

COMHAIRLE CHONTAE NA GAILLIMHE
MINUTES OF MONTHLY MEETING OF GALWAY COUNTY COUNCIL
Held at ÁRAS AN CHONTAE, PROSPECT HILL
Monday, 25th September 2023 at 11.00am

CATHAOIRLEACH: Cllr. Dr. E. Francis Parsons
Leas-Chathaoirleach of the County of Galway

I LATHAIR FREISIN:

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

Baill ar líne:

Oifigh: Mr. L. Conneally, Chief Executive, Mr. L. Hanrahan, Director of Services, Mr. D. Pender, Director of Services, Ms. J. Brann, Meetings Administrator, Ms. C. Kilcoyne Senior Executive Officer, Mr. A. O'Connell, Senior Executive Planner, Ms. S. Craughwell, Administrative Officer, Ms. B. Ryan, Staff Officer, Mr. M. O'Donnchadha, Oifigeach Forbartha na Gaeilge, Ms. H. Riordan, Assistant Staff Officer, Mr. P. Scannell, Clerical Officer

Thosnaigh an cruinniú leis an paidir.

The Leas-Chathaoirleach Cllr. Dr. Francis Parsons informed Members the Cathaoirleach was unable to attend the meeting. She advised she was acting in capacity as Cathaoirleach for the meeting.

Prior to the commencement of formal business party leaders and Members joined with Cllr. Hoade in extending condolences to the partner, daughters and mother of Cllr. Damien O'Reilly RIP following his untimely death. Cllr. O'Reilly was a member of Meath County Council, Cathaoirleach of Ratoath Municipal District and an active member of AILG. Members reflected on his commitment to his work and his community and noted his passing was a huge loss not only to his family but to the community he served. On the **PROPOSAL** of Cllr. Hoade **SECONDED** by Cllr. McClearn a minute's silence was observed as a mark of respect.

ITEM NO.1 CONFIRMATION OF MINUTES OF THE FOLLOWING MEETINGS 4196

On the **PROPOSAL** of Cllr. Maher **SECONDED** by Cllr. Hoade the minutes of the Monthly Plenary Meeting held on 24th July 2023 were **AGREED**.

In response to a query regarding the Council's use of HVO fuel Mr. Pender advised there will be a requirement that all vehicles are HVO compliant when updating the Council fleet. He noted in the current procurement process companies receive higher marks in the tender criteria for use HVO vehicles.

ITEM NO.2 CONSIDERATION OF REPORTS AND RECOMMENDATIONS 4197

On the **PROPOSAL** of Cllr. McKinstry **SECONDED** by Cllr. D. Connolly the minutes of Corporate Policy Group held on 17th July 2023 were **NOTED**.

On the **PROPOSAL** of Cllr. M. Connolly **SECONDED** by Cllr. Maher on the recommendation of the Corporate Policy Group it was **AGREED** that Galway County Council hold a Civic Reception to honour:

- Turloughmore U15 Camogie Team, All Ireland Féile Division 1 Winners
- Athenry U15 Hurling Team, Féile na Gael Division 1 Champions 2023
- Martin Mulkerrins, World Senior Handball Champion

- Teresa Smyth, World Transplant Games - Silver Medal winner Darts
- Kennedy Cup winning team
- Sadhbh & Paddy Browne, British Transplant Games

ITEM NO.3 TO FILL A TEMPORARY ABSENCE IN THE MEMBERSHIP OF THE COUNCIL ARISING FROM THE TEMPORARY ABSENCE OF CLLR. KAREY MCHUGH FARAG IN ACCORDANCE WITH SECTION 19 (A) OF THE LOCAL GOVERNMENT ACT 2001 (AS AMENDED) AND STANDING ORDER 75 OF GALWAY COUNTY COUNCIL STANDING ORDERS.

4198

Report dated 14th September 2023 was published on the Extranet prior to the meeting.
The Meetings Administrator confirmed Mr. Steven McHugh was nominated to fill a vacancy in the Membership of the Council following the temporary absence of Cllr. K. McHugh Farag. The Meetings Administrator further confirmed that Mr. Steven McHugh was eligible for membership of the Local Authority.

On the **PROPOSAL** of Cllr. Welby **SECONDED** by Cllr. Cuddy it was **AGREED** that Mr. Steven McHugh would fill a temporary absence in the Membership of the Council arising from the temporary absence of Cllr. Karey McHugh Farag in accordance with Section 19 (a) of the Local Government Act 2001 (as amended) and Standing Order 75 of Galway County Council's Standing Orders.

The Cathaoirleach congratulated Cllr. Steven McHugh on his appointment and welcomed him to the Council. Party Leaders and Members offered their individual congratulations to Cllr. S. McHugh and extended best wishes to him in his new role. The Chief Executive joined with Members extending congratulations and best wishes to Cllr. K. McHugh on the recent birth of her baby Tomás. He welcomed Cllr. S. McHugh to his new position and assured him of the full support of the Management Team to assist him in his new role.

Cllr. S. McHugh thanked the Members and Cllr. K. McHugh for the opportunity. He said he had a steep learning curve but looked forward to his new role.

ITEM NO.4 FILLING OF A TEMPORARY ABSENCE ON THE MEMBERSHIP OF THE JOINT POLICING COMMITTEE. 4199

Report dated 14th September 2023 was published on the Extranet prior to the meeting.

On the **PROPOSAL** of Cllr. Welby **SECONDED** by Cllr. Cuddy it was **AGREED** to appoint Cllr. S. McHugh a member of the Joint Policing Committee arising from the temporary absence of Cllr. K. McHugh Farag.

ITEM NO.5 FILLING OF A TEMPORARY ABSENCE ON THE MEMBERSHIP OF THE ECONOMIC DEVELOPMENT & ENTERPRISE STRATEGIC POLICY COMMITTEE. 4200

Report dated 14th September 2023 was published on the Extranet prior to the meeting.

On the **PROPOSAL** of Cllr. Welby **SECONDED** by Cllr. Cuddy it was **AGREED** to appoint Cllr. S. McHugh a member of the Economic Development & Enterprise Strategic Policy Committee arising from the temporary absence of Cllr. K. McHugh Farag.

ITEM NO.6 FILLING OF A TEMPORARY ABSENCE AS THE CHAIRPERSON ON THE ECONOMIC DEVELOPMENT & ENTERPRISE STRATEGIC POLICY COMMITTEE. 4201

Report dated 14th September 2023 was published on the Extranet prior to the meeting.

On the **PROPOSAL** of Cllr. Welby **SECONDED** by Cllr. Cuddy it was **AGREED** to appoint Cllr. S. McHugh as the Chairperson of the Economic Development & Enterprise Strategic Policy Committee arising from the temporary absence of Cllr. K. McHugh Farag.

ITEM NO.7 FILLING OF A CASUAL VACANCY ON THE MEMBERSHIP OF THE GALWAY ROSCOMMON EDUCATION TRAINING BOARD (GRETB). 4202

Report dated 14th September 2023 was published on the Extranet prior to the meeting.

On the **PROPOSAL** of Cllr. Broderick **SECONDED** by Cllr. Welby it was **AGREED** to appoint Cllr. S. McHugh a member of the Galway Roscommon Education Training Board (GRETB).

ITEM NO.8 FILLING OF A CASUAL VACANCY ON THE MEMBERSHIP OF FORUM CONAMARA CLG. 4203

Report dated 14th September 2023 was published on the Extranet prior to the meeting.

On the **PROPOSAL** of Cllr. McClearn **SECONDED** by Cllr. Maher it was **AGREED** to reappoint Cllr. Mannion a member of Forum Conamara CLG.

ITEM NO.9 TO CONSIDER THE REPORT UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT 2001 ON THE DISPOSAL OF LAND AT (0.14 HECTARES) AT MACKNEY, BALLINASLOE, CO. GALWAY. 4204

Statutory Notice issued in accordance with Section 183(1)(b) dated 25th August 2023 and report dated 14th September 2023 was published on the Extranet prior to the meeting.

On the **PROPOSAL** of Cllr. Broderick **SECONDED** by Cllr. D. Connolly it was **AGREED** to dispose of 0.14 Hectares of land at Mackney, Ballinasloe, Co. Galway in accordance Statutory Notice dated 25th August 2023 and report dated 14th September 2023.

ITEM NO.10 TO CONSIDER REPORT UNDER SECTION 37E (4)(5)(6) OF THE PLANNING AND DEVELOPMENT (STRATEGIC INFRASTRUCTURE) ACT 2006 ON THE STRATEGIC INFRASTRUCTURE DEVELOPMENT APPLICATION SUBMITTED TO AN BORD PLEANÁLA BY EP ENERGY DEVELOPMENTS LTD. TO DEVELOP AN OPEN CYCLE GAS TURBINE POWER PLANT (350MW) AND ASSOCIATED INFRASTRUCTURE ON LAND TO THE NORTH OF TYNAGH POWER STATION, DERRYFRENCH, TYNAGH, LOUGHREA. 4205

Report dated 21st September 2023 was published on the Extranet prior to the meeting.

Mr. Alan O'Connell, Senior Executive Planner, made a presentation to Members on the Strategic Infrastructure Development (SID) application by EP Energy Developments Ltd for a 350MW Open Cycle Gas Turbine Development & Associated Infrastructure at Derryfrench, Tynagh, Co. Galway. He informed Members an application had been lodged with An Bord Pleanála on the 15th of August 2023.

Mr. O'Connell advised Members the purpose of the preliminary report circulated was to inform the Members of the SID application. He set out the legislative context of the application under the Planning and Development Act 2000 and advised Members that

An Bord Pleanála had already determined the proposed development constituted a Strategic Infrastructure Development within the meaning of the Act.

Mr. O'Connell gave an overview of the application lodged and noted:

- the proposed development met a need for electricity generation signaled by Government as being an urgent and appropriate response to the transition to a renewables-based national energy need.
- The site had a history of a recent grant of planning permission.
- The site was characterised by having distinctive advantages which included it being a brownfield site in a rural area, having existing gas and high-voltage connections and infrastructure.
- The use of the site for electricity generation was consistent with Government's most up-to-date policy on climate change, facilitating the transition to increased renewable energy outputs, energy efficiency and for decarbonising of the country's electricity generation system.

He advised Members that the proposed development was aligned with National & Regional Policy objectives included in the following:

- Climate Action Plan 2023
- National Energy Security Framework- April 2022
- Government Policy Statement on Security of Electricity Supply (2021)
- National Planning Framework Project Ireland 2040 (2018)
- Regional Spatial and Economic Strategy 2020-2032
- Galway County Development Plan 2022-2028

Mr. O'Connell drew attention to the Community Gain feature of the SID process noting An Bord Pleanála may attach a condition to permission for an SID development requiring the construction or the financing, in whole or in part, of the construction of a facility, or the provision or the financing, in whole or in part, of the provision of a service, which would constitute a substantial gain to the community.

Mr. O'Connell informed Members the DM Section were currently reviewing the SID planning application including the technical documents received. He noted the closing date and time for submissions was 5.30pm on the 10th of October 2023. He set out the role of Member and the next steps in the SID Process:

- Following receipt of a copy of submissions from prescribed bodies and the public, the Planning Authority are required to submit a report to An Bord Pleanála setting out the views of the authority on the effects of the proposed development on the environment and the proper planning and sustainable development of the area of the authority having regard to Section 34(2) of the Planning and Development Act. 2000.
- Prior to submitting the report to the Bord, the Chief Executive would submit a report to the Members of Galway County Council to seek their views.
- The Members may, by resolution, decide to attach recommendations specified in the resolution to the report. The views expressed at the meeting of the Council where the report is considered would also be attached to the final report.
- The Planning Authority's final report was due to An Bord Pleanála by 5pm 23rd of October 2023.
- An Bord Pleanála indicated they intend to make a decision by the 21st of February 2024.

Members raised the following points and queries:

- The site in question is not a normal brownfield field site. There were tonnes of cyanide left on the site from mining on the site.
- Rehabilitation of the of the overall site must be considered.
- Regarding remediation of the existing site caution is required in terms of what is requested. There is a danger we could unduly burden the project cost wise depending on the type of clean up requested.
- The development if approved would generate significant revenue for the local authority in terms of Rates.
- The impact on the Tynagh community must be positive. There will be little employment from the development so a Community Gain Fund needs to be put in place.
- On the basis of the power output the proposed development could generate a Community Gain Fund of up to €700,000 based on rates paid for a solar farm.
- Can the amount of a Community Gain Fund be quantified in terms of the energy generated?

- While a Community Fund and Rates may be significant, some residents in the community will be alarmed at the proposed development.
- Emissions from the stack in use at the moment have previously exceeded the CO₂ limits. The proposed stack is bigger. Emissions need to be considered.
- 24-hour lighting on the site is currently impacting adjoining landowners. Some farmers are restricted in their use of land.
- The development needs to be supported to ensure stability on the grid.
- From a business perspective the country needs power. This extra power source will also help attract business to the region and create jobs.
- We need power but not at any cost. The public will need reassurance regarding safety. With respect to gas on the site, they need assurance any issues that may arise can be dealt with effectively. It needs to form part of the assessment.
- Regarding a Community Gain Fund who oversees the commitments to the community.

Members Queries were responded to as follows by Mr. O'Connell:

- The peaking plant will augment renewables power when there is a gap in wind or solar power during peak times of demand.
- The application submitted did not appear to have any proposals with respect to Community Gain. A Community Gain condition should be put forward and a relevant condition attached should An Bord Pleanála decide to grant planning permission.
- Regarding quantifying the amount of a Community Gain Fund the only guidelines provided are the provisions in the Planning and Development Act 2000 to which the Bord must refer to when making a decision. Any condition *"shall not require such an amount of financial resources to be committed for the purposes of the condition being complied with as would substantially deprive the person in whose favour the permission operates of the benefits likely to accrue from the grant of the permission"*.
- A company is formed to administer a Community Gain Fund to various projects.
- The proposals don't constitute any alterations to the existing tailing ponds but there are mitigations towards remediation.

The Chief Executive advised Members the proposed facility was of both national and regional importance in terms of grid stability. He noted similar peaking plants would be

located around the country to provide a backup of power in times of high demand when renewables are unable meet the demand. He informed Members the proposed development complied with National and Regional Policy Guidelines and Galway County Council's County Development Plan. He considered it important that Members see every public submission so as to be fully informed of the concerns of the public and other statutory bodies. He assured Members that all the issues they raised would be conveyed to An Bord Pleanála.

Mr. Hanrahan informed Members that Planning Staff would attend the Loughrea Municipal District Meeting on the 9th October. He noted the closing date for final submissions was the 10th October. He advised that the Chief Executive Report would be presented to Members for approval at October Plenary Meeting on the 23rd of October. The report was due to be sent to An Bord Pleanála no later than 5:30pm on the 23rd of October. He assured Members that all comments would be taken on board and form part of the final submission.

The report under Section 37e(4)(5)(6) of the Planning and Development (Strategic Infrastructure) Act 2006 on the Strategic Infrastructure Development Application submitted to An Bord Pleanála by EP Energy Developments Ltd. to develop an open cycle gas turbine power plant (350mw) and associated infrastructure on land to the north of Tynagh Power Station, Derryfrench, Tynagh, Loughrea was **NOTED**.

ITEM NO.11 TO CONSIDER VARYING THE BASIC RATE OF LOCAL PROPERTY TAX IN ACCORDANCE WITH THE LOCAL PROPERTY TAX (LOCAL ADJUSTMENT FACTOR) REGULATIONS 2022. 4206

Report dated 19th September 2023 was published on the Extranet prior to the meeting.

Ms. Ruane gave an overview of the Local Property Tax (Local Adjustment Factor) Report. With respect the variation of the basic rate of LPT for County Galway for 2024 she advised Members that for every 1% variation the result would be plus or minus €152,993 and a 15% increase would yield additional funding available to the Council of €2,294,895.

Ms. Ruane reminded Members that the baseline funding for Galway County Council had been increased by €5,791,181 for 2024 and onwards. She noted that while this increase was welcome the Members had an opportunity to make a decision that would see a further €2.3m available for spending. She advised that the additional funds would afford the Council the opportunity to provide match funding under various schemes such as URDF, RRDF, Outdoor Recreation, Towns and Villages. She stressed it was important to maximise every opportunity for investment in these areas noting towns and villages were at the heart of the social and economic activity of the county.

In terms of financial leverage Ms. Ruane informed Members that with a match funding rate of 20%, a €1m increase in LPT would have the potential to leverage investment of €5m into County Galway. A €2m Increase in LPT would leverage €10m investment.

Ms. Ruane advised Members that as part of the decision-making process in relation to the Local Adjustment Factor on the LPT, Members must consider an examination of the income and expenditure of the local authority. She noted there was a slight level of increase in income projected for 2024 and a significant increase projected in expenditure. She advised a deficit circa €8.5m was a conservative estimate.

On the expenditure side Ms. Ruane highlighted the Strategic Workforce Plan project focused on the Strengthening of the MDs, Tourism, Economic Development, Digitisation, Marine Planning, Climate Change, Project Management Office and a Central media/communications unit. The successful implementation of the plan required an increased staff complement which had been incorporated into the expenditure increase under payroll for new posts. In addition to an increased staff complement she highlighted the requirement for process and service improvement initiatives across the organisation e.g. the digitisation of grant management across the units and the initiation of a project to redesign and redevelop the website. On the income side she noted reductions due to the special grant received in 2023 and also the supplementary support received for rising energy costs and inflation.

Ms. Ruane noted Revenue data which indicated the impact of a 15% increase on the LPT in County Galway, resulting in 43% of households paying an extra 26c per week,

29% paying an additional 65c per week, 18% paying an additional 91c per week and 10% paying an additional €1.17 per week.

Members raised the following points and queries:

- It is not a time to increase the LPT. The public are dealing with a cost-of-living crisis. Many have difficulties in terms of their basic needs and living conditions.
- In the future we can consider rising LPT for specific projects clearly outlined.
- Welcome the increase in the baseline funding figure. Acknowledge the former and current Chief Executives for their work in this regard.
- Acknowledge the work of Minister Daragh O'Brien TD.
- The increase in baseline funding is welcome but totally inadequate. Other local authorities have also received an increase in their baseline funding.
- The baseline funding increase is merely a return of funds that are due to Galway County Council. It is estimated that Galway County Council lost out on approx. €160m since 2009.
- Galway County Council should have received at least €10m. TD's and Senators have let the Council down providing a €5m increase in baseline funding.
- We need to keep the pressure on and continue the work of the previous CEO's.
- As there is no review on baseline funding for another five years will Members be asked to increase LPT in the coming years to help ourselves.
- Clarification sought on following up on people not paying their LPT.
- In relation to the firefighter's settlement estimated to cost in the region of €3m, the Council will have to provide that from our own budget.

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

- We have turned a corner in terms of the baseline funding issue. We must be optimistic about the future. This latest baseline funding instalment we are hopeful is one of a number which will help us to deliver on our ambitions for our County.
- We have an ambitious workplan ahead and this will be set out in a new Corporate Plan next year. I will be asking for more funding from the Department and from within the Council revenue raising capabilities.

- Acknowledge the suggestion that any adjustment in the LPT will require a defined project where money will be spent.
- Galway County Council will be looking for full recovery of costs in terms of the retained firefighters pay deal.
- Revenue are responsible for collecting LPT.

On the **PROPOSAL** of Cllr. McClearn **SECONDED** by Cllr. Welby it was **AGREED** not to vary the basic rate of the Local Property Tax in accordance with the Local Property Tax (Local Adjustment Factor) Regulations 2022.

ITEM NO.12 TO CONSIDER OVERDRAFT ACCOMMODATION FOR THE TWELVE MONTHS 1 JANUARY 2024 TO THE 31 DECEMBER 2024. **4207**

Report dated 18th September 2023 was published on the Extranet prior to the meeting.

On the **PROPOSAL** of Cllr. Hoade **SECONDED** by Cllr. Canning the Overdraft Accommodation for the 12 months, 1st January 2024 to 31st December 2024 was **AGREED**.

Referring to unfunded projects remaining on the Capital Account for some time Cllr. Broderick queried how such projects were dealt with long term in terms of accounting. The Chief Executive advised details would be included in the next Management Report.

On the **PROPOSAL** of Cllr. Curley **SECONDED** by Cllr. Maher Members **AGREED** to suspend Standing Orders to bring forward item No.16 on the agenda.

ITEM NO.16 TO RECEIVE A PRESENTATION FROM SIRO – ‘SIRO BUILD UPDATE TO GALWAY COUNTY COUNCIL’ **4208**

Ms. Amanda Glancy Director of Corporate Affairs and Mr. Denis Cambridge Director of Build SIRO made a presentation to Members on SIRO's build update in County Galway.

Ms. Glancy informed Members that SIRO was a joint venture between ESB and Vodafone rolling out high quality and reliable fibre broadband. She noted it was now available to almost 520,000 homes and businesses in 135 towns and cities around the

country with plans to roll it out to an additional 20 towns reaching over 700,000 premises over the next 4 years.

She advised Members that SIRO was a wholesale open-access network providing fibre broadband through 20 retailers nationwide. She outlined the advantages of high quality and reliable fibre broadband for individual:

- Allows people to live and work locally.
- Ensures more money stays in the community.
- Reduces commuting, improves quality of life and the environment.
- Fibre is the greenest network.
- Consumers and businesses can access high quality, reliable and future proofed broadband.
- With a range of 20 retailers, there is greater choice for the consumer and increased market competition.

Ms. Glancy advised Members that SIRO connectivity was in partnership with three Galway Digital Hubs – PorterShed, Comworks and Crew Digital. She outlined the advantages of high quality and reliable fibre broadband from a business perspective:

- Businesses can utilise Cloud and digital tools.
- Supports remote and hybrid working (30% of Galway workers).
- Future proofed to meet increasing data demands – 2G and 10G.
- Makes County Galway a more attractive place to do business.

Mr. Cambridge gave a brief overview of SIRO's build project to date in Galway:

- Works in Bearna and Oranmore are now completed. 3,000 premises have been connected. Residential and commercial premises are included.
- The network build has been completed in Loughrea (2,850).
- The network build is currently under way in Ballinasloe (2,300). It is expected to be completed by Q1, 2024.
- Work is planned for Athenry (1,800) and Gort (1,300). Crews are currently on the ground in Athenry and Gort will follow.

Members raised the following points and queries:

- Loughrea has been lucky to have already receive a broadband upgrade. One hundred businesses have already availed of the new digital hub – Camworks.

- Concerns raised that Tuam was not mentioned in the presentation. Clarification sought on a time frame for the Tuam area and when it can expect the service.
- There is a demand in Tuam for much better broadband. The quality of broadband currently available in Tuam is poor.
- When do SIRO anticipate the roll out of fiber broadband services to households in rural areas, to provide competition and cost-effective broadband?
- In many rural areas there are cases where broadband services were delivered to dwellings at the top of a road but not extended to the rest of the dwellings on the same road.
- Mountbellew has an agricultural college and the highest level of commuters in County Galway. Remote working is not possible due to the lack of broadband. The Broadband Officer has indicated that it may be 2025 or 2026 before rollout will happen. Could SIRO assess the situation in the short to medium term.
- Can Siro connect commercial units located outside the urban area?
- Compliment Mr. Noel Madden, Broadband Officer for his ongoing work.

Members Queries were responded to as follows by Ms. Glancy:

- There is no timeline for works to be carried out in Tuam SIRO work on a twelve month trajectory, after Ballinasloe and Loughrea work will follow in Gort and then Athenry. A timeline beyond those projects is not available.
- There are currently two broadband providers in Tuam. Members can provide information on the quality of the broadband services currently in Tuam and it could be examined.
- SIRO will look at Clifden but reiterated that there is no timeline for a project there.
- SIRO do not provide broadband services in rural areas. National Broadband Ireland (NBI) won the tender to provide services in rural areas. They are publicly funded and subsidised. SIRO are not. As it stands SIRO will reach 700,000 to 750,000 households at a cost of €1bn. To provide the same service in rural areas to 540,000 could cost an estimated €3bn. NBI receive state aid to provide the service to rural areas.
- Expanding broadband services to commercial units outside of a town would depend on how far out of the town are situated. If a business park has five or

six businesses, SIRO can try to make that work. Commercial broadband costs are much higher than residential.

ITEM NO.13 REPORTS ON ACTIVITIES AND OPERATION OF BODIES ACCORDANCE WITH SECTION 141 OF THE LOCAL GOVERNMENT ACT 2001 (AS AMENDED BY SECTION 53 OF THE 2014 ACT) 4209

Report dated 11th September 2023 was published on the Extranet prior to the meeting.

On the **PROPOSAL** of Cllr. Kinane **SECONDED** by Cllr. King it was **AGREED** to approve reports on the activities and operation of the following bodies in accordance with section 141 of the Local Government Act 2001 Act (as amended by section 53 of the 2014 act) for the period June 2022 to May 2023 inclusive:

- (a) Lough Corrib Navigation Trustees
- (b) Northern & Western Regional Assembly
- (c) Athenry Heritage and Tourism Co. Ltd.
- (d) Association of Irish Local Government
- (e) Irish Public Bodies Mutual Insurances Ltd.
- (f) Loughrea Heritage Committee
- (g) Local Authority Members Association (LAMA) Committee
- (h) Western Inter-County Rail Committee
- (i) Galway & Roscommon Education & Training Board
- (j) Regional Health Forum Representation, West
- (k) Galway Rural Development Company
- (l) Forum Conamara Ltd.
- (m) Comhar na nOileán Teoranta
- (n) Governing Authority of National University of Ireland, Galway
- (o) Údarás na Gaeltachta

ITEM NO.14 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). 4210

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

On the **PROPOSAL** of Cllr. Roche **SECONDED** by Cllr. Hoade it was **AGREED** to authorise Cllr McClearn to attend AILG Module 4 'Uisce Éireann (Irish Water)- A

Briefing for Councillors' at The Radisson Blu Hotel, Cork on 20th July 2023. (Retrospective Approval).

On the **PROPOSAL** of Cllr. Roche **SECONDED** by Cllr. Maher it was **AGREED** to authorise Cllr. Curley to attend AILG Module 4 '*Uisce Éireann (Irish Water) - A Briefing for Councillors*' at The Radisson Blu Hotel, Sligo (alternative location) on 22nd July 2023. (Retrospective Approval).

On the **PROPOSAL** of Cllr. Maher **SECONDED** by Cllr. Hoade it was **AGREED** to authorise Cllrs. Kinane, Dr. Francis Parsons and Hoade to attend AILG Autumn Seminar 2023 "*The Future of Local Government in Ireland*" at The Park Hotel, Sligo on 13th-14th September 2023 (Retrospective Approval).

ITEM NO.15 TO NOTE THE SUMMARY OF PROCEEDING OF CONFERENCES ATTENDED IN ACCORDANCE WITH SECTION 142 (5F) OF THE LOCAL GOVERNMENT ACT 2001 (AS AMENDED). **4211**

Report dated 25th September was published on the Extranet prior to the meeting.

The Summary of Proceeding of Conferences Attended in accordance with Section 142 (5f) of the Local Government Act 2001 (As amended) was **NOTED**.

ITEM NO. 17 TO CONSIDER THE MANAGEMENT REPORT – SEPTEMBER 2023 IN ACCORDANCE WITH SECTION 136(2) OF THE LOCAL GOVERNMENT ACT 2001 (AS AMENDED). **4212**

Report dated 21st September 2023 was published on the Extranet prior to the meeting.

The Management Report – September 2023, in accordance with Section 136(2) of the Local Government Act 2001 (As Amended) was **NOTED**.

Members raised the following points and queries:

- Acknowledged the Heritage Officer and her team on all the work that went into organising several heritage events across the county in recent weeks.
- Clarification sought on the backlog on inspections carried out by the housing department for refurbishment initiative on vacant homes and derelict grants.
- Request an update and time frame on the Dublin to Galway Greenway.
- Request an update on the delayed cycle lane between Kilcolgan and Clarinbridge.

- Welcome the €29,700 allocated to widening of the footpath at Traught beach. The beach is lagging in facilities, including wheelchair access.
- €18,000 funding requested under the Outdoor Recreation and Infrastructure Scheme to erect information signage for a new cycle route in the Claren area. The objective of the project is to enable transportation of bikes across the lake.
- Concern raised over the pausing of the speed limit review in light of the proposed national speed limit legislation. Members Reserved Function will be eroded by the proposed legislation.
- Financial considerations surrounding road signage is not a good reason to pause the Speed Limit Review. Speed limits could be painted on the roads.
- Clarification sought on Speed Limit Review submissions already made by community groups. Will these be considered in the interim? Enactment of legislation may take considerable time. Speed limits at priority locations around the county need to be addressed immediately due to safety concerns.
- It would be more prudent to enforce the current limits than change them. Gardai do not have the resources to enforce the existing legislation.
- Commuter times from rural areas need to be considered in any Speed Limit Review. Private bus operators work to tight schedules. Reduced speed limits may undermine the already limited service in rural areas.
- Request an update on the closure of Castlerea Fire Station.
- Request an update on use of CCTV footage in efforts to combat illegal dumping.
- Existing education and health services are already lacking in Ballinasloe. With the construction of modular houses for refugees services need to be put in place before they arrive.
- Update requested on the sale of the site at St. Brigid's Hospital in Ballinasloe which will provide a domestic violence refuge for women and children.
- Acknowledge the work on the public consultation on the Climate Action Plan which received over 700 submissions.

Members Queries were responded to as follows by Ms. Kilcoyne:

- Regarding Vacant Homes inspections the work has been slow in carrying out inspections. An external consultant was appointed but delays remain.
- HR are currently recruiting a member of staff to provide inhouse support.

- The housing vacant home survey details derelict sites on the register and shows properties that can be progressed to purchase by Galway County Council in Ballinasloe, Tuam and Oranmore. The vacant house survey will be completed in 4 weeks.

Members Queries were responded to as follows by Mr. Pender

- The speed limit review being undertaken by Government will require a change in legislation.
- It is considered best to pause the Council's Speed Limit Review from a financial resource point of view. Signs purchased based on the review may not be required under the new legislation.
- There is a commitment to do a Speed Limit Review once the new regulations come into force. It is expected they will be ready early next year.
- Submissions already made will be reviewed in line with the new regulations.
- New submissions will be accepted but cannot be progressed until the new legislation is received.
- A time delay has occurred on the Greenway project due to the consultants RPS stepping away from the project. Consultations with the landowners are still ongoing. It is expected to have new consultant in place in Q1 2024. It is still the intention to lodge the application with An Bord Pleanála in 2024.
- Will revert with an update on the cycleway from Clarinbridge to Kilcolgan.

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

- Road safety is not limited to road signage. The message needs to be communicated that speed limits are a guide and not a target. Safe passage for pedestrians, cyclists and other road users is paramount.
- The National Speed Limit Review is of such a magnitude that it requires primary legislation to underpin it. There will be a workshop in October with the NTA, TII Department of Transport and An Garda Síochana.
- Legislation will be before the Dáil before the end of the year. Byelaws will need to be updated in Q1 and Q2 2024. There will be significant change required in terms of actual speed limits and behavioral change.
- If there are particular areas of concern in terms of safety, they can be examined.

- Regarding the use of CCTV there is ongoing work nationally to address the issue. For local authorities it is a very important issue. In order to address it three codes of practice have been set out by the Department of the Environment and Climate Change, the Department of Housing and Justice and the Data Protection Commissioner. The LGMA are representing the CCMA in discussions. They have a dedicated team working on agreeing the code of practice. An update will be provided as soon as it becomes available.
- The Council will be in discussions with other service providers regarding the provision of wrap around educational and health services for people from Ukraine.
- Castlerea Fire Station issue will be raised with the Chief Executive of Roscommon County Council.
- An update on the womens refuge will be included in next month's Management Report.

In response to a query raised by Cllr. Broderick Mr. Farrell confirmed he had met with Fáilte Ireland to discuss the setting up of a meeting regarding the preparation of a list of projects for the Just Transition Funding in Ballinasloe. He advised Members he would meet with Ballinasloe MD Members to identify which projects they wished to have included and confirmed the Chair of Ballinasloe MD would attend meetings with Failte Ireland to discuss plans around the Just Transition Funding.

In response to a query by Cllr. McClearn Ms. Ruane advised she would revert to him with details on why the Shannon Oaks Hotel in Portumna was removed from the Derelict Sites Register.

ITEM NO.18 CHIEF EXECUTIVE'S BUSINESS & CORRESPONDENCE 4213

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

- Letter dated 30.01.20 to Mr. Richard Bruton TD, Minister for Communications, Climate Action & Environment. Resolution – Legislation to reduce the use of plastics.

- Email dated 18.09.23 to Mr. Eamon Ryan, Minister of the Environment, Climate & Communications. Resolution – Legislation to reduce the use of plastics. Reminder
- Letter dated 31.01.22 to Minister Eamon Ryan Minister for Transport. Resolution – Connecting Ireland Proposals for County Galway.
- Email dated 31.07.23 from Minister for Transport. Resolution – Connecting Ireland Proposals for County Galway - Response.
- Letter dated 28.06.22 to Department of Agriculture, Food and the Marine. Resolution – Ash die back.
- Emails dated 11.05.23 & 24.08.23 to Department of Agriculture, Food and the Marine. Resolution Ash die back– Reminder.
- Letter dated 07.02.23 to Mr. Niall Gleeson, CEO of Irish Water. Resolution – Irish Water Invitation to Plenary Council Meeting of Galway County Council.
- Email dated 31.08.23 to Mr. Niall Gleeson, CEO of Irish Water. Resolution – Irish Water Invitation to Plenary Council Meeting of Galway County Council – Reminder
- Letter dated 03.03.23 to Mr. Kevin McCarthy, Secretary General Department of Children, Equality, Disability, Integration & Youth. Resolution – Rights of Persons with Disabilities (UNCRPD).
- Email dated 28.08.23 to Mr. Kevin McCarthy, Secretary General Department of Children, Equality, Disability, Integration & Youth. Resolution – Rights of Persons with Disabilities (UNCRPD) – Reminder.
- Letter dated 03.03.23 to Assistant Secretary General, Department of Children, Equality, Disability, Integration & Youth. Resolution – Rights of Persons with Disabilities (UNCRPD).
- Email dated 28.08.23 from Department of Children, Equality, Disability, Integration & Youth. Resolution – Rights of Persons with Disabilities (UNCRPD) – Acknowledgement.
- Letter dated 14.03.23 to Department of Housing, Local Government & Heritage Resolution – Residential Zoned Land Tax.
- Email dated 29.08.23 from Department of Housing, Local Government & Heritage Resolution – Residential Zoned Land Tax. Response

- Letter dated 28.03.23 to Minister for the Environment, Climate & Communications. Resolution – Election Poster Legislation.
- Email dated 02.05.23 from Minister for the Department of Public Expenditure, National Development Plan, Delivery & Reform. Resolution – Election Poster Legislation. Response.
- Letter dated 28.03.23 to Mr. Roderick O'Gorman TD, Minister for Children, Equality, Disability, Integration & Youth. Resolution – Inclusion of autism on the HMD Form 1.
- Email dated 25.08.23 to Mr. Roderick O'Gorman TD, Minister for Children, Equality, Disability, Integration & Youth. Resolution – Inclusion of autism on the HMD Form 1. Reminder.
- Letter dated 28.03.23 to Ms. Catherine Martin TD, Minister for Tourism, Culture, Arts, Gaeltacht, Sport & Media. Resolution – Accommodation for Tourism Sector.
- Letter dated 01.08.23 from Minister for Tourism, Culture, Arts, Gaeltacht, Sport & Media. Resolution – Accommodation for Tourism Sector. Response.
- Letter dated 28.03.23 to Mr. Darragh O'Brien TD, Minister for Housing, Local Government & Heritage. Resolution – Accommodation for Tourism Sector.
- Email dated 31.08.23 to Mr. Darragh O'Brien TD, Minister for Housing, Local Government & Heritage. Resolution – Accommodation for Tourism Sector. Reminder.
- Letter dated 30.05.23 to Mr. Paschal Donohoe TD, Minister of Public Expenditure, National Development Plan Delivery & Reform. Resolution – Funding for Local Roads.
- Email dated 31.08.23 from Mr. Darragh O'Brien T.D, Minister of Housing, Local Government & Heritage. Resolution – Funding for Local Roads. Acknowledgement
- Letter dated 30.05.23 to Mr. Eamon Ryan TD, Minister for the Environment, Climate & Communications. Resolution – Funding for Local Roads.
- Email dated 28.08.23 from Mr. Eamon Ryan TD, Minister for the Environment, Climate & Communications. Resolution – Funding for Local Roads. Acknowledgement.

- Letter dated 30.06.23 to Ms. Heather Humphreys TD, Minister for Rural & Community Development. Resolution – Cleggan & Inishbofin Airstrips.
- Letter dated 30.08.23 from Ms. Heather Humphreys TD, Minister for Rural & Community Development. Resolution – Cleggan & Inishbofin Airstrips. Response.
- Emails dated 04.07.23 and 31.08.23 to Mr. Niall Cussen, Planning Regulator of the Office of the Planning Regulator. Resolution – Invitation to Plenary Meeting.
- Letter dated 05.09.23 from Mr. Niall Cussen, Planning Regulator of the Office of the Planning Regulator. Resolution – Invitation to Plenary Meeting. Response.
- Letter dated 11.07.23 from Clare County Council. Resolution – Official image of St. Brigid.
- Letter dated 25.07.23 from Cork County Council. Resolution – Reduction of waiting times for driving tests.
- Letter dated 27.07.23 from Waterford City & County Council. Resolution – Active Travel Funding.
- Letter dated 06.08.23 from Mayors for Peace, The city of Hiroshima Peace Declaration & Nagasaki Peace Declaration.
- Mayors for Peace News Flash August 2023.
- Letter dated 05.09.23 from Mayo County Council. Resolution – Croí Cónaithe Scheme.
- Letter dated 12.09.23 from Clare County Council. Resolution – National Car Test Company.
- Letter dated 12.09.23 from Leitrim County Council. Resolution – Ash Tree Conservation Project

Members raised the following points and queries:

- Can the Council consider a scheme to assist landowners to remove trees affected by ash dieback.
- Japanese knotweed and ash dieback are national problems. The Government should fund something which is affecting the whole country.
- The haulage industry incurs significant costs replacing truck mirrors damaged by overhanging trees. Hedge cutting not going high enough.

- Huge burden on local community groups and playgrounds supported by Galway County Council. A member of each group are required to undertake RoSPA training at a significant cost. Community playgrounds should not have to pay this fee.

Members Queries were responded to as follows by Mr. Pender

- Regarding ash die back the official document by the Department of Agriculture Food and the Marine A Guide for Landowners to Managing Roadside Trees has been circulated to all Members.
- Land ownership normally extends to the centre of the road; therefore, it is the landowner – not the local authority – who is responsible for roadside trees and hedges.
- The only situation where general operative would go out to attend a roadside tree would be following a storm. We you the use of chainsaws are prohibited in orange and red weather warnings. During the hours of darkness. If a tree has to be removed a professional arborist is called in.
- The treatment of invasive species is the costliest piece of maintenance work that we do. It is not a once off. It may be two-year process with root systems which can extend deep underground.
- There are no specifications around the height for hedge cutting. It is something that can be reviewed.

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

- The issue regarding community playgrounds and RoSPA training is currently under review.

ITEM NO.19 QUESTIONS

4214

Cllr. Donohue submitted the following question prior to the meeting:

"To ask the Chief Executive to prepare a report with a view to maximising the full potential for Council owned site - land at Caisléan Raithin Ardrahan for the provision of new homes.

Note: Background information I attach for your info correspondence which indicates the potential for a further 15 housing units subject to criteria."

The following reply issued:

"Following the development of Phase 2 of Caisléan Raithin, Ardrahan comprised of 10 additional houses, approximately 1.5Ha of undeveloped land would remain. This area of land is split into two lots (divided by the access road to the existing WWTP). The northern lot is approx. 0.22Ha and the southern lot is approx. 1.28Ha. Taking into account the required separation distances from a WWTP and open space requirements, it is estimated that approximately 0.77Ha of the site has the potential for future housing development.

The development of the remaining available lands of approximately 0.77 Ha is constrained by the capacity of both the WWTP and WTP servicing the existing and approved units. It would be necessary for both to be satisfactorily addressed to facilitate any further development of the site.

There are no further proposals at present for development beyond the currently approved 10 additional houses."

ITEM 20. NOTICE OF MOTION

4215

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

"To ask the Chief Executive to set out in tabular format the following information in relation to Galway County Council LIS Applicants.

- *Number of LIS Applicants on the Councils books broken down in to MD*
- *Duration that applicants have been waiting for approval*
- *Minimum each LIS successful applicant will be approved for*
- *Maximum each LIS successful applicant will be approved for*
- *Length of Road approved."*

The following reply issued:

"Number of LIS Applicants on the Councils books broken down into MD.

Tuam 31; Athenry/Oranmore 07; Ballinasloe 14; Loughrea 09; Conamara 12; Islands 4.

Duration that applicants have been waiting for approval.

The last round of LIS schemes closed in 2021.

Minimum each LIS successful applicant will be approved for.

There is no minimum successful LIS applicants pay. The local contribution is set at 10% for eligible roads with up to and including five beneficiaries and is set at 15% for those with six or more beneficiaries. The total contribution is based on the estimated cost of the project.

Maximum each LIS successful applicant will be approved for.

There is no maximum successful LIS applicants pay. The local contribution is set at 10% for eligible roads with up to and including five beneficiaries and is set at 15% for those with six or more beneficiaries. The total contribution is based on the estimated cost of the project.

Length of Road approved.

Each scheme is different in length."

The following motion was **PROPOSED** by Cllr. M. Connolly and **SECONDED** by Cllr. Kinane:

"that Galway County Council reopen applications for the LIS scheme with immediate effect."

In response Mr. Pender informed Members there was currently 80 roads on the LIS list. He noted it would take at least four to five years to get to the end of the current supplementary list. He stressed that people currently on the list had an expectation that they will get the work done. If the scheme was reopened a person on the current list may have to wait another 10 years to have works completed. He noted the only reason a scheme will come off the list is if the applicants can't come up with the money required.

The Chief Executive considered it was best to defer reopening applications for the LIS scheme to a time when the current list was close to being finalised. He agreed the issue could be re-considered again at the end of Q1 2024. In the meantime, he advised he would request additional funding from the Minister.

ITEM NO. 21 NOTICE OF MOTION

4216

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

"To ask the Chief Executive in relation to the Residential Zoned Land Tax

How many notices have been issued by Galway County Council in relation to Residential Zoned Land Tax (RZL) and can the Chief Executive please break down the Notices issued per Local Electoral Area within the County. "

The following reply issued:

LEA	No. of Notices
Athenry-Oranmore LEA	11
Ballinasloe LEA	10
Conamara North & South LEA	3
Loughrea & Gort-Kinvara LEA	15
Tuam LEA	12
Total	51

Cllr. Donohue sought clarification on the amount of acreage involved.

ITEM NO. 22 NOTICE OF MOTION

4217

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

"I propose that we write to the Senators in Seanad Éireann to ask them to reject the hate speech bill that is currently before them."

Cllr. Thomas **WITHDREW** the Motion.

ITEM NO.23 CATHAOIRLEACH'S BUSINESS

4218

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

"that Galway County write to Minister Norma Foley expressing our dissatisfaction with the current school transport scheme in Galway."

Vast numbers of students are left without a service notwithstanding they qualified in previous years. A complete review is required to resolve this vexed issue."

Members voiced concerns about various issues regarding the current Bus Éireann school service.

On the **PROPOSAL** of Cllr. P. Keaveney **SECONDED** Comh. Mac Iomaire it was **AGREED** to invite Bus Éireann to the chamber to address matters raised by Members regarding the current school transport scheme in Galway.

ITEM NO.24 VOTES OF SYMPATHY / CONGRATULATIONS

4219

A resolution of sympathy was extended to the following:

- Chris Molloy, 1 Temple View, Blackrock, Co. Dublin.
- T.J. Hynes, Carnmore East, Oranmore, Co. Galway.
- McLoughlin Family, Coolegarry, Curraghboy, Co. Roscommon.
- Gerard Fahy, Calfhill, Peterswell, Gort, Co. Galway.
- Lisa O'Malley, Mullagh, Kilcock, Co. Meath.
- Bernie Broderick, Doon, Kilrickle, Loughrea, Co. Galway.
- Brendan O'Malley, Ardnagreevagh, Renvyle, Co. Galway.
- Sarah Higgins, Beaghmore, Caherlistrane, Co. Galway.
- Emer Cunningham Kilgannon, Ballinmanagh, Clarinbridge, Co. Galway.
- Phyllis Flanagan, Cave, Clarinbridge, Co. Galway.
- Anne Waldron, New Line, Athenry, Co. Galway.
- Julie Whelan Smith, 27 Gort na Rí, Athenry, Co. Galway.

A resolution of congratulations was extended to the following:

- Athenry U14 Rounders Club All-Ireland Champions
- Micheál Breathnach's U14 on winning hurling county title (B division)

Chriochnaigh an Cruinniú Ansin

Submitted, Signed and Approved

Cathaoirleach:



Date:

23-10-2023

