

**COMHAIRLE CHONTAE NA GAILLIMHE**  
**MINUTES OF MONTHLY MEETING OF GALWAY COUNTY COUNCIL**  
**Held at ÁRAS AN CHONTAE, PROSPECT HILL**  
**Monday, 24<sup>th</sup> October 2022 at 11.00am**

**CATHAOIRLEACH:** Cllr. Michael 'Moegie' Maher  
Cathaoirleach of the County of Galway

**I LATHAIR FREISIN:**

**Baill:** Comh./Cllr. T Broderick, J. Byrne, I. Canning, L. Carroll, J. Charity, D. Collins, D. Connolly, M. Connolly, G. Cronnelly, D. Ó Cualáin, J. Cuddy, S. Curley, A. Dolan, G. Donohue, G. Finnerty, D. Geraghty, S. Herterich Quinn, M. Hoade, D. Kelly, C. Keaveney, P. Keaveney, D. Killilea, M. Kinane, G. King, P. Mac an Iomaire, E. Mannion, J. McClearn, K. McHugh Farag, A. McKinstry, P. Murphy, E. Francis Parsons, A. Reddington, P. Roche, J. Sheridan, N. Thomas, S. Walsh and T. Welby.

**Oifigh:** Mr. J. Cullen, Chief Executive, Mr. L. Hanrahan, Director of Services, Mr. M. Owens, Director of Services, Mr D. Pender, Director of Services, Ms Eileen Ruane, Director of Services, Ms. A. Fenton, Head of Finance, Ms. J. Brann, Meetings Administrator, Ms L. Sharkey, Administrative Officer, Ms. B. Ryan, Staff Officer, Ms. E. Hoffman, Clerical Officer. Mr P. Scannell, Clerical Officer

**Thosnaigh an cruinniú leis an paidir.**

The Cathaoirleach was joined by Members in extending condolences to Cllr. Herterich Quinn, her mother, sister and brother following the recent passing of her father Dr. Billy Herterich RIP. The Chief Executive extended sympathies on his own behalf and on behalf of all the staff. Cllr. Herterich Quinn thanked Members for their kind words and support. As a mark of respect, the Cathoirlach adjourned the meeting for five minutes.

**ITEM NO.1 CONFIRMATION OF MINUTES OF THE FOLLOWING MEETINGS**

**4042**

On the **PROPOSAL** of Cllr. Killilea **SECONDED** by Cllr. Carroll the minutes of Monthly Plenary Meeting held on 26<sup>th</sup> September 2022 were **AGREED**.

In response to a query raised regarding the renewal of accommodation contracts for Ukrainian refugees, Mr. Hanrahan advised that the contracts were a matter between the hotels providing accommodation and the Department of Children, Equality, Disability, Integration and Youth. He confirmed that Ukrainian refugees were not eligible to go on HAP as they were not eligible to go on the housing list with a one-year visa.

**ITEM NO.2 CONSIDERATION OF REPORTS AND RECOMMENDATIONS**

**4043**

On the **PROPOSAL** of Cllr. Killilea **SECONDED** by Cllr. Curley the minutes of the Planning, Environment, Agricultural & Emergency Services Strategic Policy Committee held on 5<sup>th</sup> July 2022 were **NOTED**.

On the **PROPOSAL** of Cllr. Roche **SECONDED** by Cllr. Cuddy the minutes of the Transportation & Infrastructure Strategic Policy Committee held on 6<sup>th</sup> July 2022 were **NOTED**.

On the **PROPOSAL** of Cllr. Roche **SECONDED** by Cllr. McKinstry the minutes of the Corporate Policy Group held on 2<sup>nd</sup> September 2022 were **NOTED**.

**ITEM NO.3. TO CONSIDER THE DRAFT STANDING ORDERS REGULATING PROCEEDINGS AND MEETINGS OF THE PLENARY COUNCIL** **4044**

*Draft Standing Orders published on the Extranet prior to the meeting.*

The Cathaoirleach advised that CPG had received six submissions on the draft Standing Orders which had been considered and relevant amendments made. He advised Members it was agreed at CPG that attendance in person would be required for the Annual Meeting, the Statutory Budget meeting, and the Plenary meeting where consideration of the Local Property Tax was included as an Agenda item. The Cathaoirleach noted CPG had agreed Standing Orders would be reviewed after six months.

**The following queries and points were raised by Cllrs. Donohue, McClearn, King and Thomas**

- Clarification sought on receiving deputations at Plenary meetings.
- Members attending hybrid meetings remotely have an obligation to ensure they have sufficient broadband speed and good coverage to engage fully.
- There may be connectivity issue for some Members in areas where the broadband service needs to be upgraded.
- Clarification sought on Standing Order no 9. Why restrict recordings other than the council recordings?
- Request to have Standing Order 69 regarding use of mobile phones removed as phones maybe for required by Members for identity verification depending on the devices used to access documentation at a meeting.
- Queried the reasoning behind Standing Order 74 placing a responsibility on a Member to ensure that that there are no other persons present not entitled to be.

**Members queries were responded to as follows by Mr. Owens**

- There is no provision in the draft Standing Orders or the existing Standing Orders for Plenary Council to receive Deputations. There is provision in the Municipal Districts Standing Orders to receive Deputations prior to meetings.

- The intention regarding Standing Order no 9(e) is that there would only be one recording available of the Plenary meeting when the Plenary meeting is live streamed and recorded. There is a concern of interference to the live stream and recording from any public recording equipment if allowed. Where Media wish to record prior approval will be required.
- Standing Order 74 is relevant in the context of someone attending a meeting remotely where the Council has decided to meet in committee. It doesn't apply outside of this scenario.
- Standing Order 69 relates to the use of mobile phones during a meeting and specifically to Members making or receiving calls during a meeting.

On the **PROPOSAL** of Cllr. McKinstry **SECONDED** by Cllr. Curley the draft Standing Orders regulating proceedings and Meetings of the Plenary Council were **AGREED**.

**ITEM NO.4 REPORTS ON ACTIVITIES AND OPERATION OF BODIES  
ACCORDANCE WITH SECTION 141 OF THE LOCAL GOVERNMENT ACT 2001  
ACT (AS AMENDED BY SECTION 53 OF THE 2014 ACT)** **4045**

*Report dated 18<sup>th</sup> October was published on the Extranet prior to the meeting.*

On the **PROPOSAL** of Cllr. Welby **SECONDED** by Cllr. King it was **AGREED** to approve the report on the activities and operation of Forum Conamara Ltd for the period June 2021 to May 2022 inclusive, in accordance with section 141 of the Local Government Act 2001 Act (as amended by section 53 of the 2014 act).

On the **PROPOSAL** of Cllr. Mannion **SECONDED** by Cllr. M. Connolly it was **AGREED** to approve the report on the activities and operation of the Governing Authority of National University of Ireland Galway for the period June 2021 to May 2022 inclusive, in accordance with section 141 of the Local Government Act 2001 Act (as amended by section 53 of the 2014 act).

**ITEM NO. 5. APPOINTMENT OF REPLACEMENT NOMINEE TO THE LOCAL COMMUNITY DEVELOPMENT COMMITTEE (LCDC) FOR PPN COMMUNITY REPRESENTATIVE.** **4046**

*Report dated 4<sup>th</sup> October was published on the Extranet prior to the meeting.*

On the **PROPOSAL** of Cllr. Thomas **SECONDED** by Cllr. Cronnelly it was **AGREED** to appoint Ms. Jen Fisher to replace Ms. Venetia McEllin as the PPN Environment Representative on the Local Community Development Committee.

**ITEM NO.6 TO CONSIDER AND IF DEEMED APPROPRIATE AUTHORISE THE ATTENDANCE AT TRAINING IN ACCORDANCE WITH SECTION 142(5A) OF THE LOCAL GOVERNMENT ACT 2001 (AS AMENDED).** **4047**

*Report dated 14<sup>th</sup> October was published on the Extranet prior to the meeting.*

On the **PROPOSAL** of Cllr. Roche **SECONDED** by Cllr. McClearn it was **AGREED** to authorise Cllrs. Kinane, Herterich Quinn, O 'Cualáin to attend AILG Module 6 'Data Protection – What Councillors Need to Know.' at the Tower Hotel, Waterford on 17<sup>th</sup> November 2022.

On the **PROPOSAL** of Cllr. Roche **SECONDED** by Cllr. Hoade it was **AGREED** to authorise Cllr. Herterich Quinn to attend LAMA 'Autumn Training Seminar 2022' at the Four Seasons Hotel, Monaghan on 9<sup>th</sup> & 10<sup>th</sup> November 2022.

**ITEM NO.7 TO CONSIDER AND IF DEEMED APPROPRIATE TO AUTHORISE THE ATTENDANCE AT CONFERENCES, MEETINGS, OTHER EVENTS IN ACCORDANCE WITH SECTION 142(5) OF THE LOCAL GOVERNMENT ACT 2001 (AS AMENDED).** **4048**

*Report dated 14<sup>th</sup> October was published on the Extranet prior to the meeting.*

On the **PROPOSAL** of Cllr. **SECONDED** by Cllr it was **AGREED** to authorise Cllr. Kinane to attend the 'National Disability Authority Annual Conference' at the Croke Park Conference Centre on 20<sup>th</sup> October 2022. (*Retrospective Approval*)

**ITEM NO.8 TO CONSIDER THE MANAGEMENT REPORT – OCTOBER 2022 IN ACCORDANCE WITH SECTION 136(2) OF THE LOCAL GOVERNMENT ACT 2001 (AS AMENDED).** **4049**

*Report dated 20<sup>th</sup> October was published on the Extranet prior to the meeting.*

The Management Report – October 2022 in accordance with section 136(2) of the Local Government Act 2001 (As Amended) was **NOTED**.

**The following queries and points were raised by Cllrs. Cllr. Charity, McKinsty, Mannion, O’Cualáin, Mac An Iomaire, C. Keaveney, Walsh, D Connolly, Dr. Francis Parsons, Carroll, Welby, Kinane, Cuddy, Collins, McClearn, M. Connolly, Murphy, Byrne, Finnerty, Sheridan, Curley, Killilea, Dolan, Hoade, McHugh Farag and Thomas**

- The decision by An Bord Pleanála not to contest the Judicial Review on the Galway City Ring Road is very disappointing considering the amount of work, time and money that has gone into it. Unless the Judicial Review is remitted on the updated Climate Action Plan only, it will open the whole process again.
- The NTA must put forward a new design. The Climate Action Plan was backed by every party. That plan requires that we remove three quarters of a million cars from our roads. We are aiming for car free cities. We need to look at other cities and see how it was accomplished elsewhere.
- The ring road is not just about the city or trying to make Galway a car free city it is also about the people in Connemara.
- It is a hugely disappointing decision for the people of Connemara. They cannot get through the city or get to work or hospitals in the city.
- Connemara is dependent on a new road being built to sort out traffic issues. We don’t have a roads infrastructure to get goods in or out of Connemara. The R336 is not fit for purpose. The new road can’t be planned until the ring road is agreed.
- It is important that the ring road project doesn’t derail. It is the most important piece of infrastructure for the people of Galway. While taking account of the Climate Action Plan it must remain people centered. We form part of the ecosystem.
- We need to start again and get the ring road up and going. Connemara is one of the most beautiful places on earth and we are forcing its citizens to live in

the city. We need to reassess the idea of getting people into cities. There are lots of services available in the county area.

- The Ring Road is vital for all areas of the county.
- An Bord Pleanála's decision is very damaging for the entire western area. It impacts negatively on the County Development Plan and our vision for the county.
- There have been major industry and job losses because of the traffic. Businesses look at Galway as a location, but they see the traffic chaos and decide not to locate here.
- An Bord Pleanála are simply not fit for purpose
- More than €35 million of public money has been spent so far on the proposed ring roads. That is that could have been used to do other work.
- We have a huge deficit in EV charging points infrastructure the Northwestern Regional Authority region. There are 172 charging points in county Galway with the majority located in the city area. That's 1.9 per 100 km<sup>2</sup> in comparison to 8.7 per 100 km<sup>2</sup> in the eastern region. It's a huge deficit in the infrastructure. Current government grants are not enough. We need to look at 100% grant funding to put the required infrastructure in place.
- The Northwestern Regional Area has been downgraded to a lagging region in Europe due to the lack of investment and infrastructure in the area. Galway doesn't have a road or rail network and we don't have a tier 1 or tier 2 port. If Galway City is taken out of the equation it skews the picture. We need to vastly improve our networks of rail, road and ports.
- We need the bypass, but we also need to develop all our public transport including rail.
- The Minister of Transport needs to get the Western Rail Corridor moving forward. We need to look at all options of getting people into the city without cars.
- What was the current position in relation to the Windfarm at Derrybrien?
- Regarding the waste collection bylaws have there been any inspections done in Loughrea?
- How many have Ukrainian Refugees have arrived in Galway to date.

- In the summary of the social housing assessment there were 490 no replies. Will applicants be removed from the list if they haven't replied?
- In relation to the housing repairs do we employ our own plumbing staff or is it outsourced?
- Request an update on the greenway feasibility study.

**Members queries were responded to as follows by Ms. Ruane**

- The Waste Enforcement Presentation bylaws are a critical part of the fight against illegal dumping. 231 waste enforcement inspections have been carried out in Loughrea to date. The Community Wardens are involved.

**Members queries were responded to as follows by Mr. Owens**

- Derrybrien is a complex case. It is being dealt with as an unauthorised development. The development had planning permission at a point in time. The development was impacted by a landslide. The windfarm was found to be in breach of environmental regulations by the EU for the failure to carry out an Environmental Impact Assessment. An application for Substitute Consent was pursued to regularise the situation. An Board Pleanála adjudicated on the application and refused it.
- The Government, the ESB and Galway Windfarm have all accepted it is an unauthorised development. It now reverts to Galway County Council as the planning authority to deal with it within the parameters of the existing legislation. The Government will not bring forward legislation to create a different framework for us to operate within. It is not in compliance with European law and there are daily fines.
- The council is dealing with what is an essentially an unauthorised development. Galway Windfarms have indicated they have embarked on a preliminary assessment of the site. It is estimated works will take 24 months. Galway Windfarms are progressing work for decommissioning on the site. An assessment of the decommissioning process will be required to determine if planning is required for decommissioning



Cllr. Thomas referenced a piece of ground in Maigh Cuillinn which was brought forward as a material alteration to the draft CDP. The Minister had subsequently issued a direction and the land was not considered suitable for re zoning due to its impact on the Maigh Cuillinn by-pass. Cllr. Thomas requested clarification as to the basis for the determination by the Chief Executive that the lands were not considered suitable for zoning due to the potential impact on the Maigh Cuillinn by-pass.

In response Mr Owens said the view the land was not suitable for rezoning due to its impact on the Maigh Cuillinn by-pass was raised during the process as follows:

- On page 21 of the OPR Submission on the Material Alterations to the Draft County Development Plan 2022 – 2028, the OPR noted *‘..the proposed amendments conflict with the objective to safeguard the N59 Moycullen Bypass from future inappropriate development and new accesses..’*
- On page Page 4 of the Ministers Final Direction, the Minister noted that *‘Land zoned for development in Maigh Cuillinn adjacent to the route of the N59 Maigh Cuillinn by-pass, which has the potential to negatively impact the delivery of the planned national road network in the area, undermine Government investment in the N59 Moycullen Bypass Scheme ..’*

Mr. Owens advised that the Chief Executive in his report to the OPR considered there was “no justification for the zoning of the land” and there was no reference by the Chief Executive in the various reports and recommendations to that the land was not considered suitable for re zoning due to its impact on the Maigh Cuillinn by-pass.

**Members queries were responded to as follows by Mr. Hanrahan**

- There are 3,500 Ukrainian refugees in Galway including the city and county area. Accommodation is being provided mainly in hospitality sector area.
- The Housing Assessment is carried out every year. There are 450 people who have not responded to letters emails or phone calls to date. If they do not respond they will be taken off the list. People are required to keep us up to date regarding where they are living and contact details et cetera. Those at the top are not in constant contact.

- The Department has provided funding for the Capital Housing staff. With the Croí Cónaithe scheme the council receives a set amount per application which can be used it as we wish. To date there are only a small number of applications for the scheme.
- Each Municipal District has a contracted plumbing service providing an on-call service.
- Galway County Council was picked as one of six local authorities to review the implementation of HAP across the country. We were selected to look at how we currently operate HAP programme and make recommendations on how to improve that.

**Members queries were responded to as follows by Mr. Pender**

- There was no deficiency in the application for the Galway City Ring Road. The original application was submitted to An Bord Pleanála in 2018. An Bord Pleanála requested significant additional information in 2019. Between 2018 on 2020 the Climate Action Bill was updated. We carried out an assessment and had further engagement online in 2000 and 2021 and we clearly showed we were compliant. In the period of the 12 months when An Bord Pleanála were adjudicating The Climate Action Bill came into law, commencing just four days before a decision was made on the Galway City Ring Road. A Judicial Review was taken by Friends of the Irish Environment and An Bord Pleanála decided they were not going to contest the challenge.
- The feasibility study for the Greenway is with TII. A final draft is expected in the coming weeks.

The Chief Executive advised Members that the Galway City Ring Road was necessary both for the existing population and for population growth over the next 30 years. The ring road would enable public transport to run more efficiently. Without it traffic would get chronically worse. He advised the matter was back before the courts in a number of weeks. The courts need to be allowed to make whatever order they consider appropriate.

**ITEM NO.9 TO CONSIDER A DATE AND VENUE FOR THE BUDGET MEETING.**

**4050**

Members **AGREED** to hold the Budget Meeting on Monday, 28<sup>th</sup> November 2022 in the Council Chamber at 10:00am followed by the Plenary Meeting at 2:00pm.

**ITEM NO.10 CHIEF EXECUTIVE'S BUSINESS & CORRESPONDENCE.**

**4051**

The following items of correspondence which were published on the extranet prior to the meeting were **NOTED**:

- Letter dated 22.09.22 from Limerick County Council. Resolution– Expert National Review Group on Horticulture.
- Letter dated 29.09.22 to Minister for Housing, Local Government and Heritage, Darragh O'Brien T.D. Resolution–Funding for Craughwell and Clarinbridge Wastewater Treatment scheme.
- Email dated 10.10.22 from Niamh Redmond, Private Secretary for Minister for Housing, Local Government and Heritage, Darragh O'Brien T.D. Acknowledgement–Funding for Craughwell and Clarinbridge Wastewater Treatment scheme.
- Email dated 10.10.22 from Niamh Redmond, Private Secretary for Minister for Housing, Local Government and Heritage, Darragh O'Brien T.D. Response–Funding for Craughwell and Clarinbridge Wastewater Treatment scheme.
- Letter dated 29.09.22 to Margaret Jordan, Meeting Administrator, Athenry Municipal District Re. Athenry Membership for CPG.
- Letter dated 06.10.22 from Monaghan County Council. Resolution – All Ireland Citizens Assembly.
- Letter dated 10.10.22 from Fermanagh & Omagh County Council. Resolution – Justice for Noah Donohue.
- Mayors of Peace Newsflash September 2022.

**ITEM NO. 11 CATHAOIRLEACH'S BUSINESS**

**4052**

Members joined with Cllr. Hoade in congratulating the Cathaoirleach on his recent appointment as President of the Education Training Board of Ireland (ETBI). The Cathaoirleach thanked Members and said he was looking forward to the challenge of his new role promoting the development of education, training and youth work in Ireland.

Cllr. Hoade requested a correction regarding the record of her appointment to the Public Art Management Committee. She noted the minutes of Plenary Meeting held on 22<sup>nd</sup> November 2021 had recorded in error her appointment. The record should note Cllr. Killilea was appointment to the Public Art Management Committee.

Following a discussion on the value for money of sending a delegation from Galway County Council to the Milwaukee Irish Festival in April 2022, the Cathaoirleach said there was a longstanding relationship with Milwaukee. He stressed it was a huge opportunity for Galway County Council to promote the county at a well-attended event. He suggested the itinerary could be changed in future to allow for better time management for the Galway County Council contingent.

In response to a query regarding the current lack of representation from Ballinasloe Municipal District on the Joint Policing Committee, Mr. Owens confirmed that current Standing Orders provided for representation from each Municipal District. He advised the matter would be reviewed.

Members raised a number of queries regarding the introduction of the Residential Zoned Lands Tax (RZLT). Concerns were raised about active farming land on town and village boundaries being taxed and the possibility of lands being zoned without farmers knowledge.

In response, Mr. Owens advised the RZLT would apply to serviced land zoned suitable for residential development on or after 1<sup>st</sup> January 2022. He advised Members that the local authorities were tasked to prepare a map indicating lands within their functional area which meet the relevant criteria within the scope of RZLT. In the course of 2022 and 2023, draft, supplemental and final maps would be prepared by the local authority identifying land within the scope. Mr. Owens outlined the statutory timelines in relation to the preparation of the maps:

- A draft map will be published no later than 1<sup>st</sup> November 2022
- Submissions regarding the inclusion or exclusion of land on the draft map can be made to the local authority no later than 1<sup>st</sup> January 2023
- The local authority will publish a supplemental map no later than 1<sup>st</sup> May 2023
- Submissions in relation to the supplemental map can be made up to 1<sup>st</sup> June 2023
- The final map will be published no later than 1<sup>st</sup> December 2023

- The final map will be revised annually from 2025 onwards.

Mr Owens advised Members that there was no requirement for direct notifications to inform individual landowners that their lands fell within the scope of the RZLT under the current legislation. He said the local authority must publish a notice in a local newspaper notifying the public of the publication of the map providing details of the website and local authority office at which the map can be viewed. He noted that there would be an extensive public relations campaign run in conjunction with the publication of maps. Mr Owens advised that landowners could make submissions on the draft maps from 1<sup>st</sup> November to 1<sup>st</sup> January. He said he expected there would be no extension to this closing date.

Mr. Owens confirmed that the land to be considered for the draft map included existing residential development on all existing residential zonings. An owner of a residential property that is included on a residential zoned land tax map would be required to register for RZLT but if they qualified for an exemption no RZLT maybe payable. He noted there were six exclusions set out in the legislation exempting lands from the scope of the tax.

In response to a query regarding the refusal of planning permission on zoned lands, Mr. Owens advised that refusal of planning permission did not mean someone was not liable for the tax. He advised that the RZLT was a Revenue generated piece of legislation introduced by the Finance Act 2021 and the Taxes Consolidation Act 1997. The Planning Acts formed the basis of legislation in relation to Development Plans and planning permission. There was no connection between RZLT and planning permissions.

**The following Motions were submitted:**

The following **PROPOSAL** was submitted by Cllr. McKinsty **SECONDED** by Cllr. Dr. Francis Parsons:

*'That the council will work with the NTA and Galway City Council on the forthcoming Galway Metropolitan Area Transport Strategy towards a car-free city (relying primarily*

*on public transport, walking, or cycling for transport within the urban areas), to meet the climate emergency and Climate Action Plan, 2021 and 2022.'*

Following a brief discussion the Chief Executive advised that it was included as an objective of both the Galway County Development Plan and Galway City Development Plan to create a Transport Strategy. He advised that the strategy must be prepared in line with a hierarchy of strategies including the County Development Plan and National guidelines. He assured Members that the Transport Strategy will provide for everything outlined in the motion.

As agreement could not be reached on the motion the Cathoirleach called for a vote. The following was the result:

**For 5**

Cllr. McKinstry	Cllr. Reddington	Cllr. Dr Francis Parsons
Cllr. Carroll	Cllr. Murphy	

**Against 13**

Cllr. Dolan	Cllr. Killilea	Cllr. Geraghty
Cllr. Mannion	Cllr. Finnerty	Cllr. Cuddy
Cllr. Sheridan	Cllr. M. Connolly	Cllr. Hoade
Cllr. Maher	Cllr. Thomas	Cllr. P. Keaveney
Comh O 'Cualáin		

**Abstain 3**

Cllr. Kinane	Cllr. Herterich Quinn	Comh. Mac an Iomaire
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**No-Voting 18**

Cllr. Kelly	Cllr. C. Keaveney	Cllr. Collins
Cllr. D. Connolly	Cllr. Cronnelly	Cllr. Donohue
Cllr. King	Cllr. Canning	Cllr Byrne
Cllr. Charity	Cllr. McClearn	Cllr. McHugh Farag
Cllr. Roche	Cllr. Curley	Cllr. Walshe
Cllr. Broderick	Cllr. Welby	Comh. Ó 'Curraoin

The Cathoirleach confirmed that the motion was defeated.

The following **PROPOSAL** was submitted by Cllr. Donohue **SECONDED** by Cllr. Cronnelly:

*'That Galway County Council by resolution agree to receive a Deputation from 1 representative from each of the following Greenway Groups. Stoneyisland, Eyrecourt and Kilcolgan at the November Plenary meeting of Galway County Council.'*

Mr. Owens advised there was no provision in Standing Orders for Plenary Council to receive deputations. He noted there was provision in the Standing Orders for Municipal Districts to receive Deputations.

The following **PROPOSAL** was submitted by Cllr. Carroll **SECONDED** by Cllr. McKinstry:

*'Galway County Council invite representative from the NTA to make a presentation on their plans for park and ride facilities in the county to Roads SPC.'*

Cllr. M. Connolly requested that the presentation be made at a plenary meeting of the council. He noted the NTA had already made a presentation to a plenary meeting of Galway City Council. He considered it was appropriate the NTA would address the full council as all the Park and Ride facilities were located in county areas.

The Chief Executive advised Members that matters relating to policy issues could go through the Roads and Transportation SPC. He noted the NTA had indicated they would come to Roads and Transportation SPC to provide the opportunity to address issues.

Cllr. Carroll agreed to amend the wording of the motion. On the **PROPOSAL** of Cllr. Carroll **SECONDED** by Cllr. McKinstry the Members **AGREED**:

*'Galway County Council invite representative from the NTA to make a presentation on their plans for park and ride facilities in the county to full Council.'*

On the **PROPOSAL** of Cllr. Killilea **SECONDED** by Cllr. Thomas the Members **AGREED**:

*'Galway County Council Members give their full support to the executive to continue to pursue the N6 Galway outer by-pass'*

The following **PROPOSAL** was submitted by Cllr. Kinane **SECONDED** by Cllr. Herterich Quinn:

*'Galway County Council call for dissolution of the current board of An Board Pleanála. Reason: they have to date shown a complete lack of duty of care for our County in their decision making resulting in the strangulation and impediment of the economic development of county Galway.'*

The Chief Executive advised Members that a review was currently being carried out on the role of An Board Pleanála. Following a brief discussion Cllr. Kinane amended the motion to read:

*'Galway County Council call for dissolution of the current board of An Board Pleanála. Reason: they have to date shown a complete lack of duty of care for our County in their decision making.'*

As agreement could not be reached on the motion the Cathoirleach called for a vote. The following was the result:

**For 7**

Cllr. M. Connolly  
Cllr. Kinane  
Cllr. Thomas

Cllr. Geraghty  
Cllr. McKinstry

Cllr. Herterich Quinn  
Cllr. Sheridan

**Against 10**

Cllr. Broderick  
Cllr. Finnerty  
Cllr. Maher  
Cllr. Dr Francis Parsons

Cllr. Carroll  
Cllr. Hoade  
Cllr. Mannion

Cllr. Cuddy  
Comh. Mac an Iomaire  
Cllr. Murphy

**Abstain 1**

Cllr. Dolan



**No-Voting 21**

Cllr Byrne	Cllr. Canning	Cllr. Charity
Cllr. Collins	Cllr. D. Connolly	Cllr. Cronnelly
Comh O 'Cualáin	Cllr. Curley	Comh. Ó 'Curraoin
Cllr. Donohue	Cllr. C. Keaveney	Cllr. P. Keaveney
Cllr. Kelly	Cllr. Killilea	Cllr. King
Cllr. McClearn	Cllr. McHugh Farag	Cllr. Reddington
Cllr. Roche	Cllr. Walshe	Cllr. Welby

The Cathoirleach confirmed that the motion was defeated.

The following **PROPOSAL** was submitted by Cllr. Cuddy **SECONDED** by Cllr. Charity

*'When the county planners are dealing with planning applications and they perceive there may be roads issues that the planner should refer their concerns to the Roads section for their view and that rather than refusing planning in the first instance that the planning decision be put on FI rather than direct refusal, causing unnecessary delay and expense to planning applicants.'*

Mr. Owens advised the motion related to an Executive Functions. It was not a Reserved Function. He assured Members there was already a mechanism in place where applications were referred to the Roads Department for review. Following review, the Roads Department report informs the planner's decision. He advised that a Further Information request is normally made if the planner believed it would allow for a favourable outcome.

The Chief Executive advised Members that planning decisions were not a Reserved Function. He noted that all decisions were made in line with the County Development Plan.

The motion was **WITHDRAWN**.

**ITEM NO.12 NOTICE OF MOTION**

**4053**

Cllr. Dr. Francis Parsons submitted the following Notice of Motion prior to the meeting:

‘A Strategic Housing Development of 165 housing units in Ballinasloe went forward for planning through An Bord Pleanála without the municipal Cllrs or the local area office being directly informed by GCC.

Local Cllrs and staff were not made aware of a hugely significant planning process which had opened up in their area which significantly affected the people and area they represent.

I propose that GCC executive inform elected members of Galway CC of all Strategic Housing Developments which are with Bord Pleanála, size, location and status of planning of same and where the physical plans can be seen and inspected.

I propose that all elected representatives in a municipal area are informed immediately by GCC of any planning process in that area emanating outside of Council planning systems which opens up for public engagement.’

**The following reply issued:**

*‘The public participation and consultation process relating to a Strategic Housing Development (SHD) application to An Bord Pleanála requires that before an applicant submits a SHD application to An Bord Pleanála, s/he is required to publish a notice of such a proposal in a newspaper circulating in the area of the proposed development. In addition, an applicant is required to erect a public notice at the site of the proposed development. The applicant is also required to provide a website where the application can be inspected. The website address will be given on both the newspaper notice and site notice. The notices will provide information on how the public can make a submission or observations to An Bord Pleanála in relation to the application. The website must be kept live and available to the public for a minimum of 8 weeks following the making of a decision by An Bord Pleanála.*

*The public participation and consultation process also provides for notification to the relevant elected members of the making of the application, including its availability for public inspection and period for making of submissions / observations. The Council acknowledges and regrets that specifically in respect of the proposed Strategic Housing Development at Dunlo, Ballinasloe it omitted to directly notify the relevant elected members of the making of the application by the applicant to An Bord Pleanála.*

*The Planning Authority is also required to submit a report to An Bord Pleanála which shall set out, amongst other things, a summary of the points raised in the submissions or observations, and the view of the Chief Executive of the Planning Authority on those submissions or observations. The report may also include a summary of the views expressed by elected members at the meeting(s) on the proposed development.*

*In this regard, senior staff from the Planning Unit have attended recent meetings of the Ballinasloe Municipal District to inform the elected member of the details of the SHD application for Dunlo, the consultations that have taken place, information relating to the points raised in the submissions / observations received by An Bord Pleanála in relation to the application, together with the views of the Chief Executive.*

*The report to be submitted to An Bord Pleanála will include the views expressed by the elected members of the Municipal District of Ballinasloe. The elected members have, for this specific application, in addition to the views expressed at the meetings, also been afforded the opportunity to provide written submissions for inclusion as an appendix to the report*

*The details of Strategic Housing Developments which are with An Bord Pleanála are detailed hereunder and consists of a single SHD development at Dunlo, Ballinasloe.*

<b>ABP Ref No</b>	<b>Location</b>	<b>Description</b>	<b>Website Details</b>	<b>Decision Due Date</b>
314493	Dunlo & Poolboy, Ballinasloe	165 residential units	<a href="http://www.DunloSHD.com">www.DunloSHD.com</a>	20/12/2022

*The plans are also available for review at the Planning Unit at County Hall during normal office hours.*

*The arrangements for Strategic Housing Developments are no longer operational and have been replaced by alternative arrangements for Large Residential Development (LRDs). An application for a LRD is submitted directly to the Planning Authority and will be included in the listing of planning applications with a specific indicator to denote the LRD status of the application.'*

**ITEM NO.13 NOTICE OF MOTION**

**4054**

Cllr. Dr. Francis Parsons submitted the following Notice of Motion prior to the meeting:

*'That the CE makes a written statement on the Ballinasloe Landfill Remediation Fund which is a specific reserve held in the GCC capital account and comprises part of the credit balance in GCC accounts to be used for future projects in Ballinasloe - namely Ballinasloe Townparks Relief Road which is a roads project now listed in the current GCDP plus linking to a commitment to develop the Townparks Amenity Area and to include the sums put aside for each project.'*

**The following reply issued:**

*'There is a current credit balance of €10.2m held in a capital account related to the closed Ballinasloe Landfill site. Funds from this account have been used to date for a number of significant projects around the town.*

*The site ceased operations on foot of a High Court Order in February, 2000. The Order specifically requires remediation works to be undertaken at the site and we are fortunate to have this sizeable balance which will be needed to progress same. Part of the site is an un-engineered landfill and the Council is responsible for the ongoing management of the leachate at the site.*

*The High Court Order specified that a remediation plan be developed and the terms of the Order will be implemented in full. In advance of the remediation plan Galway County Council undertook a 2 year programme of immediate works required at the site which is now nearing completion. It is the intention of Galway County Council to comply with the requirements of the High Court Order in the first instance with the retention of consultants to prepare a costed remediation plan for the site and progress to implementation. It is expected that these works will exhaust the bulk of the monies in the capital account.*

*The Ballinasloe Inner Relief Road has been identified in the recently adopted County Development Plan and will be progressed. There is a separate capital code for this project with a credit balance of €1.652 m. Additional financial resources will be required for this project from the Department of Transport. In addition, there is a capital code for the Ballinasloe Amenity Park with a current credit balance of €500,000.'*

**ITEM NO. 14 VOTES OF SYMPATHIES/CONGRATULATIONS**

**4055**

**A resolution of sympathy was extended to the following:**

- The Halliday Family, Sion Hill, Dunmore, Co. Galway
- Mary Keane, Woodquay, Sylane, Tuam, Co. Galway
- Terence Cosgrove and Family, Kilbannon, Tuam, Co. Galway
- Jarlath Burke and Family, Killooney, Dunmore, Co. Galway
- Michael O Flaherty, Belrickard, Headford, Co. Galway
- Breda Reilly, Ballybeg, Corrandulla, Co. Galway
- Bridget Stuffle, Ballinaboy, Derrygimla, Clifden, Co. Galway
- The Diamond Family, Goulane, Clifden, Co. Galway
- Frankie Forde, Cregmore, Claregalway, Co. Galway
- Donna Meehan, Waterview, Turloughmore, Co. Galway
- Bernard O' Connor, Parkmore Estate, Tuam, Co. Galway
- Sean McDermott, Lackaghbeg, Turloughmore, Co. Galway
- Ronan Staunton, Lakeview, Claregalway, Co. Galway

- The Curran Family, Lisdonagh, Headford, Co. Galway
- The Patterson Family, Headford, Co. Galway
- Brendan Courtney, St. Killians, Palmerstown, Oranmore, Co. Galway
- Denise Healy, Caherateemore South, Athenry, Co. Galway
- Tommy Freeney, Mountain West, Oranmore, Co. Galway
- Mary Doherty, Masserene, Ballydavid, Athenry, Co. Galway
- Raymond Somers, Clorane, Athenry, Co. Galway
- Mick and Ann Higgins, Lydican, Oranmore, Co. Galway
- Nelly Murphy, Turloughmore, Co. Galway

### **Chriochnaigh an Cruinniú Ansin**

**Submitted, Signed and Approved**

**Cathaoirleach:** Michael Mches

**Date:** 28/11/2022