

COMHAIRLE CHONTAE NA GAILLIMHE

MINUTES OF SPECIAL MEETING OF GALWAY COUNTY COUNCIL HELD AT ARAS AN CHONTAE, ON FRIDAY, 15TH NOVEMBER, 2002

CATHAOIRLEACH

Mayor P. O'Sullivan

I LATHAIR FRESIN

Baill:

Deps. J. Callanan, P. Connaughton, N. Grealish, Cllrs. M. Connolly, M. Cunningham, M. Fahy, S. Gavin, M. Hoade, P. Hynes, J. Joyce, M. Loughnane, T. Mannion, J. McClearn, J. McDonagh, T. McHugh, M. Mullins, Comh. C. Ni Fhatharta, P. O'Foighil, Cllrs. P. O'Malley, K. Quinn, S. Quinn, T. Rabbitt, S. Walsh, T. Walsh.

Oifigigh

D. O'Donoghue, County Manager,
T. Kavanagh, P. Ridge, F. Gilmore, F. Dawson,
J. Morgan, J. Cullen, Directors of Services, E. Lusby, Head of Finance, L. Gavin, Senior Engineer, L. Kavanagh, Senior Executive Engineer, T. Murphy, A. Comer, Senior Executive Officers, P. Carroll, Administrative Officer, M. Killoran-Coyne, Senior Staff Officer, T. Donoghue, Staff Officer.

Thosnaigh an cruinniu leis an paidir.

RESOLUTION OF SYMPATHY

1768

A Resolution of Sympathy was extended to the following: -

The Linnane family, Ballyclera, Kinvara, Co. Galway.

SPECIAL MEETING

1769

It was proposed by Cllr. Cunningham, seconded by Cllr. Fahy and agreed that a Special Meeting of the Council be held on Monday 25th November 2002 starting at 2.30p.m. to continue the Council's Consideration of the Draft Development Plan

CONSIDERATION OF DRAFT COUNTY DEVELOPMENT PLAN AND MANAGERS REPORT PREPARED IN ACCORDANCE WITH SECTION 12 (4) OF THE PLANNING & DEVELOPMENT ACT 2000.

I770

Mr L. Kavanagh informed the Members that, at the Council meeting on 11th October, 2002, he had read the Managers Report on Submission No's 1-30, i.e. Appendix 4, pages 50-64 inclusive, that at the Council Meeting of the 25th October, 2002 he had read the Manager's Report on Submissions No's 31 - 57 i.e. Appendix 4, pages 65 - 88 inclusive, and at the Council Meeting of the 11th November he and Mr. L. Gavin had read the Manager's Report on Submission No's 58 - 90 i.e. Appendix 4, pages 88 - 161 inclusive. He then resumed, and Submissions No's 91 - 111 i.e. Appendix 4, pages 161 - 217 inclusive, were read by Messrs Kavanagh and Gavin. No discussion took place on the report.

Referring to the Manager's Report on the submissions and observations received on proposed protected structures in the Draft County Development Plan, Mr. L. Kavanagh stated that 498 structures had been listed as proposed protected structures in East Galway while the Council were in the process of surveying the west of the County to determine further proposed protected structures. The list had been published and 43 submissions had been received in respect of the proposed protected structures. The Manager's Report lists the name of the person(s) making the submission, the name of the proposed protected structure, the issue raised in the submission and the manager's comment on this submission. He stated that in most cases the recommendation is to retain the structure. Cllr. Joyce queried as to what criteria had been used in deciding if a building should or should not be a protected structure. In particular, he referred to churches with little or no outstanding architectural features and questioned why some churches were listed while others were not. Cllr. Mullins questioned why the Council should be interfering with the interior works to a church. Ms. M. Doddy stated that churches might be listed, but only if repairs being carried out affect the character of the structure. She stated that churches may often be the largest and most important building in any settlement and may have a cultural value, apart from its artistic value. Cllr. S. Quinn asked if works to the newer part of St. Marys Convent Tuam would result in all of the convent being listed as a protected structure. Ms. Doddy stated that this would be dealt with by the issue of a declaration, which identifies which parts of a structure are important. She added that one of the functions of conservation is to ensure that proper thought be given to change.

It was agreed that the report will be considered together with the Manager's Report on the submissions and observations received on the Draft County Development Plan at the next meeting of the Council.

CHRIOCHNAIGH AN CRUINNIU ANSIN

Submitted, Approved + Signed

F. Mullins

16/12/02

Page 2 of 2 Date

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Mr. Thomas

Ms. Noreen

Mrs. Noreen

The member

Ryan. The

Resolutions

COMHAIRLE CHONTAE NA GAILLIMHE

MINUTES OF SPECIAL MEETING OF GALWAY COUNTY COUNCIL HELD AT ARAS AN CHONTAE, ON FRIDAY, 11TH NOVEMBER, 2002

CATHAOIRLEACH

Mayor P. O'Sullivan

I LATHAIR FRESIN

Baill:

Deps. J. Callanan, P. Connaughton, P. McHugh, Sen. U. Burke, Cllrs. J. Conneely, M. Connolly, M. Cunningham, M. Fahy, S. Gavin, M. Hoade, P. Hynes, J. Joyce, J.J. Mannion, T. Mannion, J. McClearn, J. McDonagh, T. McHugh, Comh. C. Ni Fhatharta, P. O'Foighil, Cllrs. P. O'Malley, K. Quinn, S. Quinn, T. Rabbitt, M. Regan, S. Walsh, T. Walsh.

Oifigigh

D. O'Donoghue, County Manager, T. Kavanagh, P. Ridge, F. Gilmore, F. Dawson, J. Morgan, J. Cullen, Directors of Services, E. Lusby, Head of Finance, L. Gavin, Senior Engineer, L. Kavanagh, Senior Executive Engineer, T. Murphy, A. Comer, Senior Executive Officers, P. Carroll, Administrative Officer, M. Killoran-Coyne, Senior Staff Officer, T. Donoghue, Staff Officer.

Thosnaigh an cruinniu leis an paidir.

RESOLUTION OF SYMPATHY

1762

A Resolution of Sympathy was extended to the following: -

Mr. Thomas Harte, Mooneenahialta, Lawrencetown, Ballinasloe, Co. Galway.

Ms. Noreen Ronaldson, Lower Brackarnagort, Ballinasloe, Co. Galway.

Mrs. Noreen Fahy & family, Nogra, Kinvara, Co. Galway.

The members extended their sympathy to Cllr. Mullins on the death of his Aunt Mrs. Ryan. The County Manager, on behalf of the Staff, wished to be associated with the Resolutions of Sympathy to Cllr. Mullins.

CONGRATULATIONS

1763

The Mayor and the Members congratulated Pearses Camogie Club on winning the All-Ireland Club Championship for the third year in a row and Athenry Hurling Club on winning the County Senior Hurling Championship.

PROPOSED WORKS AT ATHENRY RAILWAY STATION

1764

Cllr. Connolly referred to Iarnród Eireann's proposal to proceed with singalling works at Athenry Railway Station which will involve the removal of the Nothern crossover link to Tuam and Claremorris. He said that this was a backward step for the development of the Western Region and he asked the County Secretary to contact Iarnród Eireann immediately and ask them not to proceed with work which is scheduled to take place today.

Deputy Connaughton said that if the connection was removed now it would be more difficult to have the line re-opened at a future date and he proposed that Iarnród Eireann should wait at least until the Strategic Rail Review was published.

Deputy McHugh said that the Minister for Transport should also be contacted in an effort to ensure that Iarnród Eireann would not carry out these works.

Following discussion it was proposed by Cllr. Connolly, seconded by Deputy Connaughton and agreed that the following emergency resolution be sent to Iarnród Eireann and the Minister for Transport.

"That no works associated with the removal of the Rail junction at Athenry for Tuam and Claremorris be commenced or carried out before publication and consideration of the Strategic Rail Review."

TO CONSIDER REPORT UNDER PART 8 OF THE PLANNING & DEVELOPMENT REGULATIONS 2001 - BALLYGAR WATER SUPPLY IMPROVEMENT SCHEME.

1765

Report dated 11th November 2002 was circulated to each Member.

The work as proposed was approved on the proposal of Cllr. K. Quinn, seconded by Dep. Connaughton.

CONSIDERATION OF DRAFT COUNTY DEVELOPMENT PLAN AND MANAGERS REPORT PREPARED IN ACCORDANCE WITH SECTION 12 (4) OF THE PLANNING & DEVELOPMENT ACT 2000.

1766

Mr L. Kavanagh informed the Members that, at the Council meeting on 11th October, 2002, he had read the Managers Report on Submission No's 1-30, i.e. Appendix 4, pages 50-64 inclusive, and at the Council Meeting of the 25th October, 2002 he had read the Manager's Report on Submissions No's 31 - 57 i.e. Appendix 4, pages 65 - 88 inclusive.

COMAIRLE CHONTAE NA GAILLIMHIE
COUNCIL HELD AT ARAS AN CHONTAE, PROSPECT
HILL ON FRIDAY 25th OCTOBER, 2002.

He then resumed, and Submission No's 58 – 90 i.e. Appendix 4, pages 88 – 161 inclusive, were read by Messrs. Kavanagh and Gavin. No discussion took place on the report.

MAYOR'S BUSINESS:

1767

It was proposed by Cllr. Fahy, seconded by Cllr. McHugh and agreed that the November Monthly Meeting of the Council would be held on Friday 22nd November 2002 starting at 2.00p.m.

CHRIOCHNAIGH AN CRUINIU ANSIN

Submitted, Approved + Signed
P. Fahy
16/12/02
Date

D. O'Connell, County Manager, T. Kavanagh, J. Callaghan, Director of Services, A. Conboy, Director of Finance, L. Gavin, M. Lavelle, Senior Engineer, J. Murphy, Senior Executive Officer, L. Kavanagh, Senior Executive Engineer, M. F. Hayes, Administrative Officer, M. Kilferrer, Senior Staff Officer, M. Heirne, Assistant Engineer, G. Healy, Staff Officer, T. Donoghue, Assistant Staff Officer.

PLANNING

INTER SITE

1765

extended to the following:
The site is located at Crosspark, Aghrim, Ballinasloe, Co. Galway.
The site is located at Bishop Street, Tuam, Co. Galway.
The site is located at family, Cegclare, Ardahan, Co. Galway.
The Mayor advised the members that there would be no meeting of the Council on 8th November, 2002. The next meetings of the Council were scheduled for the 11th, 15th and 22nd November and would commence at 3.00 p.m. and finish no later than 7.00 p.m. This was agreed by the Council.

MINUTES

1766

11th October
Appendix 4,
had read the
55 – 88 inclu

COMHAIRLE CHONTAE NA GAILLIMHE

MINUTES OF MONTHLY MEETING OF GALWAY COUNTY COUNCIL HELD AT ARAS AN CHONTAE, PROSPECT HILL ON FRIDAY 25th OCTOBER, 2002.

CATHAOIRLEACH: Mayor P. O'Sullivan

ILATHAIR FREISIN:

Baill: Deps. J. Callanan, P. Connaughton, N. Grealish,
Sen. U. Burke, Cllrs. J. Conneely, M. Connolly, M.
Fahy, S. Gavin, M. Hoade, P. Hynes, J. Joyce, M.
Loughnane, J.J. Mannion, T. Mannion, J.
McDonagh, T. McHugh, M. Mullins, Comh. C. Ni
Fhatharta, P. O'Foighil, Cllrs. K. Quinn, S. Quinn,
T. Rabbitt, M. Regan, S. Walsh.

Oifighigh: D. O'Donoghue, County Manager, T. Kavanagh, J.
Cullen, J. Morgan, Directors Of Services; A.
Comer, A/Director of Services; L. Gavin, M. Lavelle,
Senior Engineers, T. Murphy, Senior Executive
Officer, L. Kavanagh, L. Varley, Senior Executive
Engineers, Ms. E. Keaveney, Administrative Officer,
M. Killoran-Coyne, Senior Staff Officer, M. Beirne,
Assistant Planner, G. Healy, Staff Officer; T.
Donoghue, Assistant Staff Officer.

Thosnaigh an cruinniú leis an paidir.

RESOLUTIONS OF SYMPATHY 1726

A Resolution of Sympathy was extended to the following:

John & Ann Holohan, Perssepark, Aughrim, Ballinasloe, Co. Galway.
The family of Stephen Burke, Bishop Street, Tuam, Co. Galway.
Anthony Thompson & family, Cregclare, Ardahan, Co. Galway.

The Mayor advised the members that there would be no meeting of the Council on 8th November, 2002. The next meetings of the Council were scheduled for the 11th, 15th and 22nd November and would commence at 3.00 p.m. and finish no later than 7.00 p.m. This was agreed by the Council.

MINUTES 1727

The Minutes of the Monthly Meeting held on the 23rd September, 2002 were approved by the Council and signed by the Mayor on the proposal of Comh. Ni Fhatharta, seconded by Cllr. Regan.

REPORTS

1728

The Report of the Corporate Policy Group Meeting held on 16th September, 2002 was considered. It was adopted by the Council on the proposal of Comh. Ni Fhatharta, seconded by Comh. O'Foighil.

The Report of the Loughrea Area Committee Meeting held on 17th September, 2002 was considered. It was adopted by the Council on the proposal of Sen. Burke, seconded by Cllr. Regan.

The Report of the Loughrea Area Committee Meeting held on 8th October, 2002 was considered. It was adopted by the Council on the proposal of Cllr. Regan, seconded by Sen. Burke.

TO CONSIDER REPORT UNDER PART 8 OF THE PLANNING & DEVELOPMENT REGULATIONS 2001 REGARDING THE FOLLOWING

1729

Proposed Development of Tuam Swimming Pool.

Report dated 18th October, 2002 was circulated to each Member.

On the proposal of Cllr. S. Quinn, seconded by Cllr. T. McHugh, it was agreed to defer this item to allow consideration by the Tuam Area Committee.

TO CONSIDER REPORT UNDER PART 8 OF THE PLANNING & DEVELOPMENT REGULATIONS 2001 REGARDING THE FOLLOWING

1730

Carna/Kilkerrin Regional Water Supply Scheme

Report dated 16th October, 2002 was circulated to each Member.

The work as proposed was approved on the proposal of Comh. Ni Fhatharta, seconded by Comh. O'Foighil.

TO CONSIDER REPORT UNDER PART 8 OF THE PLANNING & DEVELOPMENT REGULATIONS 2001 REGARDING THE FOLLOWING

1731

Portumna Water Supply Improvement Scheme

Report dated 23rd October, 2002 was circulated to each Member.

The work as proposed was approved on the proposal of Sen. Burke, seconded by Dep. Callanan.

EXTINGUISHMENT OF PUBLIC RIGHT OF WAY – SECTION 73(1) OF THE ROADS ACT 1993

1732

Report dated 17th October, 2002 was circulated to each Member.

On the proposal of Sen. Burke, seconded by Cllr. Callanan, it was agreed that the public right of way over portion of county road 4228 adjacent to Barrack Street, Loughrea, measuring approximately 3.5m x 9m be extinguished.

Mr. Morgan informed the members that there was a legal technicality that needed to be clarified before the extinguishment of right of way could take effect. This was noted.

TO CONSIDER REPORT UNDER SECTION 179 OF THE PLANNING & DEVELOPMENT ACT 2000 REGARDING THE FOLLOWING:

1733

Report dated 16th October, 2002 was circulated to each Member.

- (a) Construction of 16 no. houses with services at St. Brigid's Terrace, Portumna, Co. Galway.

The work as proposed was approved on the proposal of Cllr. Regan, seconded by Sen. Burke.

- (b) Construction of 2 no. houses at Laurencetown, Ballinasloe, Co. Galway.

The work as proposed was approved on the proposal of Cllr. Joyce, seconded by Dep. Callanan

- (c) Construction of single rural houses with services at the following locations;

- Booklagh, Ballymoe, Co. Galway,
- Lettermuckoo, Camus, Co. Galway,
- Killeenhugh, Kinvara, Co. Galway,
- Kylebrack West, Loughrea, Co. Galway,
- Caherbulligin, Craughwell, Co. Galway,
- Cottage Hill, Loughrea, Co. Galway,
- Kill, Kiltormer, Co. Galway,
- Derrysella, Cashel, Co. Galway,
- Lettermore, Co. Galway,
- Esker, Ballymacward, Ballinasloe, Co. Galway,
- Drim, Lettermore, Co. Galway,
- Rineen, Moycullen, Co. Galway,
- Claddagh West, Lavally, Tuam, Co. Galway,
- West Village, Rosmuc, Co. Galway,
- Curr, Maam, Co. Galway,
- Ballygarraun, Craughwell, Co. Galway,

- Derreenboy, Kiltormer, Ballinasloe, Co. Galway,
- Kilbricken, Rosmuc, Co. Galway.

The work as proposed was approved on the proposal of Comh. Ni Fhatharta, seconded by Cllr. T. McHugh.

REVIEW OF SPEED LIMITS

1734

Report dated 25th October, 2002 was circulated to each Member.

Cllr. Hoade welcomed the decision of the National Roads Authority in relation to the speed limit request with regard to the N84 at Clonboo. Cllr. Loughnane requested that a speed limit be put in place on the approach to Kiltulla from Athenry. Mr. Morgan informed the members that the Kiltulla proposal had not come before the area committee and that the speed limit revisions included in the document circulated to the councillors were those agreed through the area committee.

On the proposal of Cllr. Hoade, seconded by Dep. Grealish, it was agreed to adopt the Review of Speed Limits.

FUNDS REQUIRED TO MATCH GRANT ASSISTANCE FROM VARIOUS GOVERNMENT DEPARTMENTS

1735

It was proposed by Comh. Ni Fhatharta, seconded by Cllr. Connolly and agreed to defer this item.

TO CONSIDER SUBMISSIONS/OBSERVATIONS RECEIVED ON THE MATERIAL ALTERATIONS/AMENDMENTS TO THE LOUGHREA TOWN DRAFT DEVELOPMENT PLAN

1736

Mr. L. Kavanagh informed the members that there were two issues remaining to be dealt with regarding the draft town plan for Loughrea. They related to zoning of 2 no. parcels of land, "Cusacks" and "Clarkes", which were identified by reference to a map. Both had been considered by the Loughrea Area Committee at its meeting of the 17th October, 2002 and were now before the full Council for decision.

In relation to "Cusacks" land, Mr. L. Kavanagh stated that there was already sufficient lands zoned commercial in the draft plan and to rezone this area was not in accordance with proper planning and sustainable development. Cllr. Regan stated that the matter had been discussed by the area committee and agreed that the land inside the town boundary be zoned commercial.

It was proposed by Cllr. Regan and seconded by Cllr. Loughnane that the triangular piece of Cusack's land, inside the town boundary, be zoned commercial. A vote was taken and the result was as follows:

For the Proposal: Cllr. Connolly, Cllr. Conneely, Cllr. Fahy, Cllr. Hoade, Cllr. Hynes, Cllr. Loughnane, Cllr. T. Mannion, Comh. Ni Fhatharta, Mayor O'Sullivan, Cllr. Rabbitt, Cllr. Regan (11)

Monthly Meeting 25/10/2002

Against the Proposal: (0)

Abstained: Sen. Burke, Cllr. Gavin, Dep. Grealish, Cllr. J.J. Mannion, Cllr. T. McHugh, Comh. O'Foighil, Cllr. S. Quinn (7)

The Mayor declared the proposal carried.

With regard to "Clarkes" land, identified by reference to a map circulated, Mr. L. Kavanagh stated that the area committee had agreed that the land, excluding what was required for the proposed by-pass, be zoned industrial. He advised that the planning officials were opposed to the proposal as there was already sufficient lands zoned industrial and it was not in accordance with proper planning and sustainable development.

It was proposed by Cllr. Loughnane and seconded by Cllr. Fahy that "Clarkes" land between the line of the proposed by-pass and the town environs boundary, excluding whatever land was required for the proposed by-pass, be zoned industrial. A vote was taken on the proposal and the result was as follows:

For the Proposal: Sen. Burke, Dep. Connaughton, Cllr. Connolly, Cllr. Fahy, Cllr. Hoade, Cllr. Hynes, Cllr. Joyce, Cllr. Loughnane, Comh. O'Foighil, Mayor O'Sullivan, (10)

Against the Proposal: (0)

Abstained: Cllr. Gavin, Dep. Grealish, Cllr. S. Quinn (3)

The Mayor declared the proposal carried.

Mr. L. Kavanagh stated that at a previous Council meeting, it had been decided to change the proposed zoning of the "Rock Field" beside the Carmelite Convent from residential, as displayed in the published draft plan, to agricultural. However, the site had not been clearly identified. He then displayed a map showing the area of the "Rock Field" measuring 6.3 acres approx. outlined in red. It was confirmed by the members that the site as shown in the map by Mr. L. Kavanagh was the area to be zoned agricultural.

It was proposed by Cllr. Loughnane, seconded by Cllr. Fahy, and agreed that the material alterations to the Loughrea Town Draft Development Plan be put on public display.

TO CONSIDER SUBMISSIONS/OBSERVATIONS RECEIVED ON THE MATERIAL ALTERATIONS/AMENDMENTS TO THE GORT TOWN DRAFT DEVELOPMENT PLAN

1737

Mr. L. Kavanagh circulated report dated 25th October, 2002 on submissions received on the material alterations to the draft development plan for Gort.

Material alterations to the Draft Development Plan for Gort were on public display from 15th March 2002 to the 12th April 2002. During this display period 2 submissions were received with respect to the amendments. The principal issues raised in these submissions together with recommendations were as follows:

SUBMISSION 1

Name: Raymond Foley, NRA Programme Division, St. Martins House, Waterloo Road, Dublin 4

Location of Lands Referred to: Proposed road alignment for the N18 Oranmore to Gort Scheme

Issues raised:

Postpone the inclusion of a proposed road alignment until the completion of the Route Selection Report for the N18 Oranmore to Gort scheme, which is due for publication later this year. Alternatively the Council could indicate both the red and blue routes which are under consideration.

Recommendation:

While the Route Selection Report for the N18 Oranmore to Gort scheme is not published, consultants have recommended the red route to the Council. The red route was presented to the Council in July 2001 and adopted. Surveying and design of this route is now proceeding. Based on this, it is recommended to include the proposed road alignment as it stands on the land use zoning map.

The Draft Development Plan currently includes the policy to prohibit development on lands which are reserved for the provision of a town by-pass. Reserving the route corridor facilitates infrastructural development. Improvements to the N18 will relieve congestion in Gort.

Area Committee Recommendation:

The Area Committee agreed to accept the recommendation of no alteration to the proposed road alignment.

This was agreed by the Council.

SUBMISSION 2

Name: Mairead O Boyle, Development Applications Section. Dúchas – The Heritage Service, 7 Ely Place, Dublin 2

Location of Lands Referred to: General

Issues raised:

This submission contained 4 items, only one of which is relevant to the material alterations on display. The items not relevant related to the preparation of Plans under the Planning Act 2000 including the provision of an objective for the conservation and protection of archaeological sites and suggested wording and format to achieve

this. Dúchas also sup recommended to includ

The item relating to development on land z the bypass may have ir of archaeological poter

Recommendation:

The Draft Gort Plan heritage. Also section adjoining sites and mo to the draft Plan policy

It should also be note proposed Bypass, an route is prepared. Thi environment and prop

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Area Committee Re

The Area Committee Draft Plan policy to c

This was agreed by th

Mr. L. Kavanagh sta October, 2 no. furthe related to lands owne circulated with Mr. K proposed zoning of M Draft Plan.

It was proposed by C owned by T. Leech residential and an ar taken and the result

For the Proposal: S Fahy, Cllr. Gavin, D Loughnane, Cllr. M Rabbitt (16)

Against the Proposa

Abstained: (0)

The Mayor declare

Monthly Meeting 25/10/2002

this. Dúchas also supplied sources of information on archaeological heritage and recommended to include details of archaeological heritage on heritage maps.

The item relating to the material alterations on display stated that proposed development on land zoned in the proposed alterations or linear developments such as the bypass may have implications for recorded archaeological heritage sites and areas of archaeological potential and should be archeologically assessed.

Recommendation:

The Draft Gort Plan currently contains policy to protect Gort's archaeological heritage. Also section 4.2.9 outlines the procedure for dealing with applications on or adjoining sites and monuments of archaeological interest. No change is recommended to the draft Plan policy to conserve and protect Gort's archaeological heritage.

It should also be noted that prior to the construction of major schemes such as the proposed Bypass, an Environmental Impact Statement (EIS) on the recommended route is prepared. This investigates the likely impact of development proposals on the environment and proposes mitigation measures.

While the other comments were noted, they are not relevant to the material alteration.

Area Committee Recommendation:

The Area Committee agreed to accept the recommendation to have no alteration to the Draft Plan policy to conserve and protect Gort's archaeological heritage.

This was agreed by the Council.

Mr. L. Kavanagh stated that at the Loughrea Area Committee Meeting on 17th October, 2 no. further zoning proposals were agreed by the Committee. The first related to lands owned by Mr. Thomas Leech and was shown as 1 and 1A on the map circulated with Mr. Kavanagh's report. He said that the officials were opposed to the proposed zoning of Mr. Leech's lands as there was already excessive zoning in the Draft Plan.

It was proposed by Cllr. Fahy and seconded by Cllr. Hynes that in respect of the lands owned by T. Leech in the townland of Gort an area of 3.26 hectares be zoned residential and an area of 1.15 hectares be zoned recreation and amenity. A vote was taken and the result was as follows:

For the Proposal: Sen. Burke, Dep. Callanan, Dep. Connaughton, Cllr. Conneely, Cllr. Fahy, Cllr. Gavin, Dep. Grealish, Cllr. Hoade, Cllr. Hynes, Cllr. Joyce, Cllr. Loughnane, Cllr. McHugh, Mayor O'Sullivan, Cllr. S. Quinn, Cllr. K. Quinn, Cllr. Rabbitt (16)

Against the Proposal: (0)

Abstained: (0)

The Mayor declared the proposal carried.

Mr. Kavanagh stated that the other proposal agreed by the area committee was the zoning of 2 hectares in the townland of Rindifin, belonging to Mrs. Nelly, to residential. He said the officials were opposed to the proposal for the same reason as before.

It was proposed by Cllr. Fahy and seconded by Cllr. Loughnane that lands owned by Mrs. Nelly, measuring 2 hectares approx. in the townland of Rindifin, be zoned residential. A vote was taken and the result was as follows:

For the Proposal: Dep. Callanan, Cllr. Conneely, Cllr. Fahy, Cllr. Hoade, Cllr. Joyce, Cllr. Loughnane, Cllr. T. Mannion, Mayor O'Sullivan, Cllr. Rabbitt (9)

Against the Proposal: (0)

Abstained: Sen. Burke, Dep. Connaughton, Cllr. Gavin, Dep. Grealish, Cllr. McDonagh, Cllr. McHugh, Cllr. S. Quinn (7)

The Mayor declared the proposal carried.

Cllr. Fahy stated that he wished to make a further zoning proposal on behalf of Cllr. Cunningham who was unable to attend the Council meeting and so unable to make the proposal himself. The Mayor refused Cllr. Fahy's request to put this proposal to the Council.

It was proposed by Sen. Burke, seconded by Cllr. Hynes that the material alterations for the Draft Development Plan for the scheduled town of Gort be placed on public display.

With regard to the **Athenry Draft Plan**, Mr. Kavanagh stated that the final mapping changes were being completed and the material alterations would be ready for public display shortly. However, it would be necessary to seek an extension of time from the Department of the Environment and Local Government for the adoption of the plans for Athenry, Gort and Loughrea.

It was proposed by Sen. Burke, seconded by Cllr. Loughnane and resolved in accordance with the provisions of Section 20(1)(a) of the Local Government (Planning and Development) Act 1963 as inserted by Section 43(1)(f) of the Local Government (Planning and Development) Act 1976, to apply to the Minister for the Environment and Local Government for a further extension of time to 2nd April, 2003 in order to review and adopt the town plans for the towns of Gort, Athenry and Loughrea Town and Environs.

AGENCY SERVICE AGREEMENT BETWEEN GALWAY COUNTY COUNCIL AND THE WESTERN HEALTH BOARD.

1738

The Mayor stated that there had been reports in the media recently that the Western Health Board was withdrawing its water sampling services carried out on behalf of the Council. He invited Mr. T. Kavanagh to make a statement on the matter.

Mr. T. Kavanagh made the following statement:

The 1988 Drinking Water Regulations required that Public Water Supply Schemes be sampled to check if they complied with certain parameters.

The new Drinking Water Regulations 2000 require that all Group Water Schemes serving 15 houses or 50 people would have to be sampled for compliance.

There are 1531 such schemes nationally. Of the 600 or so Group Schemes in Galway, there are over 250 schemes serving more than 15 houses or 50 people.

Unlike some other counties, Galway County Council has a very high rate of sampling of Group Schemes because of its concern for good water quality and public health.

The E.P.A. Reports acknowledge this.

In preparation for the coming into operation of the new regulations, the National Rural Water Monitoring Committee and the Department of the Environment and Local Government decided it was necessary to introduce a national sampling programme which would be paid for by the Department of the Environment and Local Government.

During the course of a telephone conversation, which a member of his staff had with the consultant acting on behalf of the DoELG, at the beginning of September 2002, it was mentioned that tenders had been invited in the E.U. Journal and national papers for the sampling programme. Seven laboratories were successful including two public laboratories. The Western Health Board did not tender for the work. This was the first real indication to the Council that this new sampling programme was going to happen.

Mr. Kavanagh immediately notified the Western Health Board on the 10th September 2002 and listed 226 Group Schemes which were to be removed from the Western Health Board sampling programme from the 1st October 2002.

There was no point in the Council paying for the sampling of schemes which were also being sampled by another accredited laboratory. In fact, the revised sampling programme provides for a more intensive monitoring regime and includes testing of these schemes four times annually.

The Western Health Board responded by letter of 17th September 2002 expressing their annoyance at the short notice given by the council. He stated that the Council appreciated the Health Board's position and regretted the short notice but in fact, the first letter the Council received regarding the awarding of a contract was on the 22nd October 2002, i.e. the previous Tuesday. A private Galway laboratory was successful for the group schemes in Galway and Mayo.

A further letter dated 8th October 2002 was received from the Western Health Board in which it stated it was proposing to review the whole Agency arrangement and was suspending forthwith all work for Galway County Council.

The Council responded to the Western Health Board by letter on the 15th October and requested clarification on a number of issues about the review of the Agency agreement and the suspension of work for Galway County Council.

As Mr. Kavanagh was concerned about the water sampling programme, he contacted a senior official of the Health Board on Monday 21st October. He said that, with the exception of the 250 Group Water Schemes referred to earlier, he wished the Western Health Board to continue the water sampling and particularly the Public Water supply schemes. His request was rejected.

A fax received on the following day, 22nd October from the Health Board confirmed that all Council work was suspended.

He immediately started to make arrangements whereby the Council would set up its own water sampling programme and this is in progress.

He issued a public notice to this effect to allay any fears the public may have.

He stated that he wished to reassure the members and the public that the same level of sampling of water supplies would be carried out by the Council as was done heretofore.

In the case of the 250 Group Water schemes referred to, the level of sampling will be doubled.

The Council will also be considering letting this work out to tender and the Western Health Board will be invited to tender.

In response to queries from Councillors, Mr. Kavanagh confirmed that all agency services provided by the Western Health Board had been withdrawn, not just those relating to water sampling. Cllr. Hoade welcomed Mr. Kavanagh's statement outlining the facts of the matter. She proposed that a meeting be arranged between officials of the Council and Health Board to sort out the present difficulties. Mr. Kavanagh stated that he had already initiated arrangements for a meeting.

CONSIDERATION OF DRAFT COUNTY DEVELOPMENT PLAN AND MANAGERS REPORT PREPARED IN ACCORDANCE WITH SECTION 12 (4) OF THE PLANNING & DEVELOPMENT ACT 2000 1739

Mr. L. Kavanagh informed the Members that, at the Council meeting on 11th October, 2002, he had read the Managers Report on Submission No's 1-30, i.e. Appendix 4, pages 50-64 inclusive. He then resumed, reading Submission No's 31 - 57 i.e. Appendix 4, pages 65 - 88 inclusive. No discussion took place on the report.

POLICY TRAINING FOR COUNCILLORS.

1740

Report dated 17th October, 2002 regarding Finance Seminar for Councillors in Sligo Park Hotel on Thursday, 31st October, 2002 circulated in advance was noted.

MANAGERS BUSINESS

1741

The Manager informed the members that an allocation of €160,000 had been received under the Clár programme for class 3 county roads. He stated that it was a requirement that the funds be drawn down by the 30th November, 2002 and that councillors would be circulated with the proposals.

CONFERENCES:

1742

On the proposal of Cllr. Loughnane, seconded by Cllr. McClearn, it was agreed that the attendance of the following members be approved at the Conferences set out hereunder, the cost of each Conference having been circulated to each Member: -

**“L.A.M.A.” – Annual Winter Seminar, Dolmen Hotel, Carlow
8th/9th November 2002**

Dep. P. McHugh, Sen. U. Burke, Cllrs. J. Conneely, M. Cunningham, M. Fahy, M. Hoade, P. Hynes, T. Mannion, T. McHugh, M. Mullins, Comh. P. O’Foighil, Cllrs. P. O’Malley, P. O’Sullivan, S. Quinn, T. Rabbitte, M. Regan, S. Walsh.

**“National Tourist Conference” – Falls Hotel, Ennistymon, Co. Clare.
29th/30th November 2002**

Dep. P. McHugh, Cllrs. M. Cunningham, S. Gavin, M. Hoade, P. Hynes, J. McClearn, J. McDonagh, M. Mullins, Comh. P. O’Foighil, Cllrs. P. O’Malley, P. O’Sullivan, S. Quinn,

**Westport Hotel, Westport, Co. Mayo.
1st November 2002**

Cllr. M. Hoade.

**“Value & Ethics” – West County Hotel, Ennis, Co. Clare.
6th/7th/8th November 2002**

Cllr. J. McDonagh.

**“Better Local Government” – Ballinalough Hotel, Co. Roscommon.
31st October 2002**

Cllrs. J. Conneely, T. McHugh, S. Walsh.

NOTICE OF MOTIONS

NOTICE OF MOTION NO. 15 – DEP. P. CONNAUGHTON – ROADS

The following reply was given:- 1743

“This road is not included in the current Roadworks Programme but it will be considered for inclusion in the next programme. Routine maintenance works will be carried out at this location, as required.”

NOTICE OF MOTION NO. 16 – DEP. P. CONNAUGHTON – SEWERAGE

The following reply was given:- 1744

“It was previously agreed that Creggs Sewerage Scheme could progress to preliminary planning. The brief for the appointment of Consulting Engineers for this scheme and a number of other schemes is currently being finalised and once it has been approved the Council will proceed with the relevant procurement procedures.”

NOTICE OF MOTION NO. 17 – DEP. P. CONNAUGHTON – WATER

The following reply was given:- 1745

“This Council has recently received the necessary technical proposal from the Group Scheme’s Consulting Engineer and expect to be in a position to approve the proposal shortly.”

NOTICE OF MOTION NO. 18 – CLLR. M. CUNNINGHAM – ROADS

The following reply was given:- 1746

“This road will be considered for the 2003 surfacing programme. Routine maintenance will be carried out at this location in 2002.”

NOTICE OF MOTION NO. 19 – CLLR. M. CUNNINGHAM – ROADS

The following reply was given:- 1747

“A Community Involvement Scheme will be carried out at this location shortly which will improve sections of the road.”

NOTICE OF MOTION NO. 20 – CLLR. M. FAHY – SEWERAGE 1748

The following reply was given:-

“The preliminary report for this scheme is currently with the Department of Environment and Local Government for approval.”

NOTICE OF MOTION NO. 21 – CLLR. M. FAHY – SEWERAGE 1749

The following reply was given:-

“The Council has proceeded to have preliminary planning carried out on this scheme and the final preliminary report is due shortly. The scheme will then have to be included in the Capital Investment Programme by the Department of Environment and Local Government.”

NOTICE OF MOTION NO. 22 – CLLR. M. FAHY – HOUSING 1750

The following reply was given:-

“The Council has recently purchased lands in Ardrahan, Co. Galway and part of this land will be used for Affordable Housing. In addition, 12 Affordable Houses are presently under construction in Gort.”

NOTICE OF MOTION NO. 24 – CLLR. M. HOADE – ROADS 1751

The following reply was given:-

“Galway County Council have no funding available for the provision of these signs but the Council will erect them free of charge if they are provided by the Community.”

NOTICE OF MOTION NO. 25 – CLLR. J. MCCLEARN – SEWERAGE 1752

The following reply was given:-

“The project is part of a pilot project for the bundling of small sewerage schemes. The Consultants to advance the project have been appointed since the beginning of October and initial data gathering and surveying will proceed immediately.”

NOTICE OF MOTION NO. 26 – CLLR. J. MCDONAGH – HOUSING 1753

The following reply was given:-

“There are 914 applicants awaiting decision at present. It is likely that 105 applicants will be approved in the current year.”

NOTICE OF MOTION NO. 27 – CLLR. J. MCDONAGH – ROADS 1754

The following reply was given:-

“The provision of lights at this location will be considered for the public lighting programme in 2003.”

NOTICE OF MOTION NO. 28 – CLLR. J. MCDONAGH – HOUSING 1755

The following reply was given:-

“There are 624 applicants awaiting decision at present. It is likely that 85 applicants will be approved in the current year.”

NOTICE OF MOTION NO. 29 – DEP. P. MCHUGH – LIGHTING 1756

The following reply was given:-

“The complete village renewal programme has been carried out at this location. No public lighting was included for in the contract due to budgetary constraint.”

NOTICE OF MOTION NO. 30 – DEP. P. MCHUGH – SEWERAGE

The following reply was given:-

1757

“This scheme is being procured by way Design Build Operate along with Kilkerrin and Leenane. The Council is currently awaiting D.B.O. contract documents from the Consulting Engineers which will have to be examined and submitted to the Department of Environment and Local Government for approval. It is not possible to indicate at this time when the scheme will go to construction but the matter is being pursued in the normal manner.”

NOTICE OF MOTION NO. 31 – DEP. P. MCHUGH – BICYCLE STAND

The following reply was given:-

1758

“The provision of a bicycle stand at this location will be considered when funding is allocated for 2003.”

NOTICE OF MOTION NO. 32 – COMH. C. NI FHATHARTA -

1759

The following reply was given:-

“Tá an scéim seo sa Roinn Gnóthaí Pobail, Tuaithe agus Gaeltachta faoi láthair ag iarraidh maoiniú Roinne. Níl cinneadh déanta ar an iarratas fós.”

NOTICE OF MOTION NO. 33 – COMH. C. NI FHATHARTA –

1760

The following reply was given:-

“Tá na bailhte seo ar an Measúnú Riachtanas Seirbhísí Uisce don tréimhse 2007-2018 agus cosúil le gach scéim atá molta sa Measúnú, tá na scéimeanna seo ag brath ar maoiniú Roinne a fháil.”

NOTICE OF MOTION NO. 34 – COMH. C. NI FHATHARTA –

The following reply was given:-

1761

“Déanfar oibreacha deisiúcháin anseo go gearr.”

CRIOCHNAIGH AN CRUINNIÚ ANSIN.

Submitted, Approved + Signed

P. J. Sullivan

22/11/02

Date

COMHAIRLE CHONTAE NA GAILLIMHE

MINUTES OF SPECIAL MEETING OF GALWAY COUNTY COUNCIL HELD AT ARAS AN CHONTAE, ON FRIDAY, 11TH OCTOBER, 2002

CATHAOIRLEACH

Mayor P. O'Sullivan

ILATHAIR FRESIN

Baill:

Deps. J. Callanan, P. Connaughton, P. McHugh,
Sen. U. Burke, Cllr. J. Conneely, M. Connolly,
M. Cunningham, M. Fahy, S. Gavin, M. Hoade,
P. Hynes, J. Joyce, M. Loughnane, J.J. Mannion,
T. Mannion, J. McClearn, J. McDonagh, T.
McHugh, M. Mullins, Comh. C. Ni Fhatharta, P.
O'Foighil, Cllrs. P. O'Malley, K. Quinn, T.
Rabbitt, M. Regan, S. Walsh, T. Walsh.

Oifigigh

D. O'Donoghue, County Manager,
T. Kavanagh, P. Ridge, F. Gilmore, F. Dawson,
J. Morgan, J. Cullen, Directors of Services, E.
Lusby, Head of Finance, L. Gavin, Senior
Engineer, L. Kavanagh, Senior Executive
Engineer, T. Murphy, A. Comer, Senior
Executive Officers, P. Carroll, Administrative
Officer, M. Killoran-Coyne, Senior Staff Officer,
T. Donoghue, Assistant Staff Officer.

Thosnaigh an cruinniu leis an paidir.

RESOLUTION OF SYMPATHY

1723

A Resolution of Sympathy was extended to the following: -

Mrs. B. O'Rourke, Corbane, New Inn, Ballinasloe, Co. Galway.

Mrs. Nora Hynes, Abbey P.O., Loughrea, Co. Galway.

The Mayor and Members congratulated the Galway Intermediate hurlers, Under 21 footballers and Ladies Junior footballers on their recent All Ireland victories.

The Mayor invited the County Manager to comment on the position with regard to the Town Plans and Material Contraventions, which had been raised at the last meeting of the Council.

The County Manager stated that, together with Mr. Ridge, Director of Services, and other officials of the Planning Unit, he has met with officials from the Department of Environment and Local Government to get clarification on the situation regarding the Town Plans. He said that while the Department had reiterated its position that the Town Plans should not proceed before the adoption of the County Development Plan, the position was that where the review of Plans for the scheduled towns had commenced prior to the enactment of the Planning and Development Act 2000, then these Plans could proceed to adoption.

However, this would be subject to approval by the DoELG to an extension of time for their completion. He added, that under the Planning and Development Act 2000, Local Area Plans must be made in respect of any area designated as a town in the most recent census of population, that is, an area having a population in excess of 2000 people. The making, amending or revoking of a Local Area Plan shall be complied with, in the case of the first Local Area Plan, not later than two years after the making of the County Development Plan and at least every six years after making the previous Plans. He pointed out that it is a requirement that every Local Area Plan shall be consistent with the objectives of the County Development Plan. In reply to a query from Cllr. Gavin, the County Manager stated that the Council can continue with the preparatory work on the Plans for the non-scheduled towns and villages and when the County Development Plan is adopted these Plans can proceed quickly with the benefit of the work already undertaken. He acknowledged that a significant number of Plans would have to be reviewed or made but said it was manageable.

On the proposal of Cllr. Loughnane, seconded by Cllr. McClearn it was agreed that the draft Town Plans for Loughrea, Gort and Athenry be considered by the Loughrea Area Committee and be put before the full Council as soon as possible thereafter.

In relation to applications for planning permission which, if granted, would constitute a Material Contravention of the County Development Plan, the County Manager stated that, when making a decision on an application for planning permission, a Planning authority is restricted to considering the proper Planning and sustainable development of the area, regard being had to the provisions of the Development Plan and a number of other provisions set out in the Planning and Development Act 2000. In a case in which the development concerned would contravene materially the Development Plan, a Planning authority may decide to grant permission, provided that the statutory requirements for doing so, as set out in the Act, are complied with and that the development complies with the proper Planning and sustainable development of the area.

**CONSIDERATION OF DRAFT COUNTY DEVELOPMENT PLAN AND
MANAGER'S REPORT PREPARED IN ACCORDANCE WITH SECTION 12(4)
OF PLANNING AND DEVELOPMENT ACT 2000** 1724

The Mayor then asked Mr Ridge to present the Managers Report on the submissions and observations received on the Draft County Development Plan. Mr Ridge set out the background and current stage in the process of reviewing the County Development Plan and preparing a new County Development Plan. He stated that Members had 12 weeks, commencing 23rd September 2002, to consider the Draft Plan and the Manager's Report on submissions. Members may accept or amend the Draft Plan, but must have regard to the principles of proper planning and sustainable development, and the completed Development Plan must comply with these principles. He stated that the Manager's report outlines the need for proper planning, sustainable development, development control and the need for a Development Plan. The Report lists the submissions made and the Council's requirements in dealing with them. He stated that the Report categorises the issues which arose in the submissions, namely spatial planning and land use, economic infrastructure, environmental conservation, tourism, social community and cultural, agriculture and mariculture and rural housing policy. He stated that the principal purpose of the planning system is to guide, through Development Plans, the development and use of land in the public interest. The planning system must also have an efficient and user-friendly development control service. He stated that development Plans should take account of economic considerations and a flexible approach with a range of sites identified for availability to business should be provided in Plans. He stated that the Council is committed to a Plan led system to enable rational and consistent decisions, to achieve greater predictability, to secure public involvement in local planning policies, and reduce the wasteful expenditure of resources on misconceived applications.

Referring to sustainability and the Development Plan, he stated that this is evidenced through proper planning and sustainable development, by realising the potential of existing towns and villages, by realising the potential of rural areas, and by achieving good quality development. He stated that sustainable development includes integrating national and EU policies to meet the economic and social needs of people who live and work in the county, by promoting efficiency and competitiveness and by encouraging economic diversity to provide varied employment opportunities. He stated that it is necessary to maintain and enhance the character of the countryside including natural resources, landscape, wildlife, towns & villages and rural areas. He stated that when preparing Development Plans, planning authorities must also take into account statutory designations such as NHA, cSAC, SPA, landscape designations such as the sensitivity classes in the landscape assessment, and other designations such as National Monuments, entry in the record of Protected Structures and architectural conservation areas.

Regarding the Development Plan and Development Control, he stated that under Section 34(1) of the Planning & Development Act 2000 the planning authority shall be restricted to considering the proper planning and sustainable development of the area, regard being had to the provisions of the development Plan, the provisions of any special amenity area order relating to the area, any European site or other area prescribed for the purposes of section 10(2)(c), the policy (where relevant) of the Government, the Minister or any other Minister of the Government and any other relevant provision or requirement of this Act, and any regulations made thereunder.

He stated that under the Fourth Schedule of the Planning and Development Act, 2000 reasons are given for refusal of permission which exclude compensation, and if these reasons for refusal are applicable, then the application does not comply with the broad definition of proper planning and sustainable development and may be refused.

He stated that a Development Plan is needed to guide the development and use of land in the public interest, to protect the countryside, to create a positive vision of how physical development can improve a community, to promote economic prosperity by delivering land for development at the right place and at the right time, to identify and encourage the type, nature and scale of development necessary to sustain economic and social activity, and to be the basis for an efficient and user-friendly development control service. He stated that a Development Plan with a clear positive vision is needed to enable the County to advance and it is also needed to attract maximum state and private sector investment.

Mr. Ridge said that 111 submissions were received on the County Development Plan and 45 submissions were received on the Records of Protected Structures.

He stated that the Manager's report must list the persons or bodies who made submissions or observations, summarise the issues raised by the persons or bodies in the submissions or observations, give the response of the Manager to the issues raised, following which Members shall consider the Draft Plan and the Manager's report.

He stated that the aims of the Development Plan are to improve the quality of life, to create a receptive development environment, to conserve the natural, built and cultural uniqueness of the County, to afford people a wide and varied choice of locations in which to live, to consolidate the Gaeltacht and support its importance to the Irish language and to facilitate access to affordable housing. He added that major policy initiatives in the Development Plan relate to spatial planning and land use, economic infrastructure, environmental conservation and enhancement, tourism, social community and cultural and agriculture and mariculture.

Referring to the Settlement Strategy he stated that this was raised as an issue in 41 of the 111 submissions received generating a total of 96 recommendations, which can be reduced to 17 different recommendations. One of these recommendations has been repeated 20 times arising from the contents of the submissions

He stated that submissions were received to redraft the essential housing need definition in Section 3.1.7.6 of the Draft Plan, so that it complies with the principles of proper planning and sustainable development, so that it provides support to the Settlement Strategy and complies with national policies, in particular national road policy. He added this was also made 15 times in relation to other submissions.

He stated that the next most frequently quoted issue is the need to set the planning boundaries, while the constraint on the Settlement Strategy by the need to await the provision of services has caused concern. He added that many of the submissions refer to

the inclusion of additional settlement areas and recommendations to this effect are made for some of the proposed inclusions.

He stated that, in summary the theme emerging from the submissions is that the Settlement Strategy is undermined by the inclusion of inappropriate policies restricting its full implementation, and also by the policies on rural housing, which are regarded as unsustainable.

Referring to economic infrastructure he stated that this encompasses roads, public transport, water services, wastewater, solid waste management, telecommunications and energy networks, and policies that restrict availability or diminish effectiveness of economic infrastructure are not in accordance with proper planning and sustainable development. He added that Galway due to its peripheral location relies heavily on its public road network for transportation. He stated that economic infrastructure was raised as an issue in 33 of the 111 submissions generating a total of 87 recommendations, which can be reduced to 26 different recommendations. He added that particular concern has been expressed on the likely detrimental impact on the national road network. He stated that the major focus was on the provision of infrastructure which generated 22 recommendations and it is argued that the implementation of the rural housing policies in the Draft Plan will decrease the capacity of the road network, while the removal of 'protected status' from roads will have a detrimental impact on road capacity.

He stated that concern was expressed that these rural housing policies will impact negatively on the ground water resources of the county, and that there is a need for a programme of works for the development of Water Services infrastructure subject to resource availability and resource allocation. He added that the ability of the County to influence the allocation of state investment in roads, water services and other facilities may be seriously compromised.

Overall he stated that the Draft Plan will depreciate the stock of economic infrastructure in the county and negatively impact on the aims of the Draft Plan and will have no positive benefits.

Referring to environmental conservation and enhancement, he stated that issues relating to environmental conservation and enhancement were raised in 57 of the 111 submissions generating a total of 124 recommendations, can be reduced to 34 different recommendations. He stated that emphasis was placed on the need to prepare town Plans and local area Plans and to redraft the essential housing need category. He stated that reference is made in the submissions to the potential damage that will be caused, by the liberal approach adopted to rural housing in landscape designations Class 1 to Class 4 and the comfort offered to potential developers in the Class 5 zones. He added that the potential threat to aquifers is highlighted and the policy on derelict buildings is also raised as a cause for concern.

He stated that the potential damage that will be caused by the provisions in Section 3.9 on tourism was highlighted. Tourism infrastructure is broadly defined and no effective controls are included in the Plan, while vague statements such as "satisfactorily screened" and "assimilated into the landscape" exert little effective control.

In summary he stated that such policies will lead to a type and scale of development that will have a serious impact on the landscape, the built environment, heritage, archaeology and natural water systems.

He stated that tourism was raised in 8 of the 111 submissions generating a total of 15 recommendations, which can be reduced to 7 different recommendations, and while there is no strong theme, concern is expressed regarding Section 3.9. He added that in the short term the tourism policies will be beneficial but will contribute nothing to the aims of the Plan, while in the medium to long term, they will impact negatively.

He stated that social community and cultural issues were raised in 8 of the 111 submissions generating a total of 15 recommendations, which can be reduced to 7 different recommendations, and the section on the Gaeltacht dominates the submissions.

He stated that heritage and broader cultural aspects are generally positive, and provisions on the heritage section should be expanded. He added that the policies in the Plan are generally perceived to be beneficial and it is considered that the Plan policies will contribute towards the achievement of Aim 1 to Aim 6.

He stated that agriculture and mariculture was raised in 8 of the 111 submissions and a key issue is that agriculture and aquaculture are developed in a sustainable manner and the Plan is seen to contain policies to facilitate sustainable agricultural development, related agri-tourism projects and farm diversification proposals.

He stated that rural housing was raised in 15 submissions and generated 20 recommendations, which can be reduced to 9 recommendations to change the Plan. 6 of these 9 recommendations relate to the need to re-define the essential housing need category, defined in Section 3.1.7.6. He stated that section 3.1.7.6 is highlighted as a major problem in the Settlement Strategy, where the eligible categories enumerated are wide and the definitions underlying these categories are broad, imprecise and subject to many interpretations. He stated that it is accepted that new housing will continue to be required in rural areas to sustain healthy economic activity and support the viability of rural villages and rural communities.

He stated that some submissions support the policies in the Plan but more are adamantly opposed to these same policies. The arguments against this policy are that it undermines the Settlement Strategy and makes the policies on spatial planning and land-use largely redundant. He stated that it is also argued that the rural housing policy threatens economic infrastructure, will have a negative impact on tourism, if not in the short term definitely in the long term and it will have social, community and cultural implications.

He stated that there are location options for everybody, no more than three miles from their place of work or employment and cases may be made where demands of the employment may make it essential to live at or very close to the site of their work.

CHRIOCHNAIGH AN CRUINNUI ANSIN

Special Meeting 11/10/2002

MINUTES OF MONTHLY MEETING OF GALWAY COUNTY

He added that the widespread perception that the Planning Department operates planning policies that impose strict controls on new residential developments in the open countryside is not supported by the facts.

Referring to planning decisions from 15/09/97 to 15/09/02, he informed the Members that there were a total of 18,678 applications, and excluding Outline Planning Permissions \Retentions\Extensions the number of applications was 10553. 94.52% or 9975 of these were for single houses, and there was a refusal rate of 13.85%. 5.12% were for schemes totalling 7198 houses with a refusal rate of 21.11%.

Concluding he stated that 111 submissions were received dealing with 536 issues and a total of 110 recommendations issued. He stated that it is acknowledged that the Draft Development Plan contains worthwhile sustainable development principles, in particular the aims, the strategic framework, Settlement Strategy, landscape assessment, provision for archaeology and the Gaeltacht, but that it also contains policies which inhibit the achievement of the aims as set out in the Draft Development Plan. He added that the defects arise from a limited number of policies, while there are a number of minor insertions that create ambiguity and contradiction

He stated that while there should be control over rural housing there may be a need for different controls in East Galway, the GTPS area and West Galway and he would be available to discuss this matter by way of giving advice on how to form policy that will comply with the proper planning and sustainable development of the county.

He concluded by stating that the function of officials is to advise the Members on the needs to meet the requirements of the Act and to enable all involved to put in place a more effective and efficient County Development Plan.

Mr L. Kavanagh then proceeded to read the Manager's Report on the submissions and observations received on the draft County Development Plan. The Manager's Report on each submission identified who made the submission, the agent (where applicable), the issue, summary of the submission, the Manager's response to the submission and the Manager's recommendation on the submission.

Submissions numbered 1-30 were read by Mr Kavanagh and the Members agreed that the remainder of the submissions would be considered at the Monthly Meeting of the Council to be held on Friday 25th October 2002, commencing at 2.30 p.m.

MAYORS BUSINESS

1725

The Mayor informed the meeting that the Official Opening of the Motor Tax office in Carraroe was taking place on Monday 14th October 2002 at 11.00a.m.

The Minutes of the Annual Meeting held on the 6th July, 2002 were approved by the Council and signed by the Mayor on the proposal of Cllr. Cunningham, seconded by Cllr. Connolly.

CHRIOCHNAIGH AN CRUINNIU ANSIN

Submitted, Approved + Signed

[Signature]

23/11/02

Page 7 of 7 Date

CHOMHAIRLE CHONTAE NA GAILLIMHE

**MINUTES OF MONTHLY MEETING OF GALWAY COUNTY
COUNCIL HELD AT ÁRAS AN CHONTAE, PROSPECT HILL ON
MONDAY 23RD SEPTEMBER, 2002.**

CATHAOIRLEACH: Mayor P. O' Sullivan

ILATHAIR FREISIN:

Baill: Deps. J. Callanan, P. Connaughton, N. Grealish, P. McHugh, Sen. U. Burke, Cllrs. J. Conneely, M. Connolly, M. Cunningham, M. Fahy, S. Gavin, M. Hoade, P. Hynes, J. Joyce, M. Loughnane, J.J. Mannion, T. Mannion, J. McClearn, J. McDonagh, T. McHugh, M. Mullins, Comh. C. Ni Fhatharta, P. O'Foighil, Cllrs. P. O'Malley, K. Quinn, S. Quinn, T. Rabbitt, M. Regan, S. Walsh, T. Walsh.

Oifigigh: D. O'Donoghue, Co. Manager, T. Kavanagh, J. Cullen, J. Morgan, F. Gilmore, P. Ridge, Directors of Services, E. Lusby, Head of Finance; T. Murphy, A. Comer, C. Wallace, Senior Executive Officers, G. Healy, M. Barnicle, Staff Officers, T. Donohue, Assistant Staff Officer.

Thosnaigh an cruinniú leis an paidir.

RESOLUTIONS OF SYMPATHY

1690

A Resolution of Sympathy was extended to the following: -

Brid & Muintir Uí Choistealbha, Cathair, Indreabhan, Co. na Gaillimhe.

PRESENTATION

1691

A presentation was made to Derek Merrigan, a firefighter with Galway County Fire Service. He was the only Irish firefighter selected to attend a Recruit Course in England and at the end of the course he was awarded the 'Silver Axe Award' for being adjudged the best overall student.

Mayor O' Sullivan made a presentation to Mr. Merrigan and wished him every success in his future career.

MINUTES

1692

The Minutes of the Annual Meeting held on the 8th July, 2002 were approved by the Council and signed by the Mayor on the proposal of Cllr. Cunningham, seconded by Cllr. Connolly.

The Minutes of the Special Meeting held on the 8th July, 2002 were approved by the Council and signed by the Mayor on the proposal of Cllr. Hoade, seconded by Cllr. McDonagh.

The Minutes of the Monthly Meeting held on the 29th July, 2002 were approved by the Council and signed by the Mayor on the proposal of Cllr. Grealish, seconded by Cllr. K Quinn.

REPORTS

1693

The Report of the Corporate Policy Group Meeting held on 29th July, 2002 was considered. It was adopted by the Council on the proposal of Cllr. Ni Fhatharta, seconded by Cllr. Gavin.

The Report of the Environmental & Conservation Services Strategic Policy Committee Meeting held on 18th July, 2002 was considered. It was adopted by the Council on the proposal of Cllr. Mullins, seconded by Cllr. McDonagh.

The Report of the Planning & Economic Development Strategic Policy Committee Meeting held on 11th September, 2002 was considered. Following discussion it was adopted by the Council on the proposal of Cllr. Loughnane, seconded by Cllr. Hoade.

The report of the Tuam Area Committee Meeting held on 2nd September, 2002 was considered. It was adopted by the Council on the proposal of Cllr K Quinn, seconded by Dep. Connaughton.

The Report of the Oranmore Area Committee Meeting held on 6th September, 2002 was considered. It was adopted by the Council on the proposal of Cllr Rabbitt, seconded by Cllr. Hoade.

The Report of the Loughrea Electoral Area Committee Meeting held on 10th September, 2002 was considered. It was adopted by the Council on the proposal of Cllr. Cunningham, seconded by Cllr. Regan.

The Report of the Conamara Electoral Area Committee Meeting held on 8th July, 2002 was considered. It was adopted by the Council on the proposal of Cllr. Conneely, seconded by Cllr. J.J. Mannion.

Arising from this report Cllr. Gavin sought clarification as to the current status of the Moycullen and other Town Plans.

The County Manager said that he would examine the situation to see if the Town Plans can be moved forward and he will report back to the next meeting of the Council. In reply to Councillors queries he said that the details of the costs of employing consultants in the preparation of Town Plans would also be available at the next meeting. In reply to Cllr. Cunningham the County Manager said he would update the Council on the present position relating to Material Contraventions at the next meeting.

Monthly Meeting 23/09/2002

The Report of the Conamara Electoral Area Committee Meeting held on 2nd September, 2002 was considered. It was adopted by the Council on the proposal of Cllr. Conneely, seconded by Cllr. O'Malley.

The Report of the Ballinasloe Electoral Area Committee Meeting held on 3rd September, 2002 was considered. It was adopted by the Council on the proposal of Cllr. Joyce, seconded by Cllr. T. Mannion.

The Report of the Local Traveller Accommodation Consultative Committee Meeting held on 30th July, 2002 was considered. It was adopted by the Council on the proposal of Cllr. Connolly, seconded by Cllr. O'Foighil.

The Report of the Local Rural Water Monitoring Committee Meeting held on 10th May, 2002 was considered. It was adopted by the Council on the proposal of Cllr. Connolly, seconded by Cllr. O'Foighil.

The Report of the Local Rural Water Monitoring Committee Meeting held on 25th June, 2002 was considered. It was adopted by the Council on the proposal of Cllr. Connolly, seconded by Cllr. O'Foighil.

The Report of the Local Rural Water Monitoring Committee Meeting held on 19th August, 2002 was considered. It was adopted by the Council on the proposal of Cllr. Connolly, seconded by Cllr. Hoade.

TO CONSIDER REPORT UNDER PART 8 OF PLANNING & DEVELOPMENT REGULATIONS 2001 – LOUGHREA REGIONAL WATER SUPPLY SCHEME – EXTENSION TO CRAUGHWELL 1694

Report dated 5th September, 2002 was circulated to each Member.

The work as proposed was approved on the proposal of Cllr. Loughnane, seconded by Sen. Burke.

TO CONSIDER REPORT UNDER PART 8 OF PLANNING & DEVELOPMENT REGULATIONS 2001 – ON THE PROPOSED DEVELOPMENT OF CAMUS IOCHTAR BRIDGE 1695

Report dated 4th September, 2002 was circulated to each Member.

The work as proposed was approved on the proposal of Comh. O'Foighil, seconded by Cllr. O'Malley.

TO CONSIDER REPORT UNDER PART 8 OF PLANNING & DEVELOPMENT REGULATIONS 2001 – ON THE PROPOSED DEVELOPMENT AT INISHNEE, ROUNDSTONE BAY 1696

Report dated 4th September, 2002 was circulated to each Member.

The work as proposed was approved on the proposal of Comh. Ni Fhatharta, seconded by Cllr. Conneely.

TO CONSIDER REPORT UNDER SECTION 211 OF THE PLANNING & DEVELOPMENT ACT 2000 ON THE DISPOSAL OF 0.29 ACRES AT THE GLEBE, TUAM TO CLUID HOUSING ASSOCIATION. 1697

Report dated 13th August 2002 was already circulated to each Member.

On the proposal of Cllr McHugh, seconded by Dep. McHugh the disposal was approved.

DECLARATION OF ROADS TO BE PUBLIC ROADS – SECTION 11 OF THE ROADS ACT 1993 1698

- (a) On the proposal of Cllr. Cunningham, seconded by Cllr. Regan, the Council approved the declaration of the following road to be a public road, the statutory procedures having been complied with:

Gort Area

Road commencing at junction with Co. Rd. 85632 and extending north for a distance of 390 metres in the Townland of Tyrone (Gort).

- (b) On the proposal of Cllr. Cunningham, seconded by Cllr. Regan, the Council approved the declaration of the following road to be a public road, the statutory procedures having been complied with:

Gort Area

Road commencing at end of Co. Rd. L85256 in townland of Coole and extending westwards for a distance of 95 metres in the townland of Coole Demesne (Gort).

Following a query from Cllr. Fahy it was agreed to discuss Local Improvement Scheme Roads at the next Roads and Transportation Strategic Policy Committee Meeting.

GALWAY TRANSPORTATION & PLANNING STUDY 1699

The Report and Draft Final Report were already circulated to the members.

It was proposed Cllr Loughnane, seconded by Cllr. S. Walsh and agreed that this item be deferred.

DISABLED PERSONS GRANTS AND ESSENTIAL REPAIRS GRANT 1700

Report dated the 16th September 2002 was circulated to each Member.

Members referred to the merits of the Grants and also complemented Mr. Gilmore and his staff in the Housing Department on their efficiency and sensitivity in dealing with applications.

In reply to suggestions made by members Mr. Gilmore said that an application had already been made to the Department of Environment and Local Government to provide 100% funding but no reply had been received. He confirmed that by raising the loan as proposed, the backlog of payments due under the Grants Schemes would be cleared but the Council's liability for 2003 and the loan charges on the loan would have to be provided for in the Estimates.

It was proposed by Cllr. Joyce, seconded by Cllr. K. Quinn and agreed that the Council adopt the following resolution: "*In accordance with the Local Government Act (No.2) 1960, it is hereby resolved that Galway County Council raise a loan of €3m from the Housing Finance Agency plc for the purposes authorised under the Housing Acts*".

CHAIRS OF STRATEGIC POLICY COMMITTEES 1701

It was agreed to defer this item to the November meeting of the Council.

REVIEW OF SPEED LIMITS 1702

Report dated 17th September 2002 was circulated to each Member.

Cllr. McClearn proposed that the speed limits as listed be approved as the National Roads Authority are unlikely to change their minds on their proposals for national routes. He said that it was important to detach road safety from development control when discussing speed limit proposals. Deputy McHugh suggested that the Council approve proposals for non-national roads and leave national roads in abeyance. Cllr. Hoade referred to the fact that no speed limit had been proposed for Cloonboo and she proposed that NRA Officials be invited to the next meeting of the Council to discuss national roads proposals.

In reply to queries from members the County Manager said that it would not be possible to have one set of Bye Laws for non-national roads and a further set for national roads. He recommended that what had been agreed should be adopted and continue discussions with the NRA.

Following further discussion it was agreed that:

- (a) Mr. Morgan get legal advice on whether it was possible to have two sets of Speed Limits Bye Laws
- (b) The NRA be invited to the next October monthly meeting of the Council.
- (c) The matter would be decided at the October monthly meeting.

POLICY TRAINING PROGRAMME FOR ALL COUNCILLORS 1703

Mr. Murphy referred to report dated 19th September 2002 which had been circulated to the members. He said that a one-day seminar on Local Government Finance Matters is being arranged by the Institute of Public Administration and further details will be forwarded as soon as they become available.

NOMINATIONS FOR PEOPLE OF THE YEAR AWARDS 2002 1704

Nomination forms for People of the Year Awards 2002 were circulated to members.

Review of County Development Plan

Mr. Ridge said that the Manager's Report (and enclosures) in accordance with Section 12(4) of the Planning & Development Act 2000 was being made available to the members today. A copy of the submissions received and appropriate maps were also being made available.

He said that in accordance with Section 12(5) of the Act the Council must consider the Draft Plan and the Manager's Report and they have twelve weeks from 23rd September 2002 in which to do so. They must complete their consideration before 16th December 2002.

Following discussion it was proposed by Cllr. Cunningham, seconded by Cllr. Mullins and agreed that a Special Meeting of the Council be held on 11th October 2002 at 3.00p.m. and that consideration of the Draft Plan and the Manager's Report would be the only item on the agenda.

Branch Library Westside

Mr. Murphy informed the Council that work has commenced on the new branch library at Westside, Galway.

Clár – Funding for Islands Projects

The County Manager said that the Department of Community, Rural and Gaeltacht Affairs has advised Galway County Council of funding under CLÁR for **Islands Projects 2002-2003** in the amount of **€243,200**.

The Department will provide funding in the amount of **€178,750** under the CLÁR Programme 2002-2003 with Galway County Council required to provide matching funds in the amount of **€64,450**.

MAYOR'S BUSINESS

Non Council Members of Strategic Policy Committee's

The Mayor stated that details of attendance of non-Council members of Strategic Policy Committee meetings was available for inspection.

CONFERENCES

On the proposal of Cllr. Loughnane, seconded by Cllr. McClearn, it was agreed that the attendance of the following members be approved at the Conferences set out hereunder, the cost of each Conference having been circulated to each Member: -

**“Providing Services for Scattered Depopulated Hinterlands” Conference, Mallow, Co. Cork
20th/21st September 2002**

Cllr. J. McDonagh

**I.V.E.A. Conference, Red Cow, Morans Hotel, Naas Road, Dublin
1st October 2002**

Dep. P. McHugh, Cllrs. J. Conneely, M. Loughnane, T. Mannion, Comh. P. O'Foighil, Cllrs. P. O'Malley, S. Quinn, S. Walsh

**La Touche Seminar, Greystones, Co. Wicklow
4th/6th October 2002**

Dep. P. McHugh, Cllrs. J. Conneely, M. Loughnane, M. Mullins, Comh. P. O'Foighil, Cllr. S. Walsh

**Nice Treaty Seminar, Druids Glen, Marriott Hotel & Country Club,
Newtownmountkennedy, Co. Wicklow
11th October 2002**

Dep. P. McHugh, Cllr. M. Hoade

**Conference of Regional & Local Authorities, Dublin Castle, Dublin
14th October 2002**

Cllrs. M. Loughnane, T. Walsh

**Cultural Infrastructure, Clonmel, Co. Tipperary
18th/19th October 2002**

Dep. P. McHugh, Cllrs. M. Cunningham, M. Hoade, M. Loughnane K. Quinn

NOTICE OF MOTIONS

NOTICE OF MOTION NO.16 – DEP. P. CONNAUGHTON – SEWERAGE

The following reply was given: - **1708**

“The County Council is currently reviewing the Draft Preliminary Report in relation to Kilconnell Sewerage and expects to be in a position to forward same to the Department of the Environment and Local Government for funding approval within the next six to eight weeks. It is too early in the process at this stage to state when work is expected to commence.”

NOTICE OF MOTION NO.17 – DEP. P. CONNAUGHTON – SEWERAGE

The following reply was given: - **1709**

“The scheme is currently with the County Council Consulting Engineers to prepare further documentation as requested by the Department of the Environment and Local Government. Final approval will not be confirmed pending receipt of these reports.”

NOTICE OF MOTION NO.18– DEP. P. CONNAUGHTON – LIGHTS

The following reply was given: - 1710

“The erection of school flashing lights at this location will be considered when the 2003 Road Works Programme is being completed.”

NOTICE OF MOTION NO.19 – CLLR. M. CUNNINGHAM – TREES

The following reply was given: - 1711

“These trees are the responsibility of the land owner adjoining the road. Galway County Council will inform this land owner of the concerns raised.”

NOTICE OF MOTION NO.20 – CLLR. M. CUNNINGHAM – ROADS

The following reply was given: - 1712

“There are currently no funds available to carry out these works but an estimate of the cost involved will be prepared.”

NOTICE OF MOTION NO.21 – CLLR. M. CUNNINGHAM – ROADS

The following reply was given: - 1713

“There are currently no funds available to carry out these works but an estimate of the cost involved will be prepared.”

NOTICE OF MOTION NO.22 – CLLR. M. FAHY – ROADS 1714

The following reply was given: -

“Repair works have been carried out at this location recently.”

NOTICE OF MOTION NO.23 – CLLR. M. FAHY – WATER 1715

The following reply was given: -

“The Council has lodged a Preliminary Report with the Department of Environment and Local Government, which contains proposals to supplement the water supply to Clarinbridge and Kilcolgan and is awaiting confirmation of funding approval in relation to same. It is not possible at this stage to state when this approval will be received.”

NOTICE OF MOTION NO.24 – CLLR. M. FAHY – FUNDING 1716

The following reply was given: -

“An estimate of the cost involved will be prepared for the repair of this road and it will be considered when funding becomes available.”

NOTICE OF MOTION NO.25 – CLLR. J. MCDONAGH – TRAFFIC CALMING MEASURES 1717

The following reply was given: -

“Galway County Council will discuss this proposal with the National Roads Authority.”

NOTICE OF MOTION NO. 26 – CLLR. J. MCDONAGH – SIGNS 1718
The following reply was given: -

“Galway County Council do not provide these signs but will facilitate the erection of the signs if provided by the local community.”

NOTICE OF MOTION NO.27 – CLLR. J. MCDONAGH – SIGNS 1719
The following reply was given: -

“Galway County Council do not provide these signs but will facilitate the erection of the signs if provided by the local community.”

NOTICE OF MOTION NO. 28– CLLR. K. QUINN – SAFETY 1720
The following reply was given: -

“This will be done as soon as funds become available.”

NOTICE OF MOTION NO. 29 – CLLR. K. QUINN – ROADS 1721
The following reply was given: -

“Galway County Council will discuss this proposal with the National Roads Authority.”

NOTICE OF MOTION NO.30 – CLLR. K. QUINN – ROADS 1722
The following reply was given: -

“It is proposed to resurface Dunmore Square in 2003 if funding is available. When resurfacing is complete the area will be lined for parking.”

CHRIOCHNAIGH AN CRUINNIU ANSIN

Submitted, Approved & Signed

P. O'Fallon

25-10-2002.

Date

RESOLUTIONS OF SYMPATHY

A Resolution of Sympathy was introduced to the following -

- Ms. Mary Coffey, Rathfriland, Athlery, Co. Galway.
- Mr. Sean O'Sullivan, 2007, Colla Rua, Inceabham, Co. na Gaillimhe.