

COMHAIRLE CHONTAE NA GAILLIMHE

Ceantar Bardasach Chonamara **Municipal District of Conamara**

Minutes of the Meeting of the Municipal District of Conamara held at the Forge in Moycullen, County Galway on the 16th of April 2019 @ 10.00 a.m

I LATHAIR:

Baill:

Cllr. N. Thomas Cathaoirleach, S. O’Cualáin
S. Walsh, T. Ó Cuarraoin, N. Byrne, T. Welby
S. O’Tuairisg, T. Healy, Cllr. E. Mannion.

Oifigigh:

G. Mullarkey, Head of Finance.
D. Mitchell, S.E Infrastructure-Operations
M. Timmins, S.E Infrastructure-Operations
T. J Redmond, Area Engineer, N. Conamara
N. O’Conaola Area Engineer, S. Conamara
V. Loughnane, Senior Planner.
B. Dunne, Assistant Planner
C. Hannon, ASO, Planning.
N. Madden, Broadband Officer
S. Groarke, Meetings Administrator.

Apologies:

1. Minutes of the MD of Conamara Meeting held on the 18-2-2019 CMD 19012

The adoption of the Minutes of the Meeting held on the 18-2-2019 was proposed by Cllr.S. Walsh and seconded by Cllr. T. O’Curraoin.

2. Matters arising from the Minutes CMD 19013

Cllr. S. Walsh referred to the matter he raised concerning the access and parking area at Furnish Pier where a local landowner has tipped rubble in a possible illegal manner preventing access-he had a meeting with 3 pier users concerning this. He advised that the Pier road was tarred and was in public use for over 7 years -the public should have rights of access even if the ownership appears on the landowner’s folio and the road was never taken in charge. Comh. S. O’Cualáin stated that the material was dumped there in October 2018

and has blocked access to the slipway and there is no place to turn on the pier. D. Mitchell advised that he is not aware of the facts but will follow up on this. Cllr. T. Healy advised that there are not enough staff (just 2) in the Infrastructure section to deal with piers and there are 2 piers in the Carna area which require works to be completed. He stated that funding was allocated for this but the Council will need to assign more staff to piers as works are not being completed and funding not being drawn down. He advised that the grants from the Department of the Marine are too small and €2 million is not adequate when divided among several piers. He explained that a pier is like a small factory to a rural community as it represents income to 10-15 people. He stated that some pier walls require works as people have to travel 30km to use other piers. Comh. S. O'Tuairisg spoke of the need to have staff assigned to prepare the tenders for the works on the piers and the Community Wardens should deal with the waste dumped at Furnish Pier. Cllr. N. Thomas referred to the dip on the Clydagh Road and advised on the need for the Council to prepare a Local Area Plan for Tully to enhance its potential. D. Mitchell advised that the Council is awaiting a response from TII in regard to the Clydagh Road and stated that the LAP for Tully is a matter for the Forward Planning Section. Cllr. N. Byrne advised that on page 4 she was referring to the Oughterard Golf Course Junction and that she requires a response concerning the reinstatement of the Moycullen -Killanan Road as it is getting worse following works by SSE Renewables. D. Mitchell advised that he check this matter. He advised that the Council has to follow the guidelines and procedures established for Road Opening Licences and the subsequent reinstatement of the roads. He explained that TII have plans to re-surface large sections of this road in accordance with the multi-annual program.

Comh. S. O'Tuairisg referred to the protest the previous Sunday by residents of Conamara in regard to the state of its roads and proposed that a special case has to be made in regard to the allocation of funding as the network is different to that of the rest of the County. He stated that the allocation per km does not reflect the extra costs of upgrading and maintenance associated with the boggy surface conditions. He advised that the roads need to be re-surfaced every 8-10 years but with the cutbacks since 2008 it is being done every 25 years-the County received €38 m for roads in 2008. Comh. T. O'Curraoin stated that he attended the protest rally and proposed that the Council seek to recover the estimated €50 million lost in funding since 2008-he also proposed that the proceeds of motor tax be retained in the County. He advised that people have received no benefit from the LPT and the T.Ds representing the County will have to work harder as good roads are needed for tourism and to attract new facilities. His proposal which he intends to raise at the next Plenary Meeting was seconded by Cllr. T. Healy. Cllr. N. Thomas stated that this matter has been raised at every meeting and it is up to the Government to provide the extra funding-he advised that it may be more beneficial if this rally was held before a general election. He advised that the Council should maintain the pressure for more funding and any of the Councillors can put down a motion at the Plenary Council. Cllr. T. Healy advised that the road budget was under €22m for the last 7 years with no adjustment for inflation and the increase in tender costs. He supported the retention of motor tax and spoke of the erosion of the areas outside Dublin and the problems associated with vulture funds, the carbon tax and perceived lack of benefits from the LPT- the protest was needed. Comh. S. O'Cualáin stated that the Council was not getting its fair share of funding as the County was receiving €585 per head of population which is less than other counties with over €1,000 per head. D. Mitchell stated that Galway has one of the biggest road networks in the country and this has

seriously deteriorated over time through lack of funding even though the members have been lobbying hard for more.

3. Declaration of Road as a Public Road- Section 11 Roads Act 1993 CMD 19014

On the proposal of Cllr. S. Walsh, seconded by Cllr. T. Healy the road at An Maimín was declared to be a Public Road.

On the proposal of Cllr. S. O'Tuairisg, seconded by Cllr. T. O'Curraoin the road at An Liopa was declared to be a Public Road.

4. National Broadband Plan-Presentation by Noel Madden CMD 19015

N. Madden advised that the NBP (dated 30-8-2012) is the Government policy that aims to ensure that every business, school & home in Ireland -regardless of how remote or rural - will have access to highspeed broadband. There are an estimated 542,000 premises or 1.1 million people that still have to be connected. This is to be achieved through a combination of commercial investment across the country and state intervention in those areas where commercial operators acting alone are unlikely to invest as they insist that it is not commercially viable to do so. The state intervention will focus on areas where there is no existing or a planned commercial high-speed broadband network which is termed "The Intervention Area". He explained that the Department of Communications undertook a procurement process in order to award a contract to a company to develop, maintain and operate the State Intervention network for the next 25 years. The competition for the contract has been beset by delays and setbacks and was whittled down to 3 bidders in 2016- SIRO (a joint venture between the ESB & Vodaphone), EIR and a consortium involving the U.S technology & telecoms investment firm Granahan McCourt which includes ENET, Nokia, Actavo (Siteserv), Kelly & KN Groups. This consortium is now known as National Broadband Ireland and is the only remaining tender for the process as EIR, SIRO and the separate bid by ENET (SSE withdrew) all dropped out. He explained that the evaluation of the 1 remaining tender by the Department of Communications is still ongoing. He stated that a key principle of the NBP is to support and stimulate commercial investment through policy and regulatory measures. This has acted as a catalyst to commercial investment by the telecommunications sector. He explained that in April 2017 EIR made a commitment to the Minister of Communications that they would provide 300,000 homes & businesses in rural Ireland with access to high speed broadband-28,868 properties in Co. Galway. For County Galway- the NBP is projected to bring broadband to 39,185 properties in the Intervention Area which is 29% of the total properties in the County via Government intervention. It will be provided to the remaining 95,933 properties via a mix of commercial operators i.e 88,483 properties or 65% and the planned rural deployment by EIR for 7,450 or 6% of the total. The 7- main commercial broadband providers in Ireland are EIR, Vodaphone, Virgin Media, Pure Telecom, Digiweb, Sky & Bigblu. There are a number of smaller licenced broadband providers listed on the Comreg website who can provide this in rural areas.

Cllr. N. Thomas thanked N. Madden for his presentation and invited comments. Cllr. T. Healy welcomed the fact that the Council has a Broadband Officer but advised that since the roll out of the NBP has been delayed for so long -the plan is useless in terms that the technology it is based on is redundant now with the advent of 5G Broadband. This is much faster than

4G Broadband with data transfer and download speeds measured in Gigabites/Sec and he advised that transmission by fibre-optic cabling is the best technology. He explained how 4G Broadband was introduced to Cleggan 4 years ago but there are areas in Conamara such as Loch na Fí, Finney and the Joyce Country which has no internet or mobile coverage and Broadband providers will not operate there. Cllr. T. Welby stated that this is the 4th presentation on Broadband they have received and he referred to the problems people have in getting a broadband connection from private operators such as EIR who can exploit their monopoly position in order to corner the market and maximise costs in particular areas in order to extract more money from the taxpayer. He cited as an example the 0.7 ml stretch of the Glann Road where they provided a broadband connection for a 0.2 ml section -they do a short section and just walk away even if there appears to be potential to do more connections. EIR dictate as to who gets a broadband connection and where it stops and they keep people in the dark as regards this. He enquired if the broadband officer could enlighten the meeting concerning why they do not complete connections in such areas and where is the information they send to the Department of Communications. He explained that his work is retail but it appears that EIR are deliberately excluding customers in order to achieve a bigger payday- he enquired as to what the 70 officials in the Department are doing and advised that the rollout of broadband could end up in a financial scandal like the Children's Hospital. Comh. S. O'Tuairisg advised that he is skeptical about the rollout as EIR own the network and have a monopoly on this. Cllr. N. Thomas stated that the private companies like Virgin Media who provide broadband connections in Tuam can charge what they like and can state that they cannot do a connection if the driveway is too long as a means of getting the general public to put pressure on the Government. He advised that 5G Broadband is what is required now as 4G and 3G can get clogged up with a lot of customer usage. Cllr. E. Mannion stated that broadband is a major issue for the electorate and enquired about local authorities applying for EU funding for it. N. Madden advised that the Council has applied for 4 vouchers worth €15,000 each which will increase to €30,000 when matching funding is provided by the Department which will be used for the installation of Wi-Fi and he is looking at public buildings for the initial roll out of this. He explained that his role is the point of interaction with the commercial broadband providers in order to facilitate the rollout of the NBP, facilitate the provision of as much service as possible and to provide information to the general public. He stated that his salary is co-funded by the Department of Community & Rural Development and the Council and his details is on the Department website. He explained that he is in regular contact with EIR concerning queries from the public about connections and they examine each query on a case by case basis but they make the decision on commercial grounds. He stated that in regard to the EIR 300 rollout for homes & businesses in rural areas- it is EIR who have decided the routes and locations & have provided the EIRCODES to the Department of Communications and they have undertaken to provide connections to an additional 2,400 properties in Co. Galway. He advised that fibre-optic technology is the key component of the NBP and the award of the contract but there is provision for deviation to wireless technology in certain cases. He explained that while EIR control the existing infrastructure i.e telegraph poles they have to allow the other companies access to the network in accordance with the rates set by Comreg. He advised that he makes representations for individuals and groups with the commercial providers and can check the status of locations on their websites and that of the Department of Communications.

Cllrs N. Thomas, T. Healy and S. O’Cualáin raised the issue of flooding and surface water retention on the Oughterard-Moycullen Road, Barna-Spiddal Road, the N59 & the R-336. D. Mitchell confirmed that a contractor has been appointed to undertake work to relieve the surface water at Oldtown on the Moycullen Road and that a full assessment has been carried out on the N59 and the R336. He stated that the drainage grant has doubled which will enable the Council to carry out more works. N. O’Canaola advised that he hopes to deal with the problem in his area within the next few weeks with the deployment of the suction machine to relieve the channels- he stated that the problem at Carraroe village has been resolved. Comh. S. O’Cualáin referred to the flooding at Camus where drainage was done and the road raised. Cllr. T.Healy referred to the problem with subsidence on the N59 in the past.

6. Annual Report 2018-MD of Conamara

CMD 19017

On the proposal of Cllr. T. Welby, seconded by Cllr. S. Walsh and agreed -approval was given to the Annual Report for the MD of Conamara for 2018. This will be included in the Council’s Annual Report for 2018.

7. Update on the Status of the R-336 Routes.

CMD 19018

M. Timmins advised that the Planning Department requested formal notification from the Infrastructure-Operations unit to confirm that it is no longer necessary to protect the lands for road reservation purposes within the route corridor reservations for the proposed R-336 Road. He referred to the minutes of the MD of Conamara meeting on the 18-2-2019. He stated that this has been done and the Infrastructure-Operations unit has also requested that all the route corridors for the proposed R336 be removed from the mapping system. He advised that it is premature to plan the development of a new route until the outcome of the Galway Ring Road is decided and a tie in with the existing road network in Conamara is determined. Cllr. T. Welby advised that he was the only Councillor who did not agree with the Brown Route as it was not viable- it was too far from where the traffic originates and this has been an expensive lesson with false hope given and projects have to be achievable. He explained how the Coillte lands in Conamara were never designated by NPWS and that the state looked after its own lands from the blanket designation. He advised that buffer zones of 20-40m should have been sought by the Council for the road network from the blanket designations which NPWS brought as far as the boundaries for ease of mapping. He stated that there is a better relationship with NPWS as regards the N59 now but development of the existing arteries would have minimum impact. Cllr. E. Mannion queried how much was spent on the R336 and stated that it is a lesson and a source of embarrassment to realize that 10 years was spent discussing the R336 routes with the route corridors frozen. She enquired if there are any plans to upgrade the existing R336. Comh. T. O’Curraoin advised that the Council can look at upgrading the existing road along the Golf Club onto the Spiddal road which are NHA areas. Comh. S. O’Cualain agreed that the existing roads should be upgraded with the Ring Road linked into the Ragoon Road- he explained that an existing road was upgraded as part of the motorway between Dublin-Wexford. Comh. S. O’ Tuairisg stated that traffic on the existing R336 has increased and that short -term solutions are needed such as laybys and bus shelters. Cllr. T. Healy referred to the need for more passing lanes and advised that Conamara appears to be a target for SAC designations as there is word that an SAC may be taken out of the east part of the Country and transferred to it. He referred to the need for a 50m corridor to allow for development. Cllr. S. Walsh advised that the Councillors would like to have the

feasibility of upgrading the Ragoon Road and the other existing roads examined. He stated that the consultants came up with the routes which were imposed on them -the €3 million spent on the project was wasted and could have been spent on upgrading existing roads. He stated that the Brown Route was the preference of the people who elected the members but this does not appear to be possible and it is an executive decision as regards the route decision.

8. Update on the Moycullen Bypass

CMD 19019

D. Mitchell advised that the tender documents should be ready at the end of May and that it is hoped that the contract will be signed at the end of the year with works commencing in 2020.

9. Landscape Character Assessment- Presentation by Conor Skehan CAAS

CMD 19020

Ms. Loughnane advised members that the Planning Authority was currently creating a new Landscape Character Assessment as same had not been updated since 2003. She circulated maps to the members which showed the previous landscape assessment along with the draft maps currently being worked on by CAAS Consultants. She advised that the Planning Staff along with CAAS were giving a brief presentation at the MD meetings to inform the members of the work being carried out and take their views on board, she explained that a presentation had also been given at the Special Policy Committee meeting. She advised that this work would form the background work for the Galway County Development Plan and future policies. She stated that there had been a significant amount of changes since 2003 therefore it was necessary to update the Landscape Character Assessment based on current requirements. Ms. Loughnane then welcomed Conor Skehan and Aengus from CAAS and thanked them for all the work they had done to date.

Mr. Skehan referred to the maps which had been circulated to members, he explained that the colour map was showing the work done to date. He explained that they were trying to have consistency between all the maps for the County, in order to help make sense to people outside of the Local Authorities. He stated that this was a map for Galway people to have their say and show how they see the county. He referred to the second map which points out the view points in the County. He advised that there had been preliminary work carried out along with Ms. Fox from the Planning Department, during which a lot of the viewpoints had been visited and it was found that some views would no longer be a point of interest as something had been built which was now blocking the original view point or trees/shrubs were over grown and the view could no longer be seen. He also explained that there were some specific views which were very important in the County but same had not been listed as viewpoints, e.g. Kylemore Abbey, known world-wide but not listed. Therefore, it was very important that this would be updated and any comments or views that members would like to make would be taken on board in finalising the Landscape Character Assessment for County Galway.

Cllr. Healy commented that this sounds very straight forward but sometimes these matters can cause problems in the future. He stated that he comes from the Class 4 landscape and he asked would anything change in his area for example, he hoped it would not change things and that locals would be able to get planning permission in the area. He referred to a planning application which An Taisce recently made a submission to, an objection on a site which they had never visited but based on maps made an objection which in turn had the application turned down. He pointed out that in West

Connemara along the coast there were no properties available for rent, all the properties were gone by tourists as holiday lets. He thanked Mr. Skehan for the presentation but explained that he feared these changes.

Cllr. N. Byrne pointed out that there was a point of interest missing on the current map. She asked what the new map would influence, would it affect planning applications or would all decisions be based on site specific. Comh. Ó Tuairisg highlighted that Connemara has always had a special character, he said looking at the maps the focal points being shown were very different in Connemara compared to the rest of the County. He expressed concern for locals who cannot get planning permission in their own area. Cllr. Walsh asked that it would not be made more difficult for local people to obtain planning permission. He stated that the Planning Authority does its best to accommodate as many people as possible and he would not be in favour of it being made more difficult to obtain planning permission. He commented that there had been recent issues which had started to make planning permission more difficult, e.g. Flooding issues, hydrologic reports etc.

Cllr. Welby stated he was hopeful that these maps could be improved. He highlighted that previous site prices put people out of the running to purchase sites. He commented that it needs to be looked at to see where growth could be allowed in the area, especially for the younger generation. He finalised by saying if re-elected he looked forward to working with Mr. Skehan and the Planning Department in the future. Comh. Ó Cualáin advised that Connemara was very important in relation to tourism, therefore it needs to be kept in a nice condition without pushing people out. He explained that people enjoy Connemara the way it was now, should look after the people who are ensuring that it looks as good as it does, i.e. local farmers.

Cllr. Mannion raised concerns that planning permission would not be made more difficult for people in the Connemara area. She stated that it would be very beneficial to have these maps updated as some very important views were not included. She finalised by saying it was very important that these maps were studied and finished as best they could. Comh. Ó Curraoin stated that the local residents and returning immigrants need to be looked after, therefore he could not support these plans as if restrictions were put in place due to views this would cause difficulties for the local residents. Cllr. Thomas highlighted that Connemara was spoilt for views therefore asked that everyone be very careful when producing these maps as he did not want planning permission hindered for people. He stated that the area should be developed but allow for the view to be admired still by everyone.

Mr. Skehan summarised that each member here has advised that they do not want the process to affect local residents. He agreed that the county does suffer because of maps created by outside bodies but that's why it's important that these maps were shown to members and their views taken on board. He explained that these would be the working maps of the county, different to all other counties. He highlighted that this was the members chance to tell the outside world what parts of the county were important to them.

10. Cathaoirleach's Business

CMD 19021

Cllr. N. Thomas referred to the problem with the reinstatement of footpaths and roads after trenches have been dug by utilities and telecom companies such as Virgin Media in order to provide services- he stated that this work can be shoddy and the Council should insist on full

reinstatement. D. Mitchell advised that there are specific conditions in the road opening licenses which utilities are required to abide by and 99% of them undertake the reinstatement works to a good standard. He explained that sometimes a temporary reinstatement is done for a while until the full reinstatement is undertaken later- sometimes the contractor may sub-contract this work out. He referred to the guidelines and procedure documentation in regard to road opening licenses and the conditions for reinstatement works. Cllr. E. Mannion stated that it looks unsightly to see black tarmac placed through the footpaths in a village.

11. AOB

CMD 19022

Cllr. T. Healy referred to the problem of flooding at the bridge at Kylemore which is blocked. He also proposed that a letter be sent to the Minister concerning the fact that An Bord Pleanála had overturned the decision of the Council on appeal to grant planning permission to Udarás na Gaeltachta for the development at Páirc na Mara, Cill Chiaráin-this was seconded by Cllr. S. Walsh. Cllr. Walsh referred to the problem of flooding and erosion at Myros Cemetery which he has been making representations for the past few years. Cllr. N. Byrne spoke of intermediate safety measures to be put in place at the bridge in Oughterard. Comh. S. O'Tuairisg queried the procedure for the roll out of water & sewerage schemes by Irish Water -does the Council have to make an application to instigate them.

Tributes were paid by their colleagues to the 3 Councillors who are not seeking re-election i.e Cllr. N. Byrne, Cllr. S. O'Tuairisg and Cllr. S. O'Cualáin. Their colleagues wished them the best and stated that their departure will be a big loss to the electorate as they did their best for Conamara & the County and it is sad to see them leave. They spoke of the hard work associated with the role especially when they do not have a secretarial service like a T.D, the difficulty in attracting new candidates and having to balance their public and private life especially if they are self-employed. The 3 departing Councillors thanked their colleagues, the Council management & officials, the staff in the Clifden & Carraroe offices and the media for their co-operation and assistance during the past 5 years. They advised of the initial expectation that the new Municipal Districts would have adequate powers in order to get more work done but this did not materialize. G. Mullarkey thanked the elected members and the officials and stated that they worked well together during the previous 5 years- he wished the candidates well in the election. Cllr. S. Walsh proposed a vote of sympathy on the death of Cllr. Ml. Fahy RIP and this was agreed. Cllr. N. Thomas as Cathaoirleach wished his colleagues all the best in the election and thanked the officials for their cooperation and assistance and the media for providing coverage of the meetings. He stated that it was a pleasure working with them for the past 5 years and he expressed his appreciation to the management of the Forge for providing the venue for the last meeting.

12. Date & Venue for Next Meeting

MD 19023

It was agreed that the Annual Meeting and the next Ordinary Meeting of the MD will be held on a date following the first scheduled Plenary Council Meeting after the election.

CROCHNAIGH AN CRUINNIU ANSIN