

COMHAIRLE CHONTAE NA GAILLIMHE

Ceantar Bardasach Chonamara Municipal District of Conamara

Minutes of the Meeting of the Municipal District of Conamara held in the Community Center, Inishbofin, Co. Galway on the 2nd of June 2016 @ 1.00 p.m

ILATHAIR:

Baill:

Cllrs. E. Mannion Cathaoirleach,
S. Walsh, T. Welby, S. Ó Tuairisg, N. Thomas,
S. Ó Cualáin, T Ó Cuarraoin, T. Healy, N. Byrne.

Oifigigh:

G Mullarkey, Head of Finance
J. Leahy, Senior Engineer Roads
P. Breathnach, S.E.E Conamara
J. Coyle, Area Engineer, S. Conamara
S. Groarke, Meetings Administrator

Apologies:

L. Gavin, Director of Services

1. Minutes of the Meeting held on the 26-4-2016

CMD 16021

The adoption of the Minutes of the Meeting held on the 26th April 2016 were proposed by Comh. S. O'Tuairisg and agreed by the members.

2. Matters arising from the Minutes

CMD 16022

There were no matters arising from the minutes.

3. Update on the N-59

CMD 16023

Cllr. E. Mannion welcomed the elected members and officials to the Inishbofin Community Center. She requested J. Leahy to present the update on the N59. He referred to the decision made by An Bord Pleanála on the 19-5-2016 to refuse permission for the N59 Clifden to Maam Cross Road Project under Section 51 of the Roads Act 1993 and to annul the CPO. He stated that the Council is very disappointed with the Bord Pleanala decision and that a meeting concerning this has taken place between the Chief Executive, the Director of Service and the NRDO. He advised that L. Gavin will present a report to the Council at the next meeting on the matter. He stated that the Roads Department was currently trying to establish the details and implications of the refusal as it appears from the interpretation of the decision that there is potential to revisit some sections of the road project. He referred to the comment made by Bord Pleanála in its decision “ Notwithstanding the decision to refuse to approve the proposed road development on the grounds set out above the Board was generally favourably

disposed to the road improvement proposed in terms of the proper planning and sustainable development of the area. “ In regard to the N59 Maam Cross-Oughterard route which received planning permission from Bord Pleanála- he confirmed that the Council was still dealing with NPWS in regard to the Method Statements. Cllr. S. Walsh emphasized the total frustration and disappointment of the community in Conamara at this decision. He referred to the critical comments which the elected members were receiving from the community in regard to this. He questioned the competency of the experts hired by TII and the Council to progress this road project as there appears to have been a lack of contact with Bord Pleanála. He expressed his opinion that the project was doomed even before the application was made and that the elected members required answers concerning its failure. He advised that the elected members have to voice their opinions and concerns as they have a representational role. He stated that the community wanted the whole road done and not in piecemeal sections. He referred to the fact that the Councilors will have to wait until the end of June for the report by the DOS on the matter. J. Leahy responded by stating that he refused to accept that the consultant experts were incompetent and reiterated that the Council was studying the details of the decision to ascertain the potential to revisit some of the sections.

Cllr..N. Thomas questioned whether mistakes were made on the design or the application itself in regard to this vital piece of infrastructure. He asked who would be responsible if people are killed on this substandard road in future as it appears that the community will have to endure a horse and cart standard road from Peacocks to Clifden for the next 10 years. He noted that 4 officials in Bord Pleanála arrived at the decision (3-1 against) and enquired if the Council has to get approval from Bord Pleanála to revisit some sections- this appears to be making minor changes to the infrastructure. In regard to the N59 Maam Cross-Oughterard he stated that the Council should proceed with the project if it is unable to get agreement with NPWS. J. Leahy advised of the potential to reconsider some of the sections but there was no guarantee as regards planning permission. Comh. S. O’Tuairisg advised that the Council faced a crisis situation and this decision will have negative implications for the R-336 and other proposed developments in Conamara-there was no hope for the Brown Route. He stated that the impasse over the route selection for the R-336 was a burden on the affected landowners due to devaluation of their land. He referred to the fact that the bends at Recess were excluded on the advice of NPWS. He queried as to how the Council would be able to progress the development of infrastructure in Conamara. He proposed that a meeting be arranged between the Conamara Councillors with officials from NPWS and the Oireachtas Committee for Heritage and the Gealtacht. This proposal was seconded by Cllr. S. Walsh. Cllr. E. Mannion stated that the other Councilors were in agreement with this proposal. Comh. S. O’Cualáin referred to the fact that the road was deteriorating at a fast rate and to the potential negative implications of chapter 7.5 of the 124 page Inspector’s report in regard to the N59 Oughterard-Maam Cross road. He referred to the calls for the dissolution of NPWS that were previously made at a previous Council meeting as it appears to be a faceless body.

Comh. T. O’Curraoin stated that buffer zones should have been created in Conamara in regard to the development of infrastructure and this should have been foreseen. It appears to him that the Council is been prevented from developing the roads in Conamara which is been turned into a national park. He advised that the only grounds the Council has is Health and Safety in order to progress the development of infrastructure. He stated that the County got nothing out of the EU except restrictive regulation such as the imposition of the SACs. Cllr. N. Byrne advised that it was important that the elected members and officials work together to find ways to progress the matter and ascertain if it can be progressed on the grounds of Health and Safety. She requested answers to the following questions.

1. When the planning application was made what figure was given for the number of road users.
2. Does the Council have a figure for the number of accidents that occurred along that stretch of the N59.
3. Is it straightforward for the Council to go ahead and resurface it now.

Cllr. T. Healy advised that due to the current substandard condition of the road the average travel time from Clifden to Galway is now over 2 hours which means a 4 hour commute for persons working in Galway. There are currently 30km/h, 40km/h and 50km/h speed limits on this stretch of road. He referred to the fact that Ireland has not brought the Critical Infrastructure Directive for the Environment into law. He queried as to how the economy in Conamara was going to function due to the restrictive environmental designations and stated that he fully agreed with the proposal made by Comh. O'Tuairisg. He referred to the fact that there were 3 Ministers for the County and political pressure would need to be applied on NPWS. He stated that the Councilors would need to see the minutes of the meetings held with NPWS. He cited the fact that progressing the road development by means of the reconsideration of certain sections would not work due to economy of scale reasons. Cllr. T. Welby advised that this road project was split into two due to the environmental designations and that planning permission was granted by BP in regard to the N59 Maam Cross-Oughterard on the condition that the NPWS and the Council agree the method statements. He referred to the fact that 11 meetings have taken place and it appears the Council cannot get them to agree same. He stated that the Council will have to put pressure on them and get representatives from NPWS to attend a Municipal meeting or submit an FOI request to get relevant information from them. He advised that buffer zones should have been provided for the roads in Conamara in regard to the designations. He did not agree with the assertion that the Council has potential to progress this on a sectional basis as this stretch of road is inundated with environmental designations. He said that the Council has spent a lot of money on environmental reports in the past but is still been effectively stonewalled by NPWS in regards to projects- once- off housing is gone, no progress can be made on the R-336 and the proposed Greenway is affected. He stated that in regard to a planning application within 15 km of an SAC- the applicant is required to prove that there are no impacts on same. He recommended that the Council and TII should commence the first section and proceed with the land acquisition.

Cllr. S. Walsh advised that Duchás which was the predecessor to NPWS had a more flexible arrangement as regards an appeal process in relation to environmental issues. He described liaison committee meetings held in the past with Noel Kirby a former Duchás official. He stated that the appeals system effectively closed in 2009. He compared the condition of the N59 Maam Cross to Oughterard road with the Bushy Park to Moycullen one and stated that ministerial intervention may be required to get the method statements agreed-the community want the road done. The current state of the N59 requires urgent remedial works and the community was dependent on the expertise of the consultants and TII to get the planning permission in place. He stated that officials from NPWS should be answerable to the elected members in regard to the decisions they make which in effect stymies vital infrastructure. Comh. S. O'Tuairisg referred to the large traffic volumes using the N59 in the summertime and the Council should prepare figures in regard to this and the number of accidents an advance of a meeting with NPWS. Comh. S. O'Cualáin enquired if the Council can request funding from TII to get the N59 resurfaced in the meantime. Cllr. E. Mannion advised that the inhabitants of Clifden were in effect cut off by the appalling condition of the N59 and cited the inherent danger to those who would require the ambulance service. She referred to

the fact that a 4km stretch of road was completed at Derrylea a few years ago and the Council had to deal with environmental constraints in regard to this. She stated that the elected members and officials will have to work together in order to progress the matter-it was essential to get the first section Maam Cross to Oughterard started. She referred to Bord Pleanála's statement that it was generally favourably disposed to the Maam Cross to Clifden road development and the reference to certain sections it had considered approving in their report. J. Leahy responded by stating that data on traffic volumes and accidents were submitted with the application and they can be given to the elected members. He advised that the Council had applied to TII in regard to funding for overlays but received no response. He stated that funding for this may be unlikely at present. .

4. Update on Coastal Protection Works

CMD 16024

J. Leahy advised that repairs to the South Shore of Inishbofin are complete and that a submission in regard to the pier and breakwater is with the OPW at present –the Council has engaged a consultant to work on this. He stated that works are ongoing in regard to Kilmurvey and Frenchmans Strand on Inishmore and that storm damage repair works in regard to Eyrephort beach and the Sky Road, Clifden are going to contract. He confirmed that there was an allocation of €100,000 for Letterafferroe. He stated that the Council has a current allocation of €452,000 to spend on coastal protection works before the end of 2016 and this would be spent as follows:

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| Frenchman's Strand | -€32,000 |
| Renville, Oranmore- | €40,000 |
| Mweeloon- | €80,000 |
| Erislannan- | €100,000 |
| Kilmurvey- | €100,000 |
| Ardagreevagh- | €100,000 |

Comh. S. O'Tuairisg enquired whether an application was made to the OPW in regard to Lochanbeg and Trá Mór, Inverin where storm debris had accumulated on the beach and caused blocked drains and gullies and affects the treatment system. He advised that the embankment was breached at the airport on Inis Meain and enquired if an application was made to the OPW in regard to this. He also referred to the fact that the road needs to be raised at Mameaín Pier and that K. Finn had inspected it. Comh. S. O'Cualáin advised that he spoke to Ciaran Wynne S.E.E in regard to works required at Caladh Golam, Lettermullen. Cllr. T. Healy referred to the storm debris at the caravan park at Lettergesh and stated that the cages at Inishbofin Harbour need repair. He acknowledged the good work done by the Council in raising the road at Inisnee. Comh. T. O'Curraoin acknowledged the work done on tarring the path at Barna and enquired about the possibility of tarmac for Spiddal. Cllr. E. Mannion referred to works required for Turbot Island and stated she will contact Ciaran Wynne in regard to this. J. Leahy advised that there was a €40,000 allocation for the embankment at the airport on Inis Meain and a €20,000 allocation for Spiddal. He stated that he will check the details regarding Caladh Golam, Inverin, Spiddal, Mameain and Lettergesh with Ciaran Wynne.

5. Works on the Seanapheastín Road-Oughterard

CMD 16025

Cllr. N. Thomas referred to the windfarm development being undertaken by SSE Renewables and enquired as regards who has responsibility for the reinstatement of the Seanapheastín Road –he understood that there was a Council charge of €500,000 to have the road resurfaced. J. Leahy advised that the money has to be lodged by SSE with the Council who will arrange to undertake the permanent reinstatement of the road in accordance with the procurement process-which could take 6-8 weeks- the road is currently in the charge of Roadbridge. Cllr. S. Walsh stated that he understood from John Sullivan of SSE that the Council has taken back charge of the road for its upkeep. Comh. S. O’Cualáin referred to a meeting with the residents of Seanapheastín who aired their grievance on the matter. J. Leahy stated that there was correspondence with SSE but they have to lodge the €500,000 with the Council before it can take the road back in charge- it will then undertake an assessment on how to utilize this funding.

6. Date and Venue for Annual Meeting.

CMD 16026

It was agreed to hold the Annual Meeting of the Municipal District of Conamara on Friday the 10th of June 2016 at 3.00 p.m at room G01 Aras an Chontae. It was agreed to hold the next ordinary meeting on Tuesday 5th of July but this will be confirmed at the Annual Meeting.

7. Cathaoirleach’s Business

CMD 16027

Cllr. E. Mannion referred to the Wild Atlantic Way Passport which was designed by Fáilte Ireland to be a souvenir record of the journey undertaken by visitors through the various Discovery Points along the route. The passport can be purchased at selected local post offices for €10. It will encourage visitors to visit post offices along the route as they will need to get the passport stamped. This passport initiative is similar to that used on the Camino pilgrimage routes in Spain. Cllr. N. Byrne referred to the roadworks being undertaken by the ESB at Oughterard at present which appear to be badly managed and haphazard and are causing traffic delays- the timing for this at the peak of the tourist season is not suitable. She also welcomed the news that more discussions are to take place with the landowners in regard to the Conamara Greenway. Cllr. T.Healy advised that the Councilors are available to assist as regards talking to the landowners. J. Leahy advised that a contractor was engaged on the roadworks in Oughterard on behalf of the E.S.B and the Council cannot prevent the works as it is a statutory body with its own legal powers. He anticipated that these works are nearing completion but stated that he would contact P. J. Lydon. Comh. S. O’Tuairisg advised that Sean Kyne, Minister of State for Arts, Heritage and the Gaeltacht in response to a Dáil question confirmed that Roinn na Gaeltachta will be responsible for the harbour at Inishere. He also referred to the bad state of the road at Lettermore following pipework undertaken by Irish Water and enquired if anything could be done. Comh. T. O’Curraoin referred to the bad state of repair of bog roads and stated there was a recent meeting in Tiernea in regard to this. He advised that these bog roads were repaired in the past by the Bord of Works and even though they are not in the charge of the Council – L.I.S schemes are needed. He stated that when the Bord of Works was dissolved responsibility for the bog roads should have been allocated to another body as turf is an essential fuel- some scheme is required so that these

can be maintained. He referred to the Seanamhac road where there is a public right of way and enquired if the Council could supply materials for its maintenance. J. Leahy advised that the only source of funding the Council has for the repair of private roads was the Discretionary Grant which the Council uses to repair Tertiary Roads. He stated that €750,000 was set aside for this in the Roads Program agreed last February and he did not anticipate funding for L.I.S roads until such time the Tertiary roads are repaired. He advised that with a very limited budget –the Council has to focus on getting the public roads in its charge maintained first. Cllr. S. Walsh stated that in his view there is a difference between a private road and one which has a public right of way. J. Coyle stated that TII has provided funding for a scrim test for the road adjacent to the mart in Clifden but was advised by Cllr. S. Walsh that the Letterfore road was in much worse condition. J. Leahy advised that the scrim test is funded from a low cost works grant and due to the fact the Letterfore road requires a major overlay- this would be subject to a different grant application.

Comh. S. O’Cualáin enquired as to whether the Department Road Inspectors are brought on a tour of Conamara to inspect the bad state of the roads when they visit the Council. Due to the topography road repairs are more expensive than other parts of the country. He proposed that this be done and his proposal was seconded by Cllr. S. Walsh. He enquired if some of the laybys on the N59 which are in a bad state of repair could be levelled. He stated that he received representations regarding the continuous use of roads such as the R-336 by cycling groups which can be an inconvenience for motorists. He also referred to 2 meetings which K. Finn held with the Udarás last year in regarding insurance cover for community groups who are willing to trim hedges with strimmers at the side of the roads- he enquired if these schemes still stand. J. Leahy advised that the inspectors from T.I.I do inspect the National Roads in the County as a mechanical survey is undertaken each year which includes a skid analysis. He stated that the Council makes submissions to TII each year under the National Planned Maintenance Program. He referred to the Udarás schemes and the issue concerning hedge strimming and advised that persons cannot work on public roads unless the insurances are in order and stick conditions under Health & Safety legislation has to be complied with. In regard to the cycling events –he advised that it is the Council’s policy to support them as they are viewed as a boost to the local economy. The cycling groups do contact the Council but the Roads Department does not get involved unless there is a requirement for road closures. Comh. O’Cualáin advised that many local people do not regard the cycling groups as a benefit but a nuisance as in some cases the roads are effectively hijacked by large groups of cyclists and the Guards have to be diverted to directing traffic. Cllr. E. Mannion stated that last weeks cycling event attracted over 2,000 people and it appears to have been a good event that did not require road closures-other events may not be as well managed. She advised that the cyclists paid to take part as it was a fundraising event.

8. Any Other Business

CMD 16028

Cllr. T. Welby referred to the CPG meeting where a decision was made to allocate €20,000 to each Municipal District as a result of a dividend paid by IPB Insurance. He advised that each Municipal District could decide on its allocation- in Tuam MD it will be divided and added to each Councillor’s NOM- in Loughrea MD it will be allocated to community groups. Cllr. S. Walsh referred to the fact that the elected members get constant representations in regard to 5 or 6 roads that require repairs including the Seanamhac and Lettergesh roads. He proposed that the Councillors hold a meeting themselves to determine the allocation.

Cllr. E. Mannion and Comh. S. O’Cualáin referred to complaints about the Screeb side of the Maam Cross Junction and proposed that a deputation be received by the Municipal District. This was seconded by Cllr. T. Healy who also referred to the condition of the N59 approach to Clifden. Cllr. Healy also proposed a vote of sympathy on the tragic death of Mr. Marty Nee R.I.P as a result of a diving accident. This was seconded by Cllr. T. Welby. Cllr. Healy also referred to the opening of the car park in Cleggan on Tuesday.

CROCHNAIGH AN CRUINNIU ANSIN