

CHOMHAIRLE CHONTAE NA GAILLIMHE

**MINUTES OF THE ORDINARY MEETING OF GALWAY COUNTY COUNCIL
HELD AT ÓSTÁN CHÓSTA CHONAMARA, NA FORBACHA, CO. NA GAILLIMHE,
ON FRIDAY 24TH OCTOBER, 2014 AT 11.00 AM**

CATHAOIRLEACH:

Cllr. Mary Hoade,
Cathaoirleach of the County of Galway

I LATHAIR FREISIN:

Baill:

Cllrs. T. Broderick, D. Burke, N. Byrne, J. Charity, D. Connolly, M. Connolly, G. Cronnelly, Comh. S. Ó Cualáin, Cllrs. J. Cuddy, S. Cunniffe, Comh. T. Ó Curraoin, Cllrs. S. Donnellan, A. Donohue, M. Fahy, P. Feeney, G. Finnerty, M. Finnerty, T. Healy, P. Hynes, F. Kearney, P. Keaveney, D. Killilea, M. Kinane, M. Maher, E. Mannion, J. McClearn, K. McHugh, T. McHugh, M. Noone, A. Rabbitte, P. Roche, N. Thomas, Comh S. Ó Tuairisg, Cllrs. S. Walsh, T. Welby

Oifigh:

Mr. K. Kelly, Chief Executive, Interim; Messrs. J. Cullen, L. Gavin, P. Gavican, Directors of Service; Ms. C. McConnell, Acting Director of Service; Messrs. G. Mullarkey, Head of Finance; M. Owens, County Secretary & Meetings Administrator; E. Molloy, M. Timmins, Senior Engineers; A. Breathnach, Senior Executive Engineer; P. Ó Neachtain Oifigeach Gaeilge; Ms. G. Healy, Staff Officer.

Thosnaigh an cruinniú leis an paidir.

RESOLUTIONS OF SYMPATHY

1886

A resolution of sympathy was also extended to the following:

- Mr. Christy O'Hara, Cregmore, Claregalway, Co. Galway
- Mr. Shay Cleary & Family, Pound Road, Ballygar, Co. Galway
- Mrs. Nell Waldron, Main Street, Cong, Co. Galway
- Ms. Mary Joyce, Lettergesh, Renvyle, Co. Galway
- Mr. Andrew Smyth, Newcastle, Athenry, Co. Galway
- Mrs. Claire Ann Dolan, Bullaun, Loughrea, Co. Galway

Minutes of Meeting held on 24th October 2014

- Ms. Deirdre Hession-Ryan, Rathfee, Turloughmore, Co. Galway
- Ms. Mary Forde, C/o Monaghans, Claregalway, Co. Galway
- Mrs. Bríd Naughton, Carra, Bullaun, Loughrea, Co. Galway
- Ms. Connie Joyce, Lackaghbeg, Turloughmore, Co. Galway
- Mr. Liam Hussey, Lackaghbeg, Turloughmore, Co. Galway
- Mr. Paddy Gardner, The Square, Athenry, Co. Galway
- Mr. Martin Varley, Drim, Milltown, Co. Galway
- Mr. Eoin Forde, Lisduff, Craughwell, Co. Galway
- Mr. Michael McDonagh, Gortacleva, Claregalway, Co. Galway
- Ms. Dervella Cummins, Lackaghmore, Turloughmore, Co. Galway
- The Warde Family, Cullairbaun, Athenry, Co. Galway

The Cathaoirleach and Members congratulated Michael Fitzmaurice on his election to Dail Eireann in the Roscommon South Leitrim By-Election.

CONFIRMATION OF MINUTES OF MEETING

1887

The Minutes of Special Meeting held on 22nd September, 2014 were approved by the Council and signed by the Cathaoirleach on the proposal of Cllr. Maher, seconded by Cllr. G. Finnerty.

Comh. O’Cualáin on behalf of the communities of Ros Muc and Carna acknowledged the support provided by the Council in the preparations for the visit of the Mayor of Boston.

The Minutes of Monthly Meeting held on 22nd September, 2014 were approved by the Council and signed by the Cathaoirleach on the proposal of Cllr. McClearn seconded by Cllr. T. McHugh.

The Chief Executive, in response to requests from the Members for clarification on recent media reports relating to the availability of approximately €20 million in funding arising from the dissolution of Ballinasloe Town Council, advised that Ballinasloe Town Council operated a landfill for a number of years and although the landfill was no longer accepting waste, it was necessary to make provision for the long term management of the landfill site. He advised that the capital reserve to allow for this was transferred to Galway County Council on the dissolution of Ballinasloe Town Council. He further advised that while additional capital funding also transferred to Galway County Council the allocation of this funding was predetermined based on commitments entered into by the Town Council for projects including the Town Enhancement Scheme, Ballinasloe Library, the Townparks Relief Road and a Capital Grant Assistance Scheme for community projects.

Mr. Mullarkey in response to queries from Cllrs. M. Connolly, D. Connolly and M. Finnerty advised that the funding was capital in nature and had no bearing on the revenue account

or the budget for the Municipal District of Ballinasloe. It was agreed to make a report available on the matter at the next meeting of the Municipal District of Ballinasloe.

Arising from the Minutes and in reply to Comh. Ó Cualáin, Cllr. Walsh and Comh. O’Tuairisg, Mr. Cullen confirmed that Irish Water were conducting a review of the proposed treatment plant for the Costello Regional Water Supply Scheme with a view to delivering on the project in the most cost effective manner while utilising the full benefit of works undertaken to date. Mr. Cullen addressed a range of queries on the matter and undertook to brief the Members as soon as Irish Water had concluded the review and the outcome of same was communicated to the Council.

The Minutes of Special Meeting held on 29th September, 2014 and 3rd October, 2014, were approved by the Council and signed by the Cathaoirleach on the proposal of Cllr. Maher seconded by Cllr. T. McHugh.

Arising from the Minutes, Cllr. Burke referred to the text of his proposal as outlined on Page 40 of the Minutes as follows: *that the following text be inserted under Section 4.7 Groups requiring Special Attention, Page 32 in Appendix II of the Draft Plan: “Galway County Council will give particular guidance to the needs of persons of intellectual and physical disabilities in allocating social housing units, given the difficulties experienced in accessing rent supplement and the requirement for such houses to be registered with HIQA.”* He said that this description of his proposal was at variance with he had proposed.

The Chief Executive indicated that the amendments to the Draft Plan were the subject of public consultation and that on the conclusion of the consultation process there would be a further opportunity for the Members to revisit the amendments in the context of the Chief Executive’s Report on the submissions.

Ms. McConnell, in reply to Cllr. D. Connolly, confirmed that the various matters raised in the context of the consideration by the Members of the Chief Executive’s Report on submissions received on the Draft Galway County Development Plan, not relevant to the Development Plan process will be referred for consideration by the relevant Strategic Policy Committees for appropriate consideration.

RECOMMENDATION OF THE MUNICIPAL DISTRICT OF LOUGHREA

1888

Cllr. McClearn stated that on behalf of the Members of the Municipal District of Loughrea he wished to present the recommendation of the Municipal District of Loughrea for consideration by plenary Council.

Cllr. McClearn referenced the benefits of the Community Involvement Scheme (CIS) and the worthwhile projects undertaken over a significant number of years in partnership with local communities. He indicated that the revised arrangements introduced by the Department of Transport, Tourism and Sport requiring a financial contribution and limiting the scope of the eligible works were totally unsatisfactory.

Cllrs. M. Connolly and Fahy agreed with Cllr. McClearn while also referencing the requirement for the re-introduction of the Local Improvement Scheme.

Cllr. McClearn proposed “that the adjudication of projects to be approved under the Community Involvement Scheme (CIS) revert to the individual local authorities”. This proposal was seconded by Cllr. M. Connolly, and agreed. It was further agreed that this Resolution be sent to all rural Local Authorities seeking their support to the proposal.

TO CONSIDER REPORT UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT 2001 ON THE DISPOSAL OF 0.0022 HECTARES (22 SQUARE METERS) OF LAND AT TUBBER STATION, CO. CLARE **1889**

Statutory Notice and Report dated 1st October, 2014 were already circulated to each Member in accordance with the statutory timeframe.

On the proposal of Cllr. Walsh, seconded by T. McHugh, the disposal of 0.0022 hectares (22 square meters) of land at Tubber Station, Co. Clare, as outlined in the Report, was agreed.

TO CONSIDER REPORT UNDER PART 8 OF THE PLANNING AND DEVELOPMENT REGULATIONS 2001 - N17 CARROWNURLAUR TO BALLINDINE ROAD SCHEME, CO. GALWAY **1890**

Report dated 16th October, 2014 was already circulated to each Member.

Mr. Gavin in reply to Cllrs. Killilea, K. McHugh and Cunniffe while acknowledging the views of the Members as expressed during the recent consideration of the proposal at a meeting of the Municipal District of Tuam, advised that the proposed final design did not include for a cycleway or pedestrian walkway as they were not deemed appropriate in the context of the type of carriageway being proposed.

In reply to concerns expressed by Cllr. K. McHugh in relation to the potential for flooding associated with the proposed development, Mr. Gavin confirmed that the design proposal make provision to address any potential issues relating to flooding.

The Cathaoirleach and Cllr. T. McHugh welcomed the proposal citing the approaching 5th anniversary of a fatal accident which occurred on this section of road. While Cllr. McHugh in expressing support for the provision of facilities for pedestrian and cyclists, he urged caution in encouraging walking and cycling on sections of road where the maximum speed limit applied.

Cllrs. Killilea, K. McHugh and Cunniffe requested that further consideration be given to making appropriate provision for cyclists and pedestrians in future scheme and that the approach to same be given further detailed consideration at a meeting of the Municipal District.

On the proposal of Cllr. T. McHugh, seconded by Cllr. M. Connolly, the proposed improvement and widening of the existing N17 Carrownurlaur to Ballindine Road, as well as off road realignment of the existing N17, as outlined in the Report, was approved.

TO CONSIDER AN AGREEMENT WITH TIPPERARY COUNTY COUNCIL PURSUANT TO SECTION 85 OF THE LOCAL GOVERNMENT ACT 2001 - LOUGH DERG SIGNAGE STRATEGY
1891

Report dated 17th October, 2014 was already circulated to each Member.

Cllrs. Rabbitte and McClearn warmly welcomed the proposal citing the inadequate signage currently in place to promote Lough Derg in the County Galway.

Mr. Gavin addressed a range of questions from Cllrs. Rabbitte, McClearn and D. Connolly in relation to the approach to gateways and clustering, signage on the national primary and secondary network, including the M6 and the reference, no net increase in signage and the approach to the Irish language on the signage.

Mr. Gavin confirmed that a detailed presentation including maps would be available for the next meeting of the Municipal District of Loughrea.

On the proposal of Cllr. Rabbitte, seconded by Cllr. McClearn, it was agreed to enter into the Agreement with Tipperary County Council pursuant to Section 85 of the Local Government Act 2001 to facilitate the Lough Derg Signage Strategy.

TO FIX DATE AND TIME FOR THE BUDGET MEETING IN ACCORDANCE WITH SECTION 103 OF THE LOCAL GOVERNMENT ACT 2001 (AS AMENDED)
1892

On the proposal of Cllr. T. McHugh, seconded by Cllr. Maher, it was agreed that the Budget Meeting be held on Thursday 20th October, 2014 commencing at 11am, at a venue to be arranged.

On the proposal of Cllr. T. McHugh, seconded by Cllr. Maher it was agreed that the November Ordinary Meeting of Plenary Council be held on Monday 24th November, 2014 in the Oranmore Lodge Hotel, Oranmore, commencing at 11.00 am.

TO CONSIDER AND IF DEEMED APPROPRIATE TO AUTHORIZE THE ATTENDANCE AT CONFERENCES IN ACCORDANCE WITH SECTION 142(5) OF THE LOCAL GOVERNMENT ACT 2001 (AS AMENDED)
1893

Report dated 16th October, 2014 was already circulated to each Member.

It was proposed by Cllr. Maher, seconded by Cllr. Kearney and agreed, that attendance of the Member named hereunder, at the Ace Training - Microsoft Excel Workshop for Councillors to be held at the Clonakilty Hotel, Clonakilty, Co. Cork on 31st October and 1st November, 2014, as per the Report, be authorised:

Cllr. Donagh Killilea

It was proposed by Cllr. Mannion, seconded by Cllr. Donohue and agreed, that attendance of the Members named hereunder, at a Conference entitled *Clifden 2012 Committee - Mr. Tuke's Fund - Connemara Emigration in the 1880's* to be held at the Clifden Station House, Clifden, Co. Galway, on 31st October and 1st November, 2014, as per the Report, be authorised:

Cllr. Eileen Mannion
Cllr. Thomas Welby
Cllr. Michael Maher
Comh. Seán Ó Tuairisg
Comh. Tomás Ó Curráoin
Cllr. Peter Roche
Cllr. Mary Hoade

TO CONSIDER AND IF DEEMED APPROPRIATE TO AUTHORIZE THE ATTENDANCE AT TRAINING IN ACCORDANCE WITH SECTION 142(5A) OF THE LOCAL GOVERNMENT ACT 2001 (AS AMENDED) 1894

It was proposed by Cllr. Fahy, seconded by Cllr. D. Connolly and agreed, that attendance of the Members named hereunder, at the Irish Water Regional Briefings for Elected Members to be held at the McWilliam Park Hotel, Claremorris, Co. Mayo, on 29th October 2014, as per the Report, be authorised:

Cllr. Tim Broderick
Cllr. Donagh Mark Killilea
Cllr. Michael Connolly
Cllr. Martina Kinane
Cllr. Michael Fahy
Cllr. Dermot Connolly
Cllr. James Charity
Cllr. Jim Cuddy
Comh. Seosamh Ó Cualáin
Cllr. Eileen Mannion

It was proposed by Cllr. Maher, seconded by Cllr. Kearney and agreed, that attendance of the Members named hereunder, at the A.I.L.G. Inaugural Annual Conference 2014 to be held at the Hotel Kilmore, Dublin Road, Cavan, on 29th - 30th October 2014, as per the Report, be authorised:

Cllr. Donagh Killilea
Comh. Seán Ó Tuairisg
Cllr. Thomas Welby
Cllr. Aidan Donohue
Cllr. Gerry Finnerty

Cllr. Frank Kearney
Cllr. Niamh Byrne
Cllr. Eileen Mannion

It was proposed by Cllr. Welby, seconded by Cllr. Donohue and agreed, that attendance of the Members named hereunder, at the A.I.L.G. Planning Training Seminar to be held at the Great Northern Hotel, Bundoran, Co. Donegal (assigned location) on 11th November 2014, as per the Report, be authorised:

Cllr. Michael Maher
Cllr. Donagh Killilea
Comh. Seán Ó Tuairisg
Cllr. Tim Broderick
Cllr. Pat Hynes
Cllr. Aidan Donohue
Cllr. Frank Kearney
Cllr. Jim Cuddy
Cllr. Eileen Mannion
Cllr. Michael Fahy

It was proposed by Cllr. Welby, seconded by Cllr. Donohue and agreed, that attendance of the Members named hereunder, at the A.I.L.G. Planning Training Seminar to be held at the Knightsbrook Hotel, Trim, Co. Meath (alternative location) on 18th November 2014, as per the Report, be authorised:

Cllr. Gerry Finnerty
Cllr. Mary Hoade
Cllr. Martina Kinane

A discussion took place regarding the revised requirements for conferences and training arising from the Local Government Reform Act 2014 with the Members expressing dissatisfaction with the revised requirements, the extent of additional information to be made available to allow the Members to consider authorizing attendance at conferences and training, the requirement to develop a Multi-Annual Training and Development Programme for the Members and the administrative overhead associated with same.

The Chief Executive advised that while appreciating the views expressed by the Members, it was necessary to adopt a revised approach to facilitate consideration by the Members of authorising attendance at conferences and training, in order to comply with the statutory requirements as detailed in the Local Government Reform Act 2014 and associated Regulations and Ministerial Direction.

He confirmed that while it was a requirement to develop a multi-annual training and development programme to further inform Members in their consideration of authorizing attendance at training and to allow for a structured approach to training, it was intended to review and if necessary amend the programme over the term of the Council in response to

emerging training needs. He also advised that the multi-annual training programme would also assist in making appropriate provision for training in the annual budgets.

It was proposed by Cllr. Roche, seconded by Cllr. Walsh and agreed “that Galway County Council invite Minister Alan Kelly to re-visit the Act pertaining to Conferences and Training. The current situation is unsatisfactory and cumbersome.”

TO NOTE SUMMARY OF PROCEEDINGS OF CONFERENCES ATTENDED IN ACCORDANCE WITH SECTION 142 (5F) OF THE LOCAL GOVERNMENT ACT 2001 (AS AMENDED) 1895

Summaries of Proceedings already circulated to each Member.

On the proposal of Cllr. McClearn, seconded by Cllr. Maher, the Summary of Proceedings of the *Planning in a Time of Change - Irish Planning Institute Autumn Conference, 2014* held at the Gibson Hotel, Point Village, Dublin 1 on 10th October, 2014, as submitted by Cllr. Broderick, was noted.

On the proposal of Cllr. Maher, seconded by Cllr. McClearn, the Summary of Proceedings of *The Great War Roadshow - Loughrea Great War Conference* held at Óstán Bhaile Locha Riach, Loughrea, Co. Galway on 10th & 11th October 2014, as submitted by Comh. Ó Tuairisg was noted.

TO CONSIDER THE MANAGEMENT REPORT - OCTOBER 2014 IN ACCORDANCE WITH SECTION 136(2) OF THE LOCAL GOVERNMENT ACT 2001 (AS AMENDED) 1896

Report dated October, 2014 was already circulated to each Member.

The Chief Executive presented the Management Report for October 2014 to the Members and he informed them that an additional Report entitled “Update on Extension to the Council Chamber” had been circulated to each Member at the beginning of the Meeting.

In reply to Cllr. K. McHugh on the number of groups registered with the Public Participation Network and the apparent reduction compared to the Community & Voluntary Forum, Ms. McConnell advised that the number of groups registering continued to increase and that it was expected that the numbers registered by the end of 2014 will be closer to 300.

The Members referenced the Social Inclusion and Community Activation Programme (SICAP) expressing concern and dissatisfaction with the decision of the Local Community Development Committee (LCDC) to proceed with the procurement of a service provider on the basis of a single lot.

Cllr. Thomas made the following proposal “that the Chief Executive make a request to the Department of the Environment, Community & Local Government to change the format of the distribution of the SICAP funding for County Galway that it be carried out by three lots rather than one. One for East Galway, one for West Galway and one for the Islands”. This proposal was seconded by Comh. Ó Tuairisg.

Cllrs. E. Mannion, Healy, Donohue, Walsh, Welby, Burke and M. Connolly agreed with Cllr. Thomas and Comh. O'Tuairisg citing the example of other counties that proceeded on the basis of multiple lots and expressing the view that given the size and characteristics of the county that multiple service providers was a more suitable approach.

The Chief Executive said that while he understands the Members concerns regarding the requirement that interested parties submit their tender for SICAP in one lot, this was a decision made by the LCDC, which is a statutory independent committee entrusted with functions under the Local Government Act 2014, and their decision cannot be reversed by Galway County Council or the Department of the Environment & Local Government.

He confirmed that there was an opportunity for tenderers to reach agreement among themselves regarding roles to be taken into the future and the successful tenderer will have to devise the methodology for delivering across the whole county.

Following further detailed discussion, it was agreed to allow Cllr. Thomas and Comh. O'Tuairisg withdraw their earlier motion. Thereafter it was proposed by Cllr. Thomas, seconded by Cllr. Killilea and agreed that "Galway County Council call on the LCDC to hold an emergency meeting within 14 days to discuss the number of lots that is required to distribute the SICAP funding."

Cllr. Charity referred to the item regarding the former Airport Site and said that contrary to widespread belief that the Airport has closed down, this is not true as a private operator is still operating out of the site. He asked for details of the evaluation team members who will evaluate the tenders received from consultants to advise on the future use of the airport site.

Cllr. McConnell replied that invitations have been sent to a number of people from the city and county areas and also from outside the county who have expertise in the area of economic development. She said that a broad range of tenders were received and a report will be prepared for the Members as soon as the tender process has been completed.

In reply to Cllrs. Roche & Rabbitte, Mr. Gavican advised that the Council received €958,000 for this programme and all of this money has been spent with a total of 78 vacant properties refurbished. He said that the Council will continue to carry out refurbishment to vacant houses, subject to funding being available.

In reply to Comh. Ó Cualáin and Comh Ó Tuairisg who welcomed the fact that a fire station is to be provided for South Conamara, Mr. Gavican said that monies allocated to this project in 2014 will be spent and that a Meeting would take place with Údarás na Gaeltachta to finalise the lease on the facility for the fire station.

Cllr. D. Connolly referred to the Fire Service and said that an evaluation should be carried out on staffing numbers, fire-fighting equipment and accommodation in the Municipal District of Ballinasloe.

Mr. Gavican replied that fire service facilities throughout the whole county are constantly evaluated and capital upgrades are carried out with DECLG funding. Mr. Gavican confirmed that service to the public is of paramount importance and resources are evaluated as part of the overall county in line with the National Keeping Communities Safe initiative.

In reply to Cllrs. Maher and K. McHugh in relation to the Disability Grants for Housing, Mr. Gavican said that the Council received an increased allocation in 2014 than in the previous year and due to the late notification of revised regulations governing the scheme a balance of funding remained to be allocated. He confirmed that an extension of time was being sought from the Department for the allocation of the funding and the Council will continue to encourage applications under the terms of the scheme.

Cllr. Hoade said it is vitally important that people are made aware that the Disability Grants are available and she also asked what is the timeframe for the signing of the main works contract for the N84 Luimnagh realignment scheme.

Mr. Molloy replied that the NRA has approved the contract for fencing on the N84 but the main works contract has not been approved yet and discussions are ongoing with the NRA in this regard.

In reply to a query from Cllr. Donnellan regarding the Irish Public Bodies (IPB) dividend, Mr. Mullarkey said that the IPB is owned by Local Authorities and that under Central Bank Regulations the IPB are required to declare their solvency margins. Their solvency margins were such that they had surplus funds and the IPB decided to distribute these funds to Local Authorities.

Cllr. Maher made the following proposal “that the IPB funding of €408,000 be allocated to each Municipal Authority as discretionary funding which could be allocated to specific projects within each Municipal Authority”. This proposal was seconded by Cllr. Feeney.

Mr. Mullarkey said that the Council has debts of €2m which need to be addressed and this deficit may increase by the end of 2014. He said that the IPB dividend is not additional funding and is accounted for in the budget for 2014. He said he would strongly urge the Members not to allocate the €408,000 to the Municipal Districts as this would have an adverse effect on the budgets being decided for 2015.

The Chief Executive said that the amount received from the IPB was not large enough to warrant dividing among the Municipal Districts for any meaningful outcome and it would be better for the Council to address its deficit in 2014 and try to balance its books so that the budget for 2015 is not weakened.

It was agreed to allow for the withdrawal of the motion proposed by Cllr. Maher, seconded by Cllr. Feeney. Cllr. Maher requested that consideration be given to allocating a discretionary budget to each Municipal District in drafting Budget 2015.

Comh. Ó Curraoin and Ó Tuairisg referred to the problem of flooding and said that drains and culverts have been blocked on lands in coastal areas and this must be remedied and coastal protection measures must be put in place as a matter of urgency before the winter.

Cllr. S. Walsh also referred to this matter and said that duirling (shingle) was washed up from the sea during the storms and is resting on private property causing danger of flooding by blocking drains. He said that the Council should examine the possibility of removing this from private property.

Cllr. Kinane said that the Maree Oranmore area has experienced the same problems following the storms last year and a request has been put to the OPW for remedial works in this regard to mitigate against the danger of flooding.

Mr. Molloy replied that the Council will examine specific issues if brought to its attention, but the funding received from the various Government Departments and Agencies stipulates that it is to be used for works on public property and not on private property.

In reply to Cllr. Fahy who said that the people of Kinvara are anxious that the N67 Kinvara Realignment scheme proceed as soon as possible, Mr. Molloy said that the CPO for this scheme is proceeding.

On a separate matter, Cllr. Fahy paid tribute to Mr. Tom Geraghty who had recently retired from Galway Bay FM Radio and he extended his best wishes to him in his retirement.

In reply to Cllr. Charity, Mr. Molloy said that he was not aware that Irish language signage had been removed at Annaghdown but he would investigate this matter.

In reply to Cllr. D. Connolly who referred to the announced closure of Ballyforan Bridge in November to facilitate bridge repairs, Mr. Molloy said that the bridge repairs are necessary as weight restrictions on the bridge are not being complied with. He said that it is hoped that the bridge will not be closed for the whole month of November, but the timeframe will not be known until excavation is carried out.

In reply to Cllr. Broderick, Mr. Molloy said that local access means up to the location where the road is closed.

In reply to Cllr. McClearn, Mr. Molloy said that the Council will ensure that adequate signage is in place to notify the public of the road closure.

In reply to Cllr. Roche who asked that the Council request emergency additional funding under the Roads Programme to deal with subsidence on some roads caused by the long dry spell this year, Mr. Molloy said that there is always deterioration in the condition of roads and the Council will seek additional funding.

Cllr. Cuddy raised the issue of the speed limit on the N17 Tuam Road near Roadstone and Cllr. Feeney, Cathaoirleach of the Athenry Oranmore Municipal District Council, suggested that it be considered by the Municipal District.

On the proposal of Cllr. T. McHugh, seconded by Cllr. Fahy, the Members agreed to note the Management Report for October, 2014.

APPOINTMENT OF REPLACEMENT NOMINEE TO THE LOCAL COMMUNITY DEVELOPMENT COMMITTEE FOR CÓMHAR NA NOILEANN **1897**

Report dated 22nd October, 2014 was already circulated to each Member

Ms. McConnell referred to the Report dated 22nd October 2014 and stated that the Council had approved the appointment of nominees to the Local Community Development Committee at the September Ordinary Meeting of the Plenary Council. She confirmed that subsequently Comhar na nÓileán advised that Majella Ní Chríochain had resigned from Comhar na nÓileán and therefore they wished to put forward a replacement nominee, i.e. Máire Uí Mhaoláin, as their representative on the LCDC.

It was proposed by Cllr. Walsh, seconded by Cllr. Thomas, and agreed, that Máire Uí Mhaoláin be nominated to the Local Community Development Committee to replace Majella Ní Chríochain as a representative of Comhar na nÓileán

RE-DISTRIBUTION OF COMMUNITY GRANTS **1898**

Report dated 23rd October, 2014 was circulated to each Member

In reply to queries from Cllrs. Kinane, Kearney, Feeney and Cuddy relating to the basis for the reallocation of funding Ms. McConnell stated that the Members approved the allocation of financial assistance under the Community Support Scheme 2014 at the March 2014 Ordinary Meeting of the Council. She said that the Members were informed at that Meeting that funds which were not drawn down by the recipients of the grants would be redistributed towards the end of 2014 and the Report before the Members for approval detailed the list of applicants to whom it was recommended that the funding be allocated. Ms. McConnell confirmed that the re-allocating of funding was being recommended within the same grant scheme category and where possible within the same Municipal District.

Cllrs. D. Connolly and Killilea welcomed the approach being taken to allow for the reallocation of funding.

On the proposal of Cllr. McClearn, seconded by Cllr. T. McHugh, the Members approved the re-distribution of Community Grants as set out in the Report.

APPOINTMENT OF 1 MEMBER TO THE GALWAY COUNTY COUNCIL ROAD SAFETY TOGETHER COMMITTEE **1899**

Report dated 17th October, 2014 was already circulated to each Member.

It was proposed by Cllr. Feeney, seconded by Cllr. Maher, and agreed, that Cllr. Noone be appointed to the Galway County Council Road Safety Together Committee.

CHIEF EXECUTIVE'S BUSINESS & CORRESPONDENCE

1900

The Members were advised by Mr. Cullen that the current Regional Waste Management Plan is coming to the end of its current term and the public consultation process associated with the development of the next RWMP for the revised Connacht/Ulster region will commence in November. He confirmed that Mayo County Council was the lead Local Authority and that it was his intention to brief the Environment Strategic Policy Committee on the Draft Plan in due course.

Mr. Cullen further advised the Members that following a recent meeting with Irish Water relating to the domestic water metering programme, Irish Water advised of their intention to commence the installation of domestic water meters in the County of Galway by December 2014 or early 2015 at the latest. He advised that it was currently anticipated that the installation will be undertaken in work packages of 500 - 1000 houses at a time and that Irish Water will ensure that customers will receive an information pack prior to installation of meters.

A discussion then took place regarding Irish Water and the Members made the following points:

Cllr Roche said that people on Group Water Supply Schemes are confused regarding the Application Form received from Irish Water as to whether they should tick the box to say they are served by a public water main or a group scheme

Cllr. Cuddy said that the Council installed meters which were not used and they will now have to be taken out by Irish Water if they do not comply with their requirements. He also said that some people do not have a PPS No. and are worried about not filling in this information on the Application Form from Irish Water

Cllr. D. Connolly referred to the dedicated phone no. which Irish Water has set up for Elected Members and said that it is impossible to get answers to queries raised

Cllr. D. Connolly pointed out that businesses and farms have already been metered by Celtic Anglian and have been paying water charges for non-domestic water usage for a number of years. It is important that people get a proper domestic allowance.

Cllr. Thomas said that before Irish Water took over the water services function from local authorities, the Council responded to water leaks very quickly whereas at present reports of leaks must firstly be logged with Irish Water before the Council can go out to fix them and this is causing delays. He also said that at times of water shortage, the Council delivers water to people, such as on the Islands, and he wondered if Irish Water would continue this service.

Cllr. Charity said that there is a statement in the Water Charges Plan of Irish Water that one of the reasons for return of the application form in a timely manner is to allow Irish Water to recoup the allowance from Revenue and in the event that water consumption is less than Irish Water projected, they can request an increase in the charge more. He said that this shows that the introduction of Irish Water is not a water conservation measure.

Cllr. Charity also said that Galway County Council needs send a message to the Government that Irish Water is out of control and the Council is not prepared to endorse their handling of the water issue. He made the following proposal “that this Council resolves that the concept, development and creation of the entity known as “Irish Water”, including the mechanism by which assessed and metered domestic charges have been introduced since the 1st October 2014, is the sole responsibility of the Fine Gael/Labour administration, and that the commencement of domestic water charging in this country on the 1st October 2014, following the exit of the State from the EU-IMF Programme in December 2013 and the non-binding nature of the terms of the EU-IMF Memorandum of Understanding from that juncture in time, is a policy being pursued solely at the behest of the current Government, and at this juncture cannot be deemed a policy attributable to the previous Fianna Fail/Green Government AND Galway County Council further resolves to call upon the Government to immediately suspend the implementation of domestic water charges commenced on the 1st October 2014” This proposal was seconded by Cllr. K. McHugh, and agreed.

Cllr. M. Connolly made the following proposal “that all dwellings be given a proper domestic allowance of 40,000 gallons approximately to ensure that all customers have a human right to clean water”. This proposal was seconded by Cllr. Donnellan.

Cllr. D. Connolly said that he was not in agreement with Cllr. M. Connolly’s proposal as it leaves it open to Irish Water to charge for water and he does not support domestic water charges.

The Cathaoirleach called for a vote on the Motion of Cllr. M. Connolly and the following was the result of the vote:

| | |
|-------------------|--|
| For: | Cllrs. M. Connolly, Ó Cualáin, Cuddy, Donnellan, Donohue, Hoade, Kearney, Keaveney, Killilea, Kinane, Roche, Thomas [12] |
| Against: | Cllrs. D. Connolly, Cronnelly, Healy [3] |
| Abstained: | Cllr. Broderick, Charity, Cunniffe, Feeney, Hynes, Maher, K. McHugh, T. McHugh, Welby [9] |

As a result of the vote, the Cathaoirleach declare the motion carried.

Mr. Cullen responded to the Members stating that much of the discussion was about the merits of Irish Water as a principal and therefore it is out of his remit to comment on their views in this regard.

He advised that households who are members of group schemes, but who get their water from a public watermain, should indicate on the Application Form that they are on a group scheme.

He said that as long as the group schemes who do not receive their water from a public watermain remain in place, their meters will remain in place. However, where group schemes have been taken in charge and come under the auspices of Irish Water, the meters will be replaced if they are not consistent with the standard for meters as stipulated by Irish Water.

In reply to Cllr. D. Connolly who asked about the quality of the water serving Creagh, Ballinasloe, Derrymullen and Kilconnell Village, Mr. Cullen indicated that he would investigate the matter and revert to Cllr. Connolly.

In reply to Cllr. Broderick, Mr. Cullen said that the Water Services (No.2) Act 2013 transferred statutory responsibility for water services to Irish Water and provided for local authorities to act as agents for Irish Water, with this relationship being expressed through Service Level Agreements. The Service Level Agreement in place between Irish Water and Galway County Council is intended to be in place for a period of 12 years.

Also in reply to Cllr. Broderick, Mr. Cullen confirmed that Celtic Anglian was instructed by Irish Water to carry out meter readings, at the request of Galway County Council, in order that the Council could glean the level of water charges which would have been incurred up to 31st December 2013, as it is important that Irish Water recoup the Council in this regard.

In reply to Cllr. Killilea, Mr. Cullen said that the quality of water in the Tuam Regional Water Supply Scheme is one of the best in the country and he said that if the Councillor is aware of a particular area where there is a problem, he should let him know and he would get it checked out.

Cllr. Keaveney asked who is responsible for the pipework on group schemes where farmers pay Celtic Anglian for non-domestic water usage. Mr. Cullen said that the farmers are responsible for the pipework. The agreement was that Celtic Anglian would install the meters and the farmers would pay for the non-domestic water usage but this did not affect the integrity of the group water schemes involved.

In reply to Cllr. Healy, Mr. Cullen said that Irish Water will charge for water supply in and waste water out. Waste water out will only be charged where there is a waste water treatment facility in place and those who have a septic tank will not pay for waste water out.

CATHAOIRLEACH'S BUSINESS

1901

Cllr. Roche referred to the County Galway Joint Policing Committee which he said had done significant work in the area of illegal dumping and he said he would like that a Meeting of the new JPC be convened as soon as possible.

Cllr. Cuddy made the following proposal “that the Members of Galway County Council who have been nominated onto the H.S.E. West Forum reject the proposal to re-name the Hospitals in this Region”. This proposal was seconded by Cllr. Welby, and agreed. The Cathaoirleach, in her capacity as a member of the HSE West Forum, clarified that the Members of the HSE West Forum have no role in the matter and it was a decision of the executive of the HSE.

Cllr. Cronnelly made the following proposal “that Galway County Council contact Minister Simon Coveney with regard to the proposed Fish Farm in Galway Bay due to the massive impact it will have on the Galway environment”. This proposal was seconded by Cllr. Healy, and agreed.

Cllr. Cunniffe raised the issue of the Non Principal Private Residence charge (NPPR) and said that as a Council we should only collect the overdue amount from those who did not pay the NPPR rather than adding penalties, bringing the charge to the end of August, 2014 to €4,200 for those who had not paid.

Cllr. Charity said that €4,200 was an extortionate amount and he felt that the provisions of the Local Government Reform Act 2014 allowed the Council to charge whatever amount they felt was reasonable.

Cllr. Charity made the following proposal “that Galway County Council provide the Elected Members with a detailed breakdown of all revenue collected in respect of the NPPR following the passing of the deadline for payment of the charge and the imposition of significant additional late payment penalties earlier this year, and further resolves that in the case of unpaid charges and late penalties being registered as a charge against non-principal private residences in accordance with legislation, this Council will not seek to recover such charges by seeking well-charging relief and orders for sale”. This proposal was seconded by Cllr. Cunniffe and agreed.

Mr. Mullarkey said that while he appreciated the Members comments, the Council is implementing the legislation by applying penalties on those who have not paid the NPPR charge, however the Council has adopted a pragmatic approach and has agreed to put payment plans in place for those not in a position to pay the full amount up front.

Cllr. Cunniffe made the following proposal “that Galway County Council limit the collection of all NPPR revenue from liable property holders to the initial liability of €200 per year for each liable non-principal private residence which they own, refunding such property owners all late payment penalties which were collected. This proposal was seconded by Cllr. Charity.

Mr. Mullarkey said that Cllr. Cunniffe’s motion was contrary to the legislation in place and any unpaid liability becomes a charge on the property.

Cllr. Broderick said that the legislation does not require the Council to identify houses which come under the NPPR charge and the onus is on the property owner to declare that they have a second house. However, Cllr. Charity said that the imposition of liability appears

under statute and whether a person declares or not, they are liable for the NPPR charges. However, the legislation does refer to exceptional circumstances and he expressed the view that the imposition of such penalties represents exceptional circumstances.

Cllrs. D. Connolly and T. Broderick said that individual cases should be looked at and discretion should be considered having regard to inability to pay.

Cllr. Feeney said that it would not send out a good message if the Council were to allow people get way with not paying charges, while others have already paid the charge, however he agreed that discretion should be considered in hardship cases.

In reply to Cllr. Welby, Mr. Mullarkey said that the budget figures for 2015 have not been finalised yet but full details will be available to the Members at the Budget Meeting.

The Chief Executive said that the Members must consider the financial implications of their proposals. He said that the Executive are always willing to look at individual cases and make decisions, in line with legislation.

Cllr. Kearney asked Cllr. Cunniffe to withdraw the Motion and asked that the Executive meet with people experiencing difficulty in paying the charge on an individual basis.

Cllr. Cunniffe then said that he agreed that people should pay the charges but he was not in agreement with the charging of high penalties. He said that he would defer the Motion to the Budget Meeting.

A discussion took place regarding the Update on the Extension to the Council Chamber.

Cllrs. Cuddy, K. McHugh and Charity referred to the tenders for the extension being between €400,000 to €500,000 and expressed concern at the costs associated the project, questioning the need for same.

Mr. Gavican said that while the tender process is ongoing, the tender price cannot be discussed, however he said that he is satisfied that the project will represent value for money. He said that reducing the cost would mean reducing the scope of the works and that a major element of the costs relating to a necessary upgrade of the audio visual system. He said that the cost of the extension will be offset in part through the reduction in rent for office space at Woodquay and Centrepont.

The Chief Executive said that while he understands the Members concerns regarding the cost of the extension, the decision taken by the previous Council to approve the proposed extension was on the basis that it was the best option to cater for the increased number of Members at Council Meetings for many years to come and not just for a five-year term.

Cllr. Killilea said that he trusts that Director of Service will ensure that the expenditure on the extension will represent value for money for the Council going forward.

Cllr. Healy referred to the Local Property Tax (LPT) and said that Council tenants have expressed concern that they are being asked to pay €2.00 per week on top of their rent to the Council to cover the LPT. He said that he does not agree with this extra charge on tenants and he made the following proposal “that Galway County Council review the proposed LPT addition of €2.00 a week on to Council rents and that Galway County Council delay the implementation of this charge”. This proposal was seconded by Cllr. D. Connolly.

Cllr. Charity said that rent can only be increased in terms of what a reasonable rent is and he said that the Private Rented Tenancies Board would not be in favour of such an increase.

Cllr. Healy agreed with Cllr. Charity and said that the imposition of such a charge on the Council tenants would leave the Council open to legal questions and he said that the Council should come back to its tenants with a more acceptable rent review.

The Chief Executive said that the €2.00 additional charge per week was introduced for tenants of Ballinasloe Town Council for some time and it is now being extended to tenants of the whole county. He said that this was flagged at various Council Meetings so the Members were aware of it.

In reply to Cllr. D. Connolly who said that a petition was handed into the Council in May or June 2014 in this regard, he said that he is not aware of such a petition.

In reply to Cllr. Killilea, the Chief Executive said that the €2.00 charge represents revenue in the region of €200,000 to the Council and this was provided for in the 2014 budget.

Cllr. T. McHugh said that when the Members get the figures at the Budget Meeting, this will give them an indication of the implication of reversing this charge.

The Cathaoirleach called a vote on the Motion of Cllr. Healy and the following was the result of the vote:

For: Cllrs. Charity, D. Connolly, Cronnelly, Healy **[4]**

Against: Cllrs. Broderick, Byrne, M. Connolly, Comh. Ó Cualáin, Cllrs. Cunniffe, Donnellan, Donohue, Feeney, Hoade, Kearney, Keaveney, Killilea, K. McHugh, T. McHugh, Thomas **[15]**

Abstained: Cllr. Hynes **[1]**

As a result of the vote, the Cathaoirleach declared the motion defeated.

The Cathaoirleach read out the following Motions which were proposed by the Members:

Cllr. Kinane proposed the following “I wish to propose to seek support today from County Council officials and Councillors (Member of Council) for a full review of the criteria being used for over the last 20 years. I am asking the review to look closely at:

1. Road Improvement

2. Restoration
3. Maintenance and Discretionary Maintenance

I believe this review is required for a fairer allocation of funding to each Municipal District. Our duty as Councillors, how best to allocate funding for all”.

This proposal was seconded by Cllr. Noone, and agreed.

Cllr. K. McHugh proposed the following “that the traffic calming works which have taken place on Tullinadaly Hill/Road be immediately reversed. They have reduced a two lane road down to one lane in parts. This is going to have an adverse effect on traffic particularly in the mornings during the school rush. The new measures have also caused some drivers to partake in dangerous manoeuvres which needs to be addressed”.

This proposal was seconded by Cllr. Cunniffe, and agreed.

Cllr. D. Connolly proposed the following “that Galway County Council calls on HSE to fully facilitate the continued usage of the Health Centre in Aughrim and the HSE Premises in the village, where the acting G.P. has given a commitment to provide the service. This Resolution to be circulated to the HSE West”.

This proposal was seconded by Cllr. Broderick, and agreed.

Cllr. Broderick proposed the following “that this Council communicates directly with the Minister (Alex White) to intervene and request a reversal of the decision to close down Cappataggle Post Office on the 31st December, 2014”. This proposal was seconded by Cllr. D. Connolly, and agreed.

The following items of correspondence which were circulated at the meeting were noted:

- Correspondence dated 6th October 2014 from South Dublin County Council passing a motion calling on the Taoiseach and Minister for Finance and Minister for the Environment, Community & Local Government to repeal or amend the current legislation setting up the Local Property Tax, and replace it with a sustainable local service charge that is based on the funding of named local services.
- Correspondence dated 1st October 2014 from Monaghan County Council relating to Notice of Motion adopted by the members calling on the Minister for Arts, Heritage and the Gaeltacht, Ms. Heather Humpreys to examine the possibility of the introduction of an adequate high level grant aid scheme for buildings that the listed, both commercial and residential.
- Correspondence received on 14th October 2014 from the Office of Public Works acknowledging Galway County Councils correspondence in relation to Portumna Bridge and flooding in South Galway.
- Correspondence received on 15th October 2014 from the Minister for the Environment, Community & Local Government acknowledging Galway County Councils resolution requesting the Irish Government to seek and E.U. derogation on

the E.U. Habitats Directive so that a technical solution to Shannon Bank at Emerald Star Portumna (Portumna Bridge) be implemented.

- Correspondence received on 15th October 2014 from the Minister for the Environment, Community and local Government acknowledging Galway County Councils resolution calling on the Minister to revisit the Act pertaining to Conferences and Training.
- Correspondence received from the Department of Arts, Heritage & the Gaeltacht acknowledging Galway County Council resolution passed in relation to requesting the Irish Government to seek an E.U derogation on the E.U. Habitats Directive so that technical solution to Shannon Bank at Emerald Star Portumna (Portumna Bridge) be implemented.

NOTICE OF MOTIONS

NOTICE OF MOTION NO. 16 – CLLR. J. CUDDY

1902

The following reply was given:-

“According to information on the Revenue Commissioners website, the net local property tax position for County Galway is €14.4M.”

NOTICE OF MOTION NO. 17 – CLLR. J. CUDDY

1903

The following reply was given:-

“The information regarding Local Property Tax available from Revenue Commissioners is provided on a County basis so I am unable to provide an analysis by Municipal District.”

NOTICE OF MOTION NO. 18 – CLLR. J. CUDDY

1904

The following reply was given:-

“The information regarding Local Property Tax available from Revenue Commissioners is provided on a County basis so I am unable to provide an analysis by Municipal District.”

NOTICE OF MOTION NO. 19 – CLLR. M. KINANE

1905

The following reply was given:-

“Historically the allocation of funding for regional and local road maintenance has been done on a per kilometer basis. This method of funding has been agreed with all Councillors.

It is acknowledged that the larger traffic volumes are generally within 25km of Galway City with greatest population growth in this area. However, it will be necessary for agreement among all on the alteration of the method of apportionment of funding for regional and local roads maintenance and repairs.”

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

1906

The following reply was given:-

“To rectify this problem will require road resurfacing and overlay and Galway County Council are submitting a request to the NRA in regard to this matter.”

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

1907

The following reply was given:-

“The provision of a ramp to accommodate wheelchair access to the cemetery and to the Church of Ireland at Ardrahan will be costed and considered, subject to the availability of funds.”

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

1908

The following reply was given:-

“The consideration of speed limits was completed earlier this year in consultation with all relevant bodies and the NRA. The adjustment as requested was not agreed and cannot be reconsidered until further speed limit reviews are done.”

CHRIOCHNAIGH AN CRUINNIÚ ANSIN