

COMHAIRLE CHONTAE NA GAILLIMHE

Ceantar Bardasach Bhaile Locha Riach *Municipal District of LOUGHREA*

Minutes of Monthly Meeting of the Municipal District of Loughrea held at the Loughrea Hotel and Spa on 14th June 2021 @ 12.00 noon.

I LATHAIR:

Cathaoirleach

Cllr. G. Donohoe

Baill:

Cllr's. M. Maher, PJ Murphy,
J. Byrne, M. Kinane, I. Canning, J. McClearn,
S. Curley, G Finnerty, P Hynes

Oifigigh:

Ms. E. Ruane, Director of Services
Mr. D. Mitchell, Senior Engineer;
Mr. G. Haugh, Senior Executive Engineer;
Mr. A Farrell; Senior Executive Officer
Mr. F. McGillicuddy, Area Engineer;
Mr. B. Sheehy, Assistant Engineer;
Mr. E. Gallagher, Senior Executive Engineer;
Mr. B McDonagh, Executive Engineer;
Mr A. Cunningham, Staff Officer;
Ms. M. Finn, Administrative Officer;

Confirmation of Minutes of Monthly Meeting of the Municipal District of Loughrea held on 10th May 2021

LMD 2128

The Minutes of the Monthly Meeting for Loughrea MD held on 10th May 2021 were proposed by Cllr Curley, seconded by Cllr Byrne and agreed and signed by the Cathaoirleach.

Cllr Kinane raised the matter of the deputation with Mór Action and Renville Park and requested that an update be received from Mr. Michael Owens in regard to the matter.

Cllr McClearn expressed his thanks for the forthcoming briefing on the Portumna flood relief scheme and the opportunity to discuss same.

He subsequently referred back to the meeting of the Loughrea Municipal District on March 1st and the funding allocation of €180,00 to the Municipal Authority and how the motion for use of the funding was dealt with. He said it was his clear understanding that of the €180,000

allocated to the Municipal District, €60,000 was to go toward a technical member of staff and that €120,000 was for the appointment of additional outdoor staff, one each for the three engineering areas of Gort, Loughrea and Portumna. He felt that the minutes of the meeting of the 1st March did not clearly reflect the motion that was agreed by the members. Cllr McClearn stated that 2 staff that had come to Portumna were replacements for staff that had retired and felt that the Portumna area did not get what was agreed at the meeting of March 1st. He added that that he may seek legal advice on how the motion was implemented.

Cllrs Donohoe, Byrne and Murphy concurred with Cllr McClearn's comments that the monies of €120,000 allocated was for three staff to be appointed across the three areas in the municipal district. Cllr Byrne stated that the intention of the motion as a reserved function was to allocate an outdoor member of staff to Gort, Loughrea and Portumna with the duties assigned an executive function. Cllr Murphy stated that these 3 additional general operatives to be appointed were separate to those staff that may have retired and had to be replaced.

Cllr Maher asked as where that left the staff that had already been taken on and whether those staff would now be moved to other areas within the Municipal district for periods of time as the need arose.

Cllr Canning felt that it was unfair considering there was agreement from all councillors on the motion and that it may not been implemented as was intended.

Cllr Hynes felt that it was an issue of non-implementation as to what was agreed by the elected members in respect of the monies received by the department.

In response, Mr. Haugh stated that as outlined in the minutes of the May meeting of the Municipal District, 4 additional staff had started since 2020. Initially 3 of those staff were distributed with one for each GSS area and with a 4th member of staff allocated to the Loughrea GSS area. This has resulted in a balanced distribution of the general operatives across the whole municipal district and is reflective of the workload that is required for the coming year. A discussion had also been held with each of the GSS's and engineering staff in relation to the distribution of those staff and no disagreement had arisen as to how the staff had been allocated.

Ms. Ruane stated that both she and Mr. Cullen spoke on the matter at the meeting of the 1st March and that her understanding was that the motion referred to the appointment of a technical resource and three general operatives and that the assignment of those was a matter for the engineering team in the area office. She asked for the opportunity to revisit the motion proposed and would revert to the members on same.

Cllr Murphy proposed that they would discuss the response received by Ms. Ruane at the next meeting of the Loughrea Municipal District. This was seconded by Cllr Curley.

Cllr Canning asked for an update on the ramps for St Brigids road, Portumna. In response Mr. Haugh stated that there is a plan for this, and he is to meet the supervisor on the ground this week to mark out how it would proceed.

Alan Farrell updated the meeting on the redevelopment of Loughrea Town Hall. He outlined that the Part 8 Planning was done back in 2013 and an application for funding under the Rural Regeneration Development Fund made back in 2019. Funding was awarded for the Town Hall element of that in March 2020. A procurement process was initiated for a design team which were put in place on the 17th November 2020. He added that due to the level 5 restrictions there had been some issues in terms of getting on site, but they have been able to progress a number of the areas on it. Specialist contractors have been appointed to look at the structure itself as there had been some concerns regarding it and also with the need for asbestos removal. This is expected to be done over the next number of weeks. The structural investigation will inform the actual tender design and the costings process. There has been meetings with the consultants over the last number of months online and it is proposed that as restrictions are eased that meetings will be held fortnightly with them.

Mr. Farrell added that when the Part 8 was done, it was done to the standards at the time and there has been variants that have come up in relation to meeting the design criteria and health and safety guidelines which would be incorporated into the building both in terms of the enterprise and cultural space. This will allow for improvements in terms of the disability access and fire safety. One of the issues that has come with the investigation by the structural team has been an issue with the annex which will also be taken into account.

Mr. Farrell said he was hopeful that there would soon be enough information to complete the detail design process. He added that this would likely confirm the requirement for a new part 8 and secondly the likelihood of an increase in costs as to what was in the original budget allocation. This was something that the Council would have to engage with the department on in terms of their awarding of funding under the RRDF. Mr. Farrell outlined that the Council's architect Mr. Brent Mostert has been in contact with a number of the local stakeholders to advise them of the status of the development. Mr. Farrell summarised that once the details from the site investigation structure and asbestos removal were available then the Council will be able to get closer to finalising the design process.

Cllr McClearn thanked Mr. Farrell for his presentation and stated that a meeting should be scheduled with the stakeholders at the earliest possible opportunity.

Cllr Curley suggested that a date should be decided on for a meeting with the stakeholders as they are getting very anxious as it had been some time since there had been engagement with them. In response Mr. Farrell stated that he would rather have the full information available before a meeting with the stakeholders and re-iterated that Mr. Mostert had been in contact with them. He hoped that further information would be forthcoming in the next number of weeks that will inform the design. At this stage they were still working towards the delivery of the plans as presented albeit making them compliant with current regulations. He stated he would prefer to wait a few weeks and brief the members on any progress and then set up a meeting with the local partners.

Cllr Maher asked about the funding situation and the likelihood that the Council would have to source additional funding from the department to get the building open to the general public. He felt that any potential shortfall in funding should be clarified as soon as possible and in advance of any meeting with the relevant stakeholders. Mr. Farrell stated that it was quite clear that the amount of funding there at the moment would not be adequate in terms

of the work that needed to be done. He said that there had been some engagement on this with the department to advise them around this but what was needed was the full information to hand before they could progress this further with them. He stated that the Department are aware that there is likely to be cost increases and the Council will work with them closely to see what is the best methodology that can be used to fund it. The reality was that while the initial plan was done with the best information available and costings, that once finalising detail and design is finalised, coupled with costs of supplies and contractors as a result of Covid, they all play a role in making it a more expensive project than the funding that was initially made available.

Cllr Donohoe referred to the issue raised at the last meeting of turfcutting at Derrybrien and that no turf cutting signs had been erected by ESB. She had received a number of representations from constituents regarding compensation for not being able to do so. She read a response received from Frank Kelly of the ESB/Gort Windfarms Ltd in which was stated that the ESB had become aware of a risk of peat instability from peat harvesting with heavy machinery on site through an independent peat stability risk assessment report and as owners of the windfarm were obligated to inform interested parties of that risk. As a result of the extraction the issue of compensation did not arise.

Cllr Murphy stated that turbarry rights are a right the same as property ownership and irrespective the right to turf cut remains.

Cllr Finnerty added that it should be made clear that there is still turf cutting ongoing in Derrybrien and that the issue in regard to this matter is who owns this particular piece of land.

Flooding

LMD 2129

Flooding Update LMDM 14th June 2021

Mr. Enda Gallagher updated the meeting as follow: -

South Galway Gort Lowlands FRS – Following the easing of Covid restrictions, site visits with land owners commenced on 3rd June. 45 land owners have been in contact to request meetings on site and 35 of the visits were undertaken up to Friday 11th June. It is hoped to complete the meetings by Friday 18th June. The vast majority of meetings to date have been productive and informative.

A query has been circulated regarding compensation for land owners. The scheme is being advanced through the 1945/95 Arterial Drainage Act. Landowners will be compensated if their lands are interfered with as part of the permanent scheme or if their lands are interfered with on a temporary basis to facilitate construction. Landowners will retain title of the lands, but the scheme will convey certain rights to the OPW – right of access for maintenance and rights to maintain the integrity of the scheme. Again, this issue will be dealt with under compensation discussions with land owners. Landowners must submit a claim for compensation within 12 months of the completion of the works.

It was stressed that the scheme is still only at Options Stage and it will be some time before any compensation talks open, if the scheme progresses.

Three schemes identified under the Gort Lowlands FRS have been successful in a funding application under Climate Adaptation. A total of €180k was allocated to works at Owenbristly, finalising works at Cahermore and preliminary design / land acquisition costs for seven other road raising locations.

Mr. Gallagher confirmed that the flood prone site at Cahermore that was raised at the last MD meeting has been withdrawn from sale by GCC and responsibility for the site has been transferred to the R&T section. Use of these lands will now be actively considered in terms of the flood relief scheme.

Dunkellin – The OPW are continuing to undertake landowner accommodation works. All outstanding works and compensation payments associated with the scheme will be finalised before the end of this year.

Mr. Gallagher clarified to Cllr Murphy that it is not proposed at this time to sell the flood prone lands at Cahermore, as the lands may be incorporated into the proposed scheme or may be used to provide environmental enhancement works under the scheme. It was also clarified that land owners would be expected to employ their own valuers when negotiating compensation following works on the scheme. Under the 1945 legislation, compensation can only be sought and paid following completion of works, when the full extent of interference is known and assessed.

Mr. Gallagher undertook to provide Councillor Byrne with details of the channel required to prevent flooding at Ballyboy / Mannin and the channel that was envisaged under the original Jennings O'Donovan report, to ensure the cost estimates used in the most recent report were reasonable. Mr. Gallagher highlighted that even a dramatic decrease in channel sizing would not provide a cost beneficial scheme and would not overcome the major environmental concerns raised in the recently commissioned report.

Portumna Flood Relief Scheme – Mr. Brendan McDonagh, project manager for the Ballinasloe and Clifden FRS gave an update to the meeting as follows.

Mr McDonagh advised that Tranche 1 of OPW National funding for CFRAMS projects was launched in 2018 with the focus from 2019 to 2021 being on getting Tranche 1 projects in Co. Galway through to Stage 1 which is Scheme Development and Design.

Mr. McDonagh outlined that the Ballinasloe Flood Relief Scheme is currently at stage 1 (Scheme Development and Design) while Clifden Flood Relief Scheme is currently at pre-stage 1 (Tender Assessment phase of Consultants Appointment).

Mr. McDonagh informed the meeting that the OPW advised informally in June 2021 that staffing resources are not available presently in the OPW to advance Portumna FRS to project level stage and also that GCC staffing resources are currently tied up in advancing both Ballinasloe FRS and Clifden FRS. The OPW are yet to formally clarify the funding stream and timeframes for all Tranche 2 projects.

He added that the Council are to formally request clarification on timelines for funding regarding Portumna Flood Relief Scheme under Tranche 2 from the OPW.

In the absence of clarity regarding funding towards completing the Portumna FRS as one project, Mr. McDonagh advised that the Council would explore with the OPW the options available to carry out parts of the required works under a Minor Works Application to the OPW while in the shorter term continue to liaise with the OPW Hydrometric and CFRAMS section regarding installation of a Hydrometric gauge system at Portumna to record flow levels which will feed into the overall design of the scheme.

Cathaoirleach's Business

LMD 2130

Cllr Donohoe raised the issue of dog fouling in the county and that she had recently received representations regarding dog fouling on Irish rail property in Ardahan.

Cllr Finnerty informed the meeting that he put a NOM down at recent meeting of the Loughrea Municipal District regarding a number of regional roads in his area that were in poor condition such as Ballyturin and Tulla roads and had got an answer at the time saying there was no funding available for same. However further additional funding came a number of weeks ago and he was subsequently informed by a constituent that works had commenced on those roads. He felt that while it was welcome that works were done and to a very good standard, he would ask that in future he would be informed when works are due to commence in the area. In response Mr. Haugh said that Ballyturin and Tulla road were include in the roads programme and no additional funding was announced recently.

Cllr McClearn wished to complement the Council on a number of initiatives that they have taken on the N65, in particular the fencing that has done at Coolagh, Killimor where a tragic accident had occurred in the past.

Cllr McClearn referred to the issue he raised at last months meeting in regard to a contractor that was appointed some time ago to do footpath works in Killimor and Portumna and asked for an update as to when they were due to be on site. In response Mr. Haugh advised that the contractor in Killimor would be starting work this coming Friday and subsequently would be moving to Portumna to carry out the works there.

Cllr McClearn also asked for an update on Kilmeen Cross for which he understood a design for a roundabout was supposed to have been done. Mr. Haugh said he would seek an update from TII in relation to this matter.

Cllr Canning raised an issue that had been reported to him in regard to overhanging trees on the approach road to Portumna which were coming on to the footpath. This was resulting in people having to cross the road due to safety concerns. In response Mr. Haugh asked Cllr Canning to give him the location of these trees and he would review on site.

Cllr Canning outlined that a number of constituents had reported to him about the speed of cars on the approach road to the swimming area in Portumna. He proposed a traffic and speed survey be done at this location. Mr. Haugh advised that they had organised a traffic and speed survey for the road to the swimming area.

Cllr Canning also expressed his thanks for the work of Council staff for the new fencing on the N65 and had received positive feedback from the Woodpark Association in regard to this.

Cllr Murphy informed the meeting that he had been made aware of a piece of land in Gort town centre on the opposite side of the river to the Convent of Mercy which was due to come on the market in the coming days. He stated that the land was currently zoned approximately 80% for recreational and 20% for development use. He urged that the Municipal District look at purchasing this piece of land as a publicly owned town park along the river in Gort town as the town currently does not have a publicly owned park. He felt that the other 20% of the land that was not zoned for recreation would make an ideal site for a town health centre which was needed in the town.

Cllr Murphy also raised an issue with an overpass over the motorway on the Kinvara Road out of Labane. He stated that it was an oversight that there was no footpath on this stretch, and it is used regularly with a number of people jogging there and training greyhounds in the area. He would ask that GCC would speak to TII to have a footpath on at least on one side at the overpass at Ballymaquiff, Ardrahan. In response Ger Haugh said he would speak to TII on that matter and seek a response on that.

Cllr Kinane complement the area office on the good work done on the footpaths at Renville. She asked about the €80,000 which was allocated toward the works and asked for a breakdown of costs to date as there is a further stretch of footpath that she hoped would also be done. She also raised the issue of grasscutting on the N67 and that it was quite high at present. She had received numerous representations on the matter and asked that a balance be struck between biodiversity needs and potential safety issues that may arise.

Cllr Kinane raised the matter of the need for a pedestrian crossing for Clarinbridge and also asked for progress on Athenry Junction and that she be informed of the commencement of works in this regard.

She wished to thank Mr. Haugh for meeting with her and the Oranmore Heritage Group and Oranmore Tidy Towns in regard to Renville Point.

Cllr Byrne concurred with Cllr Kinane on the grasscutting issue and potential health and safety issues arising for pedestrians walking from Kilcolgan to Ballindereen who were unable to walk on the grass verge and had to move on to the main road.

Cllr Byrne stated that there were plans for a pedestrian crossing in Kinvara since he had become a councillor and referred to the large number of pupils in schools in the area and asked the Director to progress this matter further.

He also asked that it be put on the agenda for the requirement to develop a carpark for the area.

Cllr Byrne wished to welcome the allocation of €125,000 under the outdoor recreational grant for Traught and asked that notification of such funding be given to the councillors. He queried the extent of this allocation to Traught alone and asked if other areas could be considered to allocate monies to such as the Quay in Kinvara which would benefit from additional seating

and in the current environment where there is encouragement for outdoor recreation for the summer.

He wished to concur with Cllr Murphy for the amenity area in Gort town which he thought was a good idea. He added that proposals over the last 12 months to locate a health care centre at that site had failed due to zoning and flood risks and it has now moved to an alternative location in the town of Gort and that he understood it was progressing well.

Cllr Maher asked for clarity regarding dangerous trees on public roads and with whom responsibility lies for dealing with same. He also stated that there were a number of manholes covers in Loughrea town that were in poor condition and asked could a survey be carried out on them. He also mentioned drainage issues at Kings House on Cross Street which needed to be addressed.

Cllr Maher welcomed the repair works on the public toilet on the Fairgreen and hoped that it would be open again soon.

Cllr Curley proposed the following motion which was seconded by Cllr Murphy

'I propose that the Loughrea MD allocates a small plot of land beside the Boat House (across from the Court House in Loughrea) for the purposes of developing a Garden of Remembrance.'

Cllr Maher stated that there was a proposal a number of years ago to develop that green and a large number of people wanted it kept as a green space.

Cllr Curley stated that it was a small plot of land and felt it was an appropriate use of the space.

Mr. Mitchell stated that they should delay the motion until next month as it would give the team an opportunity to see what was involved and if further local consultation was needed on it.

Cllr Byrne proposed the following motion which was seconded by Cllr Murphy

Lands (or portion of) at Leeche's Cross, Cahermore not required for the South Galway FRS, will be brought back before the Councillors when the flood relief scheme is finalised.'

The next meeting of the Loughrea MD would take place on Monday the 12th July 2021 at 11.00 am **(venue to be decided)**

CHRIUGHNAIGH AN CHRUINNIU ANSIN



CLLR GERALDINE DONOHOE
CATHAOIRLEACH, LOUGHREA MD

COMHAIRLE CHONTAE NA GAILLIMHE

Ceantar Bardasach Bhaile Locha Riach *Municipal District of LOUGHREA*

Minutes of Annual Meeting of the Municipal District of Loughrea held at the Loughrea Hotel & Spa, 14th June 2021 @ 12 pm.

I LATHAIR:

Cathaoirleach

Cllr. M. Maher

Baill:

Cllr's. G. Donohue, S. Curley, PJ Murphy,
J. Byrne, M. Kinane, I. Canning, J. McClearn,
M Maher.

Oifigigh:

Mr E. Ruane, Director of Services;
Mr. D. Mitchell, Senior Engineer
Mr. G. Haugh, Senior Executive Engineer;
Mr. A. Farrell, Senior Executive Officer;
Mr. C. Wynne, Senior Executive Engineer
Mr. B. Sheehy, Assistant Engineer;
Mr. E. Gallagher, Senior Executive Engineer
Mr. B. McDonagh, Executive Engineer
Ms. M. Finn, Meetings Administrator.
Mr. A. Cunningham, Staff Officer.

As outgoing Cathaoirleach, Cllr Maher thanked those who had nominated him for the position of Cathaoirleach last year and all the members for their support over what was a challenging year. He stated that it had been a great honour to serve as Cathaoirleach of the Loughrea Municipal District and had enjoyed his time greatly.

Cllr Maher offered his sympathies to Cllr Hynes on the recent passing of his brother Sean.

All Members thanked Cllr Maher for his term as Cathaoirleach and for the manner in which he had conducted the meetings of the Loughrea Municipal District over the past year. Ms. Ruane also expressed her thanks to Cllr Maher for all his work during the course of the year.

Election of Cathaoirleach for the Municipal District of Loughrea for the year 2020/2021

LMD 2125

Cllr Hynes proposed Cllr Donohoe be elected Cathaoirleach. His proposal was seconded by Cllr Byrne and agreed by the Members.

Cllr Donohue accepted the nomination and expressed her thanks to the Members. She stated it was an honour and privilege to be elected as Cathaoirleach of Loughrea Municipal district.

She expressed her thanks the outgoing Cathaoirleach Cllr Maher and for his fairness in chairing the meetings over the past year in challenging circumstance especially with the necessity of online meetings.

Election of Leas Cathaoirleach for the Municipal District of Loughrea for the year 2020/2021 **LMD 2126**

Cllr Maher proposed Cllr Murphy be elected Leas Cathaoirleach. His proposal was seconded by Cllr McClearn and agreed by the Members.

Schedule of Dates for Loughrea MD Meetings **LMD 2127**

It was agreed that meetings of the Loughrea MD continue to be held on the second Monday of the month at 11 am. Cllr Byrne stated that the meeting of the Loughrea Municipal District for the second Monday of September clashes with a scheduled JPC meeting and proposed that the meeting take place on Monday 20th September instead. This was agreed by all the members.

CHRIOGHNAIGH AN CHRUINNIU ANSIN


CLLR MICHAEL MAHER
CATHAOIRLEACH, LOUGHREA MD