

COMHAIRLE CHONTAE NA GAILLIMHE

Minutes of the Planning, Environment, Agriculture & Emergency Services Strategic Policy Committee Meeting held on MS Teams, Wednesday 28th April 2021

I LATHAIR:

Baill: Cllr. Michael Connolly, Chairperson
Cllr. Dermot Connolly
Cllr. Donagh Killilea
Cllr. Moegie Maher
Mr. Mark Green
Aodán MacDonncha, Uasal
Ms. Anne Mitchell
Mr. Colm Ryan

Oifigigh: Ms. Eileen Ruane, Director of Services, Planning, Environment & Emergency Services
Ms. Valerie Loughnane, Senior Planner, Planning
Mr. Brendan Dunne, Executive Planner, Planning
Ms. Eileen Keaveney, Administrative Officer, Planning
Mr. Mike Melody, Senior Executive Engineer, Environment
Ms. Ann Dolan, Executive Scientist, Environment
Ms. Caroline Hannon, Assistant Staff Officer, Planning

Apologies: Cllrs. Shane Curley, PJ Murphy & Comh. Daithí Ó’Cualáin.
Ms. Rita Gately & Mr. Gerard O’Malley

Item No. 1 - Minutes of the meeting of the Planning, Environment, Agriculture & Emergency Services SPC dated 18th November 2020

The minutes of the meeting dated 18th November 2020 were proposed by Cllr. D. Connolly, seconded by Mr. Green and agreed.

Item No. 2 - Update on County Development Plan review

Ms. Loughnane gave an update of the Draft County Development Plan. She advised that the pre-draft plan was with the members and outlined that workshops had taken place with the members in relation to same. She explained that a Council meeting will take place 29th April 2021 to discuss the plan further and finalise same. She highlighted that the Plan would then go on public display for 10 weeks, the end of May or early June. She said that same would be advertised on the Council website, portal, newspaper, social media etc. After being on public display the Chief Executive’s Report will be completed later in the year, this will include a summary of the submissions received. She explained that all submissions would be available to view online within 10 days of receipt of same. She stated that if COVID 19 restrictions were

lifted in time they could arrange to meet with people if required and would be proposing webinars for public engagement. She said that they were aware that not everyone would have access to online so would need to make allowances for these to ensure as much public engagement as possible took place. In this regard she advised that submissions would be accepted online, by post, in person etc. She outlined that the final plan would be completed between March 2022-May 2022, the exact date would depend on Material Alterations.

Cllr Maher commented that the workshops have been very beneficial and thanked all the Forward Planning team for providing same as it had been very important for new members in particular.

Mr. Green queried if the workshops could be provided for PPN members also.

Cllr. D. Connolly agreed that the workshops were very informative. He queried if Ballinasloe could retain its County town status in this Plan. He pointed out that it was very important in Ballinasloe and would like to see that title retained again as it was very valuable. He felt there was nothing stopping it from still be classified as the County town going forward.

Ms. Loughnane explained that the workshops were for the members at present, she stated that meetings would normally be held with members but due to restrictions in place online workshops had to be held. She advised that the workshops could be rolled out for the public also when the Plan was on display, she said she would discuss same with the members and take suggestions from them going forward if they would recommend any changes to the procedure. She referred to the query on the town status for Ballinasloe and explained that the titles given were in line with the National Planning Framework (NPF) and Regional Spatial and Economic Strategy (RSES). She highlighted that Ballinasloe & Tuam were recognised as a key town with the Economic Chapter in the plan focusing on self-sustainment in towns. She advised that Loughrea & Gort were self-sustaining towns due to the population employed in the town.

Mr. Green queried if SPC members could have a workshop to discuss the plan so they could also understand the new structure and could support the members.

Ms. Loughnane advised that under legislation the Plan is to only be for the members at present. She explained that the members were to discuss the draft plan and make any amendments they wished to make and then the draft plan would be finalised and put on public display then. She stated that once the plan was finalised they could then discuss same with the SPC members if required. She highlighted that this could be arranged for early June when the plan was on public display and could arrange for a workshop to be carried out for SPC members and the PPN.

Cllr. Maher referred to the self-sustaining town Loughrea and the businesses on the main street of the town. He stated that there was room available over most of these buildings for apartments and queried if there were any proposals in the plan to provide funding to tidy up the street scape, he said he would like to see this included.

Ms. Loughnane explained that there was a piece on urban placemaking in the plan. She noted the importance of trying to bring life back to the towns and there were policy objectives in the plan to

support same. She advised that she would hope funding would be made available through the regeneration team and hopefully would help towns in to the future and support similar applications.

Cllr. M. Connolly queried if there were any discussions taking place with the Department for funding of derelict buildings as it was devastating to see so many buildings like this.

Ms. Loughnane advised that the Planning Department were always liaising with the Department in relation to problems in the County. She explained that discussions had taken place seeking money to be ring fenced for derelict buildings. She advised that there were funding streams with Community & Enterprise which may be able to be used for the towns. She referred to the opportunity sites which had been introduced in the plan and commented that these would make a big difference to the towns.

Ms. Ruane thanked the Forward Planning team for the phenomenal amount of work they have carried out to date on the Draft Plan. She highlighted that public participation was crucial going forward and would welcome further engagement with SPC members, the PPN and others.

Item No. 3 - Anti-dumping initiatives

Ms. Dolan gave an overview of the anti-dumping initiatives being proposed for the year. She advised that the Department issue funding each year for anti-dumping initiatives throughout the country. She stated that the funding applications have to be completed by the 5th May. She highlighted that any parts of the county which required a clean up would be included in the funding applications. She advised that some of the other proposals being considered at the moment were bill boards, electronic signs re advising of illegal dumping and consequences of same. Signage for the community wardens' vans advising about illegal dumping and consequences again, trying to get the message out there. She advised that the bulky goods collection in cooperation with Galway City Council was a very successful initiative and would be applying for funding for same again. She advised that the bikes for Africa was very successful also where bikes are collected, brought to prison services in Dublin to be worked on and then sent to Africa for use. She referred to a community project she was working on with Cllr. Donohue at a special area of conservation and applying to have a barrier erected. She outlined that a community group in Laurencetown were applying to re create a board walk and a clean up was required for this. She commented that funding was being applied for to support the creation of a fines app in order to help with litter fines and reduce work load around same. She advised that some of the areas which required a cleanup was the Gort River Walk and the M6 slip road off Ballinasloe. She outlined that the above was a broad overview of what applications would be put forward for funding.

Cllr. M. Connolly referred to the illegal dumping in the County outlining that a local group had done a clean up and found it very hard dispose of some items which had been found. He asked if there could be more awareness of what can be disposed of at the different locations.

Ms. Dolan advised that the Civic Amenity sites take the majority of the items and previously had campaigns around this and would continue to do so as awareness was key.

Mr. Green queried if the app being proposed re litter fines could also incorporate a facility for the public to report illegal dumping in order to pin point locations.

Cllr. Maher advised that there was a JPC meeting being held next week and asked if there was an update on the data protection around using CCTV as would like to be able report at that meeting about same. He also queried if there was any update on the waste collection byelaws. He pointed out that the majority of illegal dumping takes place in the evenings and weekends. In this regard he queried if there was a proposal to take on extra staff to help with same as the Community Wardens in the City are working 7 days a week and may require additional staff to assist with this.

Cllr. Killilea asked if a publication was being made of what can be taken at the civic amenity sites could Oranmore and Tuam be included in same to show what can be taken and cost of same. He referred to an initiative set up in Tuam called Eco Chef which was working out very well. He suggested that the fines being made to people in court over illegal dumping did not reflect the seriousness of what is happening. He stated he would like to see a letter issued to the Minister for Justice suggesting that there would be special court dates held just for cases in relation to illegal dumping and fines. He advised that some court cases are adjourned a number of times and in the end the fine is very little and it may have taken a number of days for the relevant staff to attend these hearings.

Cllr. M. Connolly stated he was supporting this proposal to have a letter sent to the Minister as there was a need to heighten the awareness of illegal dumping.

Ms. Dolan advised that the awareness campaign would continue this year. She highlighted that bogus collectors are a concern and cause a significant amount of the illegal dumping. She stated that this would be highlighted in the campaign as it's the person who owns the rubbish that will be prosecuted as the responsibility lies with them. She advised that there was a facility in place for the public to report illegal dumping by phoning in. She stated that she had also suggested the need for additional staff working out of hours and this was being discussed by management. She advised that she would contact Cllr. Maher separately to discuss the format for the JPC subcommittee. She commented that the CCTV cameras could still not be used due to no legal basis for the use of them. She stated that Maria Finn (A.O. Environment) had given a timeline overview at the Municipal District meetings in relation to Waste Prevention Bye Laws. She outlined that it was a huge task but was hoping to meet these timelines and was continuing to work closely with Galway City Council and was hoping to have new resources soon as the County wide area was difficult to cover. She advised that the requirement for additional bins in towns was decided on by the Area Office. She referred to the campaign re civic amenity sites and what could be accepted but explained that they could not advertise private sites. She outlined that the ECO Chef in Tuam was an excellent initiative with great work being done and was hoping to link in with them to support same and work further and support as many community groups as possible. She referred to the court fines and agreed that it takes so long to get to court and then a small fine issued. She had made recommendations to the Department to increase the fine.

Mr. Melody advised that the civic amenity sites remained opened during covid and implemented precautionary measures re social distancing etc. He advised that the Council website has a full list of types of materials which are accepted, opening hours and price list.

Cllr. Killilea advised he was proposing that a letter is issued to the Minister for Justice to request that a pilot court date be set up in County Galway for Local Authorities issues re fines etc.

Cllr. M. Connolly advised that he would work with Ms. Dolan & Ms. Ruane in relation to same.

Cllr. Killilea stated that there was a huge strain on community wardens and asked if funding could be provided for Reserved Community Wardens like reserved army and police. He advised that he would like to see discussions about this taking place with the Minister.

Cllr. Maher advised that the JPC meeting was to be held next week and stated that this should be brought up at that meeting as there was a garda representative there and could support that motion. He stated that as chair of the JPC he would bring that item up for discussion.

Mr. MacDonncha stated that there was a serious problem with illegal dumping in Casla and a civic amenity site was required and he would urge members to support same.

Ms. Ruane advised that they were trying to progress that matter in Casla at present and explained that a lot of work had taken place in relation to same. She referred to the separate court date proposal and agreed with Cllr. Maher to have the support of the guards on same. She explained that a review of the Community Wardens was taking place at present and she would feed this information into that. She referred to the use of CCTV and stated it was hoped that progress would be made by September to amend legislation. She thanked Ms. Dolan and the Environment staff for all the work done to date.

Mr. Melody advised that they were looking at an initiative with NUIG re using paint which is disposed of at civic amenity sites. He also advised that they were looking at sites with Udaras for the civic amenity site for Casla and had just concluded a site investigation on that so a lot of working taking place with same.

Item No. 4 –Schedule of meetings – to be agreed

Cllr. Killilea advised that he would like to have an SPC meeting inside the next 4 weeks to deal with a motion to be discussed under AOB.

Motion received from Cllr. Dr. Evelyn Francis Parsons:

The Principle of Environmental Justice - a 'fair' distribution of environmental benefits and burdens, including the application of environmental policy planning implementation and governance. The issue of Environmental discrimination is one that environmental justice measures should address with regard to the serial siting of old Landfill, Superdump, waste facilities in an area of heightened environmental sensitivity and community amenity importance close to residential communities, particularly in areas of heightened socio-economic deprivation.

Motion

I propose that the Principle of Environmental Justice is adapted by Galway County Council to ensure that a fair distribution of environmental benefits and burdens, including the application of environmental policy, planning, implementation and governance is undertaken in the county, and a safeguard is put in place to apply a 5km minimum setback of siting of Waste Facilities from residential communities, save for civic amenity sites.

Proposed by Cllr Evelyn Parsons

Seconded by Cllr Donagh Killilea

Mr. Green pointed out that this item was not on the agenda and that the motion had not been circulated to them so felt it should not be discussed if not on the agenda.

Cllr. Maher advised that input was needed on this matter from Eileen and Valerie before it could be discussed further.

Cllr. M. Connolly stated that the 5km issued could cause problems. He stated this item was of extreme importance and requires attention. He commented that the members need to look at it rather than just discussing it under AOB.

Ms. Dolan advised that she was only made aware of this yesterday. She explained that it would be the Connaught Ulster Waste Management Planning office who were located in Mayo which would be responsible for this matter and not Galway County Council. She highlighted that the review of the old plan was coming up shortly and that would be the appropriate mechanism to go through the regional office. She advised that she could give the relevant contact details for same if required by anyone.

Cllr. Maher thanked Ms. Dolan for the confirmation on this matter and advised that this information needs to be delivered to the member making the proposal.

Cllr. Killilea asked Ms. Dolan to forward him the relevant contact details for the regional office in Mayo and he would pass on that information to Cllr. Parsons.

It was agreed that the next meeting of the SPC would be held on Wednesday 23rd June 2021 at 11.00am.

Item No. 5 – Any Other Business

Cllr. D. Connolly referred to the turf banks in the Derrybrien area outlining that construction there had been told by ESBI that the banks can't be cut and if they are, people involved would be held responsible for any problems in that area. He advised that the owners now have no one to cut the bogs. He queried if ESBI were in their right to do this.

Cllr. Maher referred to the trees on the side of the road and advised that these were the responsibility of the farmer. He stated that the majority of farmers are not aware of this. He queried if it was correct and if so then need to advise people of same.

Cllr. M. Connolly advised that it was the responsibility of the farmer.

Cllr. Killilea outlined that Cllr. Geraghty had raised the query about the potential of a fire station in Galway near the Roscommon/Mayo border. He asked if there was any intention to examine putting a fire station in that part of the county.

Ms. Ruane advised that there was no proposal on the capital programme for a Fire Station at that location. She stated she would discuss with the Chief Fire Officer to ascertain if there was a problem with timeframes for getting services to that particular area.

Cllr. D. Connolly stated that he would support Cllr. Geraghty's request. He advised that the fire station was taken out of Banagher therefore making east of Clonfert up to Eyrecourt at a disadvantage also. He said if fire officer is looking at areas then this would be a black spot also.

Cllr. Killilea referred to the legislation surrounding estates not being finished, he stated that Ms. Loughnane was to look into same.

Ms. Loughnane advised that she had contacted the Department to discuss same. She stated that there was a section in the Planning & Development Act regarding to limit any further permission someone could get based on previous noncompliance of estates. She advised that no Local Authority has taken a case under this legislation because it would leave the Council open to litigation. She stated that site resolution plans are the method used by a lot of councils to deal with this issue in the past, the same as Galway County Council.

Cllr. Killilea said he was concerned around the frustration with this. He stated he had been involved with site resolutions in the past and that approx. 70 estates had been taken in charge, which if to count the cost a rough estimate would be 10-12 million plus time and input from staff. He commented that developers think its ok to walk away and that's not good enough. He stated that something needs to be put in place for developers to show the consequences of not complying with conditions. He said that it would be good to see a proactive solution and the need to look at alternative avenues.

Cllr. M. Connolly agreed with same. He stated that it is an issue in other parts of the county also. He highlighted that massive work had been done by Taken in Charge in relation to this matter but has been a huge issue.

Ms. Loughnane referred to Page 289 & 290 of the Draft Plan outlining that there was a piece there about Taking in Charge. The Council try to ensure that each phase of a development is completed and self-contained.

Mr. Green queried when meetings could take place with the PPN to discuss the Development Plan.

Ms. Loughnane stated that same could be agreed at the next meeting on the 23rd June to confirm a date then and could link in with the PPN and SPC members. She explained that the draft plan would be on public display until the middle of August.

The meeting then concluded.