

COMHAIRLE CHONTAE NA GAILLIMHE
MINUTES OF MONTHLY MEETING OF GALWAY COUNTY COUNCIL
Held at ÁRAS AN CHONTAE, PROSPECT HILL
Monday, 27th March 2023 at 11.00am

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

I LATHAIR FREISIN:

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

Baill ar líne: Cllrs. S. Herterich Quinn, P. Keaveney, G. King, E. Francis Parsons.

Oifigigh: Mr. J. Cullen, Chief Executive, Mr. A Farrell, Director of Services, Mr. M. Owens, Director of Services, Mr D. Pender, Director of Services, Mr. L. Hanrahan, Director of Services, Ms C. Kilcoyne, Senior Executive Officer, Ms L. Keady, Meetings Administrator, Ms L. Sharkey, Administrative Officer, Ms B. Ryan, Staff Officer, Mr. M O'Donnchadha, Oifigeach Forbartha na Gaeilge, Ms. E. Hoffman, Clerical Officer, Mr P. Scannell, Clerical Officer

Thosnaigh an cruinniú leis an paidir.

ITEM NO.1 CONFIRMATION OF MINUTES OF THE FOLLOWING MEETINGS 4122

On the **PROPOSAL** of Cllr. Carroll **SECONDED** by Cllr. Hoade the minutes of Special Plenary Meeting held on 20th February 2023 were **AGREED**.

On the **PROPOSAL** of Cllr. Killilea **SECONDED** by Comh. O 'Curraoin the minutes of Monthly Plenary Meeting held on 27th February 2023 were **AGREED**.

ITEM NO.2 CONSIDERATION OF REPORTS AND RECOMMENDATIONS 4123

On the **PROPOSAL** of Cllr. Sheridan **SECONDED** by Cllr. Cronnelly the minutes of the of Climate Change and Biodiversity Strategic Policy Committee held on 2nd November 2022 were **NOTED**.

On the **PROPOSAL** of Cllr. McHugh **SECONDED** by Cllr. Carroll the minutes of the Corporate Policy Group held on 20th February 2023 were **NOTED**.

On the **PROPOSAL** of Cllr. M. Connolly **SECONDED** by Cllr. Geraghty the recommendation from the Corporate Policy Group that Galway County Council hold a Civic Reception to honour the Kilkerrin-Clonberne Ladies Football Team was **AGREED**.

The Cathoirleach noted an event following the April plenary was already scheduled to host the Washington County Delegation. He advised an invitation would be sent the Kilkerrin-Clonberne Ladies Football Team for a reception following the May meeting.

ITEM NO.3 TO CONSIDER THE REPORT UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT 2001 FOR THE DISPOSAL OF LAND (0.0084 ha.) AT BALLYEIGHTER, AUGHRIM, CO. GALWAY. 4124

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

On the **PROPOSAL** of Cllr. Geraghty **SECONDED** by Cllr. Walsh it was **AGREED** to dispose of 0.0084 hectares of land at Ballyeighter, Aughrim, Co. Galway in accordance with the terms of the Statutory Notice dated 14th March 2023.

**ITEM NO.4 TO CONSIDER AND APPROVE IF DEEMED APPROPRIATE, THE
GALWAY COUNTY COUNCIL COMMUNITY SUPPORT SCHEMES 2023
PROPOSED LIST OF APPROVALS, IN ACCORDANCE WITH THE
PERFORMANCE OF ITS FUNCTIONS UNDER SECTION 67 OF THE LOCAL
GOVERNMENT ACT 2001 AS AMENDED.**

4125

Report dated 27th March was published on the Extranet and circulated at the meeting.
Mr. Farrell gave a brief overview of the proposed Community Support Scheme 2023 allocations totalling €273,750 under the individual categories of funding - Economic Development, Community Development and Cultural Development. He advised the total amount of applications for funding exceeded the available budget. Only 224 out of the 293 applications received were recommended for funding. Mr Farrell acknowledged Mary McGann and all the team for their work in the preparation of the scheme and thanked the Members for their continued support.

Members raised the following points and queries:

- Welcomed the funding which is a lifeline for many organizations and groups.
- The allocation of funding is a recognition of the work of volunteers and the important role they play in their communities.
- Unsuccessful applicants should be provided feedback on their applications.
- The distribution of funding over the Municipal District areas appeared unevenly spread. The Athenry Oranmore area appears to have received proportionately less than other Municipal District Areas.
- Compliment Mary McGann and the team for their work and ongoing support.

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

- There were two main reasons applicants were unsuccessful - the group may not have been eligible or more appropriate funding was available under another scheme. In all cases feedback was given to all unsuccessful applicants and advice was offered in relation to other potential funding sources.
- The spread of funding over the Municipal District areas was determined by the number of applications submitted from the area.

On the **PROPOSAL** of Cllr. Kinane **SECONDED** by Cllr. Killilea the Galway County Council Community Support Schemes 2023 proposed list of approvals, in accordance

with the performance of its functions under section 67 of the Local Government Act 2001 (as amended) was **AGREED**.

ITEM NO.5 TO CONSIDER AND ADOPT THE ANNUAL REPORT 2022 IN ACCORDANCE WITH SECTION 221(1)(A) OF THE LOCAL GOVERNMENT ACT 2001.

4126

The Annual Report 2022 was published on the Extranet prior to the meeting.

The Cathaoirleach welcomed the extensive report. He thanked the Chief Executive and the Executive team for their support during the year. He thanked the staff for their work. He acknowledged the role of Cllr. P. Keaveney who was Cathaoirleach for the first six months of the Annual Report year. He extended further thanks to the Leas Cathaoirleach and Members for their continued support.

Members welcomed the report.

Members raised the following points and queries:

- In light of a serious lack of resources it is a very positive report which serves to highlight the amount of work done. It is important to acknowledge the huge work carried out by staff.
- Welcome the reduction in housing vacancy rates from 7% to 4%. It is something to be highlighted.
- Concern raised that some HAP applicants only require short-term supports. The current process requires an initial application for social housing which may take a number of weeks prior to allowing an applicant to submit a HAP application. As a result, there are huge delays for those requiring short term support and an inflation of figures of the number of people requiring long term social housing. A review of the process is required.
- Clarification sought on the recent Government announcement allowing local authorities purchase HAP properties where tenants have been issued with notice to quit.

Members Queries were responded to as follows by Mr. Hanrahan

- The reduction in the vacancy rate to just over 4% will be included in the returns to NOAC later in the year. It is expected that there will be a further reduction in the vacancy rate at that stage.
- HAP is a long-term solution for people experiencing housing difficulty. Rent supplement is available from the Department of Housing for people who have shorter term needs such a decrease in their income. It is not necessary in all cases to go on housing list for support.
- The Council awaits further details from the Department of Housing, Local Government and Heritage on the proposed scheme to purchase HAP properties where tenants have been issued with notice to quit.

On the **PROPOSAL** of Cllr. Cuddy **SECONDED** by Cllr. Mannion the Annual Report 2022 in accordance with section 221(1)(A) of the Local Government Act 2001 was **AGREED**.

A discussion on planning followed.

Members raised the following points and queries:

- Concerns were raised on recent decisions to refuse planning permission for cluster developments of up to five houses in unserviced settlement areas. Provision had been made for such cluster developments under Policy Objective RC5 of the County Development Plan as an interim measure until services were provided. The decision contradicts the County Development Plan.
- Would such refusals leave the Council open to litigation?
- Clarification sought on the arrangements for Members to discuss planning matters with planners and on availability of pre-planning meetings in cases of refused applications.
- In terms of planning flexibility is required in rural areas to allow people add extensions/granny flats or to build on existing sites to allow older people downsize their homes and allow young families into larger family homes. It should be considered as an interim measure to free up the housing market and planning.

On the **PROPOSAL** of Cllr. Byrne **SECONDED** by Cllr. Collins

"Galway County Council Forward Planning team propose material alterations or otherwise to amend chapter 4 Rural Living and Development of CDP 2022-2028 to enable family members build extensions/provide 'granny flat' type arrangement in rural areas adjoining the family home. This measure would be of huge benefit in a time of our housing crisis. If necessary, we recommend that the Minister for Housing be written to in order that relevant statutory criteria is amended as a matter of urgency."

In response, Mr. Owens advised the terms of the motion were already covered in the County Development Plan by the relevant policy standard RH12 of: *"Adaptation of Existing Housing Stock Housing or Existing Buildings within the curtilage of the site"*, which facilitated the provision of accommodation for family members subject to compliance with certain criteria. He noted the terms of the motion was further supported by DM Standard 5: *"Dependent Relative Accommodation/Granny Flats (Urban and Rural)"*.

Cllr. Byrne acknowledged RH12 addressed the issue. He suggested the policy needed to be highlighted and stressed a sympathetic view taken in relation to RH12 for young couples who cannot afford another site. The motion was **WITHDRAWN**.

Members Queries were responded to as follows by Mr. Owens

- While Cluster Developments are supported in principle in the County Development Plan under RC5 *"Rural Clustering on un-serviced lands in Villages"* this does not mean an applicant is exempt from complying with other policy objectives and development standards. A refusal of an application is not necessarily a contradiction of the plan. The plan must be read as a whole in conjunction with national and regional guidelines and ministerial directions. Applicants must meet all relevant policy objectives and standards. Meeting one policy objective or standard is not sufficient to grant planning.
- Regarding potential litigation, the planning system incorporates an appeal process. If an applicant or a third party have concerns in relation to a decision of the Planning Authority, there is an option of appeal to An Bord Pleanála.
- There are mechanisms in place for Members to engage with the Planning Department. Since September Members can meet with the relevant planners via the schedule for pre-planning meetings with a dedicated time for the

Members. A dedicated phone number and email address has also been introduced to assist Members.

- Pre-planning meetings are available for all new applications. In the case of a new application submitted following a refusal of planning on the same site with the same plans, the planner's report on the original refusal provides the context and reasons for refusal. With current staffing levels meetings are limited to pre-planning meetings.

ITEM NO.6 FILLING OF CASUAL VACANCY TO THE JOINT POLICING COMMITTEE.

4127

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

On the **PROPOSAL** of Cllr. Hoade **SECONDED** by Cllr. Dolan it was **AGREED** to appoint Cllr. Geraghty to the Joint Policing Committee to replace Comh. O'Cualáin.

ITEM NO.7 TO NOMINATE MEMBERS TO THE SUB-COMMITTEE OF PLENARY TO INTERACT WITH THE NTA REGARDING THE DEVELOPMENT OF PARK & RIDE.

4128

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

Cllr. Roche, Chair of the Transport and Infrastructure SPC, said concerns were raised by Members of the SPC regarding the creation of sub-committee. He stressed Members of the SPC had applied themselves diligently to all tasks put before them. Members were now concerned the creation of a sub-committee may undermine the work of the SPC. He noted Park and Ride already fell within the remit the SPC.

If the sub-committee was to go ahead, he stressed that it should bring back its findings to the Transport and Infrastructure SPC through the Chair. The findings would be included as an SPC Clár item. Following consideration, the SPC would bring the findings to Plenary. They committee should not move outside their remit

Members raised the following points and queries:

- It's important to protect the integrity of all SPC's and the work they are charged to do.
- From a governance point of view no details were provided prior to the creation of the sub-committee on the line of reporting, the remit or rules of the sub-committee. It was rushed decision in reaction to the NTA presentation on Park and Ride locations.

- The creation of the sub-committee was a disrespect to the Chair of the Transport and Infrastructure SPC. As a matter of courtesy, he should have been informed of the intention to form a sub-committee in advance of the Plenary meeting.
- The creation of a sub-committee is an arrogation of functions that should remain part of the Transport and Infrastructure SPC.
- The sub-committee was not intended to undermine anyone. What was presented by NTA at December Plenary as a working proposal for Galway was not acceptable. The decisions around Park and Ride impacts all towns and villages around the city. We need Park and Ride proposals that will work for all.
- We need proper consultation with NTA to get questions answered.
- Galway has a traffic problem. There are several plans in motion including NTA, Traffic Management Plans, Bus Connect and Galway Metropolitan Transportation Plan, but there is a lack of joined up thinking. We need to know how all of these plans will work together and how Park and Ride will be integrated into Local Area Plans in our towns and communities
- The sub-committee will work to identify something workable for Galway and report back to the SPC. Any decision making remains with the SPC. The sub-committee will allow Members to examine the issue in detail.
- sub-committee should bring back strong reasons why Galway City Outer Ring Road should progress.
- The Sub-committee will need the full backing of the Council to get the NTA before us.
- There is no guarantee that the NTA will engage with the sub-committee.
- Commend Members who have given their time to form this sub-committee.

In response to a suggestion the subcommittee could be renamed as a working group Mr. Owens advised Members that as per Standing Orders a motion to amend a resolution could not be revisited for six months following adoption other than by way of notice included on the agenda with the written assent of not less than 20 Members.

On the **PROPOSAL** of Cllr. McKinstry **SECONDED** by Cllr. Welby it was **AGREED** to nominate the following Members to the to the sub-committee of plenary to interact with the NTA regarding the development of Park & Ride:

- Cllr. Kinane
- Cllr. Hoade
- Cllr. Charity
- Cllr. McClearn
- Cllr. Reddington
- Cllr. McKinstry
- Cllr. D. Connolly

Cllr. Geraghty and Cllr. Kelly both noted their objections to the appointment of a Green Party member to this sub-committee. They considered Galway's traffic problems could not be solved without a ring road which the Green Party have publicly stated they do not support.

In response to a query regarding Galway City Outer Ring Road Mr. Pender advised Members that the application had been remitted to An Bord Pleanála for fresh consideration. The planning application will revert to the stance it held on a particular date after An Bord Pleanála's planning inspector made a recommendation on the proposal.

ITEM NO. 8 TO CONSIDER AND IF DEEMED APPROPRIATE TO AUTHORISE THE ATTENDANCE AT TRAINING IN ACCORDANCE WITH SECTION 142(5A) OF THE LOCAL GOVERNMENT ACT 2001 (AS AMENDED). 4129

Report dated 16th March 2023 was published on the Extranet prior to the meeting.

On the **PROPOSAL** of Cllr. Roche **SECONDED** by Cllr. Reddington it was **AGREED** to authorise Cllr. Walsh, to attend the AILG "Annual Conference 2023" at Hotel Kilkenny, Kilkenny on 19th to 20th April 2023.

On the **PROPOSAL** of Comh. O 'Curraoin **SECONDED** by Cllr. Curley it was **AGREED** to authorise Cllr. Walsh to attend AILG Module 1 'A Briefing on the Electoral Reform Act' at Tullamore Court, Hotel, Co. Offaly on 23rd February 2023. (Retrospective Approval)

On the **PROPOSAL** of Comh. O 'Curraoin **SECONDED** by Cllr. Curley it was **AGREED** to authorise Cllr. Maher to attend AILG Module 1 'A Briefing on the Electoral Reform

Act' at the Radisson Blu Hotel, Limerick on 25th February 2023. (Retrospective Approval).

On the **PROPOSAL** of Cllr. Maher **SECONDED** by Comh. O 'Curraoin it was **AGREED** to authorise Cllrs McClearn, Walsh, Maher, Sheridan, Ó Curraoin, Welby, Killilea and Hoade to attend LAMA "Spring Seminar 2023" at the Westlodge Hotel, Bantry, Co. Cork on 2nd to 4th March 2023.

ITEM NO. 9 TO CONSIDER AND IF DEEMED APPROPRIATE TO AUTHORISE THE ATTENDANCE AT CONFERENCES, MEETINGS, OTHER EVENTS IN ACCORDANCE WITH SECTION 142(5) OF THE LOCAL GOVERNMENT ACT 2001 (AS AMENDED).

4130

Report dated 16th March 2023 was published on the Extranet prior to the meeting.

On the **PROPOSAL** of Cllr. McClearn **SECONDED** by Cllr. Hoade it was **AGREED** to authorise Cllr Sheridan to attend the "Association of Irish Regions Conference" at The Four Seasons Hotel Monaghan on 7th to 9th February 2023. (Retrospective Approval)

ITEM NO. 10 TO CONSIDER THE MANAGEMENT REPORT – FEBRUARY 2023 IN ACCORDANCE WITH SECTION 136(2) OF THE LOCAL GOVERNMENT ACT 2001 (AS AMENDED).

4131

Report dated 24th March 2023 was published on the Extranet prior to the meeting.

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

Members raised the following points and queries:

- Concerns raised in relation to the number of housing acquisitions funded for Galway under Housing for All. The allocation of 25 acquisitions out of the 1500 national allocation equates to only 1.5%. Considering the serious underfunding of Galway County Council this is not good enough.
- Clarification sought on the 118 offers of tenancy refused in 2022. In particular concern was raised regarding the high number of applicants, 49 in total, who refused housing offers on the basis the offers were not suitable their needs. Housing should ensure the needs of applicants are taken into consideration.
- Welcome developments on the N84 Galway to Headford Corridor project which will address serious traffic congestion on this route.

- Clarification sought on whether a public transport element is included in the project.
- Requests were previously made to extend the proposed scope of the N84 Galway to Headford Corridor project. Parts of the N84 road outside the current scope are extremely dangerous. Request a clarification and an update from TII.
- Regarding the local government boundary arrangements, it is disappointing after several years of discussion around the amalgamation of the city and county that the City Council are now looking for an extension of the boundaries.
- Oppose in the strongest possible way the proposal by Galway City Council to extend the city boundaries. In essence it is a land grab of the highest income generating area of the county in terms of Rates and LPT.
- The City Council colleagues have showed a lack of respect and courtesy talking about an extension without prior consultation with the County Council. Disappointing the City Manager facilitated it.
- Galway County Council need to send a strong message to the City Council that they are not getting any part of Galway County in the near future.
- Under the National Planning Framework, the target is for at least 40% of all new housing to be delivered within the existing built-up areas of cities, towns and villages. Unclear if this target has been reached by the city. Realistically there will be an extension of the city in years to come.

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

- The 25 housing acquisitions funded for Galway under Housing for All is the initial allocation by the Department. It is not a target.
- Regarding the refusal of offers of tenancy all the requirements on the application form submitted are meet before an offer is made. In some cases it may simply be that the applicant would prefer another area and refuse an offer in the hope another house in preferred area becomes available.

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

- The consultants appointed to the N84 Galway to Headford Corridor project will consider all options to upgrade the N84 from Galway City to Clonboo village. We will write to the TII to seek clarification on extending the route.

- An examination of all ranges of transport to provide a sustainable transport solution will be included in the brief for consultants.

Members Queries were responded to as follows by the Chief Executive

- The Chief Executive referred to the Management report and recent commentary concerning an extension of the City boundary into the County area. He referenced the reports of the Boundary Review Committees none of which had recommended a boundary extension as an option for revised local government arrangements in Galway. He advised that an extension of the city boundary to include Bearna, Parkmore, Oranmore and other areas would render the remainder of the county unviable and could not be countenanced. He stated that, in any event, the level of compensation that would have to be paid in perpetuity by the city to the council would render any such proposal unworkable. He reminded the members there is no provision in the Local Government Acts for boundary adjustments to be initiated by local authorities themselves and it is only the Minister who can do so. And the Chief Executive advised that it was his strong view that no such proposal was under consideration.
- Regarding the Baseline Funding Allocation Review a consultation is currently being undertaken by the Department of Housing, Local Government and Heritage. A formal submission will be prepared on behalf of the council both on the specific questions in the survey and on the underfunding of the council generally with reference to comparative local authorities.
The draft model for funding allocation is based on 5 key indicators: Population, Geographic, Income & Expenditure, Deprivation and National Policy Priorities. Respondents are asked to give a weighted priority to each. It is difficult to advise on weightings without the knowledge of how they are to be used in calculations.

ITEM NO.11 CHIEF EXECUTIVE'S BUSINESS & CORRESPONDENCE. 4132

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

- Letter dated 08.12.22 to Oireachtas Members. Resolution – Derrybrien (Gort Wind Farm Ltd. Site).

- Email dated 06.03.23 from Aoife Molloy, Private Secretary to the Minister for Further and Higher Education, Simon Harris TD. Response – Derrybrien (Gort Wind Farm Ltd. Site).
- Email dated 10.03.23 from Anthony O'Grady, Private Secretary to the Minister for Communications, Climate Action and Environment, Eamon Ryan TD. Response – Derrybrien (Gort Wind Farm Ltd. Site).
- Letter dated 21.12.22 to Niall Gleeson, Chief Executive Officer, Irish Water. Resolution – Gort Public Water Supply.
- Letter dated 07.03.23 from Catherine Lennon, Customer Service Manager, Uisce Éireann. Response – Gort Public Water Supply.
- Letter dated 22.02.23 from Sligo County Council. Resolution – Working family payment and the Fuel Allowance Payment Scheme.
- Letter dated 22.02.23 from Sligo County Council. Resolution – Surgical hub in Sligo and the North-West.
- Letter dated 22.02.23 from Sligo County Council. Resolution – Older and disability grants scheme.
- Letter dated 22.02.23 from Sligo County Council. Resolution – Traceable social media accounts.
- Letter dated 22.02.23 from Sligo County Council. Resolution – Funding to address realignment and other regional roads safety issues.
- Letter dated 23.02.23 from Kerry County Council. Resolution – Awarding of medals to the veterans of Jadotville.
- Letter dated 24.02.23 from Cavan County Council. Resolution – Coillte and Gresham House.
- Letter dated 27.02.23 from Cork County Council. Resolution – Aarhus convention.
- Letter dated 03.03.23 from Westmeath County Council. Resolution – Regional public banking system.
- Letter dated 03.03.23 to Kevin McCarthy, Secretary General at the Department of Children, Equality, Disability, Integration and Youth. Resolution- Rights of Persons with Disabilities (UNCRPD).

- Email dated 06.03.23 from Anne Naughton on behalf of Secretary General at the Department of Children, Equality, Disability, Integration and Youth. Acknowledgement - Rights of Persons with Disabilities (UNCRPD).
- Letter dated 03.03.23 to Assistant Secretary General, at the Department of Children, Equality, Disability, Integration and Youth. Resolution- Rights of Persons with Disabilities (UNCRPD).
- Email dated 07.03.23 from Customer Service on behalf of Assistant Secretary General, at the Department of Children, Equality, Disability, Integration and Youth. Acknowledgement - Rights of Persons with Disabilities (UNCRPD).
- Letter dated 03.03.23 to Minister Heather Humphreys, Minister for Rural and Community Development. Resolution- Local Improvement Scheme 2023.
- Email dated 06.03.23 from Damien Griffin, Private Secretary to Heather Humphreys TD, Minister for Rural and Community Development. Acknowledgement - Local Improvement Scheme 2023.
- Email dated 06.03.23 from Damien Griffin, Private Secretary to Heather Humphreys TD, Minister for Rural and Community Development. Response - Local Improvement Scheme 2023.
- Letter dated 03.03.23 to Mr. Drew Harris, Garda Commissioner. Resolution- Kilconnell Garda Station.
- Email dated 08.03.23 on behalf of Superintendent D. Butler Corporate Services, Garda Headquarters. Acknowledgement – Kilconnell Garda Station.
- Letter dated 13.03.23 from Cheannfort Seán Mac Ghloinn. Response – Kilconnell Garda Station.
- Letter dated 03.03.23 to North and Western Regional Assembly. Resolution- Invitation to Galway County Council Plenary Council Meeting.
- Letter dated 03.03.23 to Mr. Michael Owens, Director of Services Planning and Sustainable Development. Resolution- Meeting between planning department and members.
- Letter dated 03.03.23 to Comreg Commission for Communications Regulation. Resolution- Comreg invitation to Plenary Council meeting of Galway County Council.
- Letter dated 14.03.23 to Department of Housing, Local Government and Heritage. Resolution- Residential Zoned Land tax.

- Letter dated 14.03.2023 from Clare County Council. Resolution – Derelict and vacant properties.
- Letter dated 14.03.2023 from Tipperary County Council. Resolution – Apprentice Schemes.
- Letter dated 14.03.23 from Tipperary County Council. Resolution – Mother and Baby Homes redress scheme.
- Letter dated 16.03.23 from Sligo County Council. Resolution – CF medication Kaftrio.
- Mayors for Peace Newsflash February 2023.

In response to a request for an update on the invitation to North and Western Regional Assembly (NWRA) Cllr. Collins, Chair of NWRA, advised a suitable date was to be agreed.

In response to a query regarding a proposed meeting between the Planning Department and the Members, Mr. Owens advised it was his intention to hold a seminar with Members similar to a seminar held with Planning Agents as soon as resources allowed.

ITEM NO.12 CATHAOIRLEACH'S BUSINESS

4133

On the **PROPOSAL** of Cllr. Curley **SECONDED** by Cllr. Dolan the Members **AGREED**:

"That Galway County Council write to the Department of Disabilities asking that autism be immediately recognised on the Disability and or Medical Information Form (HMD-Form 1) as a category of its own."

Mr. Hanrahan confirmed the issue had previously been raised at national level. He advised that autism was recognised locally in Galway County Council's housing allocation scheme.

The following motion was **PROPOSED** by Cllr. Collins **SECONDED** by Cllr. Reddington:

"that Galway County Council look at the feasibility of allowing concerts and other public art events take place in the airport site."

Cllr. Collins highlighted the demand and lack of suitable venues for large music and arts festival events in the county. In response, Mr. Farrell advised that in respect of the Galway Airport site the Council were open to discussions with promoters. He confirmed they were currently in discussions with a promoter regarding events for next year. He advised the use of the site as a location for such events will be considered as part of the Masterplan for the site. Following Mr. Farrell's response Cllr. Collins agreed to **WITHDRAW** the motion.

ITEM NO.13 NOTICE OF MOTION

4134

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

"That representatives of TII would come before our plenary meeting as soon as possible to give clarification with regard to certain road projects in the county which come within their remit."

Mr. Pender confirmed an invitation would issue to TII.

ITEM NO.14 NOTICE OF MOTION

4135

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

"It is a number of years since Galway County Council passed a motion requesting the presence of IDA representatives to appear before the elected members to outline their regional policy with regard to attracting employment throughout the county of Galway. Many of our towns are ideally equipped to provide employment opportunities. This would help local communities to remain sustainable rather than having to travel long distances to and from work each day and would help to reduce carbon emissions and give people a better quality of life."

The Chief Executive confirmed an invitation would issue to the IDA.

ITEM NO.15 NOTICE OF MOTION

4136

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

"We need to recognise the importance of short-term self-catering accommodation in County Galway as an important tourism product which is an economic driver in many small local communities providing jobs and income streams in farm and rural households. It contributes to the local economy and success of local events and festivals, heritage sites, amenities like marine, boating, fishing, equine, etc. as well as pubs, shops, food and crafters, cafés, amenities and restaurants. The proposed new legislation on short-term self-catering accommodation will not permit stays less than 21 days and I foresee a huge reduction in the availability of rural holiday accommodation as a result. I believe we need to protect our rural tourism offering in County Galway. I wish therefore to propose that Galway County Council write to the Minister for Housing, Local Government and Heritage of Ireland, Darragh O'Brien seeking that voting on the new legislation be postponed until September 2023, to allow time for clarity on planning regulations to be discussed, for all stakeholders to be included and to secure existing offering self-catering accommodation for this year's tourist season."

Cllr. Kinane advised Members that the Department of Tourism had since confirmed the EU Commission had extended a stay on the implementation of the proposed Short-Term Tourist Letting Bill. To seek further clarity on the proposed legislation Cllr. Kinane reworded the motion.

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

"That Galway County Council write to Minister for Tourism, Catherine Martin and the Minister for Housing, Local Government and Heritage Ireland, Darragh O'Brien expressing the importance of short-term self-catering accommodation for the local tourism sector in County Galway and call on both Ministers to meet with all stakeholders to address their concerns and provide further clarity on proposed new planning implications to the bill."

ITEM NO.16 NOTICE OF MOTION

4137

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

" I propose that Galway County Council create a new range of by-laws and protocols for the display and erection of election posters for Local, European, National and Presidential elections, included in this would also be the erection and displayed of posters for referendums. In these by laws/protocols the location and number of posters/displays by individuals should be restricted to a maximum agreed number and in specified locations based on public consultation, as per the by law process.

I am bringing this forward for several reasons:

1. Globally we are moving away from single use plastics and many organisations have outright banned the usage of single use plastics. It is incumbent on us as community representatives and those who wish to contest elections to show leadership on an individual level when it comes to elections and to reduce the usage of plastic in campaigns.
2. Many local groups particularly Tidy Towns organisations have reached out to candidates during campaigns requesting that posters not be erected on poles in towns and villages. Designated locations would reduce the visual impact posters and displays have on towns and villages at a time some of them are being judged in competition. Designated locations would also be safer for motorists and pedestrians ensuring sight lines are maintained and that posters are displayed properly and safely.
3. It will reduce the financial barriers faced by candidates making it a fairer and more even field for all contesting candidates.
4. Every election in recent years this topic has been raised by the public and in the media, we are yet to address it. Now is the time to start this process before the 2024 elections."

The following reply issued:

"The management of protocols for the display of Election Posters are governed by a number of different pieces of legislation. Rules and guidance on this practice is also provided from the Department of Housing, Local Government and Heritage and the Department of the Environment, Climate and Communications when an Electoral Event is called.

Posters may only be erected for a certain specified time period before an election. This time period is either (a) 30 days before the poll date or (b) from the date the polling

day order for the election has been made, whichever provides the shorter period of time.

Posters must be removed within 7 days of polling day. These requirements for election posters are set out under section 19 of the Litter Pollution Act 1997 and the Electoral (Amendment) (No. 2) Act 2009.

There is a requirement for candidates to remove all posters including any cable ties within 7 days of the poll. Failure to comply with these conditions constitutes an offence.

Section 20 of the Litter Pollution Act 1997 gives local authorities powers to serve notices on occupiers of property, visible from a public place, to remove advertisements, if it appears to the local authority that it is in the interests of amenity or of the environment of an area to do so.

Any election posters in place before or after the stipulated timeframe are deemed to be in breach of the legislation and are subject to an on-the-spot litter fine of €150. Local authorities are also responsible for the removal of posters which constitute a hazard to either pedestrians or road users. Complaints about such posters should be made directly to Galway County Council stipulating their exact location to enable to arrange for their removal.

Legislation requires that every notice, bill, poster or similar document having reference to an election or distributed for the purpose of furthering the candidature of any candidate at an election must have printed on its face the name and address of the printer and of the publisher thereof. The omission of the name and address of the printer and publisher is an offence.

Where a person is guilty of an offence of not publishing the name and address of the printer and publisher, such person shall be liable on summary conviction to a fine not exceeding €634.87 or, at the discretion of the court, to imprisonment for a period not exceeding three months or to both such fine and such imprisonment.

The Road Traffic Acts contain requirements in relation to maintaining clear lines of sight for road users which may impact on where posters can be placed, e.g. not on road signs, at traffic junctions or on roundabouts where they may cause road safety risks. It is an offence to erect any sign or notice that makes a traffic sign less visible to road users (Road Traffic Act 1961, Section 95, Subsection 14). Those erecting posters

should exercise extreme caution when on or near roadways and should be aware of their own and other road users physical safety, e.g. crossing busy roads, obstructing footpaths, parking of vehicles etc.

Part 2 of Schedule 2 of the Planning and Development Regulations 2001-2013 provides that the erection of election posters is exempted development subject to certain conditions and limitations and the general restrictions on exemptions provided for in article 9 of the Regulations.

The Environment Department will be in contact with all Councillors and perspective candidates in advance of the next Electoral Event that is called advising them of their responsibilities in the removal and display of election posters.

Each poster that is erected by the Councillors is their responsibility and they must be cognisant of the rules and regulations that surrounds the erection of posters during election time.

Relevant Legislation

1. *Litter Pollution Act 1997, amended by the Electoral (Amendment) (No. 2) Act 2009*
2. *Protection of the Environment Act 2003*
3. *Planning and Development Regulations 2001-2013*
4. *European Parliament Elections Act 1997*
5. *Local Elections Regulations 1995*
6. *Referendum Act 1994*
7. *Electoral Act 1992*
8. *Road Traffic Act 1961*

Based on the legislation that is currently enacted in respect of protocols for the display and erection of election posters for Local, European, National and Presidential elections and referendums, it is considered that bye-laws are not necessary to regulate this area."

Cllr. McHugh acknowledged the issue could not be addressed at a local level and that legislative change was required. On the **PROPOSAL** of Cllr. McHugh **SECONDED** by Cllr. McKinstry the Members **AGREED** to forward the motion as submitted to the relevant ministers with jurisdiction over election poster legislation.

ITEM NO.17 VOTES OF SYMPATHY / CONGRATULATIONS

4138

A resolution of sympathy was extended to the following:

- Paudie Sweeney, Windfield, Newbridge, Ballinasloe, Co. Galway.
- Margaret, Adrian & Michael Whyte, Ballinlass, Mountbellew, Ballinasloe.
- Mary, Keith & Damien McMahon, Carrowleana, Kilkerrin, Ballinasloe.
- Kieran Rocke & family, Gurteen, Mountbellew, Ballinasloe, Co. Galway.
- Frank & Delia Harkin & Family, Gunode, Newbridge, Ballinasloe, Co. Galway.

The Cathoirleach advised Members that this was Mr. Jim Cullen's last meeting as Chief Executive. He acknowledged the tremendous contribution of Mr. Cullen in his role as Chief Executive of Galway County Council since May 2021. As Cathaoirleach he said he had enjoyed the benefit of his advice and wise counsel and witnessed at first hand, his hard work, drive and determination. He noted his dedication, commitment and tireless work on behalf of the Council and County.

The Cathoirleach acknowledged his tireless work with the Members, Oireachtas Members and government departments to make the strongest possible case to address the underfunding of the local authority and to achieve the proper level of funding the county deserves. He considered when the underfunding of the local authority is finally addressed, it will be, in no small part, due to the efforts of Mr Cullen.

The Cathoirleach acknowledged the Chief Executive's exemplary advice and guidance during the consideration and adoption of the County Development Plan. Since the adoption of the plan his role in advancing delivery of the policy objectives of the plan was of greater note. Various successful funding applications, informed by the County Development Plan, resulted in significant additional funding for rural regeneration projects, town and village renewal, streetscape enhancement schemes and the outdoor recreation infrastructure scheme, to name but a few.

The Cathoirleach reflected on various infrastructural projects advanced during his tenure as Chief Executive including, the Moycullen Bypass, the N6 Galway City Ring Road, the Kilrickle and Kilcooley Group Water Schemes, upgrades to the Wastewater Treatment Plants in Athenry, Glenamaddy, Spiddal and Ahascragh, contracts signed for the construction of a new Fire Station in Athenry, progress on the construction of

the Bia Innovator Campus and various housing capital projects delivering much needed new homes.

He acknowledged the Chief Executive's focus on safeguarding and promoting the economic potential of the county. He noted his work in collaboration with the IDA which highlighted the importance of the Strategic Economic Corridor and specific sites that are now earmarked and ready for investment and job creation. Recognising how central tourism was to the economy of Galway the development of the County's first Tourism Strategy was also a key priority for the Chief Executive.

The Cathoirleach highlighted the Chief Executives appreciation of staff as the most important asset of the Council. Despite the limitations imposed by finances, he prioritised the recruitment of staff and strengthened staff numbers in key areas including the housing capital delivery programmes, active travel, energy, climate change, biodiversity and the marine.

In conclusion the Cathoirleach said Mr Cullen had been sincere, reliable and diligent in his approach as Chief Executive noting he never shied away from the difficult decisions. He said he was an outstanding public servant and the Council and County have benefitted greatly from his public service as Chief Executive. The Cathoirleach wished Mr Cullen, his wife Margaret and family every health, happiness and continued good fortune.

Members joined with the Cathoirleach in acknowledging the achievements of the Chief Executive and expressed their best wishes to him and his family for the future.

The Chief Executive said it had been an honour both personally and professionally to hold the position of Chief Executive of Galway County. He expressed his gratitude to the Cathaoirleach, his predecessors Cllr. Charity and Cllr. P. Keaveney and all the Members for their support in the last two years. He thanked the Oireachtas Members for their engagement, particularly in the campaign for additional funding for Galway. He noted that despite financial and staffing restrictions, it was remarkable how much the council had achieved with the Elected Members and Executive working together.

The Chief Executive acknowledged the time and commitment of both Members and planning staff during the Development Plan process which resulted in a plan he considered would serve the Galway County well into the future. He reflected on a

number of important infrastructure projects advanced such as the Moycullen bypass, Active Travel measures, greenways, flood relief works on the Dunkellin and plans for flood relief works in South Galway, Ballinasloe, Clifden and Portumna. He noted the Galway City Ring Road remained a priority for Galway and said he was confident it would receive planning approval from An Bord Pleanála. He reflected on his work with the IDA in the past two years to attract investment to the Strategic Economic Corridor between Oranmore and Athenry and was confident this would come to fruition in the near future.

The Chief Executive reflected on the initial response of staff in March 2021 to the Ukrainian refugee crisis. He noted that the staff in cooperation with the local community responded at short notice to prepare an emergency rest centre for the arrival of the first refugees in Galway. He said the response in a time of crisis was typical of Galway County Council staff. He expressed his appreciation for their commitment and effort sometimes in difficult circumstances.

He acknowledged the support he had received from a strong management team. He expressed thanks to all the team and acknowledged their professionalism, commitment, and drive to make County Galway a better place for all.

The Chief Executive thanked the media for their work reporting on council matters. He gave special mention to Ms Denise McNamara.

He thanked his wife and family for everything.

Chriochnaigh an Cruinniú Ansin.

Submitted, Signed and Approved

Cathaoirleach: Michael Ó hÓigheáin

Date: 24/04/2023

