BY COUNCILLORS J. CALLANAN, J. BRENNAN, DEPUTY ML. KITT, COUNCILLORS J. JOYCE AND MICHAEL MULLINS.

3277. - This Notice of Motion was adjourned to the next Council Meeting.

THAT GALWAY COUNTY COUNCIL PROHIBIT DUMPING ADJACENT TO HOUSE (DETAILS SUPPLIED) - MOTION BY COUNCILLOR MICHAEL FAHY.

3278 - The following written reply was given to Councillor Fahy.

"There is dumping taking place on grounds adjoining Crowe Street Housing Estate, Gort.

The Council propose to clean up this location on a once off basis and have no dumping sign erected."

WHEN IS IT EXPECTD THAT THE KINVARA REGIONAL WATER SCHEME WILL COMMENCE AND WHEN WILL SAME BE COMPLETED AND WILL AREAS OF THE KINVARA AREA THAT HAVE NO WATER SCHEM -WILL THEY BE GIVEN A DIRECT SUPPLY OR CAN THEY ORGANISE A SEPARATE GROUP SCHEME FROM THE MAIN SUPPLY. - MOTION BY COUNCILLOR MICHAEL FAHY.

3279 - The following written reply was given to Councillor Fahy.

"I expect that the documentation will be completed for the signing of the Contract early in December, 1989 and that the work will commence when materials are available early in 1990. Completion of the work would be due early in 1991.

The extension of the supply to areas around Kinvara is not included in the Stage 1 Scheme. A supply will be made available for the development of Group Schemes on completion of the Stage 1 Council Scheme.

THAT TWO ACTING OVERSEERS IN THE TUAM ENGINEERING DISTRICT BE APPOINTED TO PERMANENT POSITIONS WITH IMMEDIATE EFFECT - MOTION BY COUNCILLOR PADDY McHUGH.

3280 - The following written reply was given to Councillor McHugh.

"It is proposed to hold interviews in the near future to fill the Overseer vacancies".

THAT PROVISION BE MADE IN THE ESTIMATES FOR CUTTING BRIARS, BUSHES AND OVERGROWN VEGETATION IN THE GENERAL NORTH GALWAY AREA - MOTION BY COUNCILLOR PADDY McHUGH

3281 - The following written reply was given to Councillor McHugh.

"It is intended providing funds for the cutting of briars and bushes from the County Road maintenance budget when the 1990 Roads Estimates are finalised"

THAT PROVISION BE MADE IN THE ESTIMATES AND THE PROGRAMME OF ROADWORKS FOR 1990 FOR THE CARRYING OUT OF THE FOLLOWING WORKS:

- (a) **Strengthening works to the Galway/Headford road particularly along the Curraghline.**
- (b) **Road realignment on the Galway to Tuam Regional Road particularly along Cahernaheena and Rosslodge.**
- (c) **Road strengthening at Farmerstown, Annaghdown, adjacent to Patrick Moylan's house.**

3282 - The following written reply was given to Councillor McHugh.

- (a) The carrying out of strengthening or improvement works on the National route is dependant on funds being made available by the Department of the Environment as expenditure on national routes is 100% exchequer funded
- (b) Road realignment of road at Cahernaheena will be considered along with other regional roads under the 1990 discretionary grants programme. Road realignment at County Road Rosslodge, is not considered a priority while County Road funds remain scarce. The Council have been notified of its 1990 road grants allocation to date
- (c) Works on the Mace (Farmerstown) Annaghdown road is currently in progress.

CORRESPONDENCE:- Copies of the following correspondence were circulated to each Member.

- (a) Letter from Donegal County Council dated 6th November, 1989 re more finance for Irish Craft and maintenance of Irish Thatch Cottages.
- (b) Letter from Wexford Corporation dated 7th November, 1989 re developmental disabilities.
- (c) Letter from Tralee Urban District Council - 14th November, 1989 re granting of Voting Rights to Emigrants for elections.
- (d) Letter from Western Health Board dated 7th November, 1989 re School Medical Examinations.

3283 - **ABANDONMENT OF ROADS.**

Deputy P. McCormack stated that he had asked that this matter be put on the Agenda for the consideration of the Council. He referred to a Notice of Motion which he had submitted at the March Meeting of the Council where the procedure regarding the Abandonment of Roads had been requested by him. He referred to the problems in relation to roads in the Connemara area and stated that people were willing to carry out repairs to roads themselves but had been told by the Council that they would not be allowed to do so. He stated that there was not enough money available to carry out all the repairs necessary and that as long as that situation prevailed the Council should consider abandoning roads and allowing people to repair them locally. He wished the Council to consider the matter fully and stated that he had submitted a list of 24 roads where the local people had indicated that they were willing to repair them themselves. He referred to the legal difficulties involved and asked if a situation could be arrived at whereby an arrangement could be reached with local people.

The Chairman indicated that the Council had agreed to adjourn the Meeting at 4.45 p.m. and as that time had now been reached he was adjourning the Meeting. Deputy McCormack asked that this matter be adjourned to the next Meeting of the Council and that it be placed high on the Agenda for consideration, and this was agreed.

THE MEETING THEN TERMINATED

SUBMITTED, APPROVED + CONFIRMED:

John Malley
CHAIRMAN

19th December 1989
DATE

COMHAIRLE CHONTAE NA GAILLIMHE
GALWAY COUNTY COUNCIL

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

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



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

Telephone
(091) 63151
Ext.

28th November, 1989.

TO EACH MEMBER OF GALWAY COUNTY COUNCIL/

A Chara:

You are requested to attend the adjourned Estimates Meeting of Galway County Council which will be held at the County Buildings, Galway, on

FRIDAY, 1ST DECEMBER, 1989,

COMMENCING AT 3.00 P.M.

Mise, le meas,

E. O'GLIASAIN,
RUNAI.

MINUTES OF ADJOURNED ESTIMATES MEETING OF GALWAY COUNTY COUNCIL HELD AT THE COUNTY BUILDINGS, GALWAY, ON FRIDAY, 1ST DECEMBER, 1989.

IN THE CHAIR: Councillor John Molloy.

ALSO PRESENT:

Members:

As recorded in the Attendance Book.

Councillors J. Brennan, J. Burke, J. Callanan, M. Fahy, P. Finnegan, P. Mac Gloinn, Senator T. Hussey, Councillors J. Joyce, M. Killilea MEP, Deputy M. Kitt, Councillors J. Lambert, M. Loughnane, M. Lynch, Deputy P. McCormack, Councillors J. McDonagh, P. McHugh, J. Mannion, M. Mullins, N. O'Conchubhair, 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; E. Lusby, Finance Officer; R. Killeen, Senior Executive Engineer; T. Kavanagh, Administrative Officer.

The Opening Prayer was recited.

3284 - ESTIMATE OF EXPENSES - YEAR 1990:

The Council resumed consideration of the Estimate of Expenses for the year 1990. The County Manager stated that this was the fourth day at which the Estimate of Expenses for 1990 was considered. He stated that the Members had over the last three Meetings considered the Estimate in its entirety including the individual Programmes set out. All Councillors had been afforded an opportunity to consider the Estimates and most of the Members had addressed the Meetings in connection with the Estimates. This was the last date for the consideration of the Estimates and he indicated that the Council could amend the Estimate of Expenses and were obliged to adopt an Estimate at this Meeting. The County Manager stated that the following proposals had been made at the earlier Estimate Meetings.

That all the Discretionary Grant for Regional and County Roads in the sum of £4.597 million be spent on Roads in the Connemara Area (Councillor Nioclás O'Conchubhair).

MINUTES OF ADJOURNED ESTIMATES MEETING ON 1/12/'89 2.

That the Council allow discretion to the County Engineer to spend the Discretionary Grants on roads where repairs were mostly needed, and that the County Engineer prepare a Priority List of these roads (Councillor Peadar O'Tuathail).

That the contribution to the General Council of County Councils be increased to £2,000 (Councillor Jarlath McDonagh and Councillor Micheal O'Morain).

Proposal to increase contribution to Western Rail to £5,000 - Councillor P. Finnegan.

The County Manager stated that the Council would be preparing a Roadworks Scheme for the consideration of the Members when all of the Grants had been notified and all matters relating to the Roadworks Programme could be considered by the Members at a Meeting on which the Roadworks Programme would be on the Agenda.

Deputy Michael Kitt stated that he wished to propose amendments to the Estimate of Expenses 1990, and the County Manager indicated that every amendment made must be made by Resolution of the Council. Deputy Kitt stated that he wished to propose amendments to the Estimate of Expenses to provide for the following -

The increase over 1989 in the Rate in the pound be reduced from 5% to 3 1/2%.

No increase over 1989 levels be made in water charges payable by consumers who were liable for payment of commercial rates.

The provision for Lough Corrib Navigation Trustees be increased to £15,430 to take account of the demand received from that Body since the publication of the Estimates.

The estimated provision for Income from Planning Fees be increased by £15,000.

The estimated provision for County Road Maintenance expenditure to be increased by £80,220 to meet the requirements of the Road Grant conditions.

The contribution to the Western Railway committee be increased by £3,000 to £5,000.

Provision be made for the increased subvention requested by the General Council of County Councils to a sum of £2,000.

Allowance be made for the additional Rate Support Grant funds notified by the Department:-

£128,375 to allow for 3 1/2% increase over 1989, and £6,488 in substitution for outstanding Farm Tax.

MINUTES OF ADJOURNED ESTIMATES MEETING ON 1/12/'89. 3.

Mr. E. Lusby, Finance Officer, outlined details of the consequences of the proposals put forward by Deputy Kitt and informed the Meeting that the general Rate in the Pound for 1990 would be £24.01 if Deputy Kitt's proposals were adopted. Mr. Lusby also informed the Meeting that the 1990 demand received from the Staff Negotiations Board since the publication of the Estimates showed a reduction of £502 on the amount shown in the Estimates. The adjustments outlined would also result in an increase of £388 in the amount to be demanded from the Urban Authority. Taking all these amendments into account, there would be an excess of expenditure over income in the amount of £13,672.

Deputy Kitt enquired if this sum could be accounted for by increasing the provision made for the estimated credit balance. The Finance Officer intimated that an up-to-date review of planning fees for the current year revealed that the estimated income would be £5,000 in excess of amount included in the proposed Estimates as outturn for 1989. He also stated that the improved cash flow resulting from the House Sales scheme could realistically allow for increase in the estimated credit balance.

The Finance Officer also informed the Meeting that these proposals would give rise to consequential amendments among the eight programme groups in respect of:-

Apportioned Administration (Support Services) figures.

Domestic Rate Grant Adjustment.

Grant in lieu of Rates on Land

Urban Contribution calculation

and the Rate in the Pound.

Amendments to Estimate of Expenses 1990:

It was proposed by Deputy Michael Kitt, and seconded by Councillor Joe Callanan:

"That the Estimate of Expenses 1990 be amended as follows:-

.....(see over)

MINUTES OF ADJOURNED ESTIMATES MEETING ON 1/12/'89. 4.

		<u>Expenditure</u>			
<u>Programme Group</u>	<u>Details</u>	<u>Amendment</u>	£	£	
2	Road Transportation and Safety:- Increase in provision for County Road Maintenance.	Increase in Expenditure Provision for Programme 2.1 of	80,220		
4	Development Incentives and Control:- increase of £3,000 in contribution to Western Inter County Railway Committee.	Increase in expenditure provision for Programme 4.3 of	3,000		
6	Recreation and Amenity:- Increase in demand payable to Lough Corrib Navigation Trustees to sum of £15,430.	Increase in expenditure provision for Programme 6.3 of	7,430		
1 - 8	Administration and Miscellaneous:- Reduction of £502 in provision for Staff Negotiations Board Levy, Increase of £1,400 in provision for subvention to General Council of County Councils and consequential amendments of proposals on distribution of revised Support Services figure on the Programme Groups.	Reduction of expenditure provision for Programme 1.8 of		26,200	
		Increase in expenditure provision for Programme 2.8 of	56,730		
		Reduction of expenditure provision for Programme 3.8 of		17,900	
		Reduction of expenditure provision for Programme 4.8 of		1,710	
		Reduction of expenditure provision for Programme 5.8 of		3,090	
		Reduction of expenditure provision for Programme 6.8 of		2,870	

MINUTES OF ADJOURNED ESTIMATES MEETING ON 1/12/'89. 5.

<u>Programme Group</u>	<u>Details</u>	<u>Amendment</u>	£	£
		Reduction of expenditure provision for Programme 7.8 of		750
		Reduction of expenditure provision for Programme 8.8 of		3,312
<u>Income</u>				
3	Water Supply and Sewerage:- Reduction of Income provision for Water Charges by amount of £34,575.	Reduction in Income provision for Programme 3.1 of		34,575
4	Development Incentives and Control:- Increase of £15,000 in provision for Planning Fees	Increase in Income provision for Programme 4.1 of	15,000	
Table B1	Increase of £13,672 in Estimated provision for Credit Balance at 1/1/1990.	Increase to £463,672 of amount provided in Table B1 for Credit Balance as at 1/1/1990.		13,672
Table B1	Increase of £388 in amount chargeable to Ballinasloe U.D.C.	Increase in Column (6) of Table B1 of		388
Table B1	Increase of £134,863 in provision for grant in lieu of Rates and Domestic Rate Grant.	Increase in Rate Grant figures in Table B1 of	134,863	

and that the consequential amendments arising from the foregoing amendments be made to the Statutory Documents and Tables in the Estimate of Expenses 1990."

MINUTES OF ADJOURNED ESTIMATES MEETING ON 1/12/'89. 6.

Councillor Joe Brennan proposed that the Estimate of Expenses 1990 be amended to provide for the following:

- (1) No increase in Rates.
- (2) 5% increase in Water Charges.
- (3) Increase in County Road Expenditure by £80,220.
- (4) Increase in Rate Support Grant income £128,375.
- (5) Increase in Income - grant in lieu of Farm Tax £6,488.
- (6) Reduction in Expenditure - Local Elections £80,000.

The County Manager, in reply to queries from Councillors, indicated that the Council had a legal obligation to provide for the Local Elections which were due to be held in 1990 in accordance with current legislation. Local Elections could only be postponed by legislation, and in the circumstances, the Council must, under Law, provide for the cost of running the Local Elections in 1990. There was no seconder for Councillor Brennan's amendment, and the Chairman declared it lost.

Refuse Collection Service:

In reply to Councillor Michael Ryan, the County Manager stated that a Meeting had been held with the Private Contractors to determine the areas which would be covered, and to discuss the level of charges including a waiver system. The County Manager indicated that the Council would not wish to interfere with the level of charges made by the Private Collectors, but that there would have to be some relationship between the charges and the charges made by the Council for Dump facilities. The County Manager indicated that any people who had bought surplus tickets under the County Council system would be refunded by the Council in respect of any tickets unused at the 1st January, 1990. In reply to Councillor J. Burke, the County Manager indicated that the Council would be holding onto to the collection lorries for a period of time.

Water Charges:

In reply to Councillor Joe Burke, the County Manager indicated that the Council were entitled to make charges for water supplied on commercial premises.

Councillor P. O'Tuathail stated that the funds available to the Council were inadequate to provide basic services. He referred to the shortfalls in roads and to the condition of demountable houses. He proposed that the Council reject the Estimates as prepared by the County Manager. Councillor O'Tuathail's amendment was seconded by Deputy P. McCormack. A vote taken for or against the amendment proposed by Councillor O'Tuathail resulted as follows:

MINUTES OF ADJOURNED ESTIMATES MEETING ON 1/12/'89. 7.

FOR: Councillors J. Burke, F. Glynn, J. Lambert, M. Lynch, Deputy P. McCormack, Councillors J. McDonagh, J. Mannion, P. O'Tuathail, M. Ryan, and T. Walsh. (10)

AGAINST: Councillors J. Brennan, J. Callanan, P. Finnegan, Senator T. Hussey, Councillors J. Joyce, M. Killilea, Deputy M. Kitt, Councillors M. Loughnane, P. McHugh, J. Molloy, N. O'Conchubhair, M. O'Morain, P. Raftery, Deputy N. Treacy, and Councillor T. Welby. (15)

The Chairman declared Councillor O'Tuathail's amendment lost.

Amendments to Estimate of Expenses 1990:

The Chairman then put Deputy Kitt's proposal to the Meeting which had been seconded by Councillor J. Callanan.

A vote taken for or against Deputy Kitt's proposal resulted as follows:

FOR: Councillors J. Callanan, P. Finnegan, Senator T. Hussey, Councillors J. Joyce, M. Killilea, Deputy M. Kitt, Councillors M. Loughnane, P. McHugh, J. Molloy, N. O'Conchubhair, M. O'Morain, P. Raftery, Deputy N. Treacy, and Councillor T. Welby. (14)

AGAINST: Councillors J. Brennan, J. Burke, F. Glynn, J. Lambert, M. Lynch, Deputy P. McCormack, Councillors J. McDonagh, J. Mannion, P. O'Tuathail, M. Ryan and T. Walsh. (11)

The Chairman declared Deputy Kitt's proposal carried, and stated that the Estimate of Expenses 1990 had been amended in accordance with the above proposal of Deputy Kitt's.

Mr. E. Lusby, Finance Officer, explained that it was necessary to amend the Estimates to take account of Road Grants notified to the Council since the Estimates were prepared.

It was proposed by Deputy Michael Kitt, seconded by Councillor P. McHugh and agreed -

"That the Estimate of Expenses 1990 be amended as follows:

....(see over)

MINUTES OF ADJOURNED ESTIMATES MEETING ON 1/12/89. 8.

Programme Group	Details	Expenditure	
		Amendment	
2	Increase of £50,000 in Road Upkeep Grants over amount in original Estimates.	Increase in Expenditure provision for Programme 2.1 of	50,000
	Increase of £ 1,265,000 in Road Improvement Grants over amount included in original Estimates.	Increase in Expenditure provision for Programme 2.2 of	1,265,000
Income			
2	Road upkeep Grants increased by £50,000	Increase in Income provision for Programme 2.1 of	50,000
	Road Improvement Grants increased £1,265,000.	Increase in Income provision for Programme 2.2 of	1,265,000

The Chairman declared that the Estimate of Expenses 1990 had been amended in accordance with the proposal of Deputy Kitt's as seconded by Councillor McHugh.

MINUTES OF ADJOURNED ESTIMATES MEETING ON 1/12/'89. 9.

ADOPTION OF ESTIMATE OF EXPENSES 1990 (AS AMENDED):

It was proposed by Deputy Michael Kitt, seconded by Councillor Joe Callanan, and agreed:

"That Galway County Council hereby adopt the Estimate of Expenses for the financial year ending 31st December, 1990, as amended, as set out in Tables A, B1, and D of the said Estimate of Expenses as amended."

The Chairman declared Deputy Kitt's proposal carried, and stated that the Estimate of Expenses for the financial year ending 31st December, 1990, as amended, had been adopted by the Council.

DETERMINATION OF THE RATES IN THE POUND TO BE LEVIED FOR THE SEVERAL PURPOSES SPECIFIED IN THE ESTIMATE FOR THE FINANCIAL YEAR ENDING 31ST DECEMBER, 1990:

It was proposed by Deputy Michael Kitt, and seconded by Councillor P. Finnegan, and agreed:

"That Galway County Council hereby determine in accordance with the Estimate of Expenses for the financial year ending 31st December, 1990, as amended, and adopted, the rates set out in Column 13 of Table B1 as amended, and Column 7 of Table D, to be the rates in the pound to be levied for the several purposes set out in column 1 of Table B1, and in Table D, for the financial year ending on 31st December, 1990."

The Chairman declared Deputy Kitt's proposal carried, and declared that the Rates in the Pound to be levied for the several purposes specified in the Estimate for the financial year ending 31st December, 1990, had been determined by the Council. The prescribed Certificate was then signed.

MAKING OF CHARGE FOR WATER SUPPLIED FOR DOMESTIC PURPOSES IN RESPECT OF THE PERIOD COMMENCING 1ST APRIL, 1990, UP TO AND INCLUDING THE 31ST MARCH, 1991:

It was proposed by Deputy Michael Kitt, and seconded by Councillor P. Finnegan, and agreed:

"That in accordance with Section 65 A of the Public Health (Ireland) Act, 1878, inserted by Section 7 of the Local Government (Sanitary Services) Act, 1962, as amended by Section 8 of the Local Government (Financial Provisions) (No. 2) Act, 1983, as applied by Article 4 of the County Management (Reserved Functions) Order, 1985, and having regard to the provisions of the scheme for waiving of charges in accordance with the Local Government (Financial Provisions) (No. 2) Act, 1983, the following charge be made for water supplied by Galway

MINUTES OF ADJOURNED ESTIMATES MEETING ON 1/12/'89. 10.

County Council for domestic purposes in respect of the period commencing 1st April, 1990, up to and including 31st March, 1991, such charge to be payable in two equal instalments, the first instalment payable on 1st April, 1990, and the second instalment payable on the 1st October, 1990:

	<u>Amount of Charge</u>
	£
Charge for Water supplied to any Domestic Premises where water is used for Domestic Purposes	82

The Chairman declared Deputy Kitt's proposal carried.

MAKING OF CHARGE FOR WATER SUPPLIED TO PRIVATE GROUP WATER SUPPLY SCHEMES FOR DOMESTIC PURPOSES IN RESPECT OF THE PERIOD COMMENCING 1ST APRIL, 1990, UP TO AND INCLUDING THE 31ST MARCH, 1991:

It was proposed by Deputy M. Kitt, and seconded by Councillor P. Finnegan, and agreed:

"That in accordance with Section 65 A of the Public Health (Ireland) Act, 1878, inserted by Section 7 of the Local Government (Sanitary Services) Act, 1962, as amended by Section 8 of the Local Government (Financial Provisions) (No. 2) Act, 1983, as applied by Article 4 of the County Management (Reserved Functions) Order, 1985, and having regard to the provisions of the scheme for waiving of charges in accordance with the Local Government (Financial Provisions) (No. 2) Act, 1983, the following charge be made on Private Group Water Supply Schemes for water supplied by Galway County Council to them for domestic purposes for each domestic premises in the said schemes in respect of the period commencing 1st April, 1990, up to and including 31st March, 1991, such charge to be payable in two equal instalments, the first instalment payable on 1st April, 1990, and the second instalment payable on the 1st October, 1990:

	<u>AMOUNT OF CHARGE</u>
	£
Charge on Private Group Water Supply Scheme for each domestic premises in the Scheme where water is used for domestic purposes:	

- | | |
|---|----|
| (a) Where the group water supply scheme is in existence for 10 years or less. | 41 |
|---|----|

MINUTES OF ADJOURNED ESTIMATES MEETING ON 1/12/'89. 11.

- | | |
|---|----|
| (b) Where the group water supply scheme is in existence for over 10 years | 66 |
|---|----|

The Chairman declared Deputy Kitt's proposal carried.

MAKING OF CHARGE IN RESPECT OF REFUSE COLLECTION FOR DOMESTIC PURPOSES FOR THE PERIOD 1ST APRIL, 1990, UP TO AND INCLUDING 31ST MARCH, 1991:

It was proposed by Deputy M. Kitt, seconded by Councillor P. Finnegan, and agreed:

"That in accordance with the provisions of Section 2 of the Local Government (Financial Provisions) (No. 2) Act, 1983, as applied by Article 3 of the County Management (Reserved Functions) Order, 1985, and the Local Government (Sanitary Services) Acts, 1878 - 1964, and having regard to the provisions of the scheme for waiving of charges in accordance with the Local Government (Financial Provisions) (No. 2) Act, 1983, a charge of 50p be made by Galway County Council (hereinafter called the Council) in respect of each label, details of which shall be specified by the Council, and which shall be affixed to any bin, bag, box or similar container containing refuse which shall be left out for collection by the Council from any domestic premises along the council's refuse collection routes. The said charge of 50p shall apply for the period 1st April, 1990, up to and including 31st March, 1991, and shall be payable in advance on the purchase of the said label from the Council or from such other source as shall be approved by the Council from time to time."

The Chairman declared Deputy Kitt's proposal carried.

DEMAND ON BALLINASLOE URBAN DISTRICT COUNCIL:

It was proposed by Deputy Michael Kitt, and seconded by Councillor P. Finnegan, and resolved:

"That the Statutory Demand on the Ballinasloe Urban District Council for the year ending 31st December, 1990, be sealed and signed."

The Demand was then sealed and signed.

ESTIMATED EXPENDITURE AND INCOME OUTTURN FOR 1989:

The Council noted and approved the estimated outturn figures for 1989 as set out in the Book of Estimates.

It was proposed by Deputy Noel Treacy, seconded by Deputy Michael Kitt, and resolved:

MINUTES OF ADJOURNED ESTIMATES MEETING ON 1/12/'89. 12.

"That the Council approve expenditure excesses, being the estimated outturn figures for 1989 in excess of the adopted 1989 Estimates, such excesses being funded by other expenditure reductions and income increases".

THE MEETING THEN TERMINATED

SUBMITTED, APPROVED + CONFIRMED:

John Molloy
CHAIRMAN

19th December 1989.

DATE

COMHAIRLE CHONTAE NA GAILLIMHE
(Galway County Council)

Oifig an Runai,
Arus an Chontae,
GAILLIMH.

12u la Nollag, 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 Mairt, an 19u la Nollag, 1989 ag tosnu ag a 3.30 a chlog sa trathnona.

Mise, le meas,

E. O GLIASAIN,
RUNAI

A G E N D A

Resolution 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 Outline Permission to Joseph Conneely for the erection of a dwellinghouse and septic tank at Cnock na Raw. - Planning Ref. No. 59394."

Thomas Welby. Michael Fahy. Nioclás O'Conchubhair.

2. Consideration of the Minutes of the following Meetings:

- (a) Special Council Meeting held on 10th November, 1989.
- (b) Statutory Estimates Meeting held on 13th November, 1989.
- (c) Adjourned Estimates Meeting held on 17th November, 1989.
- (d) Adjourned Estimates Meeting held on 24th November, 1989.
- (e) Monthly Council Meeting held on 27th November, 1989.
- (f) Adjourned Estimates Meeting held on 1st December, 1989.

3. Applications for Remission of County Rates in accordance with I.D.A. Acts, 1969/1981, from the following:
- (a) Deep Drawn Components (Ireland) Ltd.
 (b) Poldys Fresh Food (Portumna) Ltd.
4. Financial and other Adjustments with Galway Corporation relating to Boundary Extension and County Boro Status - Joint report from Negotiating Teams enclosed.
5. Abandonment of Roads. - Report already circulated.
6. Unemployment in the North Galway Area.
7. Business submitted by the County Manager.

COUNCILLORS' NOTICES OF MOTION:

(a) Adjourned from previous Meeting:

COUNCILLORS J. CALLANAN, J. BRENNAN, DEPUTY MICHAEL P. KITT, COUNCILLORS J. JOYCE, AND M. MULLINS: - We will propose:

8. That this Council calls on the Minister for Finance to re-introduce an adequate tax allowance in respect of each child in all families in the forthcoming Budget and that the incoming ceiling for eligibility under the FIS Scheme should be raised to £140 per week for a wage earner with one child and that the ceilings be adjusted accordingly for extra children.

(b) Other Motions Received:

COUNCILLOR JARLATH McDONAGH - I will propose:

9. That the County Council provide toilet facilities as outlined. (Details supplied).
10. That the County Council implement safety proposals at Ballybrone. (Details supplied).
11. That the County Council carry out immediately urgent needed and long promised Local Authority house repairs.

DEPUTY ROBERT MOLLOY - I will propose:

12. That immediate repairs be carried out to Bother Baile an Tobair, Corr na Mona, Co. Galway.
13. That immediate repairs be carried out to Bothar Baile Dhubb Loch, Corr na Mona, Co. Galway.
14. That immediate repairs be carried out Bothar Tir an Fhia, Corr na Mona, Co. Galway.

DEPUTY PADRAIC McCORMACK - I will propose:

15. That the road into Claremount Estate, Oughterard, be taken over by Galway County Council and declared a public road, and that the road and paths be repaired as per the agreement with the landowner, when he signed over these roads to the County Council recently.
16. That Galway County Council provide an extension to Castlegar Graveyard.
17. That the speed limit be extended on the Monivea Road past Briarhill National School.

COUNCILLOR JAMES JOYCE - I will propose:

18. That the bend at Naughton's house, Abbeview, Clontuskert, be finally dealt with.
19. That the bend at Salmon's Cross, Prospect, Eyrecourt be eased.

COUNCILLOR MATT LOUGHNANE - I will propose:

20. That roadworks referred to in the (details supplied) be carried out.
21. That emergency repairs and restoration work be carried out to the road referred to in (details supplied).
22. That a soakpit be provided at the mentioned location for relief of recurrent flooding. (Details supplied).

COUNCILLOR MARTIN LYNCH - I will propose:

23. That Galway County Council remove the 30 miles speed limit from outside the new Boys School in Athenry as this is positioned right beside the gate that the kids use going in and out of the school, and there is a possibility that some child may get hurt coming out or going to the school.

DEPUTY MICHAEL P. KITT, AND COUNCILLOR PETER RAFTERY - I will propose:

24. That Galway County Council would carry out repairs to the road from Kilglass N.S., Ahascragh, to Ballygar.

COUNCILLOR PETER RAFTERY - I will propose:

25. That urgent repairs be carried out to the road from Kilglass N.S. to Cloonlyon Road, Ballygar, as it is in very bad repair.
26. That the footpaths in Ballygar be repaired without delay.

DEPUTY FRANK FAHEY - I will propose:

27. That Galway County Council request Galway Corporation to rent a portion of land to Oranmore Sports club Field, Glenascaul, Oranmore, to enable them to develop a playing field for 420 children which are catered for by the Sports Club.

COUNCILLOR TIARNAN WALSH - I will propose:

28. That the County Council utilise Social Employment Scheme to carry out urgently needed improvement work in Kilconly Cemetery. (Details supplied).

COUNCILLOR TIARNAN WALSH - I will propose:

29. That Galway County Council carry out improvements at Moneen junction 3/4 mile approximate from Williamstown and improve sight distance on the Castlereas Road past Moneen Bridge.
30. That Galway County Council improve sight distance on the Ballymoe Road from Glenamaddy at Clooncun and Glann, and remove hill at O'Loughlins.

COUNCILLOR THOMAS WELBY - I will propose:

31. Do the County Council have plans to build an inner road from the new pier site towards the western end of Inishboffin, the people living on the island consider this necessary because of the coast erosion and the threat of same to the existing road, also the road leading to the existing pier from the most of the island is in very bad condition and needs urgent funding and repairs carried out.
32. Did the County Council remove direction signs from the Cong Clonbur junction, it appears that some signs have been taken down - I would like a report on sign posting in the area of Clonbur and Cong.

33. I wish to refer to Motion No. 43 at February 1989 Meeting re intake pipe of the Cornamona Water Supply and report that was to be available for the March Meeting - has any progress been made in this area.

COUNCILLOR MICHAEL FAHY - I will propose:

34. That Galway County Council close and fence away water drain and space of land in front of new dwellinghouse at Crowe Street, Gort, (of Boland's Lane) for the safety of children.
35. That Galway County Council repair footpath in front of Martin Kirwan's house at Craughwell.
36. That Galway County Council repair and improve footpath on the Loughrea Road at Gort.

AN COMHAIRLEOIR NIOCLAS O'CONCHUBHAIR - I will propose:

37. That a full report be given about Planning Permissions given to, refused and applications awaiting decision re Eisc Teo., Rossaveal (Pier), Ballinahown.
38. That Galway County Council have the Knock Road, leading from Tiernee Village, be included for repairs in the roads estimates.
39. What is the position re new water tank for Carraroe.

COMHAIRLE CHONTAE NA GAILLIMHE
(GALWAY COUNTY COUNCIL)

Oifig an Runai,
Arus an Chontae,
GAILLIMH.

4u 1a Nollag, 1989.

CHUIG GACH BALL DE'N CHOMHAIRLE/

A Chara:

The following Resolutions will be considered at the Council Meeting to be held in the County Buildings, on Friday, 8th December, 1989, at 3.00 p.m.

Mise, le meas,

E. O'GLIASAIN,
RUNAI.

S U P P L E M E N T A R Y A G E N D A

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

- 3A "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 Planning Permission for 2 houses and septic tanks at Cloghballymore - Planning Reference No. 59673, for Michael Lyons, Ballinderreen, Kilcolgan."
Mark Killilea. Matt Loughnane. Noel Treacy. Tom Welby.
- 3B "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 Michael Kelly for the erection of a dwellinghouse and septic tank at Knockaunranny. - Planning Ref. No. 59280"
Thomas Welby. Matt Loughnane. P. McCormack.
- 3C "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 Joseph Connelly for the erection of a dwellinghouse and septic tank at Cnock na Raw. - Planning Ref. No. 59394."
Thomas Welby. Michael Fahy. Nioclás O'Conchubhair.

2.

- 3D "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 Joseph Connelly for the erection of a dwellinghouse and septic tank at Bunowen. - Planning Ref. No. 59748."

Mark Killilea. Thomas Welby. Nioclás O'Conchubhair,
John Mannion.

- 3E "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 John Joyce for the erection of dwelling and septic tank at Canower, Cashel. - Planning Ref. No. 59891."

Thomas Welby. M. O'Morain. Nioclás O'Conchubhair.

MINUTES OF SPECIAL MEETING OF GALWAY COUNTY COUNCIL HELD AT THE COUNTY BUILDINGS, GALWAY, ON FRIDAY, 8TH DECEMBER, 1989.

IN THE CHAIR: Councillor J. Molloy.

ALSO PRESENT:

Members: As recorded in Attendance Book.

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

Officials: Messrs. D. O'Donogue, Deputy County Manager. P. Flood, County Engineer; F. Gilmore, Acting S.E.E., B. Callagy, S.E.E., Planning, T. O'Donoghue, Law Agent, L. Kavanagh, D. Barrett, S.S.O., Planning, E. Gleeson, County Secretary.

The Opening Prayer was recited.

3285 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 59185 - APPLICANT: EDWARD SWEENEY.

The resolution set out on the Agenda was proposed by Councillor P. McHugh and seconded by Councillor J. Joyce.

The County Engineer read 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 approx. 5 miles south of Headford and where the maximum speed limit is in force.

PLANNING HISTORY:

Ref. No. 10141: Outline Permission for two dwellinghouses refused in this site and adjacent site on grounds of traffic hazard. Applicant - Mr. M. Flaherty, 1971.

MINUTES OF COUNCIL MEETING OF THE 8/12/1989. Page 2.

Ref. No. 28525: Outline Permission refused on this and adjoining site to west for two houses on grounds of traffic hazard. Applicant - Mr. S. Molloy, 1978. Refused on appeal.

Ref. No. 35606: Planning permission refused for one house on the proposed site - Applicant Mrs. Anne Collins - not appealed. 1980.

Ref. No. 45091: Outline Planning Permission refused for one house on proposed site - Applicant Mrs. Anne Collins. Not appealed. 1983.

Ref. No. 46229: Outline Planning Permission granted by Section 4 for one house on proposed site. 1983. Applicant - Mrs. Anne Collins. This planning permission has now withered.

PLANNING CONSIDERATIONS:

The applicant states that he is a nephew in law of a Mrs. Rita Molloy of Kilcoona, Headford, who apparently owns only the proposed site and a small portion of adjoining land, say 1 acre in total. This does not constitute a valid second house on the family farm claim and the normal policy of refusal on National Secondary Routes applies.

RECOMMENDATION:

Refusal is recommended as follows:

1. The proposed development would endanger public safety by reason of a traffic hazard because the site is located on a heavily trafficked section of the National Secondary Road where the maximum speed limit applies and the traffic movements generated by the development would interfere with the safety and free flow of traffic on the road. In addition, the development would militate against the objectives of the Planning Authority to:
 - (a) preserve the level of service and carrying capacity of the road so that it can fulfill its functions 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 25B) which limits development along this road to those where essential family housing need exists, a category of development which does not apply in this case.

The County Engineer stated that the Galway/Headford Road on

which the proposed site was located was the main road between Headford and Galway and carried a substantial amount of traffic. The road was narrow at the location of the proposed site and some distance away there were a series of bad bends which would have to be re-aligned in the future. Councillor Joe Burke asked if the road re-alignment was carried out would the Council consider granting permission. The County Engineer stated that he would not recommend the granting of permission. He did not know when the new line for re-alignment would be prepared, but in any event the Council must preserve the National Roads Network. The County Engineer stated that no family housing need had been established in this case. Councillor Joe Burke stated that the applicant appeared to be a nephew of the land owner, but the County Engineer stated that no case had been made for a second family farm holding.

Councillor J. Joyce asked if the road had been upgraded since 1983, when outline planning permission had been granted by Section 4, and if there were any scientific calculations of the volume of traffic on the road. The County Engineer stated that the Council would be carrying out traffic counts on the road with a view to seeking grants for improvements from the Department, but no firm evidence of the volume of traffic was available at present. The road had not been upgraded since 1983 and the outline planning permission granted for one house in 1983 was granted by Section 4 resolution.

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

FOR: Councillors J. Callanan, M. Fahy, P. Finnegan, Senator T. Hussey, Councillors J. Joyce, M. Killilea, M.E.P., Deputy M. Kitt, Councillors J. Lambert, M. Lynch, Deputy P. McCormack, Councillors J. McDonagh, P. McHugh, J. Mannion, J. Molloy, N. O'Conchubhair, T. Walsh. and T. Welby. (17)

AGAINST: Councillors. J. Burke and P. O'Tuathail. (2)

The Chairman declared the resolution set out on the Agenda carried.

3286 - **RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER - 60138 - APPLICANT - PADDY MADDEN.**

The Council were informed that Further Information had been sought in relation to this application and that the resolution would be brought back before the Members when this

information had been received.

3287 - **RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER - 59870 - APPLICANT - THOMAS GREALISH.**

The Resolution set out on the Agenda was proposed by Councillor Martin Lynch and seconded by Deputy P. McCormack. The County Engineer submitted the following report, a copy of which had been circulated to each member.

LOCATION:

The proposed development is located on the Oranmore/Claregalway National Secondary Route, approximately 2/3 mile from Carnmore Cross.

PLANNING HISTORY:

- Ref. No. 16387: An application for premission for 3 no. dwelling houses was lodged in 1974 on a site which included all of the site in question. Permission was refused. However, on appeal, permission was granted for one house only, by the Minister for Local Government, 1974. Applicant - Peter McWalter.
- Ref. No. 24808: An application for Outline permission for 1 no. dwelling house was lodged in 1977 on the site in question. Permission was refused. No second family home was claimed. Applicant - Peter Lyons.
- Ref. No. 31988: An application for Outline permission for 1 no. dwelling house was lodged in 1979 on a site directly behind the site in question. Permission was refused. Applicant - Oaklawn Developments Ltd., c/o Peter Lyons.
- Ref. No. 45065: An application for permission for 1 no. dwelling house was lodged in 1983 on the site in question. Permission was granted later in August, 1983 for one house under Section 4. Applicant - T. Grealish.
- Ref. No. 57825: An application for permission of 1 no. dwelling house on site in question was lodged in 1989. Permission was refused by the Planning Authority and by An Bord Pleanala - Applicant - T. Grealish.

PLANNING CONSIDERATIONS:

The site is located on a National Secondary Route which is subject to Class 1 control in the County Development Plan which restricts housing development to a farm holders immediate family. The applicant does not have a farm in this area, and would seem to have purchased the site from his cousin having obtained a grant of permission by Section 4 motion in 1984 when he pleaded a housing need for himself.

That grant of permission lapsed in 1988 and a subsequent application which was stated to be from his daughter was refused by the Planning Authority and An Bord Pleanala. The current application states that there is no housing need involved.

RECOMMENDATION:

It is proposed to refuse permission for this development 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 N64 National Secondary Road where the maximum speed limit applies and the traffic movements generated by the development interfere with the safety and free flow of traffic on the road. In addition, the proposed development would militate against the objectives of the Planning Authority to:
 - (a) Preserve the level of service and carrying capacity of the road so that it can fulfill its function as a through road for heavy traffic.
 - (b) Protect the public investment in the National Road Network.
2. The proposed development would contravene the County Development Plan (Chapter 25, Table 25A) which limits developments along this road to those where the essential family housing need of a farm holders family exists, a category of development which does not apply in this case.

The County Engineer stated that this road had been given the status of a National Primary Road as it was an important link road linking all the National Primary Routes in the County. It constituted effectively an outward by-pass for Galway City and its environs. There was a high percentage of heavy goods vehicles using the road and it was as important as any of the National Primary Routes. The Council were seeking money to upgrade the road to National Primary standards and were

hopeful of getting sufficient monies to do so. It was wrong to use this road for development and development should not be allowed where a family housing need did not exist. Deputy P. McCormack stated that planning permission had been granted in 1974 for one house under reference 16387. Planning Permission had also been granted in 1983 by Section 4 Resolution under reference 45065. The applicant had bought a farm at that time near Athenry and had gone there to live. He had not availed of the planning permission granted. The position now was that a daughter of the applicant wanted to develop the site. An application had been made in good faith under planning reference 57825 and the applicant was surprised that planning permission had been refused by the Council. Permission should be granted as the site already had planning permission on two occasions.

Councillor Joe Burke referred to the fact that planning permission had been granted in 1983 by Section 4 Resolution and stated that planning permission had not been given freely. As this was the case and as the road had the same status as a National Primary Road and in view of the history, of the case Councillor Burke stated that planning permission should not be granted.

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

FOR: Councillors M. Fahy, P. Finnegan, Senator T. Hussey, Councillors J. Joyce, M. Killilea, M.E.P., Deputy M. Kitt, Councillors J. Lambert, M. Lynch, Deputy P. McCormack, J. McDonagh, P. McHugh, J. Mannion, J. Molloy, N. O'Conchubhair, P. Raftery, M. Ryan, T. Walsh and T. Welby. (18)

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

The Chairman declared the resolution set out on the Agenda carried.

3288 - **RESOLUTION UNDER SECTION 4 OF THE COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 59673 - APPLICANT - MICHAEL LYONS.**

The resolution set out on the Agenda was proposed by Councillor Mark Killilea, M.E.P., and seconded by Councillor Joe Lambert.

The County Engineer read the following report, a copy of which had been circulated to each member.

The site is located in the townland of Cloghballymore. It is

immediately to the rear of the former Society of African Missionaries House at Kilcolgan Castle. It is about two miles from Ballinderreen village and the N67 (Kilcolgan Kinvara road).

PLANNING HISTORY:

Ref. No: 28294: A previous application for 30 holiday cottages submitted by Castlecolgan Holdings was subject to a request for further information. No reply has since been received.

PLANNING CONSIDERATIONS:

1. The current application is for two houses located about 1 mile from the nearest public road. As such it constitutes backlands development which the Planning Authority are always at pains to discourage in the interests of orderly planning. This problem had previously been pointed out to the applicant on site.
2. No essential housing need is claimed. The applicant has other lands in the area. In this case it appears that the applicant is merely trying to enhance the value of his property.
3. The applicant was asked if he could provide alternative vehicular access to the site. He declined to answer the question.
4. The lands involved adjoin an area situated along an avenue for which the Planning Authority made a tree preservation order. The woodland and adjoining lake have been declared an area of scientific importance of Regional Rating Value by the Office of Public Works Wildlife.
5. The major objection to the proposed development is that it will establish a precedent for vehicular traffic along this avenue on which there is virtually no traffic at present. The avenue connects with two public roads. It is recommended to be declared a public pedestrian right-of-way by An Foras Forbartha in their report to the Planning Authority on the Tree Preservation Order. It is the intention of the Planning Authority to declare this avenue a public right-of-way by which the public and wildlife interests can enjoy the tree lined walkway, and the interesting ecology of the area. As such it would be an amenity asset of considerable value which would be devalued if it became a public road.

RECOMMENDATIONS:

It is strongly recommended that the application be refused

1. The proposed development would constitute backland development which would lead to disorderly development of the area and would be contrary to the aim of the County Development Plan.

2. The proposed development would not lead to the proper Planning and Development of the area because it would be in conflict with the objective of a proposed tree preservation order for adjoining lands.

Councillor Mark Killilea stated that the application for 30 holiday cottages was not being proceeded with and had nothing to do with the present application. The applicant wished to get planning permission for two sites for two members of his family who were returning from England. Councillor Killilea referred to the avenue mentioned in the report and stated that this was a public road over which there was a public right of way. He stated that the road was a public road serving the area and asked why the road had now lost its status. He stated that the applicant had always been concerned about tree preservation in the area.

Councillor Lambert in seconding the resolution stated that the applicant wished to provide sites for two daughters who were coming back from England. He asked how the Council defined backland and what land would be suitable for building on. He stated that the Council had in the past asked applicants to go off main roads to develop houses in backlands, but this appeared to be a reverse of the situation.

Councillor Michael Fahy supported the resolution and stated that the sites were required for members of the applicants family and not for speculative purposes. Planning permission should be granted and it should not have required a Section 4 resolution to grant the permission. The development would in no way undermine the conservation of the area.

Councillor Joe Brennan asked if the applicant had other lands in the area which would be suitable for building on. The County Engineer stated that the applicant had not claimed family need and that he had other land.

Councillor Joe Burke stated that if both sites were going to daughters of the applicant could conditions be inserted that the development be carried out only by the daughters.

Councillor Mark Killilea stated that he did not disagree with such a clause, but such a clause created difficulties later on where a couple who had built a house might have to dispose of it for a genuine reason and such a clause would create legal difficulties.

A vote taken for or against the resolution set out on the Agenda.

FOR: Councillors J. Callanan, M. Fahy, P. Finnegan, Sen. T. Hussey, J. Joyce, M. Killilea, M.E.P., Deputy M. Kitt, Councillors J. Lambert, M. Lynch, Deputy P. McCormack, Councillors P. McHugh, J. Mannion, J. Molloy, N. O'Conchubhair, P. Raftery, M. Ryan, T. Walsh, and T. Welby. (18)

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

The Chairman declared the resolution set out on the Agenda carried.

3289 - RESOLUTION UNDER SECTION 4 OF THE CITY & COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NO. 59280 - APPLICANT - MICHAEL KELLY.

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

The County Engineer read the following report a copy of which had been circulated to each Member.

LOCATION:

Site is located on the Galway-Oughterard National Secondary Road approximately 1 mile south of Roscahill.

PLANNING HISTORY:

- Ref. No. 13389: Outline Permission was refused for 4 no dwellinghouses on lands which included proposed site by the Planning Authority and also by the Minister on Appeal in June, 1973. Applicant: Ml. Keogh.
- Ref. No. 14946: Outline Permission was refused by the Planning Authority for 4 no. dwellinghouses on lands which included the proposed site in October, 1973. Applicant: Ml. Keogh.
- Ref. No. 19717: Outline Permission granted by Minister on appeal for 4 no. dwellinghouses on lands which included proposed site (i.e. as 13389 and 14968) in June, 1976. Applicant Ml. Keogh
- Ref. No. 44902: Permission was granted by Section 4 direction on a site to the North of the proposed site in October, 1984 -

Applicant - Thomas Kelly.

PLANNING CONSIDERATIONS:

The site is located adjacent to a restricted National Secondary Road at a point where the maximum speed limit applies. A trial hole inspection revealed that the site consists of peat with a heavy rock outcrop and is therefore unsuitable for the reception and disposal of septic tank effluent. The site is located in open moorland and the proposed development could not be satisfactorily assimilated with the surroundings and would therefore be injurious to the visual amenities of the area.

Reference No. 44902 was granted by Section 4 direction on a site to the North of the proposed site in October 1984. The applicant in that case was Thomas Kelly. The decision to grant was based on a housing need claim (i.e. applicant living in Maam and driving to work each day in Tuam). Despite this housing need claim more than 5 years later and no house has yet been built on the site which was the subject of the Planning Permission Ref. No. 44902.

In the present proposal the applicant (Ml. Kelly) has stated in his application form that he is 'prospective owner' of the site. Furthermore in a reply to further information submitted on 7/9/89 applicant indicated that his proposal does not come within any of the 3 no. housing need categories listed.

It is clear, therefore, that no housing need exists in this case as in the previous application (Ref. 44902 or adjacent site).

RECOMMENDATION:

It is proposed to refuse permission for this development for the following reasons:

1. The proposed development would endanger public safety by reason of a traffic hazard as the site would be located on a National Secondary Road at a point where the maximum speed limit applies and the traffic turning movements generated by the development would interfere with the safety and free flow of traffic on the said route.
2. The proposed development would be likely to give rise to a public health hazard as a trial hole inspection revealed the site to be totally unsuitable for the reception and disposal of septic tank effluent.
3. The proposed development would be located on an elevated location in open moorland and would be seriously injurious

to the visual amenities of the area and would be contrary to the proper planning and development of the area.

4. The proposed development would be located in a restricted National Secondary Road, where it is the policy of the Planning Authority to limit development to cases of essential housing need. No such need exists in this case as applicant is purchasing the site, and the development, therefore, would be contrary to the provisions of the County Development Plan and to the proper Planning and Development of the area.

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

FOR: Councillors U. Burke, M. Fahy, P. Finnegan, Sen. T. Hussey, Councillors J. Joyce, M. Killilea M.E.P., Deputy M. Kitt, Councillors J. Lambert, M. Lynch, P. McHugh, J. Mannion, J. Molloy, N. O' Conchubhair, P. Raftery, M. Ryan, and T. Welby. (16)

AGAINST: Councillors J. Brennan and P. O'Tuathail. (2)

The Chairman declared the resolution set out on the Agenda carried.

3290 - RESOLUTION UNDER SECTION 4 OF THE CITY & COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NO. 59394 - APPLICANT - JOSEPH CONNEELY

In reply to Councillor Welby, the County Engineer stated that the Health Board would not be in a position until the coming week to inspect a further trial hole which had been dug by the applicant. It was agreed on the proposal of Councillor Welby that consideration of this resolution be adjourned to the monthly meeting of the Council to be held on the 19th December, 1989.

3291 - RESOLUTION UNDER SECTION 4 OF THE CITY & COUNTY MANAGEMENT (AMANDMENT) ACT, 1955 - PLANNING APPLICATION NO. 59748 - APPLICANT - JOSEPH CONNEELY.

The resolution set out on Agenda was proposed by Councillor T. Welby and seconded by Councillor N. O'Conchubhair. Councillor J. Mannion stated that he wished to have his name withdrawn from the Notice in this case. The County Engineer submitted the following report a copy of which has been circulated to each Member.

LOCATION:

Site is located on the seashore approx. 0.8 miles off (i.e. South) the Ballyconneely - Bunowen Pier Road.

PLANNING HISTORY:

Ref. No. 57869: Permission refused for dwellinghouse on the proposed site in February, 1989. Applicant Mr. T. Guy.

REF. No. 58753: Permission refused on the proposed site for dwellinghouse in July, 1989. Applicant Mr. T. Guy.

PLANNING CONSIDERATIONS:

The site is located adjacent to the seashore and the County Council's minimum distance requirements between the percolation area and the seashore cannot be met on site. The percolation area would be within 100 ft. of the seashore. The site is also in an area of outstanding scenic amenity between the public road and the seashore and the development proposed could not be satisfactory assimilated into the landscape and would, therefore, be injurious to the scenic amenities of the area. The existing structure on site consists only of stone walls and does not appear to have been used for any purpose for a considerable period of time.

The two previous applications were made in the name of Mr. T. Guy who made a claim for a new farmhouse. Alternative sites were available on Mr. Guy's family farm holding to the North East on the Ballyconneely - Bunowen Beg Road, Permission Ref. No. 42783 was granted on these family lands in May, 1983. Applicant Miss J. Hennelly also claimed to be a niece of the landowner. Two further applications Ref. 55824 and 57987 were refused on these family lands to a Mr. M Cuanachain who is apparently employed at Ballyconneely Golf Club. It is clear from the above that sites are being sold on the family farm holding. The current application on the proposed site is for a J. Conneely who makes no housing need claim.

RECOMMENDATIONS:

It is proposed to refused permission for this development for the following reasons:

1. The proposed development would be likely to give rise to a public health hazard as the site is located adjacent to the seashore and the County Council's minimum distance requirements between percolation area and seashore cannot be complied with.
2. The proposed development would be located on an exposed peninsula in an area of outstanding scenic amenity and would be an obtrusive feature in the landscape which would not be capable of being assimilated into the

surroundings and would, if permitted, seriously detract from the scenic amenities of the area and would be contrary to the proper planning and development of the area.

3. The site proposed to be developed is located in an area of Outstanding Scenic Amenities where it is the general policy of the Planning Authority to limit development to cases of essential housing need. No such need exists in this case as alternative sites are available on family lands to the north east 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.

Councillor Welby asked that a Mr. Tom Healy, Consulting Engineer be allowed to address the Council in relation to this case. The Chairman agreed. Mr. Healy then addressed the Meeting. He stated that the applicant proposed to build a stone faced cottage on the ruins of an existing house. The site was located in a hollow and all that would be seen of the completed house was the roof. It would not, in his opinion, be obtrusive in the landscape, in that what was proposed was a typical traditional cottage. As regards the public health aspect he stated that the percolation would be within 300 feet of the sea, but that ground conditions were good and could be built up, and he could not see that a health hazard would be involved.

Councillor Joe Burke stated that there did not appear to be any family need in this case, and proposed on the basis of the history of the case, that planning permission be refused.

Councillor Mark Killilea, M.E.P. stated that the proposal in this case was for the provision of a stone faced building of a Connemara design. He stated that the applicant should be entitled to get planning permission as the development was based on the principles set out by Mr. Brian Callagy in the course of a presentation to the Council in connection with the County Development Plan regarding the provision of traditional designs which would blend in with the landscape. Councillor J. Joyce asked how obtrusive the location was as he stated that he knew the Ballyconneely area and the location of the site was .8 of a mile off the principal road in the area. Councillor Brennan referred to the presentation made by Mr. Callagy in connection with the Development Plan and stated that the Council had been left in no doubt that this type of development was not acceptable. Councillor Brennan stated that the Council should be totally opposed to any development where there was a likely danger to public health.

Councillor O'Conchubhair stated that he did not see how this

development would block the view in the area. He also referred to the percolation area and stated that greater pollution was caused where public sewerage systems were allowed to flow into the sea in areas such as Carraroe.

In reply to Councillor McHugh, the County Engineer stated that the building proposed was a stone clad one but that development on the coastline could not be capable of being assimilated into the surrounding. Neither could the development meet the minimum requirements regarding percolation area required by the Council.

Deputy Frank Fahey stated that he had seen the site and that in his opinion it was in no way obtrusive. The area concerned was a beautiful area but the development would not be obtrusive. Deputy Fahey stated that the Council would have to have a fresh look at the provision of this type of development. As regards the Septic Tank, Deputy Fahey stated that he understood that the latest development in relation to effluent disposal would make the development of this site quite feasible, even though it was adjacent to the seashore. He stated that the sewerage from the whole of Kinvara Village was going into the sea and that the Council were applying double standards. He stated that the Council should allow this development to go ahead.

The County Engineer stated that he was not aware of the system referred to by Deputy Fahey. As regards the percolation area, the applicant in this case was unable to meet the minimum distances required, and no engineering advice had been put forward stating that the percolation area would work. He questioned whether the bringing in of materials would improve the situation and there was no engineering evidence that such an arrangement would work either.

Councillor M. Killilea, M.E.P. stated that there was a lot of rock between the house location and the sea and it would be impossible for any effluent to seep into the sea. The County Engineer stated that the very existence of rock would mean that there would be no percolation.

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

FOR: Councillor J. Callanan, Deputy F. Fahey, Councillors M. Fahy, P. Finnegan, Senator T. Hussey, Councillors J. Joyce, M. Killilea, M.E.P., Deputy M. Kitt, Councillors M. Loughnane, P. McHugh, J. Molloy, N. O'Conchubhair, P. Raftery, T. Welby. (14)

AGAINST: Councillors J. Brennan, J. Burke, U. Burke and P.

O'Tuathail.

(4)

Councillor J. Lambert, M. Lynch, Deputy P. McCormack, Councillor J. McDonagh, J. Mannion, M. Ryan and T. Walsh abstained from voting.

The Chairman declared the resolution set out on the Agenda carried.

3292 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NO. 59891 - APPLICANT - JOHN JOYCE.

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

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

LOCATION:

The site is located at Canower, Cashel on a stop end road 2.5 miles South West of Cashel Post Office.

PLANNING HISTORY.

Ref. No. 57374: Permission refused for a house on this site to applicant on Public Health and scenic amenity grounds in January, 1989. No appeal against the decision of the Planning Authority.

PLANNING CONSIDERATIONS:

The site is located on the Canower peninsula Cashel which is zoned in the County Development Plan as an area of Outstanding Scenic Amenity. It is on the Southern end of the Peninsula where there is little or no housing development. In the case of the previous refusal on this site, the applicant was informed that consideration would be given to a location close to the family house which is approximately .5 of a mile away.

Two separate trial holes have been dug on the site, one in December, 1988 and the one this week. In both cases the Health Board have recommended refusal due to poor drainage, rock outcrop and proximity to the seashore.

Two planning permissions have already been granted on family lands apart from the old family dwelling house. Permission

was granted to Mrs. Mary Smith, a daughter of the landowner in 1981, but the site was sold to Ms. Petronella Bruigs in 1984. Permission was granted to Michael Joyce in 1986, the house being claimed for a brother who was due back from London.

In this case the applicant is working in London and wants to return and build on the lands. Because the site is unsuitable for septic tank development and from the viewpoint of scenic amenity refusal is recommended and it is still considered that an alternative location exists on the family farm.

RECOMMENDATIONS:

It is proposed to refuse the permission for this development for the following reasons:

1. The proposed development would be likely to give rise to a serious public health hazard as a trial hole test revealed the site to be totally unsuitable for the reception and disposal of septic tank effluent.
2. The site is located in an elevated and exposed location in an area of outstanding scenic amenity and would be an obtrusive feature on the landscape which would not be capable of being assimilated into its surroundings and would, if permitted, seriously detract from the scenic amenities of the area and would be contrary to the proper planning and development of the area.

The County Engineer also read the following report of the County Medical Officer.

"The newly excavated trial hole is shallow - as there is considerable underlying rock on the site. The site is close in proximity to the seashore. A percolation area located in any part of the site would not meet the distance requirement of 300 ft from the seashore".

Councillor T. Welby stated that this application was for a second family home. The alternative area available was very boggy and the applicant had no place else to build a house. Councillor Joe Brennan expressed concern regarding the public health hazard which would be created.

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

FOR: Councillor U. Burke, Deputy F. Fahy, Councillors M. Fahy, P. Finnegan, Senator T. Hussey, Councillors J. Joyce, M. Killilea, M.E.P.,

Deputy M. Kitt, Councillors M. Loughnane, M. Lynch
Deputy P. McCormack, Councillors J. McDonagh,
P. McHugh, J. Mannion, J. Molloy,
N. O'Conchubhair, P. Raftery, M. Ryan, T. Walsh,
and T. Welby. (20)

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

Councillor J. Lambert abstained from voting.

The Chairman declared the resolution set out on the Agenda carried.

3293 - PERCOLATION AREA - TEST CASE IN CONNEMARA.

In reply to Councillor T. Welby the County Engineer stated that the I.I.R.S. were conducting tests of certain trial cases. They had indicated that an interim report was available which was inconclusive and all aspects of the matter had not been fully studied. The County Engineer indicated that Bord na Mona and Wavin Ltd., had got together to prepare a standardised treatment proposal and that they had not yet completed their proposals. A number of test cases had been set up around the Country. It was agreed that the Council would contact the I.I.R.S again to establish the up to date position with a view to bringing this matter to a conclusion.

3294 - DECLARATION OF ROADS TO BE PUBLIC ROADS.

It was proposed by Councillor P. Raftery, seconded by Councillor M. Ryan and agreed:-

"That Galway County Council hereby declare the following roads to be public roads".

<u>AREA.</u>	<u>FROM:</u>	<u>TO:</u>	<u>METRES.</u>
Portumna	Jnc. C.R. 566 in Townland of Lissaniska North.	P. Bolands house in Townland of Lissaniska North.	263
Milltown	C.R. 162 in Townland of Cloonascragh (Kilbannon)	J.P. Hughes house in Townland of Cloonascragh (Kilbannon).	137
Mountbellew	Moran's funeral parlour in Townland of Ballygar.	Market Square in Townland of Ballygar.	71

Mountbellew Square, Ballygar.

K. Brandon's
house in Townland 120

3295 - SALE OF HOUSES:

It was proposed by Deputy P. McCormack, seconded by Sen. T. Hussey 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 15th August, 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) Joseph & Bernie Kenny, 5 Dublin Road, Tuam, Co. Galway.
- (2) Mary O'Sullivan, Knock, Inverin, Co. Galway.
- (3) Patrick & Margaret McDonagh (Pat), Derrarthamore, Carraroe, Co. Galway.
- (4) William & Mary Helly, Caherkelly, Ardrahan, Co. Galway.
- (5) Laurence & Norah Connolly, Currawee, Lettermullen, Co. Galway.
- (6) Joseph & Bridget Moran, Kincullia, Loughrea, Co. Galway.
- (7) Brendan & Ann O'Halloran, Fawnmore, Inishboffin, Co. Galway.
- (8) James & Helen Tevlin, Attibrassil, Kiltormer, Ballinasloe, Co. Galway.
- (9) Brendan & Virginia Ridge, Addergoole, Kylemore, Connemara, Co. Galway.
- (10) Colman & Maureen Farmer, Trabane, Lettermore, Co. Galway.
- (11) Tony & Mary Sheil, Barratoor, Kylebrack, Loughrea, Co. Galway.
- (12) Clive & Margaret Hughes, Knockroe, Brownsgrrove, Tuam, Co. Galway.
- (13) Mrs. Bridget Owens, 11 Forest View, Mountbellew, Co. Galway.
- (14) Mrs. Teresa Duffy, Kylemore, Killimor, Ballinasloe, Co. Galway.
- (15) Mrs. Pauline Gohery, 14 Cloughbrack, Eyrecourt, Ballinasloe, Co. Galway.
- (16) John & Mary Larkin, Craughwell, Laurencetown, Ballinasloe, Co. Galway.
- (17) Hubert B. & Mary Creaven, Gardenham, Claregalway, Co. Galway.
- (18) Patrick & Mary Donoghue, Maumeen, Lettermore, Co. Galway.
- (19) Francis & Mary Killilea, Shanbally, Corrandulla, Co. Galway.
- (20) Malachy & Helen O'Grady, Castlegar West, Ahascragh, Ballinasloe, Co. Galway.
- (21) Joseph & Elizabeth Hanney, Kylemore, Killimor, Ballinasloe, Co. Galway.

- (22) John & Carmel Moran, Beech Hill, Woodlawn, Ballinasloe, Co. Galway.
- (23) Patrick & Mary Ruane, Colemanstown, Ballinasloe, Co. Galway.
- (24) Patrick & Fiona Quinn, Moy, Kinvara, Co. Galway.
- (25) Patrick & Mary Faherty, Bohoona East, Spiddal, Co. Galway.
- (26) John & Moira McDonagh, Drim, Lettermore, Co. Galway.
- (27) John & Pauline Walsh, Turlough, Rosmuc, Co. Galway.
- (28) Oliver & Elizabeth Ansbro, Pollaphuca, Cortoon, Tuam, Co. Galway.
- (29) John & Mary Mullen, Ballynakill, Lettermullen, Co. Galway.
- (30) John & Maura McGann, Woodford, Loughrea, Co. Galway.
- (31) John & Winifred Noone, Clogherbov, Ballyglunin, Tuam, Co. Galway.
- (32) Mrs. Nora Cosgrove, Laraghmore, Ballyglunin, Tuam, Co. Galway.
- (33) Christopher & Bridget Corless, Druminalough, Peterswell, Co. Galway.
- (34) James & Elizabeth Devane, Ardmore, Kilkerrin, Connemara, Co. Galway.
- (35) Patrick & Julia Cahill, Killure Castle, Ahascragh, Ballinasloe, Co. Galway.
- (36) Michael & Lucy Mahony, Knockmoyle, Kylebrack, Loughrea, Co. Galway.
- (37) Noel & Eileen Flannery, 54 Cullairbaun, Athenry, Co. Galway.
- (38) Martin & Mary Nee, Doonreaghan, Cashel, Co. Galway.
- (39) James & Bridie Coyne, Gowlan West, Clifden, Co. Galway.
- (40) George & Carmel Williams, 79 Pollroeback, Loughre, Co. Galway.
- (41) Thomas & Bernadette Costello, 20 Parkmore Estate, Tuam, Co. Galway.
- (42) Colman & Eileen McDonagh, 30 Carowmanagh, Oughterard, Co. Galway.
- (43) Brid McGhee, 100 Caherwalter, Loughrea, Co. Galway.
- (44) Michael & Kate Naughton, Gortmore, Rosmuck, Co. Galway.
- (45) Dudley & Eileen McDonagh, Lettercallow, Lettermore, Co. Galway.
- (46) Gerard & Margaret Dirrane, 9 Kilronan, Aran Islands, Co. Galway.
- (47) Gerard & Mary McMahon, 37 Crowe Street, Gort, Co. Galway.
- (48) Andrew & Mary Gavin, Killasolan, Mountbellew, Co. Galway.
- (49) Mrs. Mary Walsh (Thomas), Curryulka, Lettermore, Co. Galway.
- (50) P.J. & Mary Gordon, 67 Parkmore Estate, Tuam, Co. Galway.
- (51) Thomas & Marie Spellman, 15 Parkmore Estate, Tuam, Co. Galway.

3296 - REVIEW OF THE COUNTY DEVELOPMENT PLAN.

Mr. Brian Callagy S.E.E., Planning outlined the up to date position in relation to the review of the County Development Plan. He stated that Section 3 dealing with Development Control Policies and Objectives had been reviewed. This Section consisted of Chapters 7 to 13 of the Plan. Sections 1 and 2 and the Appendices to the Plan were now being considered and he gave details of what the Section contained.

Councillor Ulick Burke stated that the Plan should make provision for the development of amenities in the Portumna area along Lough Derg.

Deputy Frank Fahey proposed that the Council write into the plan a positive statement stating that the Council were prepared to re-zone areas if a development came on stream such as development to accommodate major tourist development. The County had major potential for tourist development and this should be clearly encouraged in the plan. He referred to the Ballyconneely area where provision should be made for the provision of a Hotel and Holiday Homes to facilitate tourist development.

Mr. B. Callagy stated that the Council had included a statement in the Draft Plan based on a proposal made by Deputy Fahey at an earlier meeting. Such development would have to be considered on its merits, and the Council could not open the floodgates for development which would destroy amenities. Each case could be considered on its merit. The Council could not allow development in amenity areas without any control just because a particular piece of land became available for sale.

Senator T. Hussey stated that the Council should be supporting projects which would facilitate tourist development and that where a developer put up money to provide such amenities the Council should support it.

Councillor Ulick Burke asked how many applications providing amenities referred to by Deputy Fahey had come before the Council and had been refused. He asked if there were any details of whether such developments had gone to other counties because they were refused in Galway. He stated that if suitable projects were proposed, the Development Plan could be varied to suit such development if considered necessary.

Councillor Matt Loughnane also referred to development potential along the Shannon and to the potential of salmon fishing. This type of inland development should be encouraged in a European context. Mr. D. O'Donoghue, Deputy County Manager stated that the object of the plan was to

create an infrastructure where investors could confidently carry out development and the Development Plan should embody these overall concepts. Mr. O'Donoghue stated that there was provision in the legislation whereby the plan could be amended where the Council considered it necessary to do so.

Councillor Finnegan referred to the strategy of the plan which is based on the strategy to the year 2004. He referred to the town of Tuam and stated that the provision of infrastructure by way of major water and sewerage schemes were required and noted that they were at an advanced stage of planning.

Mr. Brian Callagy stated that the Council had now gone through all of the Sections of the Plan and that a Draft Plan would be brought before them before the Draft Plan was put on public display.

3297 - FIONTAR FLANDERS.

It was proposed by Councillor P. Finnegan, seconded by Councillor Ulick Burke and agreed that the attendance of Councillor J. Joyce be approved at this conference in substitution for Councillor John Mannion who was unable to attend.

3298 - VOTES OF SYMPATHY.

A vote of sympathy was passed with Mrs. Jennings, Cloonminda, Williamstown on the death of her Husband, James.

THE MEETING THEN TERMINATED.

SUBMITTED, APPROVED & CONFIRMED:

John Malloy CHAIRMAN

22/1/90 DATE

COMHAIRLE CHONTAE NA GAILLIMHE
(Galway County Council)

Oifig an Runai,
Arus an Chontae,
GAILLIMH.

1u 1a Nollag, 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, ar De h-Aoine, an 8u 1a Nollag, 1989 ag tosnu ag a 3.00 a chlog sa trathnóna.

Mise, le meas,

E. O GLIASAIN,
RUNAI

A G E N D A

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

1. "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require County Manager to grant Outline Permission to Mr. Edward Sweeney for the erection of a dwellinghouse and septic tank at Ballinduff. - Planning Reference No. 59185."

Paddy McHugh. Padraic McCormack. Jarlath McDonagh.
Thomas Welby.

2. "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to grant Planning Permission for retention of advertising sign and proposed new sign at Killora, Craughwell, to Mr. Paddy Madden, Killora, Craughwell, Co. Galway. - Planning Ref. No. 60138."

Michael Fahy. Thomas Welby. Joe Lambert.

3. "That in accordance with Section 4 of the City and County Management (Amendment) Act, 1955, Galway County Council require the County Manager to grant Permission to Thomas Grealish for the erection of house at Carnmore West. - Planning Ref. No. 59870.

P. McCormack. Martin Lynch. Paddy McHugh.

4. Review of County Development Plan.
5. Declaration of Roads to be Public Roads. - Details enclosed.
6. Sale of houses to the following tenants in accordance with Section 90 of the Housing Act, 1966, as amended - Section 83 Notices dated 15th August, 1989, already circulated refer:
- (1) Joseph & Bernie Kenny, 5 Dublin Road, Tuam, Co. Galway.
 - (2) Mary O'Sullivan, Knock, Inverin, Co. Galway.
 - (3) Patrick & Margaret McDonagh (Pat), Derrarthamore, Carraroe, Co. Galway.
 - (4) William & Mary Helly, Caherkelly, Ardahan, Co. Galway.
 - (5) Laurence & Norah Connolly, Currawee, Lettermullen, Co. Galway.
 - (6) Joseph & Bridget Moran, Kincullia, Loughrea, Co. Galway.
 - (7) Brendan & Ann O'Halloran, Fawnmore, Inishboffin, Co. Galway.
 - (8) James & Helen Tevlin, Attibrassil, Kiltormer, Ballinasloe, Co. Galway.
 - (9) Brendan & Virginia Ridge, Addergoole, Kylemore, Connemara, Co. Galway.
 - (10) Colman & Maureen Farmer, Trabane, Lettermore, Co. Galway.
 - (11) Tony & Mary Sheil, Barratoor, Kylebrack, Loughrea, Co. Galway.
 - (12) Clive & Margaret Hughes, Knockroe, Brownsgrrove, Tuam, Co. Galway.
 - (13) Mrs. Bridget Owens, 11 Forest View, Mountbellew, Co. Galway.
 - (14) Mrs. Teresa Duffy, Kylemore, Killimor, Ballinasloe, Co. Galway.
 - (15) Mrs. Pauline Gohery, 14 Cloughbrack, Eyrecourt, Ballinasloe, Co. Galway.
 - (16) John & Mary Larkin, Craughwell, Laurencetown, Ballinasloe, Co. Galway.
 - (17) Hubert B. & Mary Creaven, Gardenham, Claregalway, Co. Galway.
 - (18) Patrick & Mary Donoghue, Maumeen, Lettermore, Co. Galway.
 - (19) Francis & Mary Killilea, Shanbally, Corrandulla, Co. Galway.
 - (20) Malachy & Helen O'Grady, Castlegar West, Ahascragh, Ballinasloe, Co. Galway.
 - (21) Joseph & Elizabeth Hanney, Kylemore, Killimor, Ballinasloe, Co. Galway.
 - (22) John & Carmel Moran, Beech Hill, Woodlawn, Ballinasloe, Co. Galway.

- (23) Patrick & Mary Ruane, Colemanstown, Ballinasloe, Co. Galway.
- (24) Patrick & Fiona Quinn, Moy, Kinvara, Co. Galway.
- (25) Patrick & Mary Faherty, Bohoona East, Spiddal, Co. Galway.
- (26) John & Moira McDonagh, Drim, Lettermore, Co. Galway.
- (27) John & Pauline Walsh, Turlough, Rosmuc, Co. Galway.
- (28) Oliver & Elizabeth Ansbro, Pollaphuca, Cortoon, Tuam, Co. Galway.
- (29) John & Mary Mullen, Ballynakill, Lettermullen, Co. Galway.
- (30) John & Maura McGann, Woodford, Loughrea, Co. Galway.
- (31) John & Winifred Noone, Clogherboy, Ballyglunin, Tuam, Co. Galway.
- (32) Mrs. Nora Cosgrove, Laraghmore, Ballyglunin, Tuam, Co. Galway.
- (33) Christopher & Bridget Corless, Drumminalough, Peterswell, Co. Galway.
- (34) James & Elizabeth Devane, Ardmore, Kilkerrin, Connemara, Co. Galway.
- (35) Patrick & Julia Cahill, Killure Castle, Ahascragh, Ballinasloe, Co. Galway.
- (36) Michael & Lucy Mahony, Knockmoyle, Kylebrack, Loughrea, Co. Galway.
- (37) Noel & Eileen Flannery, 54 Cullairbaun, Athenry, Co. Galway.
- (38) Martin & Mary Nee, Doonreaghan, Cashel, Co. Galway.
- (39) James & Bridie Coyne, Gowlan West, Clifden, Co. Galway.
- (40) George & Carmel Williams, 79 Pollroebuck, Loughrea, Co. Galway.
- (41) Thomas & Bernadette Costello, 20 Parkmore Estate, Tuam, Co. Galway.
- (42) Colman & Eileen McDonagh, 30 Carowmanagh, Oughterard, Co. Galway.
- (43) Brid McGhee, 100 Caherwalter, Loughrea, Co. Galway.
- (44) Michael & Kate Naughton, Gortmore, Rosmuck, Co. Galway.
- (45) Dudley & Eileen McDonagh, Lettercallow, Lettermore, Co. Galway.
- (46) Gerard & Margaret Dirrane, 9 Kilronan, Aran Islands, Co. Galway.
- (47) Gerard & Mary McMahon, 37 Crowe Street, Gort, Co. Galway.
- (48) Andrew & Mary Gavin, Killasolan, Mountbellew, Co. Galway.
- (49) Mrs. Mary Walsh (Thomas), Curryulka, Lettermore, Co. Galway.
- (50) P.J. & Mary Gordon, 67 Parkmore Estate, Tuam, Co. Galway.
- (51) Thomas & Marie Spellman, 15 Parkmore Estate, Tuam, Co. Galway.

7. Essential Repairs Grants - Details already circulated.

8. Unemployment in the North Galway Area.

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 roads shall be Public Roads.

Area	From	To	Metres
Portumna	Jnc. C.R. 566 in Townland of Lissaniska North	P. Bolands house in Townland of Lissaniska North	263
Milltown	C.R. 162 in Townland of Cloonascragh. (Kilbannon)	J.P. Hughes house in Townland of Cloonascragh (Kilbannon)	137
Mountbellew	Moran's funeral parlour in Townland of Ballygar	Market Square in Townland of Ballygar	71
Mountbellew	Square, Ballygar	K. Brandon's house in Townland of Ballygar	120

E. GLEESON, County Secretary

MINUTES OF MONTHLY MEETING OF GALWAY COUNTY COUNCIL HELD AT THE COUNTY BUILDINGS, GALWAY, ON TUESDAY, 19th DECEMBER, 1989.

IN THE CHAIR: Councillor John Molloy.

ALSO PRESENT:

Members: As recorded in the Attendance Book.

Councillors J. Brennan, J. Burke, J. Callanan, P. Finnegan, P. Mac Gloinn, Senator T. Hussey, Councillor J. Joyce, Deputy M. Kitt, Councillors J. Lambert, M. Loughnane, M. Lynch, Deputy P. McCormack, Councillors P. McHugh, J. Mannion, M. Mullins, N. O'Conchubhair, M. O'Morain, P. O'Tuathail, P. Raftery, M. Ryan, T. Walsh, and T. Welby.

Officials:

Messrs. S. Keating, County Manager; J. Howlett, Assistant County Manager; P. Flood, County Engineer; E. Gleeson, County Secretary; T.J. O'Donoghue, Law Agent; D. Barrett, Senior Staff Officer; L. Kavanagh, S.E.E. (Planning).

The Opening Prayer was recited.

3299 - HEDGE CUTTING:

Senator T. Hussey thanked the County Engineer for carrying out hedge cutting in the Ballymoe area.

3300 - VOTE OF SYMPATHY:

Deputy Michael Kitt proposed a vote of sympathy with Mr. Michael Tierney, former Senior Executive Engineer, on the recent death of his daughter. All the Members associated themselves with the vote of sympathy. The County Manager, on his own behalf and on behalf of the staff, associated himself with the vote of sympathy, and referred to the fact that Mr. Tierney had only recently retired from his post of Senior Executive Engineer with the Council.

3301 - RESOLUTION UNDER SECTION 4 OF THE CITY AND COUNTY MANAGEMENT (AMENDMENT) ACT, 1955 - PLANNING APPLICATION NUMBER 59394 - APPLICANT: JOSEPH CONNEELY:

The Resolution set out on the Agenda was proposed by Councillor T. Welby and seconded by Councillor Nioclás O'Conchubhair.

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

"LOCATION:

The site is located in the Clifden-Moyard Road approximately 1 mile west of Moyard.

PLANNING HISTORY:

No previous planning history on this site.

PLANNING CONSIDERATION:

Trial hole inspections carried out by the Chief Medical Officer revealed the site to have boggy soil which is unsuitable for the reception and

disposal of septic tank effluent. Consequently, the proposed development would be likely to give rise to a public health hazard.

The site is located on a restricted National Secondary Road at a point where the maximum speed limit applies. The site is also located in an area which is listed in the County Development Plan as having views of special amenity value. The proposed development would be located in the forefront of such a view between the public road and the sea.

RECOMMENDATIONS:

It is proposed to refuse permission for this development for the following reasons:

1. The proposed development would be likely to give rise to a public health hazard as a trial hole inspection revealed the site to be unsuitable for the reception and disposal of septic tank effluent. The proposed development, therefore, would be contrary to the proper planning and development of the area.
2. The site is located on a restricted National Secondary Road at a point where the maximum speed limit applies and traffic movements generated by the development would interfere with the safety and free flow of the traffic on the said road.
3. The site is located in an exposed location in an area which is listed as having views of special amenity value. The development would be an obtrusive feature on the landscape which would not be capable of being assimilated into its surroundings and would obstruct views, the preservation of which are an objective of the County Development Plan. The development, if permitted, therefore, would seriously detract from the scenic amenities of the area and would be contrary to the proper planning and development of the area.

The County Engineer stated that this Resolution had been adjourned from a previous Meeting. A further report had been received from the Chief Medical Officer, and the County Engineer read the report as follows:-

"The site is boggy with a peaty topsoil varying in depth around the site. Site is partially waterlogged in areas. It is thus unsuitable for the efficient treatment of septic tank effluent."

The County Engineer stated that the lands were unsuitable for percolation and the difficulties in relation to the site were compounded by the fact that it was located on a National Secondary Road where restrictions regarding development applied. The applicant was carrying on a business on one side of the road and was now proposing to provide a dwellinghouse directly opposite on the other side of the road. The road was quite twisty at the location involved and all the difficulties taken together made the site totally unsuitable for the erection of a dwellinghouse.

Councillor T. Welby, in proposing the resolution, stated that the applicant had a business across the road from the proposed site and wanted to erect a family home on the site. The applicant had no proper living accommodation at present and was living in a small area behind the shop. The applicant should be allowed to build a dwellinghouse on the proposed site.

The County Engineer stated that it might be more reasonable if the applicant were to seek to extend the existing business premises with a view to providing living accommodation.

Councillor T. Welby stated that the applicant had no space to extend the existing building. There was no proper location to construct a family dwellinghouse at the back of the business. Councillor Welby stated that a second trial hole had been dug, and he understood that the last trial hole which had been dug was dry. The soil was boggy on top with gravel underneath which should allow for proper percolation.

The County Engineer again referred to the County Medical Officer's report which stated that the site was not suitable for the provision of a septic tank, and stated that the site was partially waterlogged.

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

FOR: Councillors J. Callanan, P. Finnegan, Senator T. Hussey, Deputy M. Kitt, Councillor M. Loughnane, Deputy P. McCormack, Councillors P. McHugh, J. Mannion, J. Molloy, N. O'Conchubhair, M. O'Morain, P. Raftery, M. Ryan, T. Walsh, and T. Welby. (15)

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

Councillors F. Glynn, J. Lambert, M. Lynch, and P. O'Tuathail, abstained from voting.

The Chairman declared the resolution set out on the Agenda carried.

3302 - EXPERIMENT ON SEPTIC TANKS - CONNEMARA AREA:

Councillor T. Welby enquired regarding the up-to-date position on the experiments being carried on in relation to septic tanks in the Connemara area. He stated that he understood that An Foras Forbartha had made recommendations but that these recommendations had not been made available to the Members.

The County Engineer stated that he was not aware of any information available which the Council were withholding from the Members. He stated that Eolas were carrying out experiments at a number of locations around the country regarding the treatment of septic tank effluent through a peat process. He stated that he had been in touch with a Dr. Emmet McMahon of Eolas and had asked for an Interim Report. Eolas had indicated that they were not in a position to submit an Interim Report, and Dr. McMahon had indicated that he was still testing the peat principle to see if a satisfactory solution could be arrived at. Bord na Mona and Wavin had also been working on a package in the treatment of septic tank effluent, but final results were not yet available. The County Engineer stated that he could not say at this stage whether the proposals would work but that when information was available, he would pass it on to the Members.

Councillor Nioclás O'Conchubhair stated that the tests were taking a very long time. The County Engineer stated that the tests would have to be monitored over a long period, and Eolas would have to be satisfied that the system was workable before certifying it.

Councillor T. Welby stated that the Office of Public Works appeared to have prepared maps setting out large areas of Connemara as being of scientific value. He asked for a full report on what was happening, and asked that details of any maps be made available by the Office of Public Works. Councillor Welby stated that some people in the areas concerned had been told by the Office of Public Works that the areas had been excluded for planting, and he asked that a full report be prepared on the issues involved. Councillor O'Conchubhair proposed that Officers of the Office of Public Works and Department of Forestry and Wildlife be invited to attend a Meeting of the Council to outline details of their interests in relation to the areas concerned. Councillor J. Mannion seconded Councillor O'Conchubhair's proposal, and the County Manager agreed to take up the matter with the authorities concerned.

3303 - CARPARKING IN BALLINASLOE:

Deputy Michael Kitt referred to a proposal to reduce carparking in Ballinasloe.

The County Manager stated that this matter was one for the Ballinasloe Urban District Council, and it would be discourteous to the Members of that Council to discuss their business at a County Council Meeting. He indicated that Mr. D. O'Donoghue, Assistant County Manager, could examine any proposals made by Deputy Kitt.

3304 - MINUTES:

On the proposition of Deputy Michael Kitt, seconded by Councillor Michael Ryan, the Minutes of the following Meetings were adopted and signed by the Chairman:

- (a) Special Council Meeting held on 10th November, 1989.
- (b) Statutory Estimates Meeting held on 13th November, 1989.
- (c) Adjourned Estimates Meeting held on 17th November, 1989.
- (d) Adjourned Estimates Meeting held on 24th November, 1989.
- (e) Monthly Council Meeting held on 27th November, 1989.
- (f) Adjourned Estimates Meeting held on 1st December, 1989.

3305 - REMISSION OF RATES - DEEP DRAWN COMPONENTS (IRELAND) LTD.

It was proposed by Deputy Michael Kitt, and seconded by Councillor James Joyce and resolved:

"That Galway County Council in accordance with the provisions of the Industrial Development Acts, 1969-1981, hereby remit two-thirds of the Rates leviable by the Council on the valuation of the premises at Gort, occupied by Deep Drawn Components (Ireland) Ltd., the remission to have effect in respect of the years 1st January, 1983, to the 31st December, 1992, inclusive, the appropriate certificates under the Acts having been issued by the Industrial Development Authority."

3306 - REMISSION OF RATES - POLDYS FRESH FOOD (PORTUMNA) LTD.

It was proposed by Deputy Michael Kitt, and seconded by Councillor James Joyce, and resolved:

"That Galway County Council in accordance with the provisions of the Industrial Development Acts 1969-1981, hereby remit two-thirds of the rates leviable by the Council on the valuation of the premises at Portumna, occupied

by Poldys Fresh Food (Portumna) Ltd., the remission to have effect in respect of the years 1st January, 1988, to the 31st December, 1992, inclusive, the appropriate certificates under the Acts having been issued by the Industrial Development Authority."

3307 - CLONBROCK HOUSE, AHASCRAUGH:

Councillor Joe Callanan stated that gates and pillars leading to the Clonbrock House and Estate at Ahascragh had been removed on the previous Saturday morning. He asked if these important landmarks were preserved in the County Development Plan and asked for a full report on the matter. The County Engineer stated that Clonbrock House had been listed for preservation in the Plan, and that any alterations would require planning permission. He agreed to have the queries raised by Councillor Callanan examined.

3308 - FINANCIAL AND OTHER ADJUSTMENTS WITH GALWAY CORPORATION RELATING TO BOUNDARY EXTENSION AND COUNTY BORO STATUS:

The following report of the Negotiating Teams, a copy of which had been circulated to each Member was considered by the Council:

The sub-committees of Galway County Council and Galway Corporation set up by the respective Councils, to examine and negotiate compensation arrangements between the two Councils, in respect of the upgrading of Galway Corporation to County Borough Status and the alteration of the boundaries between the two Authorities, have agreed the terms set out below and recommend these terms for formal approval by both Councils under the provisions of the following statutory instruments.

Local Government (Re-organisation) Act, 1985 (County Borough of Galway) Order, 1985.
Borough of Galway (Alteration of Boundary) (Implementation) Order, 1985.

A. BOUNDARY EXTENSION

1. Galway Corporation to recoup annually from 1st January, 1986, to Galway County Council the cost to the Council of net Loan Charges, in respect of borrowings for Capital Works, relating to the area transferred to the Corporation on 1st January, 1986.
2. Three permanent Officer posts to be transferred from Galway County Council to Galway Corporation.
3. Transfer of Galway County Council property at Merlin Woods to Galway Corporation for consideration of £10,200.
4. Galway Corporation to assume the responsibility for the following Capital Projects, planning for which was commenced by the County Council.

Galway City East Water Supply
Knocknacarra Sewerage
Galway Main Drainage (East City)

and the Corporation to pay to the Council preliminary expenses already incurred by the Council as follows:

E

Galway City East Water Supply	69,527.33
Knocknacarra Sewerage	148,757.22
Galway Main Drainage	92,308.72
<u>TOTAL</u>	<u>310,593.27</u>

5. Galway Corporation to collect development contributions under the Planning Acts levied by Galway County Council prior to 1st January, 1986, on developments in the area transferred to Galway Corporation and becoming payable on or after 1st January, 1986.

Galway Corporation to retain the portions of such contributions relating to Open Spaces and the balance to be paid by the Corporation to the County Council on collection of the contributions.

Schedule A sets out the details of the Planning Permissions in question and the amounts of such contributions levied in each case.

Part payments by developers to be apportioned on a pro-rata basis.

6. Galway Corporation to pay to Galway County Council an annual sum of £448,000 in quarterly instalments on 1st February, 1st May, 1st August and 1st November, with effect from 1st January, 1990.

B. COUNTY BOROUGH STATUS

1. While the County Council continues to provide services for Galway Corporation in accordance with Article 5 of the Local Government (Re-Organisation) Act, 1985 (County Borough of Galway) Order, 1985, the cost to Galway County Council of such services on a County-at-Large basis shall be contributed to by Galway Corporation in the manner set out in the County Borough Order save that the Corporations produce of 1p in the £1 shall be abated by £307 which amount shall be added to the County Councils produce of 1p in the £1. These services are referred to as "shared services".

2. Expenditure by Galway County Council on Coroners and Inquests, Drainage and Malicious Injuries to be contributed to by Galway Corporation on the same basis as shared services as set out in Item 1. above from 1st January, 1986.

3. Galway Corporation and Galway County Council will each bear the costs on its own revised administrative area from 1st January, 1986, in respect of Tourist Traffic Act, and Residential Homes and Schools.

4. The Galway Urban Authority account in the accounts of Galway County Council shall be finalised and closed by transfer from Galway Corporation to Galway County Council of the sum of £112,787.56.

5. The sum of £348,000 shall be paid annually by Galway Corporation to Galway County Council with effect from 1st January, 1990, in quarterly instalments on 1st February, 1st May, 1st August and 1st November.

This sum, shall be reduced each year by the amount of the special Ministerial Grant on recognition of County Borough Status (if any) paid directly by the State to Galway County Council in that year.

General:

Galway Corporation and Galway County Council agree that the interim arrangements in respect of financial adjustments applied by both Councils consequent to County Borough Status and the Boundary Alteration for the period 1st January, 1986, to 31st December, 1989, shall remain confirmed without adjustment and that the above matters agreed represent full and final settlement between the two authorities in relation to financial adjustments under the two statutory instruments mentioned above."

It was proposed by Deputy P. McCormack, seconded by Deputy Michael Kitt, and resolved:

"That the terms of the Agreement as set out in the report of the Negotiating Teams be approved by the Council, and that the necessary legal agreements to give effect to the agreement reached be entered into by the Council."

3309 - ABANDONMENT OF ROADS:

The Members considered the report of the Law Agent dated 23rd November, 1989, a copy of which had been circulated to each Member.

Deputy McCormack referred to his previous statements in relation to this matter, and asked the County Engineer if there was any possibility that work could be done by the Council on some of the roads in question in the coming year. Deputy McCormack referred to the legal procedure for the abandonment of roads and stated that the legal provisions did not refer to the abandonment of roads which were no longer required only. He stated that this was not the intention in the abandonment of roads, but the intention was to allow people to carry out works on the road themselves.

Councillor P. Finnegan stated that the Council should be slow to abandon roads, and referred to the difficulties set out in the Legal Opinion. He stated that the Council would be handing over roads to unknown concerns where there would be major difficulties regarding Insurance and Public Liability. If roads were abandoned, no public monies could ever be spent on them and the proposal to abandon roads did not present a long term solution to the problem.

Senator T. Hussey stated that there were a number of pitfalls in considering the abandonment of roads. If it was a question of funds, the Councillors should work on every means possible to make additional funds available. The Council should consider better use of the money available and consider the possibility of hiring Private Contractors. Councillor Loughnane stated that he was not in favour of abandoning any roads. Councillor Joe Burke also stated that there were a lot of difficulties involved in considering the abandoning of roads. He asked if the Council got the same productivity on roads as other Counties, and stated that the Council should examine ways in which it would get better value for the money spent on roads. Councillor Michael Mullins that the question of private enterprise versus County Council carrying out the work should be examined. Councillor Nioclás O'Conchubhair referred to the legal difficulties in handing back roads. He referred also to the work done under Local Improvement Schemes in Inishmaan and Inishere, and stated that private Group Water Schemes had provided a service where the Council were unable to provide it.

Councillor J. Joyce had stated that the Legal Advice had indicated that there are major problems in abandoning roads. The Connemara Area was important to the whole County as a tourist attraction, and the Council should have a planned and structured approach to the improvement of roads in Connemara. The Council should be pressing for additional funds for these roads.

Councillor P. O'Tuathail stated that the problem in relation to roads was related to lack of finance. He stated that the Council had made a case for roads serving fish farming and said that the Council should make every effort to get additional funds. There was a need for a shift in policy whereby monies could be transferred from the National Primary Routes to the County Roads to carry out much needed improvements.

Councillor Micheal O'Morain referred to the problems in the Connemara area in relation to the roads and stated that even the National Secondary Road, Clifden to Leenane was in poorer condition in some parts than County Roads in the Connemara Area. The difficulty was that in some cases, the Department designated where the money had to be spent. He stated that the lack of Roadworkers for surface maintenance was contributing to the deterioration of roads as when surface men were employed, Water Tables were kept clear, and repairs were carried out at the initial stages.

In reply to queries raised by the Councillors, the County Manager indicated that when all of the Road Grants were notified, the Council would be preparing a Roadworks Scheme which would be brought before the Members for their consideration. The County Manager stated that it was not realistic to consider the abandonment of roads, and referred to the Law Agent's report where the procedure for abandoning roads was set out. He stated that at a Local Inquiry questions in relation to the private people who would be assuming responsibility for the roads would arise, and problems in relation to their rights, their resources, and the risks involved would arise. The Council should bear in mind that a public right-of-way would still exist over these roads, and any private persons taking on work on roads were involving themselves in serious risks which would put their properties and their resources in jeopardy.

The County Manager indicated that there might be the occasional situation where the Council might put forward the abandonment of a road as for example, a cul-de-sac road which had been taken over beyond an area, not required. There was also the question of Judicial Review of a Council's decision if the procedure in relation to the abandonment of roads was not properly carried through.

In relation to the privatisation of maintenance of roads, the County Manager stated that Private Contractors were motivated primarily by profit. If the Council were to abandon its existing arrangements, there would be no organisation to compete with Private Contractors who could charge whatever prices they liked and could carry out the work whenever it suited them.

The County Manager stated that a number of submissions had been made to the Department of the Environment requesting additional funds for roadworks.

Deputy McCormack thanked the Manager for his report, and stated that he would not pursue the matter further until after the Roadworks Meeting when details of the funds available for Roadworks would be known.

COUNCILLORS' NOTICES OF MOTION

- 310 - MOTION BY COUNCILLORS J. CALLANAN, J. BRENNAN, DEPUTY MICHAEL P. KITT, COUNCILLORS J. JOYCE, AND M. MULLINS:

"That this Council calls on the Minister for Finance to re-introduce an adequate tax allowance in respect of each child in all families in the forthcoming Budget and that the income ceiling for eligibility under the FIS scheme should be raised to £140 per week for a wage earner with one child and that the ceilings be adjusted accordingly for extra children."

The terms of the above resolution will be forwarded to the Minister for Finance.

- 311 - PROVISION OF TOILET FACILITIES (DETAILS SUPPLIED) - MOTION BY COUNCILLOR JARLATH McDONAGH:

The following written reply was given to Councillor Jarlath McDonagh:

"The provision of toilet facilities in the grounds of Headford Church is not considered to be the responsibility of Galway County Council."

- 312 - SAFETY PROPOSALS AT BALLYBRONE (DETAILS SUPPLIED) - MOTION BY COUNCILLOR JARLATH McDONAGH:

The following written reply was given to Councillor Jarlath McDonagh:

"The field inside the road side wall is lower than roadside bank. It is not considered that cattle would be able to eat out over the wall. The maintenance of roadside boundary is the responsibility of the landowner."

- 313 - LOCAL AUTHORITY HOUSING REPAIRS (DETAILS SUPPLIED) - MOTION BY COUNCILLOR JARLATH McDONAGH:

The following written reply was given to Councillor Jarlath McDonagh:

"I am informed by the county Engineer that an inspection of the above house was carried out on the 25th July, 1989. Repairs which included the provision of a new window were carried out in August, 1989."

- 314 - REPAIRS TO BOTHAR BAILE AN TOBAIR, CORR NA MONA: - MOTION BY DEPUTY ROBERT MOLLOY:

The following written reply was given to Deputy Robert Molloy:

"The above road is being repaired at present."

- 315 - REPAIRS TO BOTHAR BAILE DHUBH LOCH, CORR NA MONA: - MOTION BY DEPUTY ROBERT MOLLOY:

The following written reply was given to Deputy Robert Molloy:

"Repairs have now been carried out to this road."

- 316 - REPAIRS TO BOTHAR TIR AN FHIA, CORR NA MONA: - MOTION BY DEPUTY ROBERT MOLLOY:

The following written reply was given to Deputy Robert Molloy:

"Repairs have now been carried out to the road."

- 3317 - CLAREMOUNT ESTATE, OUGHTERARD: - MOTION BY DEPUTY PADRAIC McCORMACK:

The following written reply was given to Deputy Padraic McCormack:

"The Developer has recently put forward proposals to the Council which will enable the Council to complete outstanding work in this case. Arrangements will be made to have the necessary works carried out early in the New Year."

- 3318 - EXTENSION TO CASTLEGAR GRAVEYARD - MOTION BY DEPUTY PADRAIC McCORMACK:

The following written reply was given to Deputy Padraic McCormack:

"This Burial Ground is now in the County Borough area. I have forwarded a copy of the Notice of Motion to the Town Clerk, Galway Corporation, for his attention."

- 3319 - EXTENSION OF SPEED LIMIT ON THE MONIVEA ROAD: - MOTION BY DEPUTY PADRAIC McCORMACK:

The following written reply was given to Deputy Padraic McCormack:

"Extension of the speed limit at the above location will be considered along with others when the next review of speed limits takes place."

- 3320 - BEND AT NAUGHTON'S HOUSE, ABBEVUE, CLONTUSKERT: - MOTION BY COUNCILLOR JAMES JOYCE:

the following written reply was given to Councillor James Joyce:

"The estimated cost of acquiring property, setting back fence lines and providing sight distance at this bend is £15,000. This does not include for any improvement or widening to the existing road. This will be considered along with others when the 1990 Road Works Programme is being prepared."

- 3321 - BEND AT SALMON'S CROSS, PROSPECT, EYRECOURT: - MOTION BY COUNCILLOR JAMES JOYCE:

The following written reply was given to Councillor James Joyce:

"The estimated cost of carrying out works at this junction is £10,000, which includes for land acquisition.

The above works will be considered along with others when the 1990 Road Works Programme is being considered."

- 3322 - ROADWORKS REPAIRS (DETAILS SUPPLIED): - MOTION BY COUNCILLOR MATT LOUGHNANE:

The following written reply was given to Councillor Matt Loughnane:

"The revised estimated costs of carrying out the above works is £9,000. There are no funds available in the current year to carry out the work."

- 3323 - EMERGENCY REPAIRS AND RESTORATION WORK ON ROAD (DETAILS SUPPLIED): - MOTION BY COUNCILLOR MATT LOUGHNANE:

The following written reply was given to Councillor Matt Loughnane:

"Emergency repairs are being carried out to this road at present."

- 3324 - RELIEF OF RECURRENT FLOODING AT LOCATION (DETAILS SUPPLIED) - MOTION BY COUNCILLOR MATT LOUGHNANE:

The following written reply was given to Councillor Matt Loughnane:

"The estimated cost of carrying out works to alleviate the flooding at this location is £500. There are no funds available in the current year. However, the works will be carried out early in the New Year."

- 3325 - SPEED LIMIT AT NEW BOYS SCHOOL, ATHENRY: - MOTION BY COUNCILLOR MARTIN LYNCH:

The following written reply was given to Councillor Martin Lynch:

"This will be considered at the next review of speed limits."

- 3326 - REPAIRS TO THE ROAD FROM KILGLASS N.S., AHASCRAUGH, TO BALLYGAR: - MOTION BY DEPUTY M. KITT, AND COUNCILLOR PETER RAFTERY:

The following written reply was given to Deputy Michael Kitt and Councillor Peter Raftery:

"County Road 513 has recently been tar patched from the Ballinasloe end. Routine maintenance will be carried out in order of priority and as resources permit."

- 3327 - THAT URGENT REPAIRS BE CARRIED OUT TO THE ROAD FROM KILGLASS N.S. TO CLOONLYON ROAD, BALLYGAR: - MOTION BY COUNCILLOR PETER RAFTERY:

The following written reply was given to Councillor Peter Raftery:

"County Road 513 has recently been tar patched from the Ballinasloe end. Routine maintenance will be carried out in order of priority and as resources permit."

- 3328 - THAT FOOTPATHS IN BALLYGAR BE REPAIRED: - MOTION BY COUNCILLOR PETER RAFTERY:

The following written reply was given to Councillor Peter Raftery:

"Tarmacadam path of 170 meters in length has been removed and replaced in the current year. It is hoped to do a similar distance next year."

- 3329 - THAT GALWAY COUNTY COUNCIL REQUEST GALWAY CORPORATION TO RENT A PORTION OF LAND TO ORANMORE SPORTS CLUB FIELD, GLENASCAUL, ORANMORE: - MOTION BY DEPUTY FRANK FAHEY:

The following written reply was given to Deputy Frank Fahey:

"I wish to inform you that Galway corporation are examining proposals in relation to the lands involved in this case."

- 3330 - KILCONLY CEMETERY: - MOTION BY COUNCILLOR TIARNAN WALSH:

The following written reply was given to Councillor Tiarnan Walsh:

"An application for a Social Employment Scheme at the above Cemetery has been submitted to FAS. Approval has not been received to date."

3331 - IMPROVEMENTS AT MONEEN JUNCTION: - MOTION BY COUNCILLOR TIARNAN WALSH:

The following written reply was given to Councillor Tiarnan Walsh:

"The estimated cost of carrying out works to improve sight distance at the above location is £12,500. There are no funds available in the current year to carry out this work."

3332 - THAT GALWAY COUNTY COUNCIL IMPROVE SIGHT DISTANCE ON THE BALLYMOE ROAD: - MOTION BY COUNCILLOR TIARNAN WALSH:

The following written reply was given to councillor Tiarnan Walsh:

"The estimated cost of carrying out works to improve sight distance at the above location is £ 7,500. There are no funds available in the current year to carry out this work."

3333 - BUILDING OF INNER ROAD FROM THE NEW PIER SITE TOWARDS THE WESTERN END OF INISHBOFFIN: - MOTION BY COUNCILLOR THOMAS WELBY:

The following written reply was given to Councillor Thomas Welby:

"Works to the value of £40,000 have been carried out to sea wall and road at Inishboffin in the current year. It is hoped to continue the programme during 1990.

The provision of an inner road is not considered a priority."

3334 - DID THE COUNTY COUNCIL REMOVE DIRECTION SIGNS FROM THE CONG/CLONBUR JUNCTION: - MOTION BY COUNCILLOR THOMAS WELBY:

The following written reply was given to Councillor Thomas Welby:

"Some of the signs at this location were removed without the authorisation of the Oughterard Office. This has been reported to the Garda Authorities. One sign was removed by the Oughterard Office because it was defaced and this will be replaced as soon as possible. The other signs will be replaced in due course."

3335 - CORNAMONA WATER SUPPLY SCHEME: - MOTION BY COUNCILLOR THOMAS WELBY:

The following written reply was given to Councillor Thomas Welby:

"It is considered that the proposed extension of the intake pipelines further into the lake would not be satisfactory. The relocation of the intake pipe as well as other improvements to the Cornamona Water Supply Scheme is recommended and the Council's Consultants are being asked to prepare a feasibility study in this regard."

3336 - THAT GALWAY COUNTY COUNCIL CLOSE AND FENCE AWAY WATER DRAIN AND SPACE OF LAND IN FRONT OF NEW DWELLINGHOUSE AT CROWE STREET, GORT: - MOTION BY COUNCILLOR MICHAEL FAHY:

The following written reply was given to Councillor Michael Fahy:

"A proposal was submitted to the Department of the Environment on 19th December, 1988, for the extension of the culvert from Sullivan's carpark along Boland's Lane at the front of the new Council houses at an estimated cost of £33,000 - the work to be carried out as an extension of the Gort Sewerage Scheme Contract.

The Department has requested further information and when this information is available, it will be forwarded to the Department without delay."

3337 - THAT GALWAY COUNTY COUNCIL REPAIR FOOTPATH IN FRONT OF MARTIN KIRWAN'S HOUSE AT CRAUGHWELL: - MOTION BY COUNCILLOR MICHAEL FAHY:

The following written reply was given to Councillor Michael Fahy:

"It is hoped to carry out some repairs to footpaths in Craughwell during 1990."

3338 - THAT GALWAY COUNTY COUNCIL REPAIR AND IMPROVE FOOTPATH ON THE LOUGHREA ROAD AT GORT: - MOTION BY COUNCILLOR MICHAEL FAHY:

The following written reply was given to Councillor Michael Fahy:

"The above footpath was recently repaired."

3339 - THAT A FULL REPORT BE GIVEN ABOUT PLANNING PERMISSIONS GIVEN TO, REFUSED, AND APPLICATIONS AWAITING DECISION RE EISC TEO., ROSSAVEAL (PIER), BALLINAHOWN: - MOTION BY AN COMHAIRLEOIR NIOCLAS O'CONCHUBHAIR:

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

"Eisc Teo., have not made any planning applications but it appears that the Company has, in the past, been in occupation of two sites in the Rossaveal area and related companies, i.e., Protein Teo. and Protein Eisc Ros-a-Mhil Teo., have been in occupation of a third site in the area as follows:-

Site No. 1: Located on the North Eastern side of Rossaveal harbour and formerly occupied by Eisc Teo.

Site No. 2: Located approximately 3/4 mile east of Rossaveal Harbour on the Rossaveal/Costello County Road also occupied previously by Eisc Teo.

Site No. 3: Located to the south west of the new pier at Rossaveal and formerly occupied by Protein Teo./Protein Eisc Ros-a-Mhil Teo.

The position with regard to planning applications/permissions is as follows:-

Site No. 1

Ref. No. 3455: Permission granted on 29th August, 1967, for a lobster storage tank to Coreheat Ltd.

Ref. No. 3869: Permission granted on 28th December, 1967, for a workshop for making fishing gear to Westsea Ltd.

Ref. No. 5547: Permission granted on 12th March, 1969, for a shellfish processing factory to Westsea Ltd.

Ref. No. 23064: Permission granted on 24th January, 1977, for retention of extension to a fish processing factory. The applicants were Gaeltarra Eireann but they referred to Eisc Teo. in their correspondence regarding the application.

Ref. No. 43727: Permission granted on 17th January, 1983, to Irish Seafresh Foods Ltd., for "extension of fish processing facilities at Eisc Teoranta No. 1 and No. 2 and

installation of an effluent tank...". The reference to Eisc Teoranta Nos. 1 and 2 related to this site and to Site No. 2 referred to hereunder.

Ref. No. 45345: Permission granted on 30th May, 1983, for changes from the plans approved under 43727 the changes were described as (a) change of plan of extension, (b) new pumphouse, (c) water storage tank (d) extension of tank compound (e) extension of concrete yards and construction of new fences. The applicants in this case were Udaras na Gaeltachta.

Ref. No. 52670: Application made by Irish Sea Fresh Foods on 15th July, 1986, for permission for a pipeline to carry effluent from Site No. 1 to Site No. 3. Further information relating to the application was requested by letter dated 26th August, 1986, and no reply was received. The application has, therefore, not been determined.

Ref. No. 57264: Application made by Unifish Ltd., for permission for new vehicular park, on 5th July, 1988, in respect of land adjoining the public road opposite the factory site. Further information relating to the application was requested by letter dated 1st September, 1988, and no reply has yet been submitted.

Ref. No. 57396: Permission granted on 10th October, 1988, for retention of existing cold store, materials store and maintenance workshop to Unifish Ltd. The applicants stated that the buildings in question had been erected by the former occupiers of the site.

Ref. No. 57749: Permission granted on 3rd January, 1989, to Unifish Ltd. to realign the public road.

Site No. 2

Ref. No. 13840: Outline Permission granted on 20th August, 1973, to Gaeltarra Eireann for two factories and two dwellinghouses.

Ref. No. 18455: Permission granted on 5th March, 1975, for the erection of a fish processing factory to Gaeltarra Eireann. Documents submitted indicated that the factory would be occupied by Eisc Teo.

Ref. No. 23652: Permission granted on 18th April, 1977, for an additional (advance) factory on the site to Gaeltarra Eireann.

Ref. No. 43727: Already described under Site No. 1.

Site No. 3

Ref. No. 19606: Outline Permission for a factory granted on 29th August, 1989, to Bernard Reynolds, Gaeltarra Eireann.

Ref. No. 27896: Permission granted on 7th November, 1978, for the erection of a factory, to Gaeltarra Eireann.

Ref. No. 32624: Permission granted on 31st December, 1979, for a Boatyard, to Gaeltarra Eireann.

Ref. No. 51519: Permission granted on 18th March, 1986, for the erection of a Protein Production Factory, to Protein Eisc.

Ref. No. 52779: Permission granted on 15th January, 1987, for retention of a factory, to Protein Eisc Ros-a-Mhil Teo.

Ref. No. 58129: Permission granted on 3rd April, 1989, for an effluent treatment plant and associated pipelines to Unifish Ltd."

3340 - THAT GALWAY COUNTY COUNCIL HAVE THE KNOCK ROAD, LEADING FROM TIERNEE VILLAGE BE INCLUDED FOR REPAIRS IN THE ROADS ESTIMATES: - MOTION BY AN COMHAIRLEOIR NIOCLAS O'CONCHUBHAIR:

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

"Repairs to the above road will be considered along with others when the 1990 Road Works Programme is being prepared."

3341 - WHAT IS THE POSITION RE NEW WATER TANK FOR CARRAROE? - MOTION BY AN COMHAIRLEOIR NIOCLAS O'CONCHUBHAIR:

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

"The Contract Documents for the new Reservoir at Glenmore, Carraroe, were submitted to the Department of the Environment and approval is awaited to seek Tenders."

3342 - SYMPATHY:

Resolutions of sympathy were adopted with the following:

Mrs. Jenny Callanan, Moylough, Ballinasloe, Co. Galway.
Mr. John Nolan, Moylough, Ballinasloe, Co. Galway.
Mrs. Mary Tully, Moylough, Ballinasloe, Co. Galway.

3343 - CORRESPONDENCE:

The following correspondence was circulated to each Member of the Council:

- (1) Copy of letter dated 6th December, 1989, from the Department of the Environment re extension of closing date for housing reconstruction grants.
- (2) Copy of letter dated 17th November, 1989, from Corporation of Dun Laoghaire re proposed nuclear power station at Wylfa "B" Anglesey.

The Chairman wished all the Members and the Staff a Happy Christmas.

THE MEETING THEN TERMINATED

SUBMITTED, APPROVED + CONFIRMED

John Molloy CHAIRMAN

22/1/90 DATE