

COMHAIRLE CHONTAE NA GAILLIMHE
MINUTES OF REMOTE COUNCIL MEETING OF GALWAY COUNTY COUNCIL

Friday 17th December at 11:00am via Microsoft Teams

CATHAOIRLEACH: Cllr. Peter Keaveney
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, T. Ó Curraoin, Albert Dolan, G. Donuhue, G. Finnerty, D. Geraghty, S. Herterich Quinn, M. Hoade, C. Keaveney, D Kelly, D. Killilea, M. Kinane, G. King, P. Mac an Iomaire, M. Maher, 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. M. Owens, Director of Services, Mr. L. Hanrahan, Director of Services, Mr. D. Pender, Director of Services, Mr. G. Mullarkey, Head of Finance, Ms. J Brann, Meetings Administrator, Ms. U. Ní Eidhín, Oifigeach Gaeilge, Ms. B. Ryan, Staff Officer.

Thosnaigh an cruinniú leis an paidir.

Prior to the commencement of formal business Cllr. Collins congratulated Ms. Mary Quinn, Housing Liaison Officer on her retirement and extended best wishes to her.

ITEM NO. 1 CONFIRMATION OF MINUTES OF THE FOLLOWING MEETINGS

(a) Minutes of Monthly Plenary Meeting held on 22nd November 2021. 3897

On the **PROPOSAL** of Cllr. C. Keaveney **SECONDED** by Cllr. T. O' Curraoin the minutes of Monthly Plenary Meeting held on 22nd November 2021 were **AGREED**.

Matters arising

Cllr. Kinane noted she missed the discussion on item No. 22 Notice of Motion at the November Plenary Meeting. She had submitted the motion jointly with Cllr. Herterich Quinn. She advised Members the motion addressed gender balance only and stressed there was no question of discrimination.

It was noted that Mr. John Coyle, Senior Executive Engineer in the Tuam Municipal District was due to take up a new position in Loughrea Municipal District. The Cathaoirleach joined with Members thanking Mr. Coyle for his dedication and commitment and acknowledged he left a visible legacy in the Tuam Municipal District through works completed. His contribution and work on the road safety project commencing on the R332 was also noted. Mr. Coyle was commended as an exemplary public servant and engineer who will bring a wealth of experience to his new role in the Loughrea Municipal District.

ITEM NO. 2 CONSIDERATION OF REPORTS AND RECOMMENDATIONS. 3898

(a) Minutes of Community and Culture SPC held on 27th April 2021.

On the **PROPOSAL** of Cllr. Carroll **SECONDED** by Cllr. Herterich Quinn the minutes of the Community and Culture SPC held on 27th April 2021 were **NOTED**.

(b) Minutes of Corporate Policy Group held on 13th October 2021.

On the **PROPOSAL** of Cllr. Carroll **SECONDED** by Cllr. Herterich Quinn the minutes of the Corporate Policy Group held on 13th October 2021 were **NOTED**.

ITEM NO.3(a) TO REVOKE RESOLUTION 3706 OF DECEMBER 14th 2020, WHICH APPROVED THE DISPOSAL OF 0.054 HECTARES AT CLAREMOUNT, OUGHTERARD, CO. GALWAY.

3899

Report dated the 13th December 2021 was published on the Extranet prior to the meeting.

On the **PROPOSAL** of Cllr. Welby **SECONDED** by Cllr. Mannion it was **AGREED** to revoke Resolution 3706 of December 14th 2020, which approved the disposal of 0.054 hectares at Claremount, Oughterard, Co. Galway.

ITEM NO.3(b) TO CONSIDER REPORT UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT 2001 ON THE DISPOSAL OF 0.044 HECTARES OF LAND AT CLAREMOUNT, OUGHTERARD, CO. GALWAY.

Statutory Notice issued in accordance with Section 183(1)(b) and report dated 6th December 2021 was published on the Extranet prior to the meeting.

On the **PROPOSAL** of Cllr. Welby **SECONDED** by Cllr. Mannion it was **AGREED** to dispose of 0.044 hectares of land at Claremount, Oughterard, Co. Galway, in accordance with the terms of the Statutory Notice dated the 6th December 2021.

ITEM NO. 4 TO CONSIDER REPORT UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT 2001 ON THE DISPOSAL OF 0.09177 HECTARES OF LAND AT 1 CALTRA, BALLINASLOE, CO. GALWAY (GY13837F).

3900

Statutory Notice issued in accordance with Section 183(1)(b) and report dated 26th November 2021 was published on the Extranet prior to the meeting.

Cllr. D. Connolly **PROPOSED** the council maintain the property in it's ownership and make it available for applicants on the housing list.

The following queries and points were raised by Cllrs. D. Connolly, M. Connolly, Killilea, McKinstry, McHugh, O 'Curraoin, Roche, Broderick and McClearn.

- The Council should not sell a potentially viable council house.
- Clarification sought on why the house was considered beyond economic repair.
- The Executive and engineers have given the issue due consideration.

- In light of large funding available for retrofitting could renovations with retrofitting work be coordinated to repair the property.
- As the registered owners of the property, the Council have a 'duty of care' to the neighbours in the adjoining house.
- Residents in the area have raised concerns about the vandalism, particularly about fire issues. They are worried and feel intimidated.
- For the family next door there may be consequences of not making a decision today.
- The Council need to send a clear message that property being vandalised will not be tolerated. It is not an appropriate response to sell the property.
- The Council need to stand with people who need support.
- Suggest the issue be discussed at Ballinasloe Municipal District.

Members Queries were responded to as follows by Mr. Hanrahan

- The cost of redeveloping the property has been considered prohibitive. The property has been vandalised repeatedly. The council renovated the property twice and when close to completion and it was vandalised again. The cost of further renovations is prohibitive compared to what is normally spent on a renovation project with no guarantees it won't be subject to further acts of vandalism.
- The funds the Council receive to renovate properties are not significant. The money per unit to renovate would not meet the requirements in this case. The council would need to provide the additional funds from its own resources.
- All renovations need to result in a viable tenancy. In this case we cannot afford to do the work required and get viable tenancy. There has been no significant level of interest in tenant in the property.
- While there is funding for retrofitting, it is ringfenced for retrofitting and it would not be considered good value for money to spend it on this particular property.
- The vandalism had no connection with any former tenants.
- There is a purchaser for the property at €105,000.
- Section 183's are a matter for the Plenary council. Members are welcome to discuss the matter on individual basis, but it can not be discussed at Municipal District level.

Cllr. Hoade **PROPOSED** deferring the item to allow Members in the Ballinasloe Municipal District area time to discuss and consider the matter further. Cllr. Dr. Parsons **SECONDED** the proposal to defer the item.

Cllr. Roche made a **COUNTER-PROPOSAL** to take the item, Cllr. Killilea **SECONDED** the counter-proposal.

The Meetings Administrator advised Members there was two separate proposals to consider - to take the item or to defer the item.

The Cathoirleach called for a vote to 'take the motion'.

The following was the result:

For - 5

Cllr. Byrne	Cllr. M. Connolly	Cllr. Killilea
Cllr. Mannion	Cllr. Roche	

Against - 28

Cllr. Broderick	Cllr. Canning	Cllr. Carroll
Cllr. Collins	Cllr. D. Connolly	Cllr. Cronnelly
Comh. Ó'Cualáin	Cllr. Cuddy	Comh. Ó'Curraoin
Cllr. Dolan	Cllr. Finnerty	Cllr. Hoade
Cllr. Geraghty	Cllr. C. Keaveney	Cllr. P. Keaveney
Cllr. Kelly	Cllr. Kinane	Cllr. King
Comh. Mac an Iomaire	Cllr. McClearn	Cllr. McHugh Farag
Cllr. McKinstry	Cllr. Murphy	Cllr. Dr. Parsons
Cllr. Reddington	Cllr. Sheridan	Cllr. Thomas
Cllr. Walsh		

Abstain - 3

Cllr. Charity	Cllr. Donohue	Cllr. Herterich Quinn
---------------	---------------	-----------------------

Absent for vote - 2

Cllr. Maher	Cllr. Welby
-------------	-------------

Not in Attendance - 1

Cllr. Curley

The Meetings Administrator confirmed agenda item no.4 was deferred.

ITEM NO. 5 TO CONSIDER REPORT UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT 2001 ON THE DISPOSAL OF 0.16 HECTARES OF LAND AT ANNAGHCALLOW, LAWRENTOWN, CO. GALWAY (GY10992F). 3901

Statutory Notice issued in accordance with Section 183(1)(b) and report dated 26th November 2021 was published on the Extranet prior to the meeting.

On the **PROPOSAL** of Cllr. M. Connolly **SECONDED** by Cllr. Geraghty it was **AGREED** to dispose of 0.16 hectares of land at Annaghcallow, Lawrentown, Co. Galway (GY10992F), in accordance with the terms of the Statutory Notice dated the 26th November 2021.

ITEM NO. 6 TO CONSIDER REPORT UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT 2001 FOR THE GRANTING OF TEMPORARY LEASEHOLD AND LICENCE ON LANDS AT THE FORMER GALWAY AIRPORT AT CARNMORE, CO. GALWAY TO GALWAY FLYING CLUB FOR THE PERIOD DECEMBER 22ND, 2021 TO DECEMBER 21ST, 2022. 3902

Statutory Notice issued in accordance with Section 183(1)(b) and report dated 29th November 2021 was published on the Extranet prior to the meeting.

Mr. Hanrahan informed Members that Galway City Council, as joint owners of the site, had passed this Section 183 at their meeting on Monday to allow Galway Flying Club continue use of the property up to December 2022.

Cllr. Cuddy **PROPOSED** the following amendment to item no. 6:

"that we approve the one-year leasehold and license on the basis that Galway City Council has done likewise. The flying Club need to be assured of ongoing access on the site. We confirm to the flying club our commitment to them to this process until December 2024 as per their request."

In response, Mr. Hanrahan confirmed that the amendment could be facilitated. The one-year leasehold would be approved under the section 183. Regarding the longer term use up to December 2024, he assured Cllr. Cuddy that the Council will continue to engage with the Flying Club as requested. This would be confirmed to the Flying Club in a cover letter with the lease. Mr. Hanrahan advised Members that he had met with the Flying Club recently and expected a report on their future requirements in early January.

On the **PROPOSAL** of Cllr. Cuddy **SECONDED** by Cllr. Reddington it was **AGREED** to grant a temporary leasehold and licence on lands at the former Galway Airport at Carnmore, Co. Galway to Galway Flying Club for the period December 22nd, 2021 to December 21st, 2022, in accordance with the terms of the Statutory Notice dated the 29th November 2021.

ITEM NO. 7(a) TO REVOKE RESOLUTION 3576 OF MAY 25TH 2020, WHICH APPROVED THE DISPOSAL OF 23.88 HECTARES OF LAND AT MIDDLEQUARTER, INISHBOFIN TO THE MINISTER FOR RURAL AND COMMUNITY DEVELOPMENT UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT 2001.

3903

Report dated the 3rd December 2021 was published on the Extranet prior to the meeting.

On the **PROPOSAL** of Cllr. Mannion **SECONDED** by Comh. Mac Iomaire it was **AGREED** to revoke Resolution 3576 of May 25th, 2020 which approved the disposal of 23.88 hectares of land at Middlequarter, Inishbofin to the Minister for Rural and Community Development under section 183 of the Local Government Act 2001.

ITEM NO. 7(B) TO CONSIDER REPORT UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT 2001 ON THE DISPOSAL OF LANDS AT MIDDLEQUARTER, INISHBOFIN, CO. GALWAY - 23.4559 HECTARES.

Statutory Notice, dated 6th December, issued in accordance with Section 183(1)(b) and report dated 3rd December 2021 was published on the Extranet prior to the meeting.

On the **PROPOSAL** of Cllr. Mannion **SECONDED** by Cllr. Mac Iomaire it was **AGREED** to dispose of 23.4559 hectares of lands at Middlequarter, Inishbofin, Co. Galway, in accordance with the terms of the Statutory Notice dated the 6th December 2021.

Cllr. Mannion noted the land at Middlequarter had been part of lands used to build an airstrip in Inishboffin. She voiced concerns that two airstrips, Inishboffin and Cleggan, had been built at a cost of €10m to the taxpayer. Neither had been used except by the

Coast Guard at Cleggan. She suggested the Department, if not going to do a PSO, should consider putting them out to tender to assess private interest in using them.

ITEM NO. 8 TO CONSIDER AND IF DEEMED APPROPRIATE APPROVE A LOAN FACILITY OF €10M FOR THE HOUSING FOR ALL AND REBUILDING IRELAND HOME LOAN SCHEMES IN ACCORDANCE WITH SECTION 106 OF THE LOCAL GOVERNMENT ACT 2001 (AS AMENDED).

3904

Report dated the 6th December 2021 was published on the Extranet prior to the meeting.

On the **PROPOSAL** of Cllr. Carroll **SECONDED** by Cllr. Herterich Quinn it was **AGREED** to approve a loan facility of €10m for the *Housing for All and Rebuilding Ireland Home Loan Scheme* in accordance with section 106 of the Local Government Act 2001 (as amended).

ITEM NO. 9 (a) TO CONSIDER AUDITED ANNUAL FINANCIAL STATEMENT FOR GALWAY COUNTY COUNCIL AND LOCAL GOVERNMENT AUDIT SERVICE STATUTORY AUDIT REPORT TO GALWAY COUNTY COUNCIL FOR YEAR ENDED DECEMBER 31ST 2020.

3905

Annual Financial Statement and Local Government Audit Service Statutory Audit Report dated the 22nd October 2021 was published on the Extranet prior to the meeting.

On the **PROPOSAL** of Cllr. Carroll **SECONDED** by Cllr. Killilea the Audited Annual Financial Statement for Galway County Council and Local Government Audit Service Statutory Audit Report to Galway County Council for year ended December 31st 2020 was **NOTED**.

ITEM NO. 9 (B) TO CONSIDER THE AUDIT COMMITTEE REPORT ON THE 2020 ANNUAL FINANCIAL STATEMENT (AFS) AND STATUTORY AUDITORS REPORT (PURSUANT TO SECTION 60 OF THE LOCAL GOVERNMENT ACT 2014).

Audit Committee Report on the 2020 AFS and the Statutory Auditor's Report was published on the Extranet prior to the meeting.

The following queries and points were raised by Cllrs. Killilea, Dolan, Charity, Carroll, McHugh, M. Connolly and Byrne.

- Whether agreement had been reached with the City on shared services costs.
- There is no evidence from the report that transfers to Galway 2020 or overspend on Galway City Ring Road were queried. Concern Notice of Motion Monies allocated have not been spent.
- Funding to Galway 2020 was debated on numerous occasions at Plenary meetings. Queries were raised and answered by the Chief Executive.
- Members of the Audit Committee questioned the expenditure on the Galway City Ring Road project. For clarification the expenditure was incurred by Transport Infrastructure Ireland (TII) for payment to the principal contractors.
- The Audit Committee take their job very seriously and question rigorously all reports before them. There was robust debate and discussions about money spent on Galway City Ring Road.
- A broader discussion on the culture of overspend on tendered projects is required. Suggest legislation is required to deal with this to encourage more realistic valuations on projects.
- There is great scrutiny on all projects already. All tenders are subject to public procurement process.
- It is difficult to get budgets right in the area of construction. There are a lot of unknowns throughout a project that can lead to budgetary increases. The market also determines prices. In past two year costs were over 30-35% above budget with Brexit and Covid.

Referring to the expenditure on the Galway City Ring Road and the recent decision by An Bord Pleanála to approve the planning application for the project, Cllr. Killilea considered the money was well spent. He said it was one of the most significant projects handled by engineers in Galway County Council. He commended the professionalism of Galway County Council and the monumental effort it took to get the project approved.

Cllr. Carroll paid special tribute to the Chief Executive, for his work on the project in his former role as Director of Services for Roads and Transportation and to Mr. Pender, the current Director of Services. He commended both on their efforts in getting approval for the Galway City Ring Road.

Members Queries were responded to as follows by Mr. Owens

- The Audit Committee's report being considered is not an audit report in relation to the work programme of the Audit Committee.
- The Audit Committee's report relates to the Local Government's Auditor's Statutory Audit Report and AFS. The Local Government Auditor attended a meeting of the Audit Committee and presented the 2020 AFS, Statutory Audit Report and Management Letter. On the basis of that presentation, the Audit Committee prepared the report under consideration.
- At a later date the Audit Committee will present it's Annual Report to Plenary Council which will reflect the work programme of the Audit Committee.

Members Queries were responded to as follows by the Chief Executive:

- The Audit Committee undertake their work on behalf of the Council in a very professional manner. Anyone who has come before them can attest to the robust nature of their questioning.
- Confirm both the Chief Executives and the Heads of Finance from Galway City and Galway County Council have been engaging to reach an agreement regarding the arrears due on shared services. There is an agreement to conclude in the first quarter of 2022.
- The Notice of Motion monies assigned to projects can remain unspent when engineers at the Municipal District are busy discharging other programs of the council. Staffing constraints can prevent the timely completion of projects. All monies will remain assigned to the projects until they can be completed.
- Regarding expenditure on the Galway City Ring Road it is important to consider the sheer scale of the works undertaken by the consultants which could not have been envisaged at the outset. No project in the country has been subjected to the level of environmental scrutiny of the Galway City Ring Road project.
- The expenditure on the Galway City Ring Road was spent for services received. The quality of the services was borne out by the comprehensive decision of An Bord Pleanála for one of the biggest infrastructure projects in the country. Galway County Council, TII or the Consultants will have no difficulty accounting for the expenditure of the project.

The Chief Executive expressed his appreciation to both the Audit Committee and the Auditor for their work and the report.

On the **PROPOSAL** of Cllr. Carroll **SECONDED** by Cllr. Charity the Audit Committee Report on the 2020 Annual Financial Statement (AFS) and Statutory Auditors Report (Pursuant to section 60 of the Local Government Act 2014) was **NOTED**.

ITEM NO. 10 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). 3906

Report dated 6th December 2021 was published on the Extranet prior to the meeting.

On the **PROPOSAL** of Cllr. Maher **SECONDED** by Comh. O 'Curraoin it was **AGREED** to authorise Cllr. Roche to attend LAMA Autumn Training Seminar 2021 "Planning & Mental Health" at Sligo Park Hotel from 3rd to 5th November 2021. (Retrospective Approval)

ITEM NO.11 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) 3907

Report dated 6th December 2021 was published on the Extranet prior to the meeting.

On the **PROPOSAL** of Cllr. Maher **SECONDED** by Comh. O 'Curraoin it was **AGREED** to authorise Comh O 'Curraoin to attend Celtic Conferences "The Finance Act 2021" at The Four Seasons Hotel, Carlingford, Co. Louth on 7th to 9th January 2022.

On the **PROPOSAL** of Cllr. Maher **SECONDED** by Comh. O 'Curraoin it was **AGREED** to authorise Cllrs. Curley and King to attend Celtic Conferences "Housing for All" at O'Donovan's Hotel, Clonakilty, Co. Cork on 21st to 23rd January 2022.

ITEM NO.12 TO CONSIDER THE MANAGEMENT REPORT – DECEMBER 2021 IN ACCORDANCE WITH SECTION 136(2) OF THE LOCAL GOVERNMENT ACT 2001 (AS AMENDED). 3908

Report dated the 15th December 2021 was published on the Extranet prior to the meeting.

On the **PROPOSAL** of Cllr. Donohue **SECONDED** by Comh. O 'Cualáin the Management Report - December 2021 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. Byrne, Murphy, Herterich Quinn, Killilea, O Cualáin, Donohue, M. Connolly, Maher, Charity, Kinane, Cuddy, Mac Iomaire, McKinstry and Geraghty.

- Request for an update on the Rural Regeneration Fund application for Gort. Request an update on the e Planning online portal.
- The €100,000 allocated to Gort for the Town Center First Initiative is welcome but it falls far short of what's needed for the for the extensive plans prepared for Gort by the local organizations in conjunction with Galway County Council.
- Disappointing result for Athenry that despite being identified in four out of the five prospective routes the Galway to Athlone cycleway will not come through Athenry.
- Request for an update on reports for The Shambles and Tuam Town hall.
- Will progress commence on a new route for the R336 following the positive decision on the Galway City Ring Road.
- CPOs should be avoided at all cost in acquiring land for greenways, particularly for landowners with small holdings. It is Important that real engagement takes place with landowners.
- Is there any is there any legal precedents in terms of acquiring lands for a greenway by means of CPO.
- In terms of Social Housing delivery it's a real good news story in Loughrea to have a hundred families in a brand new house for Christmas.
- Welcome the significant investment under the Outdoor Recreation Infrastructure Scheme in the county, including Annaghdown Pier. Acknowledge the work of Paula Higgins in that regard. Request an update on the application for feasibility funding for a Greenway proposal from City limits to Headford.

- There is a huge volume of work prepared by local community groups in relation to tourism. It is important that this is recognised and used in the Tourism Strategy.
- What is the timeframe for applications for Judicial Review on the Galway City Ring Road? Do the appellants have to pay the costs?
- The Environment Section need to ensure bottle banks are emptied regularly over the Christmas period. They need to send a clear message to the public, that bottles are cannot be left beside bottle bank when full.
- It appears that there is no intersection plan between the Connemara Greenway and Moycullen Bypass despite the fact that both are managed by TII. Will the Greenway into Moycullen get blocked off by the development of the bypass.
- Any update on the closure of Castlerea Fire Station in County Roscommon which serves the people in within the Galway county area.

Members Queries were responded to as follows by the Chief Executive:

- Regarding Castlerea Fire Station unable to provide an update as it is under falls under the remit of Roscommon County Council. Can confirm that all areas of county Galway have a full fire and emergency services in operation, including the area of Galway previously covered by Castlerea Fire Station.
- Regarding bottle banks, recycling it must be done correctly. We can prosecute in cases where people leave bottles beside a full bottle bank. Environment Section will examine increasing the frequency of collection during this time as there may be extra pressure on the bottle banks over the Christmas.

Members Queries were responded to as follows by the Mr Owens:

- Galway County Council and Tipperary County Council were chosen as the national e-planning pilot sites. Both authorities will go live in the afternoon.
- The pilot will run for a period of three months. Following a review after this time it is hoped to roll the project out across the country over an 18-month period.
- Galway County Council are still accepting all applications in hard copy.

Members Queries were responded to as follows by the Mr. Hanrahan:

- An announcement is expected in January for the RRDF applications submitted for Tuam and Gort.

- The €100,000 funding received for Gort relates the Town Centre First initiative. The Department chose Gort from a number of towns nominated by the Council. The funding does not relate to the RRDF application.
- Reports on the the Shambles and Tuam Town Hall will be presented at Tuam Municipal District in Q1 of 2022.
- Organization and groups are welcome to submit any relevant plans they have prepared to the Tourism Strategy through the public consultation process.

Members Queries were responded to as follows by Mr. Pender:

- An Active Travel /Greenway team will be established early in 2022 which will engage with Members in relation to development of greenways spurs. The team will assist regarding the feasibility report on a greenway from the city limits out to Headford.
- The feasibility report on the Quiet Man Greenway is expected in Q2 of 2022.
- There is a commitment to progressing work on the R336 once we have a final decision on Galway City Ring Road. Following An Bord Pleanála's recent decision the Judicial Review process remains open.
- The time limits for an application for Judicial Review is normally sixty days. Nine additional days are added to cover the Christmas holidays. Details have been advertised in the papers. Regarding the costs normally the applicant did not pay costs but in the recent case regarding a Kerry greenway, the costs were put back on the applicant.
- Kerry County Council were the first local authority to get approval by An Bord Pleanála for a CPO for a greenway earlier this year.
- A “*Code of Best Practice for National and Regional Greenways*” has just been approved and signed off by TII and a number of farming organisations among others. It’s aim is to facilitate the acquisition of land by voluntary land acquisition agreements. Landowners can avail of a greenway sustainability payment for their early engagement and cooperation. The code will make the process of acquiring the land and developing greenway an easier and more amicable process.
- Outside of this recommended process, the team are more than willing to work with landowners to reach agreements on land acquisition.

- In relation to possible a interaction of the Galway to Oughterard Greenway and the Moycullen bypass, we cannot predetermine what any route will be. We know what the start and the finish points and we are obliged to assess all alternatives in between. Overall, would not expect any problem connecting the greenway into the village.

The Chief Executive noted the Management Report reflects all of the good work carried out by the Council. This work requires a team effort and would not be possible without the cooperation of staff at every level and grade in the organisation. He expressed his thanks to the Directors and every member of staff for their work and support during the year.

ITEM NO.13 CHIEF EXECUTIVE'S BUSINESS & CORRESPONDENCE. 3909

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

- Letter dated 30.09.21 to Heather Humphreys T.D. Minister for Rural and Community Development. Resolution – extra allocation to GCC under the Street Enhancement Scheme.
- Emails dated 5.10.21 & 12.10.21 from Damien Griffin. Acknowledgement and Response - extra allocation to GCC under the Street Enhancement Scheme.
- Letter dated 20.10.21 from Donegal County Council – Mica, Pyrite, Pyrrhotite.
- Letter dated 23.11.21 to Darragh O'Brien T.D. Minister for Housing, Local Government and Heritage. Resolution – Meeting Request.
- Letter dated 23.11.21 to Peter Burke T.D. Minister for State for Housing, Local Government and Heritage. Resolution – Meeting Request.
- Letter dated 29.11.21 to Darragh O'Brien T.D. Minister for Housing, Local Government and Heritage. Resolution – HMD Form 1.
- Letter dated 23.11.21 to the Galway Oireachtas Members. Resolution – Shortfall of Funding.
- Letter dated 23.11.21 to Michael McGrath T.D. Minister for Public Expenditure and Reform. Resolution – Shortfall of Funding.
- Letter dated 23.11.21 to Pascal Donohue T.D. Minister for Finance. Resolution – Shortfall of Funding.
- Email dated 24.11.21 from Claire Kerrane T.D. Response - Shortfall of Funding.

- Email dated 25.11.21 from Alex Costello, Private Secretary to the Minister for Finance. Acknowledgement - Shortfall of Funding.
- Email dated 25.11.21 from Senator Eugene Murphy. Acknowledgement - Shortfall of Funding.
- Email dated 25.11.21 from Niamh Collins, Private Secretary to Minister for Public Expenditure and Reform. Acknowledgement - Shortfall of Funding.
- Letter dated 25.11.21 from Waterford City & County Council. Resolution – Visual Communication boards for non-verbal children in all public playgrounds.
- Letter dated 29.11.21 to An Taoiseach Micheál Martin. Resolution – Boycott on goods from occupied territories.
- Letter dated 29.11.21 to Retail Ireland. Resolution – Boycott on goods from occupied territories.
- Letter dated 29.11.21 to All Local Authorities. Resolution – Boycott on goods from occupied territories.
- Mayors for Peace News Flash November 2021.
- Email dated 1.12.21 from Alex Costello, Private Secretary to the Minister for Finance. Acknowledgement - Shortfall of Funding.

Matters arising

The following queries and points were raised by Cllrs. Geraghty, Reddington, Maher and Cronnelly.

- Disappointed expressed only four replies were received to twenty-three letters sent to Oireachtas Member.
- In the run up to Christmas a zero-approach policy need to be pursued by the Council regarding the issue of illegal parking in disabled parking bays.
- The Gardai are committed to dealing with the illegal parking issue. It was raised at a recent JPC meeting. Fines of €150 are being issued by the Gardai.
- It is not just an issue at Christmas time. Disabled parking spaces are designed for a purpose and should only be used by disabled. Parking permits cost money and the holders should be allowed avail of the spaces. Suggest the money raised from fines is ringfenced for the upkeep of disabled parking spaces.

The Chief Executive reassured members Galway County Council would continue to work closely with the Gardai to maximise enforcement in respect of illegal parking in disabled parking spaces.

Regarding the recent decision by An Bord Pleanála on the, the Chief Executive said it was a huge and important decision for Galway City, Galway County and the wider Western Region.

While hoping the decision would not go to Judicial Review, the Chief Executive advised Members it would not be unusual for a project of this size and scale. He noted that in the event of a Judicial Review he had full confidence in the team that had been involved on the project.

The Chief Executive reaffirmed that both the Chief Executive and staff of Galway City Council had been very much part of the process in bringing forward the Galway City Ring Road project. While Galway County Council were the named applicants it could not have been achieved without the cooperation received from Galway City Council. Both Local Authorities had worked side by side to deliver the project.

ITEM NO.14 CATHAOIRLEACH'S BUSINESS

3910

The following Motions was **PROPOSED** by Cllr. Killilea **SECONDED** by Cllr. McHugh:

"that GCC would enter into negotiations to purchase outright the Galway Airport Site from Galway City Council."

The following queries and points were raised by Cllrs. McHugh, Charity, Carroll, Roche, McClearn and Cuddy.

- Currently it is a bureaucratic nightmare for individuals to progress projects in Galway Airport. They must engage with two local authorities. One authority in charge would allow for a seamless operation of the site.
- Long-term planning for the site may prove difficult with two authorities trying to make decisions. It seems appropriate the site remain under Galway County Council responsibility as it is located in the Athenry Oranmore area, Request for an update on the master plan for the site.

- Suggest the money owed by Galway City Council for arrears on shared services could be offset against the cost of purchasing their share of the site.
- The Council are in no position financially to consider purchasing this site.
- When the site was originally purchased Members were informed after the deal was completed. There was no discussion in advance. This is not the forum to instigate such a proposal. It places the Chief Executive in a difficult position.
- Suggest the Members of the Municipal District get an opportunity to discuss the matter.

Members Queries were responded to as follows by the Chief Executive:

- Galway Airport was a strategic piece of ground which was purchased jointly by Galway County Council and Galway City Council. From the outset there has been very close cooperation between both councils in relation to the site.
- The site has enormous potential and in due course it will prove to be great value for money.

Members Queries were responded to as follows by Mr. Owens:

- Galway County Council are the lead authority on the Masterplan for the Galway Airport site, which includes an area beyond the former airport site.
- Following adoption of the Galway County Development Plan and Galway City Development Plan it is expected the master plan will commence in latter half of 2022. Galway City Council are committed to providing an input into masterplan.

On the **PROPOSAL** of Cllr. Byrne **SECONDED** by Cllr. Cuddy the Members **AGREED** to defer the motion to the February meeting.

The Chief Executive advised Members that the matter would receive initial consideration at CPG level and in due course come back to Plenary Council

ITEM NO.15 NOTICE OF MOTION

3911

Cllr. Kinane submitted the following Notice of Motion

“That an urgent review of Galway County Council Development Contributions Scheme be undertaken, coupled with serious consideration given to the ring fencing of monies

from said scheme, for the installation of much needed recreation infrastructure for Oranhill Estate Oranmore."

Cllr. Kinane voiced the concerns of the residents of Oranhill Estate, Oranmore, regarding the lack of recreational facilities despite the significant amount of development contributions paid by households over the years. She stressed the urgent need to address this anomaly and examine the Development Contribution Scheme.

In response to the issues raised, Mr. Owens advised that a review of the current Development Contribution Scheme would commence in the second half of 2022. The review process would allow members engage in the creation of a new Development Contribution Scheme. The scheme would provide funding to Galway County Council to deliver on the policy objectives and the visions of the County Development Plan. He advised that while the Development Contribution Scheme was a county wide scheme, he noted there was provision to apply additional levies in particular areas to deliver on policy objectives.

Cllr. Kinane welcomed the Director's response and expressed hope that the anomaly would be addressed in the review of the Development Contribution Scheme.

ITEM NO.16 NOTICE OF MOTION

3912

Cllr. Canning submitted the following Notice of Motion:

"Rural Communities support the introduction of cycling infrastructure which will benefit the health and well-being of rural communities but are strongly opposed to the methods Westmeath Co Council are using to deliver this infrastructure. A modal shift to cycling is a transport solution that will enhance the health and well-being of communities while also protecting the environment for generations to come. However, using the threat of CPO is causing great stress, fear and anxiety in rural communities. Many farmers face the prospect of their farming business becoming unviable due to land severance. Farmland must only be acquired by voluntary consent. We are asking Galway Co Council to withdraw from Westmeath Co Council, the authority, contained

in the 2014 Section 85, to acquire working farmland compulsorily for what is a recreational project."

The following reply issued:

"Where a section of a preferred route passes through private land and discussions have taken place regarding the appropriate level of accommodation it is

anticipated that voluntary agreements would be entered into to acquire the small sections of land required to construct the Greenway.

However, it is recognised, that despite everyone's best efforts, there may be instances where a voluntary agreement cannot be reached and an economically feasible alternative route that meets the requirements of Greenway users in terms of gradient and access to scenery and things to see and do does not exist. In such circumstances and when efforts to arrive at a mutually agreeable solution have been exhausted, the purchase of the land using the available legal mechanisms may need to be considered. Greenways are flexible in nature and can be routed along field boundaries thus reducing the potential of severance. Currently, it is not deemed appropriate to amend the Section 85 Agreement."

Cllr. Canning stressed that most landowners were in favor of greenways but noted there was a certain amount of fear because of the mechanism used to get there.

Cllr. Canning acknowledged the timing of the motion was unfortunate in light of the publication of the *"Code of Best Practice for National and Regional Greenways"* the previous evening. It was also noted that the 3rd Public Consultation on the Emerging Preferred Route Corridor of the Galway to Athlone Cycleway was open up to the 31st of January 2022.

Cllr. Canning considered it was best that Members would have time to examine the document published and to allow for the public consultation prior to further discussion on the matter.

A resolution of sympathy was extended to the following:

- Coyle family, Cummeen, Dysart Co Roscommon
- Mahoney family, Tullira , Ardrahan , Co Galway

Cllr. Donohue congratulationed St. Thomas's Hurling Club on their recent sucess as the Galway County Champions 2021.

The Cathaoirleach expressed his thanks to the Chief Executive and his team of staff both indoor and outdoors, for their work during the past year.

Chriochnaigh an Cruinniú Ansin.

Submitted, Signed and Approved

Cathaoirleach:

Peter Heavey

Date:

24/1/22

