

COMHAIRLE CHONTAE NA GAILLIMHE
MINUTES OF COUNCIL MEETING OF GALWAY COUNTY COUNCIL
Held at Corrandulla Sports Hall, Cor an Dola, Co. Galway
Monday 19th October 2020 at 11:00am

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

I LATHAIR FREISIN:

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

Oifigh: Mr. K. Kelly, Chief Executive (Interim), Mr A Farrell, A/Director of Services, Mr J. Cullen, Director of Services, Ms E. Ruane, Director of Services, Mr G Mullankey, Head of Finance, Mr L. Hanrahan, Director of Services, Mr. M. Owens, Meetings Administrator/County Secretary, Ms. I. Martyn, Senior Staff Officer, Ms. U. Ni Eidhín, Oifigeach Gaeilge, Ms. B Ryan, A/Staff Officer and Ms S. Elwood, A/Assistant Staff Officer

Thosnaigh an cruinniú leis an paidir.

On the **PROPOSAL** of Cllr. McClearn **SECONDED** by Cllr. Carroll it was **AGREED** to suspend Standing Order 6 on the basis that the meeting was being held in Corrandulla Sports Hall rather than the Lough Rea Hotel & Spa due to the imposition of Level 5 restrictions.

ITEM NO. 1 CONFIRMATION OF THE MINUTES OF THE FOLLOWING MEETING:

3657

(a) Minutes of Monthly Plenary Meeting held on 21st September and 25th September 2020

On the **PROPOSAL** of Cllr. Maher **SECONDED** by Cllr. C. Keaveney the minutes of the Monthly Plenary Meeting held on 21st September were **AGREED**.

On the **PROPOSAL** of Cllr. Byrne **SECONDED** by Comh. O'Curraoin the minutes of the Monthly Plenary Meeting held on 25th September were **AGREED**. Matters Arising

The following queries and points were raised by Cllrs. Byrne, Carroll, Cuddy, Sheridan, Broderick;

- Queried if there were any updates for the Local Authority following the recent Budget 2019 announcements.
- Inquired if commercial rates would be refunded on the basis of rates invoiced or on the rate of collection.
- Sought further clarification on the current restrictions on the duration of plenary meetings.
- Referring to the rate demand on vacant properties queried the assertion that there was "no option but to collect". Suggested a bad debt provision could be used. Requested an update on how much was collected to date and the cost of this collection.
- Queried if Galway Airport, jointly owned with Galway City Council, is being provided to the HSE free of charge
- Queried how much money is owed to Galway County Council by Galway City Council for shared services.
- Regarding recent notification of a €36m increase in the Local Government Fund, queried if we are in line to get something from it.

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

- He confirmed that in terms of overall Budget 2021 there was no specific provisions made for Local Government within the national budget. He noted that the indications are that the situation of Local Authorities will be considered in due course.
- He advised that the general approach to the budget is that additional expenditure in any directorate will not be considered unless it is non-discretionary. He stressed the need to firm up in all other areas of expenditure. He considered

Pensions and Gratuities will be a significant additional expenditure but depends on how many staff retire.

- He advised there is no clarity on how commercial rates will be refunded but expected to get 100% refund, not the rate of collection.
- Regarding the duration of plenary meetings, he said this has been discussed at a national level and by the CCMA and AILG. He confirmed there are revised arrangements requiring completion of business within a 1hr 55 mins timeframe. He noted it had been highlighted that in a situation where Members were gathering before or after meetings, it could impact significantly on 'close contacts'.
- Regarding the rate on vacant properties he advised that it is expected we can collect the amount provided for in the budget. He noted that a significant bad debt provision had been included. He confirmed that nothing has been spent on collection at this time.
- He advised that the Council did not seek money from the HSE in March in light of the pandemic. He noted it was his understanding the City Council carried out work at Galway Airport to facilitate the HSE. He advised if the Members felt that the Council should be charging the HSE, the matter can be looked at. He advised as 50/50 owners, from any income derived we would receive half.
- Regarding monies owed by Galway City for shared services, he didn't have figures to hand.
- He advised Members he had noted the increase in the Local Government Fund but didn't know how it will be distributed. He had sought clarification.

ITEM NO. 2 CONSIDERATION OF REPORTS & RECOMMENDATIONS: 3658

(a) Minutes of Corporate Policy Group Meeting held on 2nd September 2020.

On the **PROPOSAL** of Cllr. Byrne **SECONDED** by Cllr. McHugh the minutes of Corporate Policy Group Meeting held on 2nd September 2020 were **NOTED**.

The Cathoirleach highlighted the agreed recommendation from the CPG meeting that the unspent balance of funding for training and conferences in 2020 be brought forward to 2021 for the specific purpose of attendance at training and conferences and that any re-allocation of the 2021 Budget should take place at the 2021 Budget Meeting.

The Chief Executive noted his concerns regarding the allocation of training and conference funds to Community Groups and in particular the need for Members to disclose to Council any conflict of interest that may arise.

On the **PROPOSAL** of Cllr. C. Keaveney **SECONDED** by Cllr. Curley the recommendation of the Corporate Policy Group of the 2nd September 2020 that the unspent balance of funding for training and conferences in 2020 be brought forward to 2021 for the specific purpose of attendance at training and conferences and that any re-

allocation of the 2021 Budget should take place at the 2021 Budget Meeting was **AGREED**.

(b) Minutes of the Corporate Policy Group Meeting held on 18th September 2020.

On the **PROPOSAL** of Cllr. McHugh **SECONDED** by Cllr. Byrne the minutes of the Corporate Policy Group Meeting held on 18th September 2020 were **NOTED**.

In response to a query regarding the provision of Chains of Office for the Municipal Districts, the Cathoirleach confirmed the recommendation at CPG was not to proceed with the purchase of the Chains of Office, given the current financial circumstances. Regarding the costing of the Chains of Office, the County Secretary confirmed the lowest quote received was €1,800 incl VAT per chain.

(c) Minutes of the Economic Development & Enterprise Strategic Policy Committee of 19th May 2020.

On the **PROPOSAL** of Cllr. McHugh **SECONDED** by Cllr. Hoade the minutes of the Economic Development & Enterprise Strategic Policy Committee of 19th May 2020 were **NOTED**.

(d) Minutes of the Roads, Transportation & Marine Strategic Policy Committee of 21st May 2020.

On the **PROPOSAL** of Comh. O'Curraoin **SECONDED** by Cllr. Donohue the minutes of the Roads, Transportation & Marine Strategic Policy Committee of 21st May 2020 were **NOTED**.

ITEM NO.3 TO CONSIDER REPORT UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT 2001 ON THE DISPOSAL OF 0.019 HECTARES AT COOLE DEMESNE, GORT, CO. GALWAY. 3659

Report dated 30th September was published on the Extranet prior to the meeting

On the **PROPOSAL** of Cllr. Byrne **SECONDED** by Cllr. Finnerty it was **AGREED** to dispose of 0.019 hectares at Coole Demesne, Gort, Co. Galway in accordance with the terms as detailed in the report dated the 30th September 2020.

ITEM NO.4 TO CONSIDER REPORT UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT 2001 ON THE DISPOSAL OF 0.031 HECTARES AT COOLE DEMESNE, GORT, CO. GALWAY. 3660

Report dated 30th September was published on the Extranet prior to the meeting

On the **PROPOSAL** of Cllr. Finnerty **SECONDED** by Cllr. Byrne it was **AGREED** to dispose of 0.031 hectares at Coole Demesne, Gort, Co. Galway in accordance with the terms as detailed in the report dated the 30th September 2020.

ITEM NO.5 TO CONSIDER REPORT UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT 2001 ON THE DISPOSAL OF 0.006 HECTARES AT COOLE DEMESNE, GORT, CO. GALWAY.

3661

Report dated 30th September was published on the Extranet prior to the meeting

On the **PROPOSAL** of Cllr. Byrne **SECONDED** by Cllr. Finnerty it was **AGREED** to dispose of 0.006 hectares at Coole Demesne, Gort, Co. Galway in accordance with the terms as detailed in the report dated the 30th September 2020.

ITEM NO. 6 TO CONSIDER REPORT UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT 2001 ON THE DISPOSAL OF 0.017 HECTARES AT COOLE DEMESNE, GORT, CO. GALWAY.

3662

Report dated 30th September was published on the Extranet prior to the meeting.

On the **PROPOSAL** of Cllr. Finnerty **SECONDED** by Cllr. Byrne it was **AGREED** to dispose of 0.017 hectares at Coole Demesne, Gort, Co. Galway in accordance with the terms as detailed in the report dated the 30th September 2020.

ITEM NO.7 TO CONSIDER REPORT UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT 2001 ON THE DISPOSAL OF 0.037 HECTARES AT COOLE DEMESNE, GORT, CO. GALWAY.

3663

Report dated 30th September was published on the Extranet prior to the meeting.

On the **PROPOSAL** of Cllr. Byrne **SECONDED** by Cllr. Finnerty it was **AGREED** to dispose of 0.037 hectares at Coole Demesne, Gort, Co. Galway in accordance with the terms as detailed in the report dated the 30th September 2020.

ITEM NO.8 APPOINTMENT OF REPLACEMENT NOMINEE TO THE LOCAL COMMUNITY DEVELOPMENT COMMITTEE (LCDC) FROM COMHAR NA NOILEÁN TEO.

3664

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

On the **PROPOSAL** of Cllr. Welby **SECONDED** by Cllr. Mannion it was **AGREED** to approve the appointment of Máire Úi Mhaoláin as a member of Galway County Local Community Development Committee (LCDC).

ITEM NO. 9 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).

3665

Report dated 9th October was published on the Extranet prior to the meeting.

On the **PROPOSAL** of Cllr. Maher **SECONDED** by Cllr. Hoade it was **AGREED** to authorise the attendance of the following member at the *AILG Module 3 Moorhead Report – A Briefing for Elected Members* –in the assigned location of the Hodson Bay Hotel, Athlone on 11th August 2020. (retrospective approval)

Cllr P. Hynes

ITEM NO. 10 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)

3666

Report dated 9th October was published on the Extranet prior to the meeting.

On the **PROPOSAL** of Cllr. Maher **SECONDED** by Cllr. C Keaveney it was **AGREED** to authorise the attendance of the following member at **Celtic Conferences - The Fair Deal Scheme** in O'Donovan's Hotel, Clonakilty Co. Cork. Date to be confirmed.

Cllr. J. McClearn

ITEM NO.11 REPORTS ON ACTIVITIES AND REPORTS ON ACTIVITIES AND OPERATION OF BODIES ACCORDANCE WITH SECTION 141 OF THE LOCAL GOVERNMENT ACT 2001 ACT (AS AMENDED BY SECTION 53 OF THE 2014 ACT)

3667

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

On the **PROPOSAL** of Cllr C. Keaveney, **SECONDED** by Cllr. Maher it was **AGREED** to adopt the report on the Governing Authority of National University of Ireland Galway

On the **PROPOSAL** of Cllr. Carroll **SECONDED** by Cllr. Maher it was **AGREED** to adopt the report on the Irish Public Bodies Mutual Insurances Ltd.

On the **PROPOSAL** of Cllr. Maher **SECONDED** by Cllr. Curley it was **AGREED** to adopt the report on the Galway & Roscommon Education & Training Board

ITEM NO. 12 TO CONSIDER THE MANAGEMENT REPORT – OCTOBER 2020 IN ACCORDANCE WITH SECTION 136(2) OF THE LOCAL GOVERNMENT ACT 2001 (AS AMENDED).

3668

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

On the **PROPOSAL** of Cllr Byrne, **SECONDED** by Cllr. C. Keaveney the Management Report – October 2020 in accordance with Section 136(2) of the Local Government Act 2001 (as amended) was **AGREED**.

ITEM NO. 13 TO FIX A DATE & TIME FOR THE BUDGET MEETING OF PLENARY COUNCIL.

3669

The following queries and points were raised by Cllrs. Killilea, Broderick, Geraghty and McClearn

- The implications for the upcoming budget meeting were queried in light of the anticipated move to higher level Covid-19 restrictions from the current level 3 restrictions.
- In the event it was necessary to adjourn and reconvene the budget meeting the possibility of reconvening the meeting to the afternoon on the same day was queried.
- It was considered two hours was more than adequate for a meeting.

In response, the Chief Executive said the budget meeting was a statutory meeting and must go ahead as prescribed. Unless further advised, he reaffirmed the meeting would go ahead unless there are legislative changes.

The Cathoirleach highlighted the most recent standard operating guidance from the LGMA, AILG and LAMA regarding attendance at meetings and advised the recommended time limit was a maximum of 1hr 55mins.

On the **PROPOSAL** of Cllr Donohue, **SECONDED** by Cllr. Killillea it was **AGREED** to hold the budget meeting of plenary council on Friday 27th November at 11:00am. With the venue to be confirmed.

ITEM NO. 14 TO CONSIDER A REPORT ON THE OPERATION OF BALLINASLOE & TUAM LEISURE CENTRES AND THE IMPACT OF COVID-19 **3670**

Letter dated 16th October was circulated to Members prior to meeting.

Mr. Farrell, Director of Services, briefed Members in relation to the financial impact of Covid-19 on the operations of the leisure centers in Ballinasloe and Tuam. He outlined the background to the current position and set out the financial position based on current projections.

He noted the Ballinasloe and Tuam Municipal District Members had received three briefings to date, including two attended by representatives of Coral Leisure. On the 6th October 2020 Coral Leisure presented accounts estimating a shortfall of €380k to the end of December 2020. Following continued engagement with the operators the estimated net loss for both centers was lowered to €298.5k. This reduction reflected the payment of the restart plus grant, the rates waiver scheme, additional income identified together with additional cost savings.

Mr. Farrell said there was no easy answer to the situation currently being faced. He highlighted the following points:

- Closing the facilities on a temporary basis would have a significant impact on the users of the facilities, including many vulnerable users.
- The length of any closure would have an impact on the costs associated with managing and maintaining the facilities during the period of closure.
- A prolonged closure would incur significant reopening costs.
- A decision to keep facilities open until the end of the year raised further issues for 2021. This would need to be considered prior to the budget meeting.

Mr. Farrell informed Members there was a balance of approximately €182k in the expenditure code for leisure centers, which had not been spent to date in 2020. When taken from the estimated net loss of €298.5k it left an estimated shortfall of approximately €116.5k to the end of December 2020.

He said Coral Leisure had been advised they will have to bear some of the costs associated with the pandemic. He confirmed a request had been made to them to reduce their management fees and noted they had indicated their agreement in principle to this.

The following queries and points were raised by Cllrs Broderick, D. Connolly, C. Keaveney, Sheridan, Welby, Hoade, P. Keaveney, Parsons, Killilea, M. Connolly, Reddington, Byrne, Geraghty, Hynes and McHugh;

- The comprehensive report presented by Mr. Farrell was welcomed. Members acknowledged they had been fully briefed at all stages of the talks.
- It was noted the financial situation had appeared much worse a few weeks ago. The estimated net loss for both facilities was now far more manageable.
- The engagement and effort of all Members was acknowledged. Members from Tuam and Ballinasloe were commended on working together putting the interest of the community first and ensuring facilities remained open. Cllr. Broderick was commended in particular for his role.
- The fact that the financial cost of closing the facilities had been taken into account was welcomed, referencing slumber costs and startup costs. In addition, it was noted that non-economic costs were also given due consideration in terms of general wellbeing of service users and health of more vulnerable users.
- It was considered good news for the staff, the swimming community and the community at large that a stage was reached where it is possible to keep facilities open until the end of the year.
- It is vital for all Municipal Districts that the facilities remain open. It was noted that, despite difficult times financially and Covid related issues, the facilities are public facilities providing a public service to users coming from all areas. A temporary closure would be unpalatable.
- Coral Leisure were acknowledged as having done an excellent job in both facilities since they took over the contract.
- Coral Leisure had cooperated fully in the review and met with staff and Members.
- It was in Coral Leisure's own interest to ensure these facilities are kept open. It was stressed they should take a cut in their management fees showing their willingness to work with us.
- It was suggested the figures and information as presented by Coral Leisure may not have been acceptable to a financial institution.
- It was queried why administrative staff had gone through the figures and dealt with this issue and not the accountants employed by Galway County Council.
- It was emphasised that ratepayers need to get best value for money. The estimated €116.5k required to keep facilities open for three months is hard earned money and will have a direct impact on ratepayers across the county. The need to be forensic in all dealings with Coral Leisure to ensure best value is achieved was stressed. Monthly meetings were suggested to oversee costs such as ESB etc.

Members queries were responded to as follows by Mr. Farrell

- He acknowledged the input from Members in the negotiations with Coral Leisure and said it had been hugely beneficial and assisted him throughout.
- Regarding a reduction in the management fees, he restated that Coral Leisure had indicated agreement in principle to this, but he didn't expect it to be a substantial figure. He noted that leisure facilities were greatly affected by the Covid-19 pandemic and as a sector they were trying to get funding nationally.
- He confirmed the figures presented by Coral Leisure to Galway County Council were their audited accounts for 2018. He noted the details were presented to Members in a way to strike a balance between the information required to make an informed decision and the commercially sensitive nature of the figures.
- He noted an Internal Audit by Galway County Council was carried out on Coral Leisure two years ago and the audit findings were very good.

The Chief Executive reminded Members that the funding of operations of the leisure centers in Ballinasloe and Tuam will be revisited at the budget meeting.

It was **PROPOSED** by Cllr. C. Keaveney **SECONDED** by Cllr. Hoade to approve the report as presented. Cllr. Hoade **SECONDED** the proposal. Cllr. Broderick while not objecting to the proposal, suggested the decision be deferred to Friday, pending confirmation of final figures by Coral Leisure.

Cllr. Broderick subsequently **PROPOSED** the following motion:

"That we defer the decision regarding the pools in both Ballinasloe & Tuam, until the Director of Services comes back with the figure which Coral are willing to absorb. This report can then be considered with all the relevant budgetary implications, at our next meeting". The motion was **SECONDED** by Cllr. D Connolly

A brief discussion took place.

The Chief Executive reminded Members that there was a tight timeframe to the budget meeting. He advised that Members needed clarity about how much was required to keep the facilities open in advance of that meeting. Ideally Members should leave the meeting today with a decision on the matter.

As agreement could not be reached the Cathoirleach called for a vote on the motion as proposed by Cllr. Broderick seconded by Cllr. D. Connolly.

The following was the result:

For 18

Cllr. Broderick
Cllr. D. Connolly
Cllr. Donohue
Cllr. P. Keaveney

Cllr. Charity
Cllr. Cronnelly
Cllr. Geraghty
Cllr. Maher

Cllr. Collins
Comh. Ó'Curraoin
Cllr. Hynes
Comh. Mac an Iomaire

Cllr. McKinstry
Cllr. Reddington

Cllr. Murphy
Cllr. Roche

Cllr. Parsons
Cllr. Welby

Against 20

Cllr. Byrne
Cllr. M. Connolly
Cllr. Curley
Cllr. Herterich Quinn
Cllr. Killilea
Cllr. Mannion
Cllr. Sheridan

Cllr. Canning
Comh. Ó'Cualáin
Cllr. Dolan,
Cllr. Hoade
Cllr. Kinane
Cllr. McClearn
Cllr. Thomas

Cllr. Carroll
Cllr. Cuddy
Cllr. Finnerty
Cllr. C. Keaveney
Cllr. King
Cllr. McHugh Farag

Abstain 0

No-Voting 0

The Cathoirleach confirmed that the motion was defeated.

The approval of the report as **PROPOSED** by Cllr. C. Keaveney **SECONDED** by Cllr. Hoade was **AGREED**.

ITEM NO. 15 TO CONSIDER JOINING THE MAYORS FOR PEACE ORGANISATION.

3671

Report dated September 2020 was published on the Extranet prior to the meeting

On the **PROPOSAL** of Cllr. Carroll **SECONDED** by Cllr. McKinstry it was **AGREED** to join The Mayors for Peace Organisation.

ITEM NO. 16 CHIEF EXECUTIVE'S BUSINESS & CORRESPONDENCE. 3672

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

- Letter dated 28.2.20 from Cork County Council – Resolution, Parental Alienation
- Letter dated 15.9.20 from County Secretary to Cllr. Donohue - Notice of Motion, Councillors Payslips
- Letter dated 16.9.20 from Meath County Council – Resolutions; Bogus Waste Collectors, Local Authority Funding Model and LPT
- Letter dated 16.9.20 from County Secretary to Cllr. Curley - Notice of Motion, Disability Awareness Training
- Email dated 21.9.20 from N. McHugo – Resolution, Parental Alienation
- Letter dated 23.9.20 from Dept. of Housing, Planning & Local Government - HAP Scheme
- Email dated 24.9.20 from Irish Water -Wastewater Infrastructure Investment
- Letter dated 24.9.20 from Kerry County Council - Resolution, Irish Peacekeepers & Battle of Jadoville 1961
- Letter dated 29.9.20 from Louth County Council – Resolution, Financial Impact of Covid-19

- Email dated 29.9.20 from Managing Director, Ireland West Airport - Impact of Covid-19
- Letter dated 2.10.20 from Galway City Council – Resolution, Debenhams Employees
- Letter dated 5.10.20 from County Secretary to Cllr. Reddington - Notice of Motion, County Development Plan
- Letter dated 7.10.20 from Meath County Council – Resolutions, Covid 19 and DUMP
- Letter dated 7.10.20 from Dept. of Housing, Planning & Local Government – Reply to request for a meeting with the Minister.
- Email dated 08.10.20 from Secretary to the Minister for Public Expenditure and Reform - European Regional Development Funds
- Letter dated 9.10.20 from Wexford County Council - Resolution, Irish Water

Matters arising:

The Chief Executive informed Members that arrangements had been made for a meeting with Mr. Peter Burke TD. Minister of State for Local Government and Planning.

With reference to the correspondence dated 7.10.20 received from the Department of Housing Planning and Local Government the following queries and points were raised by Cllrs. Byrne, Hoade, Maher, Carroll, Donohue, McKinstry, M. Connolly, D Connolly

- They expressed their shock and disappointment at the reply received from Minister Burke.
- It was emphasised that well-funded Councils can easily reduce their LPT and noted that Galway County Council did raise LPT in 2012.
- It was reaffirmed that LPT would not be used to prop up the budget deficit.
- The evaluation that Galway County Council had been underfunded by €150m approx. in the 10 years since the establishment of Irish Water was noted.
- A report outlining the amount of funding Galway County Council missed out on as a result of not having the funds to draw down matching funds was requested prior to a meeting with the Minister Burke.

The Cathoirleach advised that he has been seeking a meeting with the Minister for some time. While the meeting was refused, he acknowledged the courtesy of a reply on this occasion. He said citing the decision not to vary LPT for 2021 was short sighted considering the well documented underfunding of Galway County Council.

The Chief Executive advised that it was his understanding that the proposed meeting was about the future and not about the budget for 2021. He noted we should not lose sight of the fact that Galway County Council have drawn down substantial funds and more than our share in many areas.

ITEM NO. 17 CATHAOIRLEACH'S BUSINESS.

3673

The Cathoirleach referred to the correspondence dated 29.9.20 from Knock Airport. On the **PROPOSAL** of Cllr. Charity **SECONDED** by Cllr. Cuddy the Members **AGREED** to:

- *"Call on Government, to provide urgent support through an expanded regional airports programme for the airport to address the enormous financial losses resulting from the devastating collapse in passenger traffic as a result of COVID-19.*
- *Implement the recommendations of the recently published Aviation Taskforce Report and put in place the appropriate financial support mechanism to support and incentivise the restoration of critical air access into regional Ireland.*

Adapt the European Commission's travel measures that are in use across Europe, which maps out a co-ordinated approach to COVID-19 free movement restrictions setting out a clear and concise set of recommendations to reduce the impact of restrictions on EU citizens and the economy while ensuring a high level of human health protection."

It was **PROPOSED** by Cllr. McClearn **SECONDED** by Cllr. Carroll to defer any remaining items under Cathaoirleach's Business and Members' Notices of Motions to the Plenary Meeting on 23rd November in accordance with the relevant provisions of Standing Orders. The Cathaoirleach deemed the proposal to be **AGREED**.

NOTICES OF MOTION

ITEM NO. 18 - NOTICE OF MOTION – CLLR. REDDINGTON

3674

Cllr. Reddington submitted the following Notice of Motion prior the meeting:

"I am calling on Galway County Council to include in the County Development plan the provision for the inclusion of log houses and wooden structure houses where people can apply for such structures where they blend into sites and meet the building and planning regulations".

The following written reply was issued to Cllr. Reddington.

"Submissions on the pre-draft County Development 2022-2028 closed on the 10th September 2020 and the Forward Planning team are currently preparing the CE Report for circulation to the members. Subsequent to that the Forward Planning team will be providing an opportunity to all members to engage with them and to discuss any issue /ideas that they wish to have considered as part of the Draft County Development Plan 2022-2028. Your request has been noted and will be considered as part of the overall formulation of the Draft County Development Plan 2022-2028 at the appropriate juncture".

ITEM NO. 19 - NOTICE OF MOTION - CLLR. WELBY

3675

Cllr. Welby submitted the following Notice of Motion prior the meeting:

"That Galway County Council inform me the amount of plannings, and their reference numbers, where the Housing Need was complied / satisfied solely under policy RHO 1 (d) - the twenty year rule".

The following written reply was issued to Cllr. Welby.

"The records requested are not retrievable in a searchable query. This requires a manual review of all planning permissions granted since 2015, which would require a very significant amount of resource reassignment to this task which is beyond the capability of the Planning Department at this time."

ITEM NO. 20 - NOTICE OF MOTION - CLLR. DONOHUE

3676

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

"That Galway County Council write to Waste Disposal Companies requesting them to include the lift charge in the overall cost of Skip Bags that are currently available at various hardware stores. Currently Skip Bags cost approx €9 for the bag only and one can fill at one's leisure. When the Skip Bag is filled, individuals have to book and pay for the collection of the skip bags, however Skip Bags are being filled and left for a considerable amount of time at locations - as they is no urgency or incentive to remove same. There needs to be a time frame for the removal of Skip Bags similar to what is in place for Metal Skips which is approx 5 days. The lift of a filled Skip Bag is approximately €95, so perhaps a reduced rate of approx €70 would include the lift"

The following written reply was issued to Cllr. Donohue.

"From an enforcement perspective, the local authority sector does not get involved in the pricing of removal of waste whether it be in skips, skip bags or general waste collection, as this is a private competitive market. The National Waste Collection Permit Office issues the permits to collectors nationally. Galway County Council will write to the NWCPO setting out that the LA has received the attached notice of motion and are seeking their views as to whether it would be possible to incorporate a condition regarding the timing of skip bag collections into the permit, or if they have any other views to encourage a reduced lift timeframe".

ITEM NO. 21 - NOTICE OF MOTION - CLLR. DONOHUE

3677

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

"That the Agenda Paper for Council Meetings shall contain three written questions from any one Member. The latest time for submission of questions for inclusion on the Agenda for meetings of the Council or its Committees shall be 10 a.m. on the tenth clear working day before the date of the meeting." Process: Members would submit to the Meetings Administrator three written questions to the Chief Executive relating to the business of the Council or the executive functions of the Chief Executive for written reply. Questions to be noted by the Council on motion without debate.

The following written reply was issued to Cllr. Donohue.

"The Standing Orders Regulating the Proceedings and Meetings of the Council as adopted on the 23rd September 2019 currently provide for each Member to submit three Notices of Motion for written reply for each ordinary meeting of Plenary Council. A similar provision for each Member to submit three Notices of Motion for written reply applies for meetings of the Municipal Districts. The Notice of Motion may and often does take the form of a question. In addition to the provision for Notices of Motion, the monthly Management Report highlights significant developments relating to Executive Functions in an approach agreed by the Corporate Policy Group and there is continuous contact with relevant staff in person, on the phone and through e-mail during which questions and queries are raised and answered. It was previously indicated to the Members that consideration could be given to a Customer Relationship Management (CRM) system that would allow for all Members queries to be submitted centrally and thereafter tracked through to the issue of a response".

ITEM NO. 22 - NOTICE OF MOTION – CLLRS. KINANE & HERTERICH QUINN

3678

Deferred to November Plenary Meeting.

ITEM NO. 23 - NOTICE OF MOTION – CLLR. SHERIDAN

3679

Cllr. Sheridan submitted the following Notice of Motion prior the meeting:

"that Galway County Council notify our rate payers in writing, that no vacancy tax will be proportioned to their vacant properties during the present council term as was voted in 24th November 2019 by the Council Coalition".

The following written reply was issued to Cllr. Sheridan.

"The Members have indicated their wish to consider a motion at the October Council Meeting which would have the effect of revisiting and rescinding a resolution made at the Statutory Budget Meeting on the 25th November 2019 for a 75% relief for commercial rates on vacant properties within the county or in other words the requirement to pay 25% of the commercial rates applicable to a vacant property.

The Members will recall that the resolution was a central part of the balancing and adoption of the budget for 2020.

The relevant statutory provisions and Standing Orders are as follows:

- **s31 of the Local Government Act, 2001 as amended by the Local Government (Reform) Act, 2014 (“the Act”)**
- **s102 Local Government Act, 2001**
- **s103 Local Government Act, 2001**
- **Part V of the Local Government (Financial & Audit Procedures) Regulations 2014**
- **Standing Order 18**

Standing Order 18 makes provision for the revoking or amendment of a resolution passed by the council as follows

Such a motion can only be made on notice inserted in the Agenda, and such notice shall specify the resolution to be revoked or amended and furnish the terms of the motion to be made.

It shall be necessary for the adoption of a motion to revoke or amend a resolution of the Council that not less than 19 members of the total number of members of the Council vote in favour and subject to any statutory requirements.

When passing the resolution on the budget for 2020 the members determined the Commercial Rate for 2020 and approved the annual statutory budget for the year in accordance with s102 and s103 of the Local Government Act 2001.

The proposal to now re-visit the 75% relief on the Commercial Rates applied to vacant commercial properties also raises the question as to whether the 2020 Budget itself must be rescinded and a new approval made by the members in order to effect the change contemplated.

The Members will be aware of the requirement for a balanced budget for the year. If the members were in a position to modify the previous relief afforded to vacant properties as proposed there would be a corresponding reduction in income of €150,000.00 and therefore there must be an equal reduction in expenditure to ensure a balanced budget. This would be difficult to achieve at any time but particularly at this late stage of the year and having regard to the likelihood of accruing a deficit on our revenue account for 2020 due to the Covid Pandemic.

While the Standing Orders, as outlined above, do allow for the Members to revoke or amend a resolution previously passed it is not considered that this can be appropriately applied to the resolution adopting the annual budget. The preparation and adoption of the budget has a statutory procedure and statutory timeframe together with public notification requirements. These statutory requirements cannot be met if the budget were amended at this point and there is no provision in law that provides for the Council to revisit the budget decision as is now proposed.

In any event the proposal would need to meet the requirements of Standing Order 18, would need to be formally included in a Council agenda and the required offsetting expenditure reductions would also have to be identified as part of the motion.

The resolution as passed in 2019 providing for the 25% payment of rates for vacant properties in 2020 but the Members will have an opportunity at their budget meeting in November 2020 to determine whether such a provision would apply in 2021 or whether the Council would revert to 100% relief of commercial rates on vacant properties".

ITEM NO. 24 – VOTES OF SYMPATHY

3680

Resolutions of Sympathy:

A resolution of sympathy was extended to the following:

- Michael John Connolly, Balyglass, Turloughmore
- Bobby Gardiner, Clarke Street, Athenry
- Joan Hoarty, Glenbrack, Gort
- Laura Coppinger, Lydican, Gort
- Chris Thornton, Baile an tSleibhe, Spiddal
- Rose Ní Gríofa, Cor na Rón Láir, Indreabháin
- Bridie Power, Ardskeaghmore, Corofin, Tuam
- Maureen Creaven, Menlo, Galway
- Joe Cooney, Carnmore Cross, Oranmore
- Patrick Carr, Carnmore, Oranmore
- Maggie McDonagh, Desmense, Carraroe
- Joan Hoarty, Glenbrack, Gort

Chriochnaigh an Cruinniú Ansin.

Submitted Signed and Approved:

Cathaoirleach:

James Hayes

Date:

23/11/2020