

**MINUTES OF MAYO COUNTY COUNCIL MEETING HELD ON MONDAY, 12th
JULY, 2004, AT 4.00 p.m.**

The Cathaoirleach, Cllr. E. Staunton, was in the Chair.

The other Councillors present were:-

Cllrs. M. Mulherin, J. Munnely, Johnnie O'Malley, A.M. Reape, S. Weir, P. O'Brien, D. Ryan, H. Walsh, G. Coyle, M. Holmes, M. McNamara, T. Quinn, S. Bourke, P. McGuinness, H. Kenny, A. McDonnell, J. Mee, M. Carty, T. Connolly, J. Cribbin, P. McHugh, E. Lavin, J. Maloney, J. Mellett, G. Murray, M. Adams, F. Chambers, A.F. O'Malley, John O'Malley.

Apology received from Cllr. C. Burke for inability to attend the Meeting.

The Council Staff in attendance were:-

Mr. D. Mahon, Co. Manager, Mr. J. Beirne, Dir. of Services / Co. Engineer, Mr. J. Loftus, Dir. of Services, Mr. J. Walsh, A/Meetings Administrator, Mr. S. Granahan, Dir. of Services, Mr. R. Norton, Dir. of Services, Mr. J. Coll, Dir., Comm. & Enterprise, Mr. M. Keating, A/Dir. of Services, Mr. P. Duggan, A/Head of Finance, Mr. T. McNulty, Sen. Engineer, Mr. B. O'Reilly, Sen. Engineer, Ms. K. O'Malley-Harlow, Sen. Ex. Planner, Mr. J. Moran, Sen. Staff Officer, Ms. C. Kenny, Asst. Staff Officer.

Proposed by Cllr. E. Staunton

Seconded by Cllr. P. McHugh

Resolved:-

“That the sympathy of the Council be extended to the Heneghan family, Bowgate Street, Ballinrobe, on the death of their Father, Jack, who was a former Member and Chairman of Mayo County Council and that the Meeting be adjourned at 5.30 p.m., as a mark of respect”.

The County Manager informed the Meeting of the current position regarding the Clare Civil Engineering Ltd. versus Mayo County Council High Court case.

ITEM NO. 1.

MIONTUAIRISCI DE CRUINNITHE COMHAIRLE CHONTAE MHAIGH EO A BHI AR SIUL AR AN 10^u BEALTAINÉ AGUS 25^u MEITHEAMH, 2004, A DEIMHNIU.

TO CONFIRM MINUTES OF MAYO COUNTY COUNCIL MEETINGS HELD ON 10th MAY AND 25th JUNE, 2004.

Mhol Comhairleoir P. McGuinness

Chuid Comhairleoir P. McHugh leis

Ghlacu leis an tairiscint:-

“Go n-aontaiomar le Miontuairisci Cruinnithe Comhairle Chontae Mhaigh Eo a bhi ar siul ar an 10^u Bealtaine agus 25^u Meitheamh, 2004”.

Proposed by Cllr. P. McGuinness

Seconded by Cllr. P. McHugh

Resolved:-

“That Minutes of Mayo County Council Meetings held on 10th May and 25th June, 2004, be taken as read, approved and signed as a correct record”.

ITEM NO. 2.

TO APPOINT A CHAIR DESIGNATE OF THE HOUSING STRATEGIC POLICY COMMITTEE.

Proposed by Cllr. P. McGuinness

Seconded by Cllr. H. Kenny

Resolved:-

“That Cllr. J. Cribbin be appointed Chair Designate of the Housing Strategic Policy Committee”.

ITEM NO. 3.

TO APPOINT A CHAIR DESIGNATE OF THE CULTURAL, EDUCATION, HERITAGE AND CORPORATE AFFAIRS STRATEGIC POLICY COMMITTEE.

Proposed by Cllr. P. McGuinness

Seconded by Cllr. M. Mulherin

Resolved:-

“That Cllr. P. McGuinness be appointed Chair Designate of the Cultural, Education, Heritage and Corporate Affairs Strategic Policy Committee”.

ITEM NO. 4.

TO APPOINT A CHAIR DESIGNATE OF THE ROADS AND TRANSPORTATION STRATEGIC POLICY COMMITTEE.

Proposed by Cllr. P. McGuinness

Seconded by Cllr. J. Cribbin

Resolved:-

“That Cllr. M. Mulherin be appointed Chair Designate of the Roads and Transportation Strategic Policy Committee”.

ITEM NO. 5.

TO APPOINT A CHAIR DESIGNATE OF THE WATER SUPPLY AND SEWERAGE STRATEGIC POLICY COMMITTEE.

Proposed by Cllr. P. McHugh

Seconded by Cllr. F. Chambers

Resolved:-

“That Cllr. A.M. Reape be appointed Chair Designate of the Water Supply and Sewerage Strategic Policy Committee for a period of 3 years”.

ITEM NO. 6.

TO APPOINT A CHAIR DESIGNATE OF THE PLANNING AND ECONOMIC DEVELOPMENT STRATEGIC POLICY COMMITTEE.

Proposed by Cllr. P. McGuinness

Seconded by Cllr. T. Connolly

Resolved:-

“That Cllr. J. Mee be appointed Chair Designate of the Planning and Economic Development Strategic Policy Committee for a period of 3 years”.

Proposed by Cllr. P. McGuinness

Seconded by Cllr. T. Connolly

Resolved:-

“That Cllr. J. Munnely succeed Cllr. J. Mee as Chair of the Planning and Economic Development Strategic Policy Committee”.

ITEM NO. 7.

TO APPOINT A CHAIR DESIGNATE OF THE ENVIRONMENTAL POLICY AND EMERGENCY SERVICES STRATEGIC POLICY COMMITTEE.

Proposed by Cllr. P. McHugh

Seconded by Cllr. M. Adams

Resolved:-

“That Cllr. Johnnie O’Malley be appointed Chair Designate of the Environmental Policy and Emergency Services Strategic Policy Committee for a period of 3 years”.

ITEM NO. 8.

TO CONSIDER ESTABLISHING A FORMAL LINK WITH CRAIGAVON BOROUGH COUNCIL.

Proposed by Cllr. P. McGuinness

Seconded by Cllr. F. Chambers

Resolved:-

“That we hereby consider establishing a formal link with Craigavon Borough Council”.

ITEM NO. 9.

TO ADOPT THE HIGHER EDUCATION GRANTS SCHEME FOR 2004.

Proposed by Cllr. P. McGuinness

Seconded by Cllr. P. McHugh

Resolved:-

“That we hereby adopt the Higher Education Grants Scheme for 2004, as circulated”.

ITEM NO. 10.

TO ADOPT THE 2003 ANNUAL REPORT OF THE COUNCIL.

Proposed by Cllr. P. McGuinness

Seconded by Cllr. P. McHugh

Resolved:-

“That we hereby adopt the 2003 Annual Report of the Council, as circulated”.

ITEM NO. 11.

TO APPOINT TWO MEMBERS TO REPRESENT THE COUNTY COUNCIL ON THE WESTPORT HARBOUR AUTHORITY.

Proposed by Cllr. P. McGuinness

Seconded by Cllr. J. Cribbin

Resolved:-

“That Mr. John Mayock, The Lodge Road, Westport, be appointed as a representative to the Westport Harbour Authority”.

Proposed by Cllr. P. McHugh

Seconded by Cllr. F. Chambers

Resolved:-

“That Cllr. M. Adams be appointed as a representative to the Westport Harbour Authority”.

ITEM NO. 12.

TO APPOINT TWO MEMBERS TO REPRESENT THE COUNTY COUNCIL ON THE RIVER MOY HARBOUR AUTHORITY.

Proposed by Cllr. P. McGuinness

Seconded by Cllr. M. Mulherin

Resolved:-

“That Mr. Jimmy Sheridan, 27, Corcoran Terrace, Ballina, be appointed as a representative to the River Moy Harbour Authority”.

Proposed by Cllr. P. McHugh

Seconded by Cllr. Johnnie O’Malley

Resolved:-

“That Cllr. A.M. Reape be appointed as a representative to the River Moy Harbour Authority”.

ITEM NO. 13.

TO CONSIDER DECIDING TO GRANT PERMISSION TO CONSTRUCT 8 NO. TERRACED DWELLINGHOUSES AND 4 NO DETACHED DWELLING-HOUSES WITH CONNECTIONS TO PUBLIC SEWER AND ASSOCIATED

SITE WORKS, AND TO CONSTRUCT MORTUARY AT CLARE ROAD, BALLYHAUNIS, CO. MAYO, WHICH WOULD MATERIALLY CONTRAVENE THE BALLYHAUNIS TOWN PLAN 1984.

Proposed by Cllr. J. Cribbin

Seconded by Cllr. M. Carty

Resolved:-

“That the Council hereby decide to grant Permission to construct 8 No. terraced dwellinghouses and 4 No. detached dwellinghouses with connections to public sewer and associated site works, and to construct Mortuary at Clare Road, Ballyhaunis, Co. Mayo, which materially contravenes the Ballyhaunis Town Plan 1984”.

ITEM NO. 14.

TO CONSIDER REPORT DATED 28th JUNE, 2004, IN ACCORDANCE WITH PART 8 OF THE LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) REGULATIONS, 2001, AND THE LOCAL GOVERNMENT ACT, 2001, IN RESPECT OF KILMOVEE SEWERAGE SCHEME.

Proposed by Cllr. J. Mellett

Seconded by Cllr. J. Maloney

Resolved:-

“That we hereby adopt Report dated 28th June, 2004, in accordance with Part 8 of the Local Government (Planning and Development) Regulations, 2001, and the Local Government Act, 2001, in respect of Kilmovee Sewerage Scheme”.

ITEM NO. 15.

TO CONSIDER REPORT DATED 28th JUNE, 2004, IN ACCORDANCE WITH PART 8 OF THE LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) REGULATIONS, 2001, AND THE LOCAL GOVERNMENT ACT, 2001, IN RESPECT OF KILMAINE SEWERAGE SCHEME.

Proposed by Cllr. P. O'Brien

Seconded by Cllr. H. Walsh

Resolved:-

“That we hereby adopt Report dated 28th June, 2004, in accordance with Part 8 of the Local Government (Planning and Development) Regulations, 2001, and the Local Government Act, 2001, in respect of Kilmaine Sewerage Scheme”.

ITEM NO. 16.

TO CONSIDER REPORT DATED 5th JULY, 2004, IN ACCORDANCE WITH PART 8 OF THE LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) REGULATIONS, 2001, AND THE LOCAL GOVERNMENT ACT, 2001, IN

RESPECT OF PROPOSAL TO CONSTRUCT TOWN CENTRE LINK ROAD AT FOXFORD.

Proposed by Cllr. J. Mellett
Seconded by Cllr. J. Maloney

Resolved:-

“That we hereby adopt Report dated 5th July, 2004, in accordance with Part 8 of the Local Government (Planning and Development) Regulations, 2001, and the Local Government Act, 2001, in respect of proposal to construct Town Centre Link Road at Foxford”.

ITEM NO. 17.

TO APPROVE PRELIMINARY REPORT DATED 6th JULY, 2004, IN RESPECT OF BELMULLET SEWERAGE SCHEME.

Proposed by Cllr. G. Coyle
Seconded by Cllr. T. Quinn

Resolved:-

“That we hereby approve Preliminary Report dated 6th July, 2004, as circulated, in respect of Belmullet Sewerage Scheme”.

ITEM NO. 18.

TO APPROVE OF THE DISPOSAL OF 3 BEDROOMED BUNGALOW, WITH GARDEN, AT KILBREE LOWER, WESTPORT, TO SEAMUS & ANNE JENNINGS, “GAIETY BUNGALOW”, KILBREE LOWER, WESTPORT, CO. MAYO, IN ACCORDANCE WITH NOTICE DATED 16th JUNE, 2004, ALREADY CIRCULATED.

Proposed by Cllr. M. Adams
Seconded by Cllr. F. Chambers

Resolved:-

“That we hereby approve of the disposal of 3 Bedroomed Bungalow, with garden, at Kilbree Lower, Westport, to Seamus & Anne Jennings, “Gaiety Bungalow”, Kilbree Lower, Westport, Co. Mayo, for €32,690.08, in accordance with Section 183 of the Local Government Act, 2001, and Notice dated 16th June, 2004, already circulated”.

ITEM NO. 19.

TO APPROVE OF THE DISPOSAL OF 3 BEDROOMED SINGLE STOREY END OF TERRACE DWELLING HOUSE AT SEAVIEW PARK, NEWPORT, TO WESTERN CARE ASSOCIATION, JOHN MOORE ROAD, CASTLEBAR, CO. MAYO, IN ACCORDANCE WITH NOTICE DATED 16th JUNE, 2004, ALREADY CIRCULATED.

Proposed by Cllr. F. Chambers
Seconded by Cllr. M. Adams

Resolved:-

“That we hereby approve of the disposal of 3 Bedroomed Single Storey End of Terrace Dwelling House at Seaview Park, Newport, to Western Care Association, John Moore Road, Castlebar, Co. Mayo, for €80,000, in accordance with Section 183 of the Local Government Act, 2001, and Notice dated 16th June, 2004, already circulated”.

ITEM NO. 20.

TO APPROVE OF THE DISPOSAL OF 3 BEDROOMED COTTAGE, WITH GARDEN, AT GORTAWARLA, NEWPORT, TO WILLIAM FAHY & MICHELLE RUANE, GORTAWARLA, NEWPORT, CO. MAYO, IN ACCORDANCE WITH NOTICE DATED 17th JUNE, 2004, ALREADY CIRCULATED.

Proposed by Cllr. F. Chambers

Seconded by Cllr. John O'Malley

Resolved:-

“That we hereby approve of the disposal of 3 Bedroomed Cottage, with garden, at Gortawarla, Newport, to William Fahy & Michelle Ruane, Gortawarla, Newport, Co. Mayo, for €109,194.04, in accordance with Section 183 of the Local Government Act, 2001, and Notice dated 17th June, 2004, already circulated”.

ITEM NO. 21.

TO APPROVE OF THE DISPOSAL OF APPROXIMATELY 898.50 SQUARE METRES OF LAND AT KNOCKAPHUNTA, CASTLEBAR, ADJACENT TO THE FIRE STATION HEADQUARTERS, TO CASTLEBAR CELTIC F.C. LTD., IN ACCORDANCE WITH NOTICE DATED 24th JUNE, 2004, ALREADY CIRCULATED.

Proposed by Cllr. J. Mee

Seconded by Cllr. H. Kenny

Resolved:-

“That we hereby approve of the disposal of approximately 898.50 square metres of land at Knockaphunta, Castlebar, adjacent to the Fire Station Headquarters, to Castlebar Celtic F.C. Ltd., for €100, in accordance with Section 183 of the Local Government Act, 2001, and Notice dated 24th June, 2004, already circulated”.

ITEM NO. 22.

TO APPROVE OF THE GRANTING OF A LOAN OF €2,260,758 TO CLUID HOUSING ASSOCIATION FOR THE ACQUISITION OF 20 HOUSES AT ARDNAREE, BALLINA, UNDER THE CAPITAL LOAN AND SUBSIDY SCHEME.

Proposed by Cllr. M. Mulherin

Seconded by Cllr. Johnnie O'Malley

Resolved:-

“That we hereby approve of the granting of a Loan of €2,260,758 to Cluid Housing Association for the acquisition of 20 Houses at Ardnaree, Ballina, under the Capital Loan and Subsidy Scheme”.

ITEM NO. 23.

TO NOTE MINUTES OF CULTURAL, EDUCATION, HERITAGE AND CORPORATE AFFAIRS STRATEGIC POLICY COMMITTEE MEETING HELD ON 17th FEBRUARY, 2004.

Proposed by Cllr. P. McHugh

Seconded by Cllr. P. McGuinness

Resolved:-

“That Minutes of Cultural, Education, Heritage and Corporate Affairs Strategic Policy Committee Meeting held on 17th February, 2004, be noted”.

ITEM NO. 24.

TO NOTE MINUTES OF PLANNING AND ECONOMIC DEVELOPMENT STRATEGIC POLICY COMMITTEE MEETING HELD ON 23rd FEBRUARY, 2004.

Proposed by Cllr. P. McGuinness

Seconded by Cllr. P. McHugh

Resolved:-

“That Minutes of Planning and Economic Development Strategic Policy Committee Meeting held on 23rd February, 2004, be noted”.

ITEM NO. 25.

TO NOTE MINUTES OF WESTPORT ELECTORAL AREA COMMITTEE MEETINGS HELD ON 8th MARCH AND 6th APRIL, 2004.

Proposed by Cllr. F. Chambers

Seconded by Cllr. M. Adams

Resolved:-

“That Minutes of Westport Electoral Area Committee Meetings held on 8th March and 6th April, 2004, be noted”.

ITEM NO. 26.

TO NOTE MINUTES OF SWINFORD ELECTORAL AREA COMMITTEE MEETINGS HELD ON 8th MARCH AND 13th APRIL, 2004.

Proposed by Cllr. J. Mellett

Seconded by Cllr. J. Maloney

Resolved:-

“That Minutes of Swinford Electoral Area Committee Meetings held on 8th March and 13th April, 2004, be noted”.

ITEM NO. 27.
TO NOTE MINUTES OF BELMULLET ELECTORAL AREA COMMITTEE
MEETING HELD ON 10th MARCH, 2004.

Proposed by Cllr. M. McNamara

Seconded by Cllr. G. Coyle

Resolved:-

“That Minutes of Belmullet Electoral Area Committee Meeting held on 10th March, 2004, be noted”.

ITEM NO. 28.
TO NOTE MINUTES OF CASTLEBAR ELECTORAL AREA COMMITTEE
MEETINGS HELD ON 22nd MARCH AND 26th APRIL, 2004.

Proposed by Cllr. H. Kenny

Seconded by Cllr. A. McDonnell

Resolved:-

“That Minutes of Castlebar Electoral Area Committee Meetings held on 22nd March and 26th April, 2004, be noted”.

ITEM NO. 29.
TO NOTE MINUTES OF CLAREMORRIS ELECTORAL AREA COMMITTEE
MEETING HELD ON 6th APRIL, 2004.

Proposed by Cllr. M. Carty

Seconded by Cllr. P. McHugh

Resolved:-

“That Minutes of Claremorris Electoral Area Committee Meeting held on 6th April, 2004, be noted”.

ITEM NO. 30.
TO CONSIDER NOMINATING REPRESENTATIVES TO ATTEND DR.
DOUGLAS HYDE CONFERENCE 2004 – “THE WRITER AND THE STATE” –
TO BE HELD IN ST. NATHY’S COLLEGE, BALLAGHADERREEN, CO.
ROSCOMMON, FROM 16th TO 18th JULY, 2004.

The Council were informed of the estimated cost of sending a Delegate to this Conference.

ITEM NO. 31.
TO CONSIDER NOMINATING REPRESENTATIVES TO ATTEND
INTERNATIONAL HUMBERT SCHOOL – “THE MEDIA AND THE PUBLIC
INTEREST : SPIN OUT OF CONTROL?” – TO BE HELD IN MOYNE
COLLEGE, BALLINA, FROM 20th TO 25th JULY, 2004.

The Council were informed of the estimated cost of sending a Delegate to this Conference.

Proposed by Cllr. P. McGuinness

Seconded by Cllr. P. McHugh

Resolved:-

“That Cllrs. M. McNamara, J. Mellett and M. Holmes be nominated to attend International Humbert School – “The Media and the Public Interest : Spin Out of Control?” – to be held in Moyne College, Ballina, from 20th to 25th July, 2004”.

ITEM NO. 32.

TO CONSIDER NOMINATING REPRESENTATIVES TO ATTEND THE JOHN HEWITT INTERNATIONAL SUMMER SCHOOL TO BE HELD IN THE MARKET PLACE THEATRE, ARMAGH, FROM 26th TO 31st JULY, 2004.

The Council were informed of the estimated cost of sending a Delegate to this Conference.

Proposed by Cllr. P. McGuinness

Seconded by Cllr. P. McHugh

Resolved:-

“That the Cathaoirleach, Cllrs. M. Adams, S. Bourke, M. Carty, P. McHugh, M. McNamara, Johnnie O’Malley, A.M. Reape, D. Ryan, H. Walsh, T. Connolly, J. Cribbin and P. O’Brien be nominated to attend the John Hewitt International Summer School to be held in the Market Place Theatre, Armagh, from 26th to 31st July, 2004”.

ITEM NO. 33.

TO CONSIDER NOMINATING REPRESENTATIVES TO ATTEND SEMINAR – “THE POWERS AND FUNCTIONS OF LOCAL GOVERNMENT, NORTH AND SOUTH” – TO BE HELD IN THE HODSON BAY HOTEL, ATHLONE, CO. WESTMEATH, ON 4th SEPTEMBER, 2004.

The Council were informed of the estimated cost of sending a Delegate to this Seminar.

Proposed by Cllr. P. McGuinness

Seconded by Cllr. P. McHugh

Resolved:-

“That the Cathaoirleach, Cllrs. M. Adams, P. McHugh, M. McNamara, T. Quinn, A.M. Reape, H. Walsh, H. Kenny and J. Mellett be nominated to attend Seminar – “The Powers and Functions of Local Government, North and South” – to be held in the Hodson Bay Hotel, Athlone, Co. Westmeath, on 4th September, 2004”.

NOTICES OF MOTION.

- (e) “That the County Manager and Mayo County Council give a complete update on the situation at Glancre Teo., Muingmore, Geesala, in light of the recent High Court decision”.

The County Manager updated the Meeting on the current situation at Glancre Teoranta in the light of the recent High Court decision.

It was agreed to defer Notices of Motion (a), (b), (c) and (d), as listed on the Agenda, to the September Meeting of the Council.

Many tributes were paid to the late Jack Heneghan, Ballinrobe, who was a former Member and Chairman of Mayo County Council.

The County Manager, on his own behalf and on behalf of the Staff, extended his condolences to the Heneghan family.

Mr. Christy Loftus, on behalf of the Press, extended his expressions of sympathy to the Heneghan family.

RESOLUTIONS OF SYMPATHY.

Proposed by Cllr. E. Staunton

Seconded by Cllr. P. McHugh

Resolved:-

“That the sympathy of the Council be extended to Mr. Peter Hynes, Director of Services, Mayo County Council, on the death of his Father, Billy”.

Proposed by Cllr. M. Adams

Seconded by Cllr. A.M. Reape

Resolved:-

“That the sympathy of the Council be extended to the Hughes family, “Carraig Donn”, Castlebar Road, Westport, on the death of their Father, Pdraig”.

Proposed by Cllr. M. Adams

Seconded by Cllr. F. Chambers

Resolved:-

“That the sympathy of the Council be extended to Mrs. Bernie Sweeney and her Son, Peter, on the death of her Husband, Michael”.

Proposed by Cllr. D. Ryan

Seconded by Cllr. J. Maloney

Resolved:-

“That the sympathy of the Council be extended to the O’Malley family, Turloughmore, The Neale, Co. Mayo, on the death of Robert Rose”.

Proposed by Cllr. J. Mee

Seconded by Cllr. G. Murray

Resolved:-

“That the sympathy of the Council be extended to Mrs. Eleanor Durkan & family, Maryland, Castlebar, on the death of her Son, Liam”.

Proposed by Cllr. M. McNamara

Seconded by Cllr. Johnnie O’Malley

Resolved:-

“That the sympathy of the Council be extended to the Moran family, Currane, Achill, on the death of Joey Moran”.

The Meeting adjourned at 5.30 p.m.