

**COMHAIRLE CHONTAE NA GAILLIMHE**

**MINUTES OF COUNCIL MEETING OF GALWAY COUNTY COUNCIL**

**Held at Corrandulla Sports Hall, Cor an Dola, Co. Galway**

**Monday 25<sup>th</sup> January 2021 at 11:00am**

**CATHAOIRLEACH:**

Cllr. James Charity

Cathaoirleach of the County of Galway

**I LATHAIR FREISIN:**

**Baill:** Comh./Cllr. T. Broderick, J. Byrne, I. Canning, L. Carroll, D. Collins, D. Connolly, M. Connolly, G. Cronnelly, D. Ó Cualáin, J. Cuddy, S. Curley, T. Ó Curraoin, A. Dolan, G. Donuhue, G. Finnerty, D. Geraghty, S. Herterich Quinn, M. Hoade, P. Keaveney, D. Killilea, M. Kinane, G. King, P. Mac an lomaire, 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. K. Kelly, Chief Executive (Interim), Mr J. Cullen, Director of Services, Ms E. Ruane, Director of Services, Mr L. Hanrahan, Director of Services, Mr G Mullarkey, Head of Finance, Ms. C. Delaney, Administrative Officer, Ms. I. Martyn, Senior Staff Officer, Ms. U. Ní Eidhín, Oifigeach Gaeilge, Ms. B Ryan, A/Staff Officer and Ms. S. Elwood, A/Assistant Staff Officer

Thosnaigh an cruinniú leis an paidir.

On the PROPOSAL of Cllr. McClearn **SECONDED** by Cllr. Welby it was **AGREED** to suspend Standing Orders to bring forward item No. 8 on the Agenda.

Cllr. McClearn informed the meeting of his conversation with the Cathoirleach early in the week regarding this proposal to suspend standing orders to take item no. 8 as the first item for consideration. This was confirmed by the Cathaoirleach.

**ITEM NO.8 REPORT OF THE COMMISSION OF INVESTIGATION INTO MOTHER AND BABY HOMES: STATEMENTS BY THE CHIEF EXECUTIVE (INTERIM) AND THE CATHAOIRLEACH OF THE COUNTY OF GALWAY.**

3720

The Cathaoirleach advised that the statements of the Chief Executive and the Cathaoirleach were being recorded and would be made available following the meeting.

**The Chief Executive made the following statement:**

*"The publication of the Final Report of the Commission of Investigation into Mother and Baby Homes has been acknowledged as an important milestone with deep and personal impact for all those with a connection to the Mother and Baby Homes. Given the detailed and comprehensive nature of the report, it was considered appropriate that the Council, and all of those impacted, could take time, after its publication, to read the report and begin the process of considering its content and findings.*

*The report contributes significantly to our deeper appreciation and understanding of the past failures of the State, including this local authority, in the provision of care to the women who were forced to enter the Tuam Mother and Baby Home. It is to our shame, that we acknowledge, that there, when at their most vulnerable, in need of compassion, empathy, support and understanding and in need of our care, we failed them.*

*An Taoiseach, on behalf of the State, has acknowledged the duty of being willing to be held to account, to confront hard truths and to accept parts of our history which are deeply uncomfortable. We acknowledge the need and importance for Galway County*

*Council to also be willing to hold itself to account, to confront the hard truths of our shared past however difficult and to acknowledge our failings.*

*The report contributes to giving survivors their voice and affords them a long overdue opportunity to highlight the shortcomings of all aspects of the State, including this local authority. All of us here today appreciate the courage and resilience required for survivors to share, their lived experience of the Mother and Baby Home, both from individual survivors and from the contributions of members of the Tuam Mother & Baby Home Alliance who so powerfully and eloquently addressed this Council in September 2019. It was a profound moment for all present when survivors and those with a personal connection to the Tuam Mother & Baby Home shared with us some of the sadness, shame, pain and suffering that they and their loved ones endured.*

*While it is recognised that context is always important to an appropriate appreciation of any period, we must openly acknowledge that context does not lessen our role and responsibility. The findings of the Commission and the evidence bravely and openly shared in the testimonies dealing with the treatment of women and children in the Tuam Mother & Baby Home is stark.*

*It is appropriate and necessary that as civic leaders and citizens of this county and country that we reflect and learn lessons from the clearly painful and distressing accounts previously shared with us and from the testimony of many survivors as has been detailed. From our personal experience of listening to and engaging with survivors and those with a personal connection to the Tuam Mother & Baby Home, there can be no doubting our role in the arrangements for their care which resulted in the heavy burden that they continue to carry.*

*The report identified that in the congregated settings of mother and baby homes poor sanitary conditions had much more serious consequences for disease and infection control and identified Tuam as having appalling conditions. It is also clear that the death rate among infants in the Tuam Mother and Baby Home was noted and while known to be a multiple of the general population did not prompt appropriate action.*

*The lack of respect and dignity afforded to the women and children in death is also particularly upsetting and a source of great hurt and sorrow. The Council accepts its role in failing to ensure that these individuals were afforded the dignity of an appropriate and respectful resting place.*

*In relation to the Tuam site the Government's agreed course of action, includes memorialisation and the Council will continue in its efforts to engage with all those with a personal connection to the site and with the local residents in relation to the actions required to implement this decision. The Council is fully committed to supporting the full range of actions agreed by Government including progressing on the work already undertaken directly by Galway County Council in relation to providing survivors with appropriate access to archives and records.*

*The Council acknowledges the commitment by Government to advance burials legislation to support the excavation, exhumation and, where possible, the identification of remains together with their dignified reburial. The Council has and will continue to actively assist the ongoing work to implement the Government's agreed course of action and response for the Tuam site. It is also important that I acknowledge today the dedicated care, commitment and respect the local residents in Tuam have afforded to maintaining the site in Tuam over several decades.*

*We acknowledge with deep regret that the relationship between this local authority and those entrusted to the care of the Tuam Mother and Baby Home has been broken due to our failings in the arrangements for their care. We have already begun and are committed to the journey to rebuild that relationship and today is a further and important step in this regard. The cooperation and priority we have afforded this process from the establishment of the Commission, through our ongoing engagement with the survivors, and through actions required in relation to the site in Tuam will continue with the work that will follow-on from the publication of the Final Report of the Commission.*

*Today, I reaffirm the commitment and renewed determination of this local authority to continue our efforts to assist and support the survivors and all those with a personal connection to the Tuam Mother and Baby Home. No one can change the past; however, it is important that we accept and learn from it, acknowledge the sad and painful truth, the personal impact and heavy burden carried by survivors and humbly acknowledge our failings."*

**The Cathaoirleach made the following statement:**

*"It is important to note at the outset that this week, perhaps almost prophetically, marks the 60th anniversary of the decision to close the Tuam Mother and Baby Home which the final report of the commission notes was passed by this authority on the 28th*

January 1961. However, the legacy of the Home's operation and oversight, from its opening in 1925 to its closure in 1961, and indeed in the operation of its predecessor at Glenamaddy which operated from 1921-1925, continues to cast a long and onerous shadow over this Council, a shadow which we as a body must confront and acknowledge on this day with heavy, open and contrite hearts.

*It is important to acknowledge that today is only possible because of the dedication, commitment, determination and perseverance of the survivors, their advocates and researchers, who campaigned not just for themselves, but for the countless others that did not survive to tell of their experience and to right the wrongs done to them.*

*It is also particularly appropriate that here, a few short miles from Tuam, we acknowledge the tireless and unselfish work of Catherine Corless in relation to the Tuam Mother and Baby Home. There is no description which can more aptly or appropriately apply to Ms. Corless other than to acknowledge her as a "heroine", whom is deserving of all of our admiration, and of our profound and deepest respect, for bringing the dark history of the Tuam Mother and Baby Home out into the open.*

*On this day, we remember all of the survivors of the Tuam Home. We remember the 2219 women whom we know were admitted to Tuam from the findings outlined in the report, we remember those born in the home and we remember those who sadly died there.*

*The content and findings of the final report of the Commission of Investigation into Mother and Baby Homes, and particularly those relating to the Tuam Mother and Baby Home, make for difficult, uncomfortable and upsetting reading. For those who us who have been elected to this local authority to represent and act in the best interests of all of our communities across County Galway, and who share a sense of civic duty and responsibility, it is almost incomprehensible that a time could have existed where a resolution would be passed by this Council calling for legislation to commit women who were pregnant for a second time to Magdalene homes. But happen it did and I am sure that all members of this Authority will have shared the deep sense of shame that I have no difficulty in saying I personally experienced, as the extent of the long standing failures of this Council were set out in black and white for all to see. The Commission's findings identify a Local Authority which was far more consumed with mundane budgetary and*

*financial oversight than its role as custodian of those who were most vulnerable and required its care and protection.*

*The vulnerable in our society should always feel the comforting protection of those entrusted by a nation's people to lead, show example, demonstrate good moral judgement, to be fair and non-judgemental, to protect and nourish, to extend a helping hand when required, and to care with dignity and compassion. It is clear from listening to the survivors and reading their testimonies, that they were failed by the State and they were failed by Galway County Council.*

*Entrusted with the great honour to lead and represent, this Council failed in its most basic and principal duty. This Council should have put the needs and welfare of the most vulnerable in our society to the fore. The invisible and voiceless, in particular vulnerable women, innocent beautiful precious newborn children; little girls and boys, who should have survived, grown and thrived, learnt and laughed, worked and played, participated in society and perhaps even led it. But to our eternal shame, this Council failed both mothers and their children at a time when they most needed its support and protection the most.*

*Today is an important day as we apologise and work, insofar as we possibly can, to right the wrongs of the past, and to listen to the voices of the many survivors, who for too long had no voice. We also remember today those for whom this apology is sadly too late.*

*As Cathaoirleach of the County of Galway, on behalf of the Members, the Chief Executive and staff, I offer a sincere and humble apology for the failings of this local authority. We are deeply sorry that this Council did not do enough to ensure appropriate care, compassion and protection to the mothers and babies who passed through the threshold of the Tuam Mother and Baby Home, and to those children who were born and died there.*

*We further deeply regret that Galway County Council did not ensure there were enough safe-guards and measures in place to guarantee and ensure that children boarded out from the Home were better cared for, protected and cherished. To the shame and sorrow of all of us, this Council did not ensure that those who died in the Tuam Mother and Baby Home were afforded the dignity of an appropriate place of rest, which was the very least that they deserved.*

*We are profoundly sorry, that as a local authority, this Council did not have the foresight or courage to at all times to ensure the welfare of those entrusted to its care was paramount, and to be kinder, more compassionate, and more charitable.*

*To all those with a personal connection to the Tuam Mother and Baby Home, in particular, the frightened mothers and innocent children, to their families and to the people of County Galway, Ireland and beyond, this Local Authority stands humbly sorry.”*

**As a mark of respect to the survivors and victims of the Mother and Baby Homes, a candle of remembrance was lit by the Cathaoirleach and a minute's silence was observed in honour of all the survivors and victims.**

On the **PROPOSAL** of Cllr. Charity **SECONDED** by Cllr. Byrne the Members **AGREED** to send the following resolution to the Office of An Taoiseach”.

*“The members of Galway County Council request the establishment of a national umbrella group, comprising of all necessary stakeholders responsible for the operation and control of Mothers and Baby homes, so as to ensure that survivors do not have to deal with organisations individually to seek justice, redress and information regarding their records.*

*We also call for an independent legal advisor to be made available to all those survivors seeking assistance”*

The following motion was **PROPOSED** by Cllr. Charity **SECONDED** by Cllr. Byrne:

*“We the members of Galway County Council propose a Special Meeting of this Local Authority to consider the findings of the Commission of Investigation's Final Report into Mother and Baby Homes.”*

It was **AGREED**, that subject to the public health conditions, the date and time for this meeting would be considered by the CPG.

Cllr. McHugh Farag spoke on behalf of the Independent Group. As a woman born and raised in Tuam she reflected that it was a day marked in the long road for the survivors of the Mother and Baby Homes and in particular the survivors of the Tuam home.

She said it was difficult to comprehend what each of these mothers felt going through the trauma of giving birth, experiencing the natural bonding between mother and child and then have their children taken away or pass away. She noted while it may seem alien to us today, it is still very recent and current for many victims. While it was impossible to comprehend the pain and suffering that was felt she stressed the need to provide clarity and support to the people still suffering today and who will suffer until the day they pass away.

As a female representative Cllr. McHugh Farag said she couldn't fathom what it was like to live in Ireland where gender meant you were persecuted and marginalised by the very fact that you became pregnant, where you were looked down upon and stigmatised because you were unmarried or a child born out of wedlock. She said to even consider today that women would face the same fate was nothing short of terrifying.

Cllr. McHugh Farag thanked all the survivors who came forward and all the people who campaigned to change society. Without their fight, Ireland would not be the place it is for women today. She thanked all who had the courage to speak and have their story told. To all who still carry their story, she reassured them that our community and country stood with them.

Cllr. McHugh Farag concluded by saying we are now at a time of action and stressed we must continue to listen because there are still so many stories to be told. She said that while the commission has concluded its work, we must continue to seek further inputs and clarifications from stakeholders and survivors.

Cllr. Hoade speaking on behalf of the Fianna Fáil group acknowledged the statements and welcomed the apology. Cllr. McKinstry welcomed the apology. Cllr. D. Connolly welcomed the statements as steps in right direction for those who suffered so terribly in those places which could not be called "homes". Cllr. Byrne on behalf of the Fine Gael group welcomed both statements and said they look forward to playing their part to provide whatever support and leadership can be given by the local authority to address the situation.

Cllr. Donohue requested that Galway Council commit to making available copies of the Commission's Report in every Library in the County for ease of access for anyone who may wish to read it.

The Cathaoirleach advised members that items submitted in respect of the Report prior to the meeting would be deferred and form part of a Special Meeting to be held on the Mother and Baby Homes at a later date.

The Cathaoirleach adjourned the Meeting for five minutes as a mark of respect to the survivors and victims' before taking up the rest of the agenda.

**ITEM NO. 1 CONFIRMATION OF MINUTES OF THE FOLLOWING MEETINGS: 3721**

(a) Minutes of Monthly Plenary Meeting held on 14<sup>th</sup> December 2020.

On the **PROPOSAL** of Cllr. Cuddy **SECONDED** by Cllr. McClearn the minutes of the Monthly Plenary Meeting held on 14<sup>th</sup> December 2020 were **AGREED**.

(b) Minutes of Special Meeting held on 4<sup>th</sup> January 2021.

On the **PROPOSAL** of Cllr. Carroll **SECONDED** by Cllr. Curley the Minutes of Special Meeting held on the 4<sup>th</sup> January 2021 were **AGREED**, subject to the amendment of the record of attendance of Members and Officers in attendance on the day.

**ITEM NO. 2 CONSIDERATION OF REPORTS AND RECOMMENDATIONS. 3722**

(a) Record of the Meeting held on the 5<sup>th</sup> January 2021.

Cllr. Herterich Quinn requested a correction of the record on item no.19 to reflect that it was Cllr. Herterich Quinn who "requested an update on LAP for Athenry" and not Cllr Kinane as recorded.

On the **PROPOSAL** of Cllr. Maher **SECONDED** by Cllr. Canning it was **AGREED** to note the Record of Meeting held on the 5<sup>th</sup> January 2021, subject to the amendment of Item no. 19.

(b) Minutes of the Corporate Policy Group Meeting held on 25th November 2020.

On the **PROPOSAL** of Cllr. Byrne **SECONDED** by Cllr. Connolly the minutes of the Corporate Policy Group Meeting held on 25<sup>th</sup> November 2020 were **NOTED**.

(c) Minutes of the Economic Development & Enterprise Strategic Policy Committee held on 13<sup>th</sup> October 2020.

On the **PROPOSAL** of Cllr. Geraghty **SECONDED** by Cllr. Welby the minutes of the Economic Development & Enterprise Strategic Policy Committee held on 13<sup>th</sup> October 2020 were **NOTED**.

(d) Minutes of the Roads, Transportation & Marine Strategic Policy Committee held on 18<sup>th</sup> September 2020.

### **Matters Arising**

**The following points were raised by Cllrs. Ó'Cualáin, Kinane, Broderick**

- Clarification sought on the reference to a motion passed by Council to reduce the speed limit outside all schools to 50km.
- Clarification sought on whether the feasibility study being conducted in respect of the Athenry to Milltown Greenway includes the railway line.

**Members queries were responded to as follows by Mr. J Cullen:**

- He clarified that a resolution to reduce the speed limit at all schools to 50km had not been passed. He advised Members the implementation of speed limits must be examined on a case by case basis.
- He confirmed requests for the reduction of speed limits at different locations will be considered at the next Speed Limit review. He advised that other safety measures and signage are often more appropriate in some situations.
- He advised Members that the tender to conduct a Feasibility Study & Route Options Assessment for the Athenry to Milltown Greenway was recently published. He confirmed the brief includes all feasible options for a greenway, including the railway line.

On the **PROPOSAL** of Cllr. Roche **SECONDED** by Cllr. Donohue the minutes of the Roads, Transportation & Marine Strategic Policy Committee held on 18<sup>th</sup> September 2020 were **NOTED**.

(e) Minutes of Climate Change & Biodiversity Strategic Policy Committee held on held on 22<sup>nd</sup> October 2020.

On the **PROPOSAL** of Cllr. McKinstry **SECONDED** by Cllr. Dr Francis Parsons the minutes of the Climate Change & Biodiversity Strategic Policy Committee held on held on 22<sup>nd</sup> October 2020 were **NOTED**.

#### **Matters Arising**

Cllr. Geraghty queried the provision of power for the rollout of the estimated 200,000 e-cars over the next ten years. In response Cllr. McKinstry noted that this is the challenge facing us. He noted e-cars will store energy and become an important part of the grid.

#### **ITEM NO.3 (A) TO CONSIDER AND IF DEEMED APPROPRIATE ADOPT THE DRAFT STANDING ORDERS REGULATING PROCEEDINGS AND MEETINGS OF THE PLENARY COUNCIL**

**3723**

*Report dated 22<sup>nd</sup> January 2021 was published on the Extranet prior to the meeting.*

The Chief Executive advised Members that following discussion at the CPG remote access to meetings would be dealt with in two stages. The amended Standing Orders presented for consideration deal with the first stage, ensuring remote meetings can be held under Level 5 Covid restrictions or in other exceptional circumstances when agreed by the CPG. The second stage will deal with the broader issue of future remote access to Council meetings. This will be considered at a later date.

**The following points were raised by Cllrs. Cuddy, Herterich Quinn, D. Connolly**

- Clarification sought on whether upcoming County Development Plan meetings would be held remotely.

- In light of the pandemic, the view was expressed that remote meetings should be facilitated as soon as possible. Clarification sought on the timeframe for the introduction of remote meetings.
- It was stressed that all Members need to be enabled to engage fully in remote meetings.

**Members queries were responded to as follows by Chief Executive:**

- Acknowledged the Members preference for physical meetings to discuss the County Development Plans.
- Clarified that statutory County Development Plans meetings can take place under Level 5 COVID-19 restrictions but noted the Government advice, that meetings should be held remotely where possible. He advised members that a pragmatic approach is required to balance the public health advice and the efficient carrying out of council business. He suggested that a combination of physical and remote meetings may be required.
- He confirmed that following the adoption of the standing orders that remote meetings could commence immediately.
- Referring to the Protocol for Remote Meetings circulated with the Draft Standing Orders, he advised Members they should take time to become familiar with the remote meetings protocol so that the arrangements for dealing with various scenarios would be understood.

On the **PROPOSAL** of Cllr. Canning **SECONDED** by Cllr. Welby the Draft Standing Orders Regulating Proceedings and Meetings of the Plenary Council were **AGREED** by the Members. The Cathaoirleach declared it was a unanimous decision and confirmed that no vote was required.

**ITEM NO.3 (B) TO CONSIDER THE DRAFT STANDING ORDERS REGULATING PROCEEDINGS AND MEETINGS OF THE MUNICIPAL DISTRICTS.**

On the **PROPOSAL** of Cllr. Maher **SECONDED** by Cllr. Broderick the Draft Standing Orders Regulating Proceedings and Meetings of the Municipal Districts were **NOTED**.

The Cathaoirleach referred to the upcoming Roads Program Meetings at MD level and stressed the need to have documentation and maps circulated to Members in advance of the meetings to allow for consideration prior to, and full discussion at the meeting. The Chief Executive agreed that information would be provided in reasonable time in advance of these meetings.

**ITEM NO.4 TO CONSIDER IN ACCORDANCE WITH STANDING ORDER NO 18**  
**REVOKING THE DECISION TAKEN AT CPG ON SEPTEMBER 2ND, 2020 WHICH**  
**WAS AGREED BY THE COUNCIL AT THE OCTOBER PLENARY MEETING OF**  
**GALWAY COUNTY COUNCIL WHICH STATES THAT "ANY ALLOCATION TO NOM**  
**OR INDIVIDUAL GROUPS OF CONFERENCE AND TRAINING MONIES WOULD**  
**TAKE PLACE AT THE BUDGET MEETING" AND PROVIDE THAT ALLOCATION**  
**TO BE MADE AT NEXT MEETING.**

3724

In accordance with Standing Order no.18 a vote was taken to revoke the decision taken at CPG on September 2<sup>nd</sup>, 2020 which was agreed by the Council at the October Plenary Meeting of Galway County Council which states that: *"any allocation to NOM or individual groups of Conference and Training monies would take place at the Budget Meeting"* and provide that allocation to be made at next meeting.

The following was the result:

For 24

Cllr. Canning	Cllr. Collins	Cllr. D. Connolly
Cllr. M. Connolly	Comh. Ó' Cualáin	Cllr. Cuddy
Cllr. Curley	Comh. Ó' Curraoin	Cllr. Dolan
Cllr. Finnerty	Cllr. Geraghty	Cllr. Herterich Quinn
Cllr. Hoade	Cllr. P. Keaveney	Cllr. Killilea
Cllr. Kinane	Cllr. King	Comh. Mac an Iomaire
Cllr. Mannion	Cllr. Murphy	Cllr. Reddington
Cllr. Roche	Cllr. Thomas	Cllr. Walsh

Against 4

Cllr. Broderick	Cllr. Carroll	Cllr. McClearn
Cllr. Welby		

Abstain 8

Cllr. Byrne	Cllr. Charity	Cllr. Cronnelly
Cllr. Donohue	Cllr. Maher	Cllr. McHugh Farag
Cllr. McKinstry	Cllr. Dr Francis Parsons	

No-Voting 0

The Cathaoirleach confirmed the motion was carried. He advised members that all proposals should be forwarded to the County Secretary prior to the February meeting.

**ITEM NO.5 (A) TO CONSIDER AND ADOPT THE AUDITED ANNUAL FINANCIAL STATEMENT FOR GALWAY COUNTY COUNCIL FOR THE YEAR ENDED 31<sup>ST</sup> DECEMBER 2019.**

3725

*Report dated 8<sup>th</sup> December 2020 was published on the Extranet prior to the meeting.*

On the **PROPOSAL** of Cllr. Maher **SECONDED** by Cllr. Carroll the Audited Annual Financial Statement for Galway County Council for the year ended 31<sup>st</sup> December 2019 was **AGREED**.

**ITEM NO.5 (B) TO CONSIDER THE LOCAL GOVERNMENT AUDIT SERVICE STATUTORY AUDIT REPORT TO GALWAY COUNTY COUNCIL FOR THE YEAR ENDED 31<sup>ST</sup> DECEMBER 2019.**

*Report dated 8<sup>th</sup> December 2020 was published on the Extranet prior to the meeting.*

On the **PROPOSAL** of Cllr. Dolan **SECONDED** by Cllr. Finnerty the Local Government Audit Service Statutory Audit Report to Galway County Council for the year ended 31<sup>st</sup> December 2019 was **NOTED**.

**ITEM NO.5 (C) TO CONSIDER AND ADOPT THE AUDIT COMMITTEE REPORT ON THE AUDITED ANNUAL FINANCIAL STATEMENT AND THE LOCAL GOVERNMENT AUDIT SERVICE STATUTORY AUDIT REPORT FOR GALWAY COUNTY COUNCIL FOR THE YEAR ENDED 31<sup>ST</sup> DECEMBER 2019. (PURSUANT TO SECTION 121 OF THE LOCAL GOVERNMENT ACT 2001 AS AMENDED).**

*Report published on the Extranet prior to the meeting.*

On the **PROPOSAL** of Cllr. Carroll **SECONDED** by Cllr. Maher the Audit Committee Report on the Audited Annual Financial Statement and The Local Government Audit Service Statutory Audit Report for Galway County Council for the year ended 31<sup>st</sup> December 2019 (pursuant to section 121 of the Local Government Act 2001 as amended) was **AGREED**.

### **Matters Arising**

#### **The following points were raised by Cllrs. Dolan, Carroll, Broderick**

- Clarification was sought on the transfers between revenue and capital.
- It was noted that the Auditor confirmed speaking to the Chief Executive about the deficit in staff resources, but this was not included in the Auditors Report.
- Clarification was sought on the pension figures.
- Queried the amount and value of the stock on hand of Plant and Machinery
- Clarification was sought on the spend to date regarding Galway 2020.
- Regarding shared services with Galway City Council, queried how much was owed by Galway City Council and what the arrangements are with arrears.
- It was noted that procurement checking is used sporadically and queried whether this has been addressed.

#### **Members queries were responded to as follows by the Mr. G Mullarkey:**

- He clarified, that note 14 of the Audited Annual Financial Statement provided additional information with regard to transfers and that an additional schedule detailing transfers had been provided when the AFS was adopted in July.
- Regarding pensions he advised from 2012 all new entrants became members of the Single Public Service Pension Scheme and as a result the amount of superannuation income reflected in the accounts would continue to decline over the coming years.
- Regarding Galway 2020 he confirmed the full amount was not paid out.
- He advised the Chief Executive was recently in talks with the City Council regarding the issue of shared services.
- He confirmed that the Procurement Officer had agreed a methodology of recording procurement checking with the auditor.

**Members queries were responded to as follows by the Chief Executive:**

- He confirmed that fleet stock will be reviewed this year and noted that the stock extends beyond the Roads department and includes Corporate, Water Services and Libraries among others. He advised Members that branding, energy usage and age of vehicles will also be reviewed. The number of vehicles needed appropriate to council's need will determine the level of investment required.
- Regarding Galway 2020, he confirmed that the original €2m had been paid and of the additional €1.5m agreed €750,000 has been paid. He noted that the agreed projects have been completed, all payments have been made and there are no monies outstanding. He referenced commitments in terms of legacy and referred to infrastructure such as the Courthouse in Portumna and Loughrea Town Hall.
- He confirmed that he spoke to the Chief Executive of the City Council and advised he did not have an agreed figure regarding shared services. The City Council have indicated they will revert in the next month in respect of their position.

**ITEM NO.6 TO ELECT A MEMBER OF THE GOVERNING AUTHORITY OF THE NATIONAL UNIVERSITY OF IRELAND, GALWAY FOR THE TERM FEBRUARY 2021 - JANUARY 2025.**

3726

*Report dated 19<sup>th</sup> January 2021 was published on the Extranet prior to the meeting.*

As there were two nominations the Cathoirleach called for a vote. The following was the result:

**Cllr. Mannion 20**

Cllr. Broderick	Cllr. Byrne	Cllr. Carroll
Cllr. Charity	Cllr. Collins	Cllr. Cronnelly
Cllr. Cuddy	Cllr. Donohue	Cllr. P. Keaveney
Comh. Mac an Iomaire	Cllr. Maher	Cllr. Mannion
Cllr. McClearn	Cllr. McHugh Farag	Cllr. McKinstry
Cllr. Murphy	Cllr. Dr Francis Parsons	Cllr. Reddington
Cllr. Roche	Cllr. Welby	

Cllr. Connolly 14

Cllr. Canning	Cllr. D. Connolly	Cllr. M. Connolly
Comh. Ó'Cualáin	Cllr. Curley	Comh. Ó'Curraoin
Cllr. Dolan	Cllr. Finnerty	Cllr. Geraghty
Cllr. Herterich Quinn	Cllr. Hoade	Cllr. King
Cllr. Thomas	Cllr. Walsh	

Abstain 0

No-Voting 0

The Cathoirleach declared Cllr. Mannion elected as a member of the Governing Authority of the National University of Ireland, Galway for the term February 2021 - January 2025. He thanked both members for putting their names forward.

**ITEM NO.7 TO CONSIDER THE MANAGEMENT REPORT – JANUARY 2021 IN ACCORDANCE WITH SECTION 136(2) OF THE LOCAL GOVERNMENT ACT 2001 (AS AMENDED).** 3727

*Report dated 21<sup>st</sup> January 2021 was published on the Extranet prior to the meeting.*

On the **PROPOSAL** of Cllr. McHugh Farag, **SECONDED** by Cllr. Carroll it was **AGREED** to note the Management Report - January 2021 in accordance with Section 136(2) of the Local Government Act 2001 (as amended).

**ITEM NO.9 TO CONSIDER A PROGRESS REPORT ON THE EXTENSION OF EXISTING BURIAL GROUNDS** 3728

*Report dated 21<sup>st</sup> January 2021 was published on the Extranet prior to the meeting.*

On the **PROPOSAL** of Cllr. Byrne, **SECONDED** by Cllr. Thomas it was **AGREED** to defer item no. 9, to consider a Progress Report on the Extension of Existing Burial Grounds, to an adjourned virtual meeting on Monday 1<sup>st</sup> February at 11:00am.

**ITEM NO.10 CHIEF EXECUTIVE'S BUSINESS & CORRESPONDENCE.** 3729

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

- Letter dated 17.12.20 sent from County Secretary to each Local Authority - Resolution; National Strategy on Domestic, Sexual and Gender Based Violence.
- Email dated 8.12.20 from Minister Roderic O'Gorman TD Department of Children, Equality, Disability, Integration and Youth - Response to correspondence; Commission of Investigation into Mother and Baby Homes.
- Letter dated 11.12.20 from Waterford City and County Council - Resolution; Debenhams Employees.
- Letter dated 11.12.20 from Minister Peter Burke TD, Department of Planning and Local Government – Response to Correspondence; Councillors Payslips.
- Email dated 21.12.20 from Minister Eamon Ryan TD Department of Environment Climate & Communications - Response to correspondence; SEAI Warmer Homes Scheme.
- Letter dated 7.1.21 from Wexford County Council - Resolution; Rebate Scheme for Third Level Students
- Email dated 7.1.21 from Minister Eamon Ryan TD Department of Environment Climate & Communications-Response to correspondence; Waste Management.
- Email dated 12.1.21 from Minister Eamon Ryan TD Department of Transport - Response to correspondence; Report on Western Rail Corridor.
- Letter dated 21.1.21 from Breeda Murphy, PRO, Tuam Mother and Baby Home Alliance – Commission of Inquiry into Mother and Bay Homes and related matters.

**Matters Arising:**

Cllr. Donohue welcomed the reply from Minister Peter Burke, TD., Department of Planning and Local Government in response to her query on Councillors payslips.

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

**3730**

The following Motions were submitted:

On the **PROPOSAL** of Cllr. McKinstry **SECONDED** by Cllr. Sheridan the Members **AGREED**:

*"That Galway County Council formally requests of the Minister for Housing, Planning and Local Government to include as a matter of urgency schools and community buildings in the exemptions from planning permission for the installation of solar panels through a Statutory Instrument".*

Cllr. Geraghty noted his objection, asserting the planning process is applicable to all.

On the **PROPOSAL** of Cllr. Donohue **SECONDED** by Cllr. Cronnelly the Members **AGREED**:

*"That Galway County Council circulate the "Agri Kids Be Farm Safe Presentation" to all 31 Local Authorities and invite each local authority to join in this initiative of Farming Safety and Safety Measures in Council Awareness Programs at a local level".*

Referring to the Feasibility Study & Route Options Assessment for the Athenry to Milltown Greenway Cllr. M. Connolly said that the tender document should be withdrawn. He claimed it was a serious infringement of the National Development Plan and Galway County Development Plan and contrary to the strategic objectives of Northern & Western Regional Assembly to deliver a railway. Cllr. McClearn concurred with Cllr M. Connolly and noted that the recently published report by the Department of Transport carried out by Ernst & Young was unclear in a number of areas.

On the **PROPOSAL** of Cllr. McClearn **SECONDED** by Cllr. Broderick the Members **AGREED** to invite a representative from both the Department of Transport and Ernst & Young to address the Members, virtually or otherwise, to provide clarification on the recently published Ernst & Young Report on the Western Rail Corridor at the February Plenary Meeting.

***The Cathaoirleach deferred further discussion to the adjourned virtual meeting on meeting on Monday 1<sup>st</sup> February.***

## **NOTICES OF MOTION**

### **ITEM NO.12 - NOTICE OF MOTION**

**3731**

Cllr. Kinane submitted the following Notice of Motion prior to the meeting:

*"That Galway County Council contact the Minister for Housing, Local Government and Heritage as to when will his Department issue a circular to Galway County Council planning department arising from the Flemish decree judgment of the European Court, the effect this judgement will have on Irish planning practice and in turn Galway County Council Development Plan 2022-2027".*

The Notice of Motion was deferred to the adjourned meeting on Monday 1<sup>st</sup> February.

### **ITEM NO.13 - NOTICE OF MOTION**

**3732**

*On the PROPOSAL of Cllr. Dr Francis Parsons and SECONDED by Cllr. Cronnelly the Members AGREED:*

*"That Galway County Council supports the right to Personal Assistance Service (PAS) for disabled people to have freedom, choice and control over all aspects of their lives to enable them to fully participate in an inclusive society as equals. That this local authority would call on the Government and the Minister with responsibility of Disabilities, Anne Rabbitte TD, to enact legislation to standardise and fund additional PA hours."*

Cllr. Carroll queried if the Council is meeting the nationally set 3% target for the employment of people with disabilities. The Chief Executive advised that an assessment of Galway County Council was carried out in the past few weeks and confirmed he will revert with further details.

### **ITEM NO.14 VOTES OF SYMPATHY / CONGRATULATIONS**

**3733**

Cllrs. Roche, Hoade, Ó Curraoin, Killilea, Hynes and Cuddy were joined by all Members in conveying their sympathies to Cllr. Maher following the death of his sister Anita Haverty RIP. Sympathies were also extended to both the Haverty and Maher families.

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

- Margaret Egan, Curranmore, Headford
- Paddy Walsh, Billamore, Oughterard
- Noreen O'Callaghan, Portacarron, Oughterard
- Marty King, Keeraunmore, Ballyconneely
- James Owens & Family, Ballagh, Menlough
- Anne Devlin, 16 Lake View, Glenamaddy
- Brian Biggins, Culleen, Headford
- Patricia Long, Kiltogue, Claregalway
- Phyllis Delaney & Family, Monard, Turloughmore
- Margaret Egan & Family, Curranmore, Headford
- Marie Lyons & Family, Knockdoe, Claregalway
- Catherine Murphy Solicitors, Main Street, Headford

**Resolutions of Congratulations**

Cllr. O'Curraoin congratulated the Mayor of Boston, Marty Walsh on his recent appointment to the post of Labor Secretary by US President Joe Biden. The Cathaoirleach said he had written to Mr Walsh congratulating him on his nomination and confirmed he extended an invitation to him to visit County Galway during his term.

Cllr. Cronnelly was joined by all Members in congratulating Cllr. Dr. Francis Parsons on her daughter, Béibhinn Parsons, recently being named the Guinness Rugby Writers of Ireland Women's Player of the Year Award 2020.

The Cathaoirleach adjourned the meeting to reconvene virtually at 11:00 am on Monday 1<sup>st</sup> February.

**MINUTES OF DEFERRED COUNCIL MEETING**  
**OF GALWAY COUNTY COUNCIL**

**Held remotely**

**Monday 1<sup>st</sup> February 2021 at 11:00am**

**CATHAOIRLEACH:** Cllr. James Charity  
Cathaoirleach of the County of Galway

**I LATHAIR FREISIN:** Baill: Comh./Cllr. T Broderick, J. Byrne, I. Canning, L. Carroll, D. Collins, D. Connolly, M. Connolly, G. Cronnelly, D. Ó Cualáin, J. Cuddy, S. Curley, T. Ó Curraoin, Albert Dolan, G. Donuhue, G. Finnerty, D. Geraghty, S. Herterich Quinn, M. Hoade, C. Keaveney, P. Keaveney, 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. K. Kelly, Chief Executive (Interim), Mr J. Cullen, Director of Services, Ms E. Ruane, Director of Services, Mr L. Hanrahan, Director of Services, Mr G. Mullarkey, Head of Finance, Ms. C. Delaney, Administrative Officer Ms. I. Martyn, Senior Staff Officer, Ms. U. Ni Eidhín, Oifigeach Gaeilge, Ms. B. Ryan, A/Staff Officer and Ms. S. Elwood, A/Assistant Staff Officer, C. Averill, IS Project Leader, M Martyn, Head of IT

**Thosnaigh an cruinniú leis an paidir.**

The Cathaoirleach took a roll call of all members present. He commenced the meeting taking items remaining under Cathaoirleach Business from the Meeting on 25<sup>th</sup> January.

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

**3730**

The following motion was **PROPOSED** by Cllr. Broderick.

*"To take back the current tender for a feasibility study, and amend the wording to exclude, any inconsistency with our current County Development Plan, and also to remove any conflict that arises with the RSES from the NWRA, particularly in relation to RPO 6.13."*

Cllr. Broderick queried the reference to the railway included in the tender document for the feasibility study.

Cllr. C. Keaveney raised concerns about the precedence it would set if Members were to alter the wording of tender documents, he said there was good reason why Members were not involved in the minutiae of a tendering process. Ethically, he considered it was overstepping the role of members to become involved in any tender process. He sought clarification from the Director of Services and the Cathaoirleach on this point.

Cllr. Reddington and Cllr. Herterich Quinn said they didn't want to interfere with an executive decision or the tendering process.

Cllr. Killilea agreed with Cllr C. Keaveney and noted that Members had agreed in January to allow the executive to submit an application for funding for the feasibility study. The purpose of the study was to have an open and objective view of where the greenway should go taking into account all relevant factors.

Cllr. McClearn referred to the County Development Plan and Regional Spatial and Economic Strategy and said our ambitions in respect of the railway were clearly set out. He said the fundamental question was whether or not the County Development Plan was sacrosanct. He queried if members could amend and change it when it suits. He

expressed concern that a lot of time and effort goes into County Development Plan and said there was little point in engaging in the process if it can be thrown aside. He stressed this issue wasn't about having a greenway, everyone supports the concept of a greenway however, for the coherent redevelopment of the West of Ireland, rail needs to form part of it. He considered the Ernst and Young Report to be a flawed document.

Cllr. Kinane while fully supporting the feasibility study noted her concerns on deviating from the County Development Plan and sought clarification on this point from the executive.

Cllr. Byrne suggested that we are not deviating from County Development Plan, and he pointed out that the Regional Spatial and Economic Strategy welcomes the development of greenways. He said the feasibility study would serve to inform us about what we want in the next County Development Plan. He said we should heed the JASPERS report funded by the ECB and allow the tender process to proceed.

Cllr Roche agreed and said people had waited patiently for the Ernst & Young review to be carried out and published. He noted both the Ernst & Young and JASPERS reports found the railway was not viable.

Cllr. Maher concurred with Cllr. Roche stating that costs associated with reopening this issue would be prohibitive.

Cllr. Welby expressed concern that the debate was becoming a case of either "greenway or railway". He noted the merits of both were very good. Cllr. Geraghty considered both the rail and greenway projects were needed and said both could provide opportunities in terms of tourism and industry. He said the rail corridor issue had implications for other counties like Mayo and Donegal and while not viable now it may be viable in 10 years' time.

Comh. Ó Curraoin agreed, stating there was room for both, and encouraged Members to work together to ensure that this is achieved. He referenced the plans to redevelop Galway Docks and said rail could be used to bring both people and freight to the docks. He highlighted the opportunity for a rail link from Derry to Cork.

Cllr. Carroll outlined the importance of rail connectivity between Sligo, Mayo and Galway down to Clare and Limerick saying it would be a great boost for tourism in the west. He supported both the reopened railway line and a greenway. He supported the call for the reference to the railway line to be removed from the tender. He agreed with Cllr Welby who had noted if you specify on the tender document a particular route there is danger you are pointing Consultants in a particular direction. Cllr. McKinstry highlighted the success of Phase I of the rail corridor from Limerick.

Cllr. Cuddy agreed that it was important not to block any future development for rail infrastructure to Donegal. He noted Sligo and Mayo were in favour of opening of the rail corridor. He said future generations will not thank us for removing vital infrastructure. He supported a greenway but added it doesn't have to be on the rail line. Cllr. Donohue agreed and said she was supporting both the greenway and railway.

Cllr. Murphy stressed the rail corridor was a regional issue. He noted while it has not been used for a number of years, it is a piece of infrastructure that couldn't be replaced if removed. He considered it was not a good idea to replace it with a greenway.

Cllr. Canning said the tender process should continue as planned, noting the feasibility study will provide professional advice ensuring good planning for future generations. He said Members could decide on what they want when the study is completed.

Cllr. Hoade stressed it was important to have clarity on what members have asked for before voting on the proposal.

Cllr. M. Connolly said looking to the future we have to develop our infrastructure. He said the rail corridor was not only a Tuam or Galway issue and stressed the importance of protecting the line to retain the option to have it reopened. He referenced the success of the Limerick to Galway route which he said was outstripping passenger numbers on the much-hailed Dublin to Belfast route. He also noted that when talking nationally about Rapid Rail, Galway is not being mentioned. He urged Members not to miss a huge opportunity. He confirmed he was also supportive of greenway infrastructure but not on the rail line. He sought clarification on the objectives of County Development Plan and

Regional Spatial and Economic Strategy in terms of the rail line. He said it was the responsibility of all Members to protect the integrity of the planning process.

Referring to a comment by Cllr. Roche, Cllr. McClearn said he brought forward a motion regarding the Western Rail Corridor in December 2018. He clarified there was no outside influence on this motion but noted two Dáil deputies sat in the chamber at that meeting and tried to influence Members to vote against his motion.

In response the Cathaoirleach clarified that Cllr. Roche didn't identify a councillor directly. He said it would be helpful if he withdrew the remark. Cllr. Killilea asserted that either personally or politically he would not be influenced by any deputy who would sit in the chamber.

**Members queries were responded to as follows by Mr. J. Cullen:**

- He said the objectives of the County Development Plan and Regional Spatial and Economic Strategy stood in their own right. He clarified that carrying out a feasibility study had no implications on the integrity of the County Development Plan or Regional Spatial and Economic Strategy as it is a feasibility study to decide if there is a viable greenway route to link towns in the study.
- He clarified the feasibility study doesn't give authority to carry out any development. Any development carried out will be subject to compliance with the County Development Plan and Regional Spatial and Economic Strategy and subject to approval of the full Council or An Bord Pleanála.
- He confirmed the feasibility study requires consultants to look at all viable options, consulting with key stakeholders including Irish Rail. They will report back if there is a viable option and if there is more than one option, they will make a recommendation.
- He said the issue had been debated at length going back to December 2018. A resolution passed at that meeting was followed by clarification issued to Members by the Chief Executive about the decision made. Following this an application for funding was made which was unsuccessful. In early 2020 a resolution was passed for a new application for funding which proved successful and gave rise to current proposal.

- He said it was always the objective to give effect to the decision of Council but he added it was not always clear what the Council wanted in relation to this issue.
- Referring to Cllr. Broderick's motion he advised that the wording needs to be specific about what action is required.

Cllr C. Keaveney queried if it was possible to have a comparable debate about setting the terms of reference across other areas where the executive take on the board the view of elected members.

In response Mr Cullen advised that tender for services formed part of the operational functions giving effect to policies decided by the council. He said a decision was made by Council to make an application for a feasibility study and the tender documentation is the implementation of that wish.

Regarding executive and reserved functions, the Cathaoirleach clarified that Members must comply with part 14 of Local Government Act 2001, otherwise a motion is not binding on the Executive. He explained that it is often the case that motions are passed seeking to influence matters not within the remit of members, e.g. calling on the Executive or Ministers to do something. He noted that while these motions were not binding, they are always viewed in an advisory basis.

Cllr. Broderick clarified he had no issue with the feasibility study. He was looking to remove reference of the railway from the tender document. This was about the Western Rail Corridor and the integrity of County Development Plan.

The Cathaoirleach sought clarification from Cllr. Broderick on the wording of the motion presented.

The following counterproposal was **PROPOSED** by Cllr. McHugh Farag **SECONDED** by Cllr. Reddington.

*"I propose that the feasibility study remain as originally intended and originally supported by the chamber of Galway County Council. I propose this in the interest of transparency and fairness, all options should be researched and considered when*

*carrying out the feasibility study for the Quite Man Greenway. This counter motion today follows an almost decade long campaign and numerous votes in the Chamber of Galway County Council and the core MD's in which this alignment is situated. We the elected Cllrs who are also supporters of the Quite Man Greenway gave space to the considerations and reports carried out on the WRC and we ask now that the same mutual respect is given to the feasibility we have strived for in over the past decade."*

The Cathaoirleach called for a vote on the counterproposal

For 23

Cllr. Byrne	Cllr. Canning	Cllr. Charity
Cllr. Collins	Comh. Ó' Cualáin	Cllr. Curley
Cllr. Dolan	Cllr. Finnerty	Cllr. Herterich Quinn
Cllr. Hoade	Cllr. C. Keaveney	Cllr. P. Keaveney
Cllr. Killilea	Cllr. Kinane	Cllr. King
Comh. Mac an Iomaire	Cllr. Maher	Cllr. McHugh Farag
Cllr. McKinstry	Cllr. Reddington	Cllr. Roche
Cllr. Thomas	Cllr. Walsh	

Against 14

Cllr. Broderick	Cllr. Carroll	Cllr. D. Connolly
Cllr. M. Connolly	Cllr. Cuddy	Comh. Ó' Curraoin
Cllr. Donohue	Cllr. Geraghty	Cllr. Mannion
Cllr. McClearn	Cllr. Murphy	Cllr. Dr. Francis Parsons
Cllr. Sheridan	Cllr. Welby	

Abstain 0

No-Voting 0

Cllr. Cronnelly left the meeting at 12:48 and was not present for the vote.

The Cathaoirleach confirmed the countermotion was carried.

On the **PROPOSAL** of Cllr. Collins **SECONDED** by Cllr. Roche the Members **AGREED**:

*"that Galway County Council write to the Minister for Health Stephen Donnelly and the Taoiseach Michael Martin to request that the current restriction of 10 people attending a family funeral under level 5 be extended to allow for 25 people to attend.*

*Allowing 25 people to attend is a level 4 restriction but could be amended and included under level 5 to allow for more immediate family members be present at the final farewell of loved ones.*

*This can be achieved under level 4/5 restrictions and public health guidelines and would really show a sense of empathy towards the heartache that some families are currently experiencing."*

**ITEM NO.9 TO CONSIDER A PROGRESS REPORT ON THE EXTENSION OF EXISTING BURIAL GROUNDS**

3734

*Report dated 21<sup>st</sup> January 2021 was published on the Extranet prior to the meeting.*

Ms. Ruane, Director of Services, gave a brief overview of the Progress Report on the Extension of Existing Burial Grounds.

**The following points were raised by Cllrs. Hoade, Mac Iomaire, Killilea, Ó Curraoin, McClearn, Reddington, Dr. Francis Parsons, Thomas, Mannion, Cuddy, Gerarghy, Maher, Curley, McKinstry, Kinane, Walsh, Donohue, P. Keaveney, Welby, Collins, J Byrne, Cronnelly**

- People are at their most vulnerable when looking for a plot in a burial ground. This can be made more difficult when there is difficulty securing plots. Many burial grounds are now almost at full capacity and the matter needs to be addressed urgently. Land for burial grounds should be secured before capacity is reached.
- Highlighted the rural tradition that people are buried with their family. While we encourage people to come and live in communities, we need to ensure these people who contribute to their local community can have a final resting place in their own locality.

- Concerns raised about the price paid for land. The agricultural value currently being offered to landowners needs to be increased as it is not an incentive to give over land which may be suitable for other purposes.
- Where agreement cannot be reached the use of the CPO process may be an option for the greater benefit of the community.
- It is preferable to work with the community - CPO's not always a good solution.
- Crematoriums need to be considered and encouraged and possibly a public private partnership arrangement.
- Aquamation could also be considered and is very environmentally friendly.
- Furbo Burial Ground was cited as an example of the community working to find a solution to a problem in their area. It is privately owned servicing the area of Bearna, Furbo & Spiddal.
- It was queried whether there is a public policy document in place regarding the erection of monuments and spacing etc. Burial grounds need to be planned out as space is being lost to poor layout and planning. When planning a cemetery, a lawn graveyard should be encouraged to allow safe access for mechanical diggers.
- Byelaws are urgently needed to deal with issues such as dogs in burial ground and decorations on monuments.
- Funding is a significant issue and there is no point in running a campaign to get land for burial grounds if we don't have the funding to purchase. Budget allocations are required for boundary walls, dealing with dangerous trees and there is a requirement to work with communities to install remembrance walls etc within existing burial grounds.
- It was queried as to what the council are doing with the proceeds of the sale of plots and if these funds are reinvested in burial ground provision and maintenance.
- Difficulty sourcing suitable sites in South Connemara due to local topography.
- Suggested rock isn't always a problem. Rock breakers may offer a solution to dig out rock and backfill. Mountscribe burial ground, Kinvara was cited as an example.

- Concern that we may run out of space soon in Renville burial ground Oranmore. Noted it is a county council cemetery but people from the city are being interred there.
- Members must work with the executive to identify potential sites and solutions.

The Cathaoirleach noted that there seemed to be a lack of urgency in terms of burial grounds and he stressed the difficulty for communities. Referring to the agricultural value he noted that there are other factors why landowners are unwilling to sell. He also referred to the model adopted in Furbo cemetery. He looked for clarity on the position regarding pre-sale of plots and the financing provision of burial grounds.

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

- The environment section has commenced the search for areas for extension, and on the basis of order of priority and subject to funding available.
- Referring to the question of purchasing and paying more than agricultural value she advised Members it all comes down to budgets. The budget is finite, hence certain areas are prioritised. She advised that burial grounds need to be funded through the budgetary process and noted that provisions made in the last draft budget weren't passed.
- Budget allocations are available for boundary walls and noted the Conservation Officer is available to advise further.
- Regarding CPO's it isn't necessarily a fast track process and she indicated that it would be used if necessary.
- She outlined some of the challenges in securing suitable sites for burial grounds, particularly in the west of the county, noting environmental designations and geography.
- She confirmed work had commenced on the drafting of burial ground bylaws. The appropriate and respectful use of cemeteries will be addressed in the bylaws. In the interim she agreed that provision of signage may assist to combat the issue of dogs in burial grounds.
- She confirmed plinths form part of all new burial grounds and advised that the Council will endeavour to incorporate some element of remembrance in burial grounds.

**Members queries were responded to as follows by Mr. M Melody**

- Burial ground sites are now available on GIS and reports from caretakers will inform what will be in the pipeline of new projects.
- Regarding site issues in Connemara and suggestions to crush the rock he advised that this would have to be investigated on a site by site basis. There may be public health implications if there are aquifers in the area.
- He confirmed there is a small Columbarium for urns operated by a third party at present located in Renville burial ground.
- He confirmed the charges for burials in Renville vary for city and county dwellers.

**Members queries were responded to as follows by the Chief Executive:**

- He acknowledged it was an emotive subject as outlined and reassured Members there is clear understanding of the importance of the work in this area. He said that while constrained in many ways progress has been made.
- He advised that the suggested presale of plots has proved problematic in other local authorities.
- He agreed to have further discussions with the CPG in relation to the future financing of burial ground extensions and operations. In terms of finance he indicated that there is often a divergence between what we want to achieve and what we can afford. He suggested if we need higher expenditure then we may need to reconsider our approach to pricing plots and while Budget 2022 is sometime away it is never too early to start the discussion. He suggested that burial plots may need to be aligned to the price paid for the land.
- He confirmed permission was granted for a crematorium in Ballinasloe and noted another was considered but permission was refused on technical grounds. The crematorium in Ballinasloe hasn't progressed.

Special thanks were extended to Mr. Padraig Carroll, recently retired, for all his work and assistance in regard to burial grounds and more recently to Angela Quinn.

On the **PROPOSAL** of Cllr. Charity and **SECONDED** by Cllr. Maher the Members **AGREED** that the CPG will consider the financing methods of burial grounds and get a

report on the expressions of interest from the current call and come back to Plenary Council within three months.

## **NOTICES OF MOTION**

### **ITEM NO.12 - NOTICE OF MOTION**

3735

On the **PROPOSAL** of Cllr. Kinane **SECONDED** by Cllr. Herterich Quinn the Members **AGREED**:

*"That Galway County Council contact the Minister for Housing, Local Government and Heritage as to when will his Department issue a circular to Galway County Council planning department arising from the Flemish decree judgment of the European Court, the effect this judgement will have on Irish planning practice and in turn Galway County Council Development Plan 2022-2027".*

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

- David Hession, c/o Kingsland, Athenry
- Martin Burke & Tim Melody, Athenry Road, Tuam.

The Cathaoirleach expressed his thanks to all for facilitating the successful move to online meetings and in particular to Ms C. Delaney and Ms. U. Ní Eidhín for their assistance.

**Chrionchaigh an Cruinniú Ansin.**

***Submitted, Signed & Approved***

Cathaoirleach: Jones Chay

Date: 2/3/21

