

CHOMHAIRLE CHONTAE NA GAILLIMHE

MINUTES OF MONTHLY MEETING OF GALWAY COUNTY COUNCIL HELD AT THE
CONNEMARA COAST HOTEL, NA FORBACHA, CO. NA GAILLIMHE, ON MONDAY 23RD
MARCH, 2015 AT 11.00 AM

CATHAOIRLEACH:

Cllr. M. Hoade
Cathaoirleach of the County of Galway

I LATHAIR FREISIN:

Baill:

Cllrs. T. Broderick, D. Burke, J. Byrne, N. Byrne, S. Canney, 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, D. Joyce, F. Kearney, P. Keaveney, D. Killilea, M. Kinane, M. Maher, E. Mannion, J. McClearn, K. McHugh, T. McHugh, A. Rabbitte, P. Roche, N. Thomas, Comh S. Ó Tuairisg, Cllrs. S. Walsh, T. Welby

Oifigigh:

Mr. K. Kelly, Chief Executive (Interim); Messrs. J. Cullen, L. Gavin, P. Gavican, Directors of Services; Ms. C. McConnell, Acting Director of Service; Mr. G. Mullarkey, Head of Finance; Mr. M. Owens, County Secretary & Meetings Administrator; Ms. B. Fox, Head of Local Enterprise; Mr. A. Farrell, Senior Executive Officer; An tUas. P. O'Neachtain Oifigeach Gaeilge; Ms. S. McDonagh, Administrative Assistant Intern; Ms. G. Healy, Staff Officer.

Thosnaigh an cruinniú leis an paidir.

RESOLUTIONS OF SYMPATHY

2008

It was proposed by Cllr. Maher, seconded by Cllr. Fahy and agreed to extend a resolution of sympathy to Cllr. Hynes on the death of his nephew, Mr. Martin Hynes, Kilnadeema, Loughrea. A resolution of sympathy was also extended to the following:

- Mr. Dermot Cannon, Cloonamorris, Woodlawn, Ballinasloe, Co. Galway
- The Hession Family, Russelstown, Milltown, Tuam, Co. Galway
- Mrs. Bridget Hurney, Cregmore, Claregalway, Co. Galway
- Mr. Tom Naughton, Seanadh Mhóinín, An Spidéal, Co. na Gaillimhe
- Mrs. Caitríona Friel, Coisméig Mór, Furbo, Co. Galway
- Mr. Joe Walsh, Carragh, Caherlistrane, Co. Galway
- Mr. Aidan Murray, Castleboy, Kilchreest, Loughrea, Co. Galway
- Mrs. Sheila Duffy, Glenbrack, Gort, Co. Galway
- Mrs. Kathleen Murphy & Family, Drumharsna, Ardrahan, Co. Galway
- Mr. Tomás Ó Neachtain, Seanadh Mhoinín, An Spidéal, Co. na Gaillimhe
- The Maher Family, Ryehill, Monivea, Co. Galway
- Mrs. Bríd Bn. Uí Chadhain, Baile Dhúlocha, Corr na Móna, Co. na Gaillimhe
- Mr. Mark Canavan, Glann, Oughterard, Co. Galway
- Deirdre & Conor Naughton, Mountbellew, Ballinasloe, Co. Galway
- Mrs. Sarah Breathnach, Leitir Mór na Coille, Casla, Co. na Gaillimhe
- Ms. Bríd Uí Chonghaile, Fairgreen, Rosmuc, Co. Galway
- Mrs. Mae Uí Chaisín, Tamhnaigh Bhig, Rosmuc, Co. na Gaillimhe

CONFIRMATION OF MINUTES OF THE FOLLOWING MEETINGS

2009

The Minutes of the Monthly Meeting of the Council held on 23rd February, 2015 were approved by the Council and signed by the Cathaoirleach, on the proposal of Cllr. G. Finnerty, seconded by Cllr. T. McHugh.

The Chief Executive referred to Page 6 of the Minutes of the Special Meeting of the Council held on 2nd March 2015 and stated that the 6th paragraph should read as follows: *'Mr. Kelly informed the elected members that in relation to the reserved functions there was no decision made regarding the route selection.'*

The Minutes of the Special Meeting of the Council, held on 2nd March, 2015, as amended were approved by the Council and signed by the Cathaoirleach, on the proposal of Cllr. Maher, seconded by Comh. Ó Tuairisg.

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Matters Arising from the Minutes

Cllr. Fahy referred to the first paragraph of Page 7 of the Minutes and said he wished to disassociate himself from the proposal as agreed that a delegation go to Brussels to meet with the Members of Parliament to discuss the possibility of the application of Article 6.4 of the Habitats Directive to the original Galway City Outer Bypass route. He stated that he did not agree that the trip was appropriate or necessary because the original route will not be revisited by the E.U. Commission.

The Chief Executive said that the Motion was passed at the Meeting of the 2nd March, 2015 and he did not believe that the Motion could be revisited.

CONSIDERATION OF REPORTS & RECOMMENDATIONS

2010

Recommendation of The Municipal District of Loughrea

“That the €100,000 allocation for unfinished housing estates be used for public lighting in these estates”

Mr. Owens said that the Council received notification, by letter dated the 18th March 2015, that the following Motion was passed by the Members of the Municipal District of Ballinasloe:

“That the members of Ballinasloe Municipal District reject the proposal passed by Loughrea Municipal District to commit €100k solely for public lighting in unfinished housing estates”.

A discussion took place regarding the matter of the allocation of the €100,000 for unfinished housing estates and the recommendation that it be used for public lighting in these estates and the Members made the following points:

Cllr. McClearn said that the reason the Members of the Municipal District of Loughrea made this recommendation was to secure the maximum benefit from limited funding to address safety issues presented by the absence of public lighting in unfinished estates. He requested that the Members reflect on the extent of works to be undertaken to bring an estate to an appropriate standard for taking in charge and the fact that the available funding would allow for a maximum of three estates to be taken in charge. He noted that by allocating available funding for public lighting it would address safety and security concerns in a large number of estates.

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Cllr. Thomas stated that he had concerns in relation to the proposal and in particular with the allocation of funding to address issues with public lighting in unfinished estates given that a number of estates already in the charge of the Council were without the benefit of public lighting.

Cllr. M. Connolly outlined concerns in relation to allocating funding for estates not taken in charge and for works that will not enable the estate to be taken in charge. He stated that he was aware of a significant number of estates that with an allocation of €15,000, together with funding from bonds and the availability of a contribution from residents would allow for the completion of works to a standard to allow for the estate to be taken in charge and avoid the necessity of revisiting estates over a period of time to address the full range of works required to allow for it to be taken in charge. He concluded by expressing his support for the allocation of available funding to allow all issues to be addressed to a standard to allow for the relevant estates to be taken in charge.

Cllr. Cunniffe detailed his understanding that that the funding allocated in the budget was to allow for estates to be advanced for taking in charge and the recommendation was to allow for the allocation of funding to address public lighting only and would not allow for the estate to be taken in charge.

Cllr. Broderick referenced the requirement for an audit of unfinished estates to allow for the prioritisation of works and the allocation of funding. He referenced the purpose of bonds being in place to facilitate the completion of works and the legal process required to drawdown bonds, noting in some instances bonds were returned without the relevant estate being taken in charge and sought clarity on the approach to bonds and the number of incidents where the bond was returned without the estate being taken in charge.

Cllr. Rabbitte referenced the research and background undertaken by the Members of the Municipal District of Loughrea prior to making the recommendation, citing a detailed briefing to a meeting of the Municipal District and noting the significant number of estates without the benefit of public lighting. She noted the limitations presented by the available resources and that the recommendation to allocate available funding to address public lighting would allow significant and necessary improvements to be delivered to a larger number of estates.

Cllr. Feeney referenced significant progress in recent years with estates being taken in charge on a fairly regular basis, he outlined the potential of using the allocation to leverage funding from financial institutions holding bonds etc and that it was important that the funding was allocated based on best value and was not restricted to addressing public lighting.

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Cllr. Maher said that when he proposed that the €100,000 be spent on public lighting he felt that this was the best way to allocate the money, however he said that all of the Municipal Districts should work together in order to get best value for the whole county.

Cllr. J. Byrne in welcoming the discussion, referenced the need to involve residents and allow for additional works to be undertaken through a community involvement initiative. He stated that there is a lack of knowledge and understanding of the process and highlighted the importance of appropriate consideration being given to managing the process going forward to ensure the timely completion of estates by developers to the required standard for taking in charge. He outlined the need to consider whether developers who had previously left estates unfinished were in a position to secure permission for further developments.

Comh. Ó'Curraoin referenced the requirement to ensure that safety concerns, including concerns in relation to public lighting, were addressed.

Cllr. Roche suggested that unfinished housing estates be categorised and that a process be put in place to deal with the estates which are almost up to the required standard for taking in charge. He said that the Council should make an application to the Department of the Environment, Community & Local Government for additional staff to deal with this issue.

Cllr. Joyce said that he would welcomed the recommendation and was supportive of allocating the available funding to address safety issues arising from the lack of public lighting in estates.

Cllr. T. McHugh welcomed the availability of €100,000 urging caution on being overly specific on its allocation, he stated that every issues that presents a health and safety concerns requires attention and that the appropriate focus for the allocation of the funding is to address the health and safety concerns relevant to the specific estates.

Cllr. Welby highlighted the need to adopt a strategic approach to the allocation of available funding, noting the importance of ensuring necessary infrastructure including underground services were in place and to the required standard prior to progressing with improvements that may be impacted in the event that difficulties are identified at a later date with underground services.

Cllr. Canney acknowledged the importance of addressing public lighting while outlining the need to consider the bigger picture in terms of the development process and the need for a focus to be placed on meeting the standards required to allow for taking in charge from the commencement of the development and not following completion. He noted the onus on the

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local authority to ensure appropriate systems and procedures are in place to ensure that estates are unfinished with no bond or mechanism to ensure their completion.

Cllr. Kinane stated that despite an increase in development contributions by 30% in 2008, areas like Oranmore were left with inadequate roads and services despite unprecedented development. She requested that consideration be given to allocating a percentage of development contributions collected in an area to addressing unfinished estates in the area.

Comh. O'Tuairisg stated that it was a huge issue that required a strategy to progress and allow for the completion of unfinished estates to the standard for taking in charge.

Cllr. Cuddy expressed the view that where estates have not been finished within the terms of planning permission, the bond should not be left idle and should be drawn down to allow outstanding works to be completed.

Cllr. K. McHugh while welcoming the funding and acknowledging the importance and benefits of addressing public lighting, outlined that other matters also present significant and serious safety issues, citing as an example an incident that occurred in an unfinished estate as outlined to her during the election campaign.

Cllr. D. Connolly outlined his support for the allocation of funding for public lighting where it was deemed appropriate to address the priority safety issues in the estate. He criticised the process that allowed development leave estates in unsafe manner and still apply and be granted planning permission for further development.

Cllr. Donohue noted that in many instances developers had been able to walk away from their responsibilities in relation to completing developments to the required standards and it appeared that the hands of the local authority were tied in adequately addressing the situation.

Cllr. Charity referenced the need for full information to be available to inform the decision and that the logical course of action was the allocation of development contributions to address the issues. He noted that the majority of the GTPS zone was paying the highest rate of development contributions and referenced a recent newspaper article on the accumulated development contributions held by local authorities due to restrictions on the application of the funding. He requested clarification on the level of contributions held by the local authority and the basis for the allocation of such contributions.

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Cllr. Fahy outlining that adopting the approach of allocating €20,000 per area would limit the extent and value of work to be undertaken, noted that it would be an important gesture that the local authority was committed to addressing the concerns of residents in unfinished estates. He requested that a programme of works be compiled that would the allocation of funding in the budgetary process for 2016. He noted the need for additional resources to be dedicated to the taking in charge function while outlining a response given at a recent training event that, subject to sanction for additional posts, it was a matter for the local authority to fund any additional staff resource required.

The Chief Executive replied to the issues raised by the Members as follows:

- There are in excess of 400 housing estates in the county at various stages of development.
- Some residents do not wish to have their estates taken in charge by the local authority and some have Management Companies managing their estates.
- He said that huge work has been done by the local authority in relation to taking estates in charge. This work is done in a logical and coherent manner with an average of 10 – 15 estates are being taken in charge per year.
- Although funds were made available by the Government in the past towards taking in charge, no central funding is available at present
- There is no issue regarding bond conditions not being complied with. However, he said that recently local authorities have been urged to make claims on IBRC bonds. He noted that Galway County Council has applied for all IBRC bonds and it is hoped that these will be honoured by the liquidator.
- The local authority has drawn down bonds in the past and has completed outstanding works on housing estates with the proceeds. However, the local authority prefers that the developers complete the works so that the bonds do not have to be drawn down as there is a legal process to be followed in getting a bond released.
- He said he would not advise that the €100,000 be divided up between each Municipal District and it would be better spent to address issues in a countywide manner.
- The Local Authority can take a developer's past performance into account when making a decision on planning applications, however the matter must be brought to the High Court for decision.
- There is no limit on the timescale of Bonds and they are open-ended
- The Members should be aware that there is no lack of information regarding unfinished housing estates and the staff dealing with this issue have a very good sense of where priority estates exist across the county and they are currently working on a programme for spending the €100,000 allocation for unfinished estates. The emphasis is on ensuring that estates are finished to a satisfactory standard.

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In reply to Cllr. Charity, the Chief Executive said that there is a requirement on local authorities not to reduce capital balances and to keep its capital balance positive, this requirement impacts on the allocation and spend on development contributions which is managed through the capital account.

In reply to Cllr. Kinane, the Chief Executive said that development charges were increased by 30% in 2008 but they were subsequently reduced in 2010 by 30% for commercial developments and 10% for residential developments.

In reply to Cllr. Canney, the Chief Executive said that Irish Water will not take responsibility for private waste water treatment plants and it is not the policy of the Council to take these on board. However, he advised that Irish Water will take over the pipe network.

The Chief Executive in reply to Cllr. Charity indicated that while he did not have details of capital balances associated with development contributions readily available, he noted that a significant element of same related to water services and that a process was underway to agree and finalise balances with Irish Water, noting that since 2014 contributions collected related to water services were going to Irish Water. He advised that the development contribution in respect of water services was no longer levied by Galway County Council for new development, with the applicant engaging directly with Irish Water in relation to the connection and contribution for appropriate services.

In reply to Cllr. Cunniffe, the Chief Executive confirmed that presentations on taking in charge and the current status of estates could be facilitated through meetings of the Municipal Districts as required.

It was proposed by Cllr. McClearn, seconded by Cllr. Maher that the €100,000 allocation for unfinished housing estates be used for public lighting in these estates.

As it was not agreed, the Cathaoirleach called for a vote and the result of the vote was as follows:

For:	Cllrs: J. Byrne, N. Byrne, Donnellan, Fahy, G. Finnerty, Joyce, Maher, McClearn & Rabbitte.	9
Against:	Cllrs: Broderick, Canney, Charity, D. Connolly, M. Connolly, Cronnelly, Comh. Ó Cualáin, Cllrs. Cuddy, Cunniffe, Comh. Ó Curraoin, Cllrs. Donohue, Feeney, M. Finnerty, Healy, Hoade, Kearney, Killilea, Kinane, Mannion, K. McHugh, T. McHugh, Roche, Comh. Ó Tuairisg & Cllr. Welby.	24

Abstain: Cllr. Walsh.

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TO CONSIDER REPORT UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT 2001 ON THE LEASE OF 0.32 ACRES (0.133 HECTARES) OF LAND AT COOS NORTH, CO. GALWAY 2011

Statutory Notice and Report dated 10th March, 2015 were already circulated to each Member in accordance with the statutory timeframe.

On the proposal of Cllr. McClearn, seconded by Cllr. Maher, the disposal of 0.32 acres (0.133 hectares) of land at Coos North, Co. Galway acquired from Electricity Supply Board, together with 620 square metres (0.062 hectares) of land at Coos North, Co. Galway held by Galway County Council on a 35 year lease from Waterways Ireland, as outlined in the Report, was agreed.

Cllr. McClearn paid tribute to the staff of the Council, M.J. Walsh and Eimear Dolan, for their work in organizing the lease for the Sliabh Aughty Amenity Group to facilitate the construction of a carpark, picnic area and amenity facilities along the shoreline of Lough Derg

TO CONSIDER REPORT UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT 2001 ON THE DISPOSAL OF 0.85 HECTARES OF LAND AT NO. 2 PÁIRC NA HABHANN, ATHENRY, CO. GALWAY 2012

Statutory Notice dated 11th March, 2015 and Report dated 10th March, 2015 were already circulated to each Member in accordance with the statutory timeframe.

On the proposal of Cllr. Feeney, seconded by Cllr. Kearney, the disposal of 0.85 hectares of land at No. 2 Páirc na hAbhann, Athenry, Co. Galway, as outlined in the Report, was agreed.

Mr. Gavican addressed a range of queries raised by Cllrs. O'Tuairisg, Broderick, Cuddy, Donnellan, Cunniffe, Healy & Comh. O'Curraoin in relation to the sale of the affordable housing units, the conditions associated with the sale, the approach of the local authority to purchasing housing units and the treatment of the proceedings from the sale of affordable housing units.

TO CONSIDER REPORT UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT 2001 ON THE DISPOSAL OF 0.85 HECTARES OF LAND AT NO. 6 PÁIRC NA HABHANN, ATHENRY, CO. GALWAY 2013

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Statutory Notice dated 11th March, 2015 and Report dated 10th March, 2015 were already circulated to each Member in accordance with the statutory timeframe.

On the proposal of Cllr. Feeney, seconded by Cllr. Kinane, the disposal of 0.85 hectares of land at No. 6 Páirc na hAbhann, Athenry, Co. Galway, as outlined in the Report, was agreed.

TO CONSIDER REPORT UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT 2001 ON THE DISPOSAL OF 0.85 HECTARES OF LAND AT NO. 43 PÁIRC NA HABHANN, ATHENRY, CO. GALWAY **2014**

Statutory Notice dated 11th March, 2015 and Report dated 10th March, 2015 were already circulated to each Member in accordance with the statutory timeframe.

On the proposal of Cllr. Feeney, seconded by Cllr. Kinane, the disposal of 0.85 hectares of land at No. 43 Páirc na hAbhann, Athenry, Co. Galway, as outlined in the Report, was agreed.

TO CONSIDER REPORT UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT 2001 ON THE DISPOSAL OF 0.85 HECTARES OF LAND AT NO. 44 PÁIRC NA HABHANN, ATHENRY, CO. GALWAY **2015**

Statutory Notice dated 11th March, 2015 and Report dated 10th March, 2015 were already circulated to each Member in accordance with the statutory timeframe.

On the proposal of Cllr. Feeney, seconded by Cllr. Cronnelly, the disposal of 0.85 hectares of land at No. 44 Páirc na hAbhann, Athenry, Co. Galway, as outlined in the Report, was agreed.

TO CONSIDER REPORT UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT 2001 ON THE DISPOSAL OF 0.85 HECTARES OF LAND AT NO. 54 PÁIRC NA HABHANN, ATHENRY, CO. GALWAY **2016**

Statutory Notice dated 11th March, 2015 and Report dated 10th March, 2015 were already circulated to each Member in accordance with the statutory timeframe.

On the proposal of Cllr. Feeney, seconded by Cllr. Kearney, the disposal of 0.85 hectares of land at No. 54 Páirc na hAbhann, Athenry, Co. Galway, as outlined in the Report, was agreed.

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) **2017**

Report dated 12th March, 2015 was already circulated to each Member.

It was proposed by Cllr. Maher, seconded by Cllr. Feeney and agreed, that on an exceptional basis, retrospective authorization be approved for the attendance of the Members named hereunder at the AILG 2nd Annual Conference - *Local Government New Structures New Challenges* held at the Nuremore Hotel, Carrickmacross, Co. Monaghan:

Cllr. M. Hoade, Cathaoirleach
Cllr. P. Feeney

It was proposed by Cllr. G. Finnerty, seconded by Comh. Ó Curraoin, and agreed, that the attendance of the Members named hereunder at the LAMA Spring Training Seminar 2015 - *Housing Provision* to be held at the Árd Rí House Hotel, Tuam, Co. Galway be authorised:

Cllr. Kinane
Cllr. Fahy
Cllr. Kearney
Cllr. J. Byrne
Cllr. G. Finnerty
Comh. Ó Curraoin
Cllr. Hoade, Cathaoirleach
Cllr. Hynes
Cllr. Mannion
Cllr. T. McHugh

It was proposed by Cllr. Feeney, seconded by Cllr. Kearney and agreed, that on an exceptional basis, retrospective authorization be approved for that the attendance of the Members named hereunder at the AILG Training entitled *Economic Development - Role of Local Authorities* held at the assigned location i.e. the Clayton Hotel, Galway:

Comh. Ó Tuairisg
Cllr. Welby
Cllr. G. Finnerty
Cllr. Kearney
Comh. Ó Curraoin

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Cllr. Feeney
Cllr. Donnellan

It was proposed by Cllr. Feeney, seconded by Cllr. Kearney and agreed, that the attendance of the Members named hereunder at the AILG Training entitled *Economic Development - Role of Local Authorities* to be held at the alternative location i.e. the Radisson Hotel, Limerick be authorised:

Cllr. Kinane
Cllr. Roche
Cllr. Fahy
Cllr. Cunniffe
Cllr. Hynes.

It was proposed by Cllr. Feeney, seconded by Cllr. Donohue, and agreed, that the attendance of the Members named hereunder at the AILG Local Community Development & LCDC's - *New Role for Local Authorities* Training to be held in Sligo, at a venue to be decided, be authorised:

Comh. Ó Tuairisg
Cllr. Kinane
Cllr. Fahy
Cllr. Welby
Cllr. Kearney
Cllr. Feeney
Cllr. Cunniffe.

It was proposed by Cllr. Feeney, seconded by Cllr. G. Finnerty, and agreed, that the attendance of the Members named hereunder at the AILG *Local Authority Finance (Module 2)* to be held in Roscommon, at a venue to be decided, be authorised:

Comh. Ó Tuairisg
Cllr. Fahy
Cllr. Welby
Cllr. Kearney
Cllr. Feeney
Cllr. Cunniffe.

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It was proposed by Cllr. G. Finnerty, seconded by Cllr. Kearney, and agreed, that the attendance of the Members named hereunder at the AILG Training on *Road, Transport & Urban Traffic Planning* to be held in Carrick-on-Shannon, Co. Leitrim, at a venue to be decided, be authorised:

Comh. Ó Tuairisg
Cllr. Kinane
Cllr. Fahy
Cllr. Welby
Cllr. Kearney
Cllr. Feeney
Cllr. Cunniffe.

It was proposed by Cllr. Donohue, seconded by Cllr. Kearney, and agreed, that the attendance of the Members named hereunder at the AILG *New Regional Assemblies Structure and their Relationship with Local Authorities & Governance (Part 2) Ethics* Training to be held in Ballinasloe, Co. Galway, at a venue to be decided, be authorised:

Comh. Ó Tuairisg
Cllr. Fahy
Cllr. Welby
Cllr. Kearney
Cllr. Feeney
Cllr. Cunniffe.

TO CONSIDER AND IF DEEMED APPROPRIATE TO AUTHORISE THE ATTENDANCE AT CONFERENCES IN ACCORDANCE WITH SECTION 142(5) OF THE LOCAL GOVERNMENT ACT 2001 (AS AMENDED) **2018**

Report dated 12th March, 2015 was already circulated to each Member.

It was proposed by Cllr. Maher, seconded by Comh. Ó Curraoin, and agreed, that on an exceptional basis, retrospective authorization be approved for the attendance of the Member named hereunder at the Ace Training Conference entitled *E.U. Support Programmes for Irish Regions* held at The Four Seasons Hotel, Carlingford, Co. Louth:

Cllr. P. Hynes

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It was proposed by Comh. Ó Tuairisg, seconded by Cllr. Maher, and agreed, that the attendance of the Member named hereunder at the Dublin European Institute Conference entitled *Self Determination Processes in the E.U.* to be held at the Newman House, Room 8, St. Stephen's Green, Dublin be authorized:

Comh. Ó Tuairisg

TO NOTE THE SUMMARY OF PROCEEDINGS OF CONFERENCES ATTENDED IN ACCORDANCE WITH SECTION 142 (5F) OF THE LOCAL GOVERNMENT ACT 2001 (AS AMENDED) 2019

Report dated 12th March, 2015 was already circulated to each Member.

On the proposal of Cllr. Maher, seconded by Cllr. T. McHugh, the Members agreed to note the Summaries of Proceedings of the Ace Management & Training - *E.U. Support Programmes for Irish Regions* Conference, as submitted by Cllr. Cunniffe.

On the proposal of Cllr. Maher, seconded by Cllr. Fahy, the Members agreed to note the Summaries of Proceedings of the Co-Operation Ireland - *Regenerating Local Spaces through Effective Community Planning* Conference, as submitted by Cllr. Kinane.

On the proposal of Cllr. T. McHugh, seconded by Cllr. Kearney, the Members agreed to note the Summaries of Proceedings of the Irish Private & Public Bodies (Consulting) Ltd. *Government's Construction 2020 Strategy - Local Government Housing Supply* Conference, as submitted by Cllr. Roche.

GALWAY COUNTY COUNCIL COMMUNITY SUPPORT SCHEME 2015 - PROPOSED LIST OF APPROVALS 2020

Report dated 18th March 2015 was circulated to each Member.

Ms. McConnell informed the Members that the budget for the Community Support Scheme 2015 is €355,000 including an amount of €10,000 to be ring fenced for the Galway Mountain Rescue. She also said that the allocation for Support for Heritage is €17,500 and the allocation for Promotion of the Irish Language is €6,023.

She said that the scheme categories covered in the Report are as follows:

- Community Based Economic Development
- Facility Upgrade in Accessibility, Fire Safety or Energy Efficiency
- Tidy Towns
- Social Inclusion Activities or Services

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- Comhairle/Youth
- Sport
- Arts
- Heritage
- Promotion of the Irish Language

The Cathaoirleach welcomed the Community Support Scheme and paid tribute to the staff for their work in administering the scheme.

Her sentiments were echoed by many of the Members who welcomed the allocations towards community groups carrying out works in their respective areas.

Cllr. Rabbitte expressed disappointment that that a number of applications for funding were unsuccessful and requested that feedback be made available to advise relevant applicants of the perceived shortcomings in their applications. Cllr. Rabbitte indicated that she was greatly disappointed that Portumna Tidy Towns did not receive any funding. Ms. McConnell undertook to review the applications and provide feedback to the relevant applicants.

In reply to Cllr. Roche, Ms. McConnell said that the monies allocated can only be drawn down on production of receipts for works completed. She said that this will facilitate the redistribution of monies which are not spent to applicants who were not successful at this time.

Cllr. Cronnelly expressed disappointment that a greater number of applications to support actions relating to the commemoration of 1916 were not submitted. Ms. McConnell said that groups who did not seek funding under the Community Support Scheme for projects regarding the 1916 Commemorations may be able to avail of funding at a later stage through avenues which will be notified to the public in due course.

Cllr. Fahy referenced the funding allocated to support the Loughrea St. Patrick's Day Parade and in the absence of funding previously provided by Loughrea Town Council requested that consideration be given to an increased in the proposed allocation.

Ms. McConnell in reply to Cllr. Healy confirmed that the potential may exist to reallocate funding to increase grant allocation or support currently unsuccessful application later in the year in the event that available grant funding was not fully drawn down.

TO NOTE INDICATIVE PROGRAMME OF WORKS AND SCHEDULE OF MEETINGS FOR STRATEGIC POLICY COMMITTEES FOR 2015.

2021

Report dated 20th March, 2015 was circulated to each Member.

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Ms. McConnell informed the Members that the Oughterard Local Area Plan was not on the Programme of Works for the Planning & Community S.P.C. as the Plan could not be advanced through Strategic Environmental Assessment and Appropriate Assessment until such time as the issue of the waste water treatment plant and network for Oughterard are addressed.

In reply to queries, Ms. McConnell confirmed the first Meeting of the Planning & Community SPC will be held on 30th March, 2015 at 10 a.m. at Áras an Chontae and the first Meeting of the Economic Development & Enterprise SPC will be held on 31st March, 2015 at Áras an Chontae.

On the proposal of Cllr. T. McHugh, seconded by Cllr. Maher, the Members noted the Indicative Programme of Works and Schedule of Meetings for Strategic Policy Committees for 2015.

TO CONSIDER AUDIT REPORT ON THE ACCOUNTS OF GALWAY COUNTY COUNCIL FOR THE YEAR ENDING 31ST DECEMBER, 2013 **2022**

Report dated 18th March, 2015 was already circulated to each Member.

Mr. Mullarkey referred to the Audit Report on the Accounts of Galway Co. Council for the year ending 31st December, 2013 to the Members and he said he would be pleased to respond to any matters raised by the Members in their consideration of the Report.

Cllr. Canney referred to the €7.7m which is outstanding from the Department of Arts, Heritage & the Gaeltacht in relation to improvement works carried out to Kilronan Pier and Caladh Mór Pier between 2004 - 2009. He asked if the Department is refusing to pay and if the Consultants working on this project paid by the Council.

The Chief Executive said he is in correspondence with the Department of Arts, Heritage & the Gaeltacht regarding the outstanding amount payable to the Council. The Department has committed to pay €300,000 each year for three years and they have paid the first two years of this, with €300,000 due to be received by the Council this year.

Cllr. Healy also expressed concern regarding the figure owed to the Council by the Department and he asked if the Minister in charge of that Department has issued a position on this.

Cllr. Cunniffe wished to record his concerns regarding the Council's huge rates debt and the fact that the actual collection of rates is only approximately 2/3 of rates payable to the Council, according to the Council's budget figure.

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Cllr. Broderick agreed with the concerns of Cllr. Cunniffe stating that the Council has to face the reality that a large amount of the rates budgeted for are not collectable.

Cllr. G. Finnerty said that the Council must be careful not to be the cause of businesses closing down because they cannot afford to pay their rates. He said the Council must put a process in place to help small businesses to get back on track as regards paying their rates and he expressed the view that the old system whereby Rate Collectors called to people to collect the rates should be re-introduced because people are finding it difficult in the current climate to operate direct debits due to cash-flow problems.

Cllrs. McClearn, J. Byrne, Cuddy, K. McHugh and Welby also expressed their concerns regarding the level of rates outstanding to the Council and Cllr. McClearn said that some Local Authorities put an incentive in place whereby ratepayers get a reduction in their rates if they pay on time. He asked that the Head of Finance consider if there is scope to introduce such an incentive in Galway County Council.

Mr. Mullarkey replied to the Members stating that the Council is working with ratepayers in order to collect rates and uses legal avenues when warranted, however, he said it is not the wish of the Council to put people of business. He also said that water service debtors will not be on the books of the Council from 2014.

The Chief Executive replied stating that there are two issues involved, i.e. the Debit Balance must be maintained and bad debts are being gradually increased. The affects on services if we try to bridge the gap too quickly would be adverse. It will take time to get to a positive position in this regard.

Cllr. Charity referred to the matter of Development Contributions stating that it appears from the Report that €17.3m was due in but that the provision for bad debts against same was €500,000. He sought clarity on amounts that are statute barred and incorrectly levied and what steps are being taken by the local authority to collect contributions due.

Mr. Mullarkey said that up to 2010, development contributions were accounted for by income received. However, the Department of the Environment notified the Council that these should be accounted for on an accruals basis. He advised that charges were raised against multiple applications as the developer has the option of utilising any of the applications. He stated that the based on the actual development an appropriate credit was raised the other relevant applications. He noted that of the €17 million, approximately €1.5 million was deferred, some relating to large scale development that may not proceed based on the permission granted. He

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confirmed that €1.7 million was short term with a provision for bad debts of €500,000. He advised that credits against development not proceeding could not be raised until the expiry of the relevant permission and that the local authority was collecting on the short term sum of €1.7 million.

Cllr. D. Connolly said that it is not acceptable that the Department owes over €7m to the Council and has only committed to pay less than €1m over a period of three years. He said the Council needs to send a strong message to the Minister Heather Humphries that the full amount owed must be reimbursed to the Council because services are being affected as a result.

In reply to the Members, the Chief Executive said this is a significant issue which the Council is endeavouring to resolve with the Department.

Cllr. Healy made the following proposal: *“That this Council demand as a matter of priority that Minister Heather Humphries reimburse fully all outstanding amounts relating to the works at the piers of Kilronan and Caladh Mór as the loss of these funds are having a significant effect on the delivery of services by the Council in the Country as a whole”*. This proposal was seconded by Cllr. D. Connolly, and agreed.

On the proposal of Cllr. Maher, seconded by Cllr. Cunniffe the Audit Report on the Accounts of Galway County Council for the year ending 31st December 2013 was noted.

TO CONSIDER THE AUDIT COMMITTEE’S REPORT TO COUNCIL ON ITS CONSIDERATION OF THE AUDITED FINANCIAL STATEMENT AND AUDITOR’S REPORT 2013 IN ACCORDANCE WITH SECTION 121 OF THE LOCAL GOVERNMENT ACT 2001, AS AMENDED. **2023**

On the proposal of Cllr. McClearn, seconded by Comh. O’Tuairisg, the Audit Committee’s Report to Council on its consideration of the Audited Financial Statements and Auditor’s Report 2013 was noted.

TO CONSIDER THE MANAGEMENT REPORT – MARCH 2015 IN ACCORDANCE WITH SECTION 136(2) OF THE LOCAL GOVERNMENT ACT 2001 (AS AMENDED) **2024**

Report dated 18th March, 2015 was already circulated to each Member.

The Chief Executive presented the Management Report to the Members.

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Cllr. Maher referred to the temporary closure of Portumna Branch Library in order to carry out investigations and asked that the library be reopened as soon as possible. Mr. Gavican replied that the investigation works had commenced over the weekend and would be completed without delay.

Cllr. Cunniffe referred to the procurement process being undertaken for Tuam and Ballinasloe Leisure Centres and he said that he had already made a submission to Management requesting that as much weighting as possible be given to the public opening times of the swimming pools and gymnasiums in order to allow as much access as possible for the public to these facilities, referring to the models operated by other leisure centres.

The Chief Executive replied that if the Council was to include additional requirements in relation to public hours that it would result in additional costs to the local authority in terms of a subsidy for the operation of the centres.

Ms. McConnell in reply to Cllr. Healy confirmed that the workshop on the Local Economic Community Plan was open to members of the LCDC and SPC.

On the proposal of Cllr. Feeney, seconded by Cllr. McClearn, it was agreed to note the Management Report for March 2015.

GALWAY LOCAL GOVERNMENT REVIEW

2025

The Chief Executive circulated a document entitled “Galway Local Government Committee multi-criteria analysis of options” to the Members.

He stated that a Committee has been put in place to undertake a review of Local Government in Galway. He said that there are two main considerations (1) Boundary Extension (2) Unification of the City and County Councils.

The timeframe for submissions is short and he said that this item has been placed on the Agenda to allow the Members to discuss the matter and bring forward their views in order that a co-ordinated submission be made to the Committee. He said that the draft submission, prepared based on the contributions from the Members, can be reviewed at the April Monthly Meeting before submission to the Committee. He said that the Committee will meet with the Members on Friday 27th March, 2015 and he suggested that the Members use the document circulated to bring their thoughts together in advance of the Meeting on Friday

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He suggested that the following issues be considered in the making of a submission:

- Are there significant over spills regarding development and employment in the County and City Council areas
- Consider future population growth which may not be as great as in recent years
- What would be the effect of a merger of both City & County Councils, would it benefit Galway County and City?
- Consider how a merger would affect peripheral areas of the County
- Consider the different needs of a metropolitan city and rural areas
- What savings could be gained through a merger as regards joint procurement staffing bearing in mind that significant savings have already been made in this regard in recent years
- Take account of the high level of co-operation which has already been achieved between the City & County Councils as regards the purchase of Galway Airport, the designation of Galway as a UNESCO City of Film, Ardaun, Galway's bid for European Capital of Culture 2020. Would a merger improve on such co-operation?
- Consider whether a merger would improve the growth of the City
- Consider whether too large a boundary extension might detract from the vibrancy of towns in the County.

The Chief Executive said that the Assessment Criteria are set out in the Report as follows:

- Vision/strategic capacity/economic and social development
- Governance and accountability
- Service Delivery
- Human Resource management
- Efficiency
- Financial sustainability

He concluded by stating that it is intended that only one submission be made by the Council and that the Executive does not intend to make a separate submission. The official closing date for the receipt of submissions is 13th April 2015 and the Members can make individual submissions before that date. However, he said that the Council has received confirmation that the closing date for a submission by the Council has been extended until after the April Monthly Meeting of the Plenary Council.

A discussion took place and the Members expressed their views on the possible amalgamation of the City and County Councils and the possibility of extending the City Boundary.

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Cllr. McClearn stated that he would be totally opposed to the extension of the City boundary as it would rob the County Council of a significant rates base. However, he said he could understand the advantage of merging the City and County Councils as regards the overall provision of services.

Cllr. Feeney felt that the extension of the boundary would be detrimental to the County and also stated that he was opposed to the merger of the City and County as Galway is a very large and unique County with the East of the County having a mid-lands influence, the City being very vibrant and having a fast growing population with two third-level colleges and a lot of innovation and Conamara being a unique region in itself. He felt that it would be almost impossible to bring representatives of these three areas together as one Local Authority. However, he said that the existing shared services between the City and County Council are working well, such as the libraries, motor tax, fire service etc. and he expressed the view that these shared services could be extended to include the Roads function and the Arts.

Cllr. Healy felt that the Terms of Reference of the Review should be neutral whereas it only speaks positively about the outcomes of previous amalgamations such as Limerick and Waterford Local Authorities. It was important that the requirements of Conamara as a unique region were acknowledged and considered.

Cllr. Fahy stated that he was of the opinion that the outcome was predetermined in favour of a unification of the local authorities and that it was necessary to ensure that the County would prosper in a unified authority.

Cllr. Charity said that the Athenry/Oranmore Municipal District is inadequately funded even though Oranmore generates up to 23% of the rates for the County. He said he is fully in favour of amalgamating the two Councils on the basis of the benefit from streamlined services and amalgamation of service units.

Cllr. Kinane said that she had made the application for an extension of the deadline and she was pleased that her request had been granted. She said that the extension of the City boundary would reduce the income stream for the County, however she said that the Oranmore rates base generates a large amount of income and this should be recognised by the rest of the County.

Cllrs. Thomas, Cuddy, K. McHugh, Roche, T. McHugh and M. Connolly also expressed their opposition to a merger or a boundary extension and they felt that their constituents concur with their views in this regard.

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Comh. Ó Curraoin, Ó Cualáin, Cllrs. G. Finnerty & Rabbitte, also stated their opposition to an amalgamation or a boundary extension with Cllr. Rabbitte expressed the view that the terms of reference were basis and did not allow for a continuation of the status quo.

In reply to Cllrs. J. Byrne and Mannion, the Chief Executive said that his expectation for the Meeting on Friday 27th March is that the Committee will listen to the views of the Members.

Cllr. Kearney said that the matter needs serious thought as the biggest fear regarding a merger is that some towns and villages on the periphery could get forgotten about.

Cllr. T. Broderick said that Ballinasloe is devoid of industry and he felt that the amalgamation of the City and County Councils could be identified as feeding into the City in order to expand employment in the City to the detriment of the County. He expressed the view that the membership of the Committee seems very much a business orientated group. He said that he agrees that services should be shared in an efficient manner but the delivery of services to peripheral areas of the County must not be undermined.

Comh. Ó Tuairisg felt that a boundary extension would be disastrous for the County. He said that Conamara is contributing greatly to the rates income of the Council because it attracts a large amount of tourists to the area, in turn benefitting hotels, restaurants, pubs, shops etc. by generating business for the area. He said that he would prefer to see Conamara amalgamating with the City or as a separate local authority rather than a full amalgamation of the City and County.

Cllr. Welby said that it is a fact that larger areas of population have an advantage in relation to securing investment, i.e. the larger the critical mass the better. It is his opinion that the Committee set up to carry out the review are pro-enterprise and will put a greater emphasis on money saving than social issues. He said he is neutral on the issue but it is important that peripheral areas are not disenfranchised.

Cllr. Canney expressed the view that there would be huge benefits for the County if it was amalgamated with the City so as to have the necessary critical mass to market Galway.

In reply to a query from Cllr. Welby, the Chief Executive said that the Committee are being facilitated by the City Council who are providing secretarial services for the Committee. He said that Mr. Owens is the liaison officer with the Committee on behalf of the County Council.

Cllr. Cunniffe said that the Minister should be asked to give Galway a 5-year moratorium in order to assess how the Municipal District Councils are faring out.

The Cathaoirleach said that she is not in favour of amalgamating the City and County Councils. She said that County Galway stretches for almost 100 miles from east to west and has a huge population. She also expressed the view that it would be very difficult to conduct Council Meetings if the number of Members were increased due to an amalgamation.

SUSPENSION OF STANDING ORDERS

2026

It was proposed by Comh. Ó Tuairisg, seconded by Cllr. Maher, and agreed, that the Standing Orders be suspended to allow the Meeting continue after 5 p.m. and until the clár was complete.

TO RECEIVE A PRESENTATION ON GALWAY COUNTY COUNCIL'S ENHANCED ROLE IN SUPPORTING ECONOMIC DEVELOPMENT OF THE COUNTY, INCLUDING AN UPDATE FROM THE LOCAL ENTERPRISE OFFICE

2027

Ms. McConnell made a presentation to the Members on the Council's Enhanced Role in Supporting Economic Development, while Ms. Fox then addressed the Members and gave them an update regarding the Local Enterprise Office (LEO).

Mr. Kelly acknowledged the role of the staff in both the Community, Enterprise & Economic Development Unit (C & E) and the Local Enterprise Office (LEO) and he said that the work of the C & E Unit is complimentary to the LEO. He said that there is an increased focus on economic development at present and an Interdepartmental Group has been set up to keep the focus on economic development. He said that it is recognised that staff resources need to be increased in this area and he hopes to assign additional staff to deal with economic development shortly. Arrangements are being made to accommodate the LEO at Áras an Chontae at present. He said the Economic Development Strategic Policy Committee will have a role in developing the Economic Strategy in conjunction with the City Council and he will revert to the Members in due course regarding progress on the important issue of economic development.

Cllr. Donnellan thanked the speakers for addressing the Members and making their presentations as a result of his proposal at the January Monthly Meeting of the Council.

Cllr. Donnellan raised a number of queries and Ms. McConnell and Ms. Fox replied as follows:

- Ms. McConnell said that the LEO is a fully functioning independent office and sits within the governance of Galway County Council. Galway is the only County having a joint LEO

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and Ms. Fox answers to both Galway County and City Councils, while she also has a direct link with Enterprise Ireland.

- She said there are a number of ways businesses can get involved with the Local Economic & Community Plan. Business Interest Groups are represented on the Councils Strategic Policy Committees so this provides a link to the LECP.
- Ms. Fox said that the activities of the LEO are 100% funded by Enterprise Ireland, which is co-funded by E.U. Structural Funds
- The LEO has a Management and Reporting Role to the Chief Executive of the Council and also to Enterprise Ireland
- In relation to the new LEO Website, Ms. Fox agreed that improvements are needed and she hopes she will shortly have the benefit of a Graduate under the Graduate Scheme who will focus on communications and improving the Website.
- The goals, objectives and deliverables of the LEO are set out in its Local Economic & Community Plan for 2015 and this is a public document.
- The resources of LEO are generally divided between the county clients and city clients. Free events are organised by the LEO in rural Towns in order to provide information to businesses regarding supports available but these events are not very well attended although extensive advertising is provided.
- The Student Enterprise Awards are very popular among schools in Tuam, Athenry, Ballinasloe, Kinvara and Portumna but there is very little engagement from schools in other areas of the County. She said it is up to the teachers to engage with this initiative in order to get their students involved.
- She said the key matrix in relation to LEO are the number of jobs facilitated and the LEO also measures itself by the number of people who engage with the office, which was just under 500 in 2014.
- Digital Vouchers are open to all, provided the business employs less than 10 people and it is a requirement that the business can show that they have increased their business through the use of their website.
- She said that in her view, the key component of a new business enterprise is its Business Plan and if the Business Plan is prepared properly, it will have all the necessary information to populate the necessary application forms when applying for funding or other assistance from the LEO.

Cllr. M. Connolly thanked Ms. McConnell and Ms. Fox for their informative presentations and he complimented the work of the County Enterprise Board in the past, including the work of Charles Lynch and Frank Dawson. In relation to digital marketing, he said that the broadband coverage experienced in certain areas of the county is disastrous and he proposed the Council

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put a strategy in place to determine what can be done to improve the plight of business in blackspots around the county.

Cllr. Roche referred to EN 1090 introduced by the Government on foot of an EU Directive on CE certification stating that a heavy financial burden is being placed on businesses such as metal fabrication businesses as a result and he asked if the LEO can assist businesses in this matter.

Ms. Fox replied the LEO has no funding available for businesses in this regard and the best she can do is gather as much information as she can in this regard and make the information available. She said that if the legislation is to be changed, it will have to be changed by the Government.

Cllr. G. Finnerty said that there are many impediments in the way of Small and Medium Enterprise (SMEs). He asked if the LEO is adequately resourced to give financial and other advice to SME's. Ms. Fox replied that she is an Accountant and she meets clients face to face, giving them financial advice and also providing a mentoring service to them. She said the LEO runs a Roadshow in rural towns and arranges to have a speaker of interest to local businesses at the Roadshow. However, she said the LEO does not have the resources to provide training as part of this.

Ms. Fox also replied to Cllr. G. Finnerty that the LEO has no difficulty with businesses who were in financial trouble in the past, and she is aware that Micro Finance has no difficulty in this area. However she could speak for financial institutions in this regard. She said that the LEO deals with struggling businesses on an ongoing basis in order to assist them to put a process in place to improve their situation. The LEO also has a mentoring panel who will give advice to businesses.

In reply to Comh. Ó Tuairisg, Ms. McConnell said that the Council is working with the Údarás in relation to the provision of rest centres on the Wild Atlantic Way.

In reply to Cllr. Charity, she said that she did not have details to hand of the number of people engaged by the Council under the Job-Bridge Scheme and the Gateway Scheme, but she is aware that quite a number of former Interns with the Council have found employment.

Ms. Fox replied to queries raised by Cllr. Canney as follows:

- The LEO only funds start-up businesses and not those already established.
- She also confirmed that the LEO does not fund a start-up business if a similar business exists in the area in order not to displace an existing business.

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- The LEO does not fund service providers because a business receives payment for the service whereas manufacturing business incur very high costs. She said this is consistent across the E.U.
- LEO has the same budget for 2015 as in 2014 of €500,000 for Galway City and County across all delivery platforms.
- However, €5m will be available nationally for which individual LEO's can apply
- Regarding the self employed, she said it is her understanding if their business fails, they may qualify for social assistance but this may take longer than normal, however she said this is not a matter for the Council.

In reply to Comh. Ó Tuairisg, Ms. Fox said that the LEO is precluded from servicing applicants within the Gaeltacht, however the LEO liaises with and has a very good working relationship with Údarás na Gaeltachta.

Cllr. Healy said that financial support to start-up business is essential and he said he is very encouraged by the work of C & E and the LEO in the overall strategy the economic development for the County. He said there is an abundant supply of empty units around the County which could be utilised by start-up businesses. He asked how does the LEO work with the Central Statistics Office and if the LEO generates its own data. He welcomed the engagement with 2nd level education through the student support grants.

She acknowledged the reference by Cllrs. J. Byrne, M. Connolly and S. Cunniffe regarding e-fibre cabling and broadband while advising that the Council has no control over the roll out of broadband.

Ms. Fox thanked the Members for their work with the County Enterprise Board in the past and she said she looks forward to the roll out of the LEO in the County and City.

CHIEF EXECUTIVE'S BUSINESS & CORRESPONDENCE

2028

The Chief Executive referred to the Motion which had been passed at the Special Meeting of the Council held on 2nd March, 2015 regarding the Galway City Transport Project when it was determined by the Members that a delegation of Councillors, T.D's, community representatives consultants and officials meet with the representatives of the European Commission in relation to the application of Article 6.4 Habitats to the original route of Galway City Outer Bypass.

He referenced the Briefing Note prepared at the request of the Members detailing the background to the issue to be considered with the Commission and detailing the question

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relating to application of Article 6.4 to the original route of the Galway City Outer Bypass as raised by the Members at the special meeting.

It was proposed by Cllr. Welby, seconded by Cllr. Cuddy that Cllr. Charity be part of the delegation.

It was proposed by Cllr. McClearn, seconded by Cllr. N. Byrne that Cllr. Mannion be part of the delegation.

It was proposed by Cllr. M. Connolly, seconded by Comh. Ó Tuairisg that Cllr. Killilea be part of the delegation.

As no other proposal was made, it was agreed that the following Members make up the delegation from the Council:

Cathaoirleach, Cllr. M. Hoade , Cllr. J. Charity, Cllr. E. Mannion & Cllr. D. Killilea.

Cllr. N. Byrne expressed the view that the Members travelling should suffice as community representatives, however the Cathaoirleach replied that resolution as agreed by Council included for two community representatives. It was noted that it was intended to avail of the structures of the PPN to nominate the community representatives.

Cllr. Kearney suggested that one community representative from each side of the City be selected.

The Chief Executive said that the Council has committed to use the Public Participation Network as a forum to select the two community representatives but he said that Cllr. Kearney's suggestion would be put forward.

The Cathaoirleach in reply to Cllr. Fahy confirmed that costs were being kept to a minimum and would be met by relevant Councillors through allowances.

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

- Correspondence dated 22nd January 2015 from the office of the Minister for Transport, Sport and Tourism in reply to Galway County Council's correspondence requesting an additional allocation for road improvements in Galway.
- Correspondence dated 26th January from the Office of Public Works acknowledging Galway County Council's correspondence in relation to Portumna Castle and Dowager House, Portumna, Co. Galway
- Correspondence dated 12th February 2015 from the office of the Minister for Agriculture, Food and the Marine acknowledging Galway County Council's correspondence concerning notice of addition to record of protected structures, Galway

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County Development Plan 2015-2021 Planning and Development Act 2000 (as amended) Section 12(13).

- Correspondence dated 24th February 2015 from Offaly County Council adopting a resolution “As democrats elected by the people of County Offaly, today this Council condemns targeting the President of Ireland Michael D. Higgins for any protests or demonstrations. This is an attack on our constitution and if allowed to continue will lead to a breakdown of normal politics.”
- Correspondence dated 25th February 2015 from Donegal County Council adopting a resolution “That this Council discusses the urgent need for a Rural Affairs committee in Donegal to include, farming, essential services and communications, as the lack of an official voice politically on rural affairs has added to the lack of debate and is also leading to population decline.”
- Correspondence dated 25th February 2015 from Donegal County Council adopting a resolution “That the Elected Members of Donegal County Council unequivocally support the I.N.M.O. in its campaign to have the crisis in all A&E Hospital Departments resolved.”
- Correspondence dated 2nd March 2015 from the office of the Minister for Communications, Energy and Natural Resources acknowledging Galway County Council’s correspondence in relation to Broadband Infrastructure.
- Correspondence dated 4th March 2015 from the Municipal District of Carrickmacross-Castleblayney adopting a Notice of Motion “That this District calls on the Minister for Jobs, Richard Bruton, the IDA and Enterprise Ireland that any new factories that are opened are not sold to private commercial groups but are kept in the ownership of the State Agencies.”
- Correspondence dated 11th March 2015 from the office of the Minister for Transport, Tourism and Sport acknowledging Galway County Council’s correspondence in relation to a Resolution passed by the Council regarding the introduction of speed limits of 20KM per hour for Housing Estates.

CATHAOIRLEACH’S BUSINESS

2029

The Cathaoirleach detailed the contents of a letter dated the 23rd March 2015, regarding the future delivery of SICAP, as presented to her prior to the Meeting by Mr. Terry Keenan, Chairperson of Forum Connemara Ltd.

The Chief Executive said that there had been some suggestions that Forum Connemara Ltd. may seek a Judicial Review regarding the decision of the LCDC that the contract for the administration of SICAP funding be tendered out as one Lot. He said that because the LCDC was set up under the Local Government Act 2014, Galway County Council may be the subject of the Judicial Review and therefore he advised the Members not to discuss this matter as it may be “Sub Judice”.

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Following contributions from Cllrs. N. Byrne, Mannion, Thomas and Healy, the Chief Executive advised that the Members have no decision making function in relation to this issue and it would be best not to discuss it bearing in mind that a judicial review may be lodged. He said that the decision by the LCDC related to SICAP and did not relate to LEADER funding or schemes such as TÚS.

Cllr. Kearney acknowledged the peaceful protest which was carried out before the Meeting today and he extended his compliments on the organisers as a result.

Cllr. Killilea proposed “that Galway Co. Co. hold a civic reception for the Corofin Team and Corofin GAA club given the wonderful display of football at Croke Park on St Patrick’s Day” This proposal was seconded by Cllr. Roche, and agreed.

It was proposed by Cllr. D. Connolly, seconded by Cllr. Healy and agreed to honour Ms. Geraldine Cronnelly with a Civic Reception.

It was proposed by Cllr. Canney, seconded by Cllr. M. Connolly and agreed to honour Glenamaddy Community with a Civic Reception.

It was proposed by Cllr. J. Byrne, seconded by Cllr. Kearney and agreed to honour Seamount College, Kinvara with a Civic Reception.

It was proposed by Cllr. Kearney, seconded by Cllr. Maher and agreed to honour Ms. Olivia Lane with a Civic Reception.

It was proposed by Cllr. Fahy seconded by Cllr. J. Byrne and agreed to honour Ms. Claire Molloy with a Civic Reception.

It was agreed to hold the Civic Reception on Wednesday, 15th April 2015 at 6.30 pm and to also include previous proposals for Civic Receptions to honour Ms. Olive Loughnane, Mr. Derek O’Connor and Students from GMIT.

It was agreed that the April Monthly Meeting of the Plenary Council would take place in Headford on Monday 27th April, 2015 following lunch being hosted by the Cathaoirleach.

Cllr. Kinane referred to a contract which had been signed recently by the Council in respect of the Watermain at Oranmore - Water Conservation Project Phase 2 Watermain Rehabilitation. She said that the contract period is for 48 weeks. She asked Mr. Cullen to liaise with Irish Water

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in order to progress the works in Oranmore in a short timeframe. Mr. Cullen replied that the Council can make representations to Irish Water in this regard but as the contract has been signed, the Contractor may seek additional funding if this alteration is made to the contract.

Cllr. Healy referred to Notice of Motion No. 21 on the Agenda and he proposed this motion as follows: *“In reference to a previous motion (July 2014 Meeting) requesting Galway County Council to introduce the use of Social Clauses in tendering for public recruitment, it was agreed that the Council executive would seek appropriate advice on the requirements necessary to implement this policy. In noting that:*

- * Dublin City Council has already adopted the inclusion of Social Clauses in public contracts*
- * and Government support in including these clauses in upcoming Public Procurement bill,*
- * as well as three new EU Public Procurement Directives adopted in January 2014 that, among other worthy features, ensure public contracts can lawfully be used to meet social goals while still taking account of price considerations and providing that any company failing to comply with contractual social clause obligations may be lawfully excluded from public procurement procedures on this basis.*

This motion requests that the Council update the members on the advice sought from Office of Government Procurement (OGP) in terms of legal compliance, and that should the Council now be in a position to do so, that it introduce the use of Social Clauses in its public procurement contracts as soon as is practical.”

This proposal was seconded by Cllr. D. Connolly.

Cllr. McHugh asked Cllr. Healy to explain his proposal and Cllr. Healy said that the proposal to introduce Social Clauses in tendering is an attempt to ensure that local people gain employment on local contracts.

Mr. Gavin said that legislation is currently going through the Dáil in relation to procurement and he advised Cllr. Healy not to proceed with his proposal until it is known what the legislation contains and what the Office of Public Procurement advises.

Cllrs. T. McHugh, Maher, M. Connolly, McClearn and Killilea expressed the view that the proposal was premature.

However, Cllr. Healy stated that he wished to continue with the proposal in order to ensure that the local authority was in a position to proceed with implementation of the social clauses as the earliest opportunity.

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As the proposal was not agreed, the Cathaoirleach called for a vote and the result of the vote was as follows:

For	Cllrs. Charity, D. Connolly, Cronnelly, Comh. Ó Curraoin, Cllrs. Healy & Welby	6
Against	Cllrs. Burke, J. Byrne, N. Byrne, M. Connolly, Cuddy, Donnellan, Donohue, Feeney, G. Finnerty, Hoade, Kearney, Killilea, Maher, Mannion, McClearn, McHugh, Thomas & Comh. Ó Tuairisg	18
Abstain	Cllr. Canney, Comh. Ó Cualáin & Cllr. Fahy	3

As a result of the vote, the Cathaoirleach declared the Motion defeated

Cllr. Healy then referred to Notice of Motion No. 24 and he made the following proposal:

“That Galway County Council calls on the Tánaiste & Minister for Social Protection to abandon the plan to phase out Lone Parents Payments once children reach seven years of age. Some 11,000 lone parent families have already been affected by these gradual reductions. Further reductions will impact on 32,000 lone parent families in July this year, pushing families further into poverty. It is noted that the Tánaiste had previously made commitments that there would be affordable and accessible childcare before the reduction of payments, and that to date Ireland has one of the highest childcare costs in the OECD meaning more families will be pushed in to poverty when there has already been a notable rise in child poverty over the last five years.” This proposal was seconded by Cllr. D. Connolly, and agreed.

Cllr. Fahy referred to Notice of Motion No. 23 which was submitted by Cllr. Hynes. He said that in the absence of Cllr. Hynes from the Meeting he was making the proposal as requested by Cllr. Hynes: *“That Galway County Council remove RPS Number 3480 & NIAH 30339013 – House at Kinvara – Owner -: Mr. Tom Leech, RIP from the Record of Protected Structures (which is Appendix V of the Galway County Development Plan 2015-2021).”* This proposal was seconded by Cllr. G. Finnerty.

Mr. Owens in reply to queries raised advised that he was aware that Cllr. Hynes had been in discussions with the Planning Unit in this regard and the Motion as proposed, if agreed, merely allowed the consultation process for the proposed removal commence and that it would be before the Members at a later date for consideration and decision.

The motion as proposed on behalf of Cllr. Hynes by Cllr. Fahy and seconded by Cllr. G. Finnerty was agreed.

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Cllr. G. Finnerty referred to Notice of Motion No. 22 and he made the following proposal:

“That Galway County Council condemn the manner in which Department of Agriculture Inspectors are interpreting the eligibility rules to significantly reduce the reference areas on marginal lands, in particular, lands designated under the Natura 2000 network, in Galway.”

This proposal was seconded by Comh. Ó Cualáin, and agreed.

NOTICES OF MOTION

NOTICE OF MOTION NO. 21 – CLLR. T. HEALY

2030

The following reply was given:-

“Please find attached the latest replies in relation to Social Clauses from the OGP and the LGER/PMO. I have also attached a copy of the reply by Minister Simon Harris (17.10.14) to the Second Stage reading of “The Social Clauses in Procurement Bill 2013” and wish to draw attention to the last paragraph:

Conclusion

“I would conclude by stressing that whilst the Government does not oppose this Bill, considerable work needs to be done before it can become a viable piece of legislation that provides the necessary flexibility to procure the wide variety of works goods and services necessary to deliver vital public services. I believe that further debate and discussion is required as to the correct policy approach regarding enabling social clauses. We need to be mindful of the need to maintain flexibility to reflect changing circumstances.”

Note

- Local Authorities in general are still waiting on the recommendations of the group.
- The new EU Directives 2014/23/EU have not yet been transposed into Irish Law.
- Neither “The Social Clauses in Procurement Bill 2013” or “The Public Services and Procurement (Social Values) Bill 2015 have yet been enacted.”

NOTICE OF MOTION NO. 22 – CLLR. G. FINNERTY

2031

The following reply was given:-

“Noted.”

NOTICE OF MOTION NO. 23 – CLLR. P. HYNES

2032

The following reply was given:-

“The procedure for removal of a protected structure is set out in Section 55 of the Planning & Development Act 2000. It involves notifying the landowner’s legal personal representative in this case, advertising the proposal, inviting submissions and notifying various statutory bodies. It is hoped that we could commence the process in April 2015 in this case.”

NOTICE OF MOTION NO. 24 – CLLR. T. HEALY

2033

The following reply was given:-

“Noted.”

CRIOCHNAIGH AN CRUINNIÚ ANSIN.