

COMHAIRLE CHONTAE NA GAILLIMHE

Minutes of the Planning, Economic Development & Community Strategic Policy Committee Meeting held in Áras an Chontae on Monday 14th April 2014.

I LATHAIR

Baill: Cllr. Michael Fahy (Chair)
Cllr. Seán O'Tuairisg
Cllr. Dermot Connolly
Cllr. Peter Roche
Mr. Ray O' Donoghue
Mr. David Courtney
Mr. Justin Molloy

Oifigigh:

Kevin Kelly, DOS, Planning & Sustainable Development, Industrial Relations & Community, Enterprise & Economic Development
Catherine McConnell, SP, Planning & Sustainable Development Unit
Damian Mitchell, SEE, Planning & Sustainable Development Unit
Mairín Doddy, Planning & Sustainable Development Unit
David Cuddy, Planning & Sustainable Development Unit
Sinead Dillon, ASO, Planning & Sustainable Development Unit

Apologies:

Mayor Liam Carroll
Mr. Michael Healy

1. Minutes of Meeting held on 3rd February 2014

The minutes of the meeting held on the 3rd February 2014 were proposed for adoption by Mr. Courtney and seconded by Cllr. Connolly.

2. Matters Arising

Cllr. Connolly highlighted concerns regarding the reconfiguration of Galway County Council from the 1st June 2014 and welcomed the position of Ballinasloe as the County Town within the draft County Development Plan. He hoped that this position would lead to the improvement of the town in the future but also wished to stress the importance of the council services staying close to the people of Ballinasloe.

Mr. Kelly explained that after 1st June 2014 all planning functions would be carried out centrally, this includes the preparation of the LAPs and the taking in charge of estates. The Ballinasloe planning system will be merged and

applications will no longer be accepted in the Ballinasloe office. In many cases agents who carry out business in the Ballinasloe Town Council area are also submitting planning application to Galway County Council and this transfer should not pose too much difficulty.

Cllr. Connolly suggested that the people of Ballinasloe be afforded the opportunity to have pre-planning meetings held at the Ballinasloe office and requested that the planning authority look into the possibility of continuing to accepting planning files in Ballinasloe.

Mr. Kelly agreed to look into the possibility of some pre-planning meetings being held in Ballinasloe.

3. County Development Plan Review

Mr. Kelly informed the meeting that the draft County Development Plan (CDP) is on public display until 9th May 2014 and welcomed views from the members. He also wished to remind members that it is still open to individuals to make submissions.

The Chairperson requested clarification regarding the proposed date the Draft Plan would be considered by the new council members.

Cllr. Roche wondered if it would have been better for the nine new members to have an input into the Draft Plan.

Mr. Kelly agreed that this would be the ideal situation but to process the plan in accordance with the legislation there would be an overlap with the forthcoming Local Elections. He explained that there would be an opportunity for new members to gain an understanding of the Draft Plan and have an opportunity to have an input into the process at the September meeting.

The Chairperson wished to clarify that the newly elected members would have an opportunity at the September council meeting to have an input into the Draft Plan.

4. Local Area Plans

Ms. McConnell informed the meeting that LAPs for the towns of Headford and Portumna would come under review this year. It is intended to invite pre-draft submissions or observations from representative groups and members of the public to identify issues to be addressed in these particular towns. The next stage involves the publication of a draft LAP for each town, this would go on public display and submissions or observations would again be invited.

In relation to Ballinasloe, a LAP for the town is the core priority after the transfer from UDC to Municipal District takes place. The existing Plan is in place until 2015

and pre-draft submissions will also be invited from members of the public shortly. Furthermore a proposal to extend the existing Clifden LAP will come before the Council meeting in April.

Cllr. Roche asked if the current Tuam LAP adopted in 2011 would be extended in a similar manner to the Clifden LAP and would this be a good template for development in the area?

Cllr. Connolly asked if the current Ballinasloe Plan which is defined by an urban boundary would continue with the changeover to a MD and what is the status of zoning particularly outside of the urban boundary? He wished to highlight the need for Ballinasloe town centre to be enhanced and developed positively.

In response Ms. McConnell explained that the boundary in the existing plan was a legally defined town council boundary whereas a LAP has no such restriction. The Tuam LAP would be in the cycle for possible review next year, it may be a plan that can be extended if it is in compliance with the Core Strategy and if it still has an existing good template for development.

Mr. Kelly added that the overall approach to zoning is tightly contained, we might try to learn from previous studies of market towns in Britain and to possibly replicated and encourage development in the right manner. We need to look at town enhancement schemes and try to plan for the future of our towns.

Cllr. Seán O'Tuairisg asked if there was any further information on flood mapping within the Clifden Plan.

Ms. McConnell explained that flood mapping would not be revisited without further assessment.

Mr. Kelly added that it is proposed to extend the Clifden plan for 3 years, in so far as possible any plan coming up for review which is consistent with the core strategy and other statutory guidelines and plans would be considered to be appropriate for an extension. It would be preferable not to use the resources we have when the life of the plan could be extended.

A discussion took place regarding the issues of balanced development, the integration of plans at both national and regional level and the influence of national policies.

Mr O' Donoghue wished to highlight the current development contribution scheme within the Oranmore area and expressed concern that the application of the scheme may hinder future development within the village.

Mr. Kelly explained that a review of the development contribution scheme would take place later this year and reminded members that LAPs and the County Development Plan are written in a way to allow for development progression but noted that there are impediments to development such as temporary wastewater treatment plants.

The Chairperson requested clarification on the current status of the Craughwell and Kinvara LAPs as he understood that they had both expired.

Ms. McConnell explained that it was still possible to consider development under normal planning regulations, guidelines and the position of the CDP.

5. Building Control

Mr. Mitchell informed the meeting that the new Building Control (Amendment) Regulations 2014 have come into effect from 1st March 2014 and circulated an information note issued by the Department of Environment, Community and Local Government. He explained that the aim of the new regulations is to make owners, designers and builders accountable for compliance with their statutory obligations and to empower competence and professionalism on site.

A discussion took place highlighting the numerous concerns people had in complying with the new regulations. The Chairperson asked if there would be any hindrance to someone building their own home.

Mr. Courtney raised the issue of the high level of indemnity insurance required for assigned certifiers.

Mr. Molloy stated that from a CIF perspective the regulations would stop non professional builders entering the industry and we would not have a repeat of the conditions found in Priory Hall. He noted that the while a CIRI number is not yet mandatory for builders there are indications it will be put on a statutory footing next year.

Mr. Mitchell acknowledged that a number of issues have been raised regarding the role of the assigned certifier and the self builder. From a self-build perspective the owner assumes responsibility as builder for ensuring compliance with the requirements of the regulations. They must also satisfy themselves that anyone they employ or engage to undertake part of the work is competent to do those works.

At commencement stage the self builder will notify the LA that they themselves are the builder and sign the builders undertaking, they must also assign a

competent, registered construction professional to certify the design and to inspect the works and certify the completed dwelling.

The design certifier and the assigned certifier may be the same person. This person will be the point of contact with the building control authority for lodgement of compliance documentation and certificates.

Mr. Mitchell went on to explain that the Local Authority do not pre qualify people as it is the Assigned Certifier who has the responsibility for certification.

6. Unfinished housing estates

Mr. Kelly explained to the meeting that there have been no developments since the previous meeting, work is ongoing, the Planning Unit are dealing with builders, receivers and agents as issues arise. We are awaiting a decision from the Department regarding our application to secure funding under the Special Resolution Fund.

The Chairperson expressed concern over the problems ordinary householders were having regarding ongoing issues within the Dun Ard Estate.

Mr. Kelly explained that this matter was before the courts at present.

Cllr. Connolly asked what the situation would be if a management company was not in a position to pay if something goes wrong. Is there a mechanism to ensure that residents know what they are getting themselves into when they purchase a house and is there a role for the council?

Mr. Kelly explained that those entering into a contract should seek their own legal advice when purchasing a property and noted that the Multi Unit Development Act provides for the facility for resident led management companies.

Mr. Mitchell added that the Local Authority don't take waste water treatment systems in charge, the management companies are responsible for this.

7. Planning Policy Issues

As there was no planning policy issues to discuss The Chairperson continued to Item 8 on the Agenda.

8. AOB

The Chairperson expressed his thanks to all the executive staff for their assistance over the previous term of office and in particular he wished to thank the outstanding work of Mr. Kelly.

Mr. O Donoghue on behalf of the community sector also wished to thank Mr. Kelly on his professionalism, sincerity, integrity and honest approach to all matters discussed.

Mr. Courtney wished to thank all the committee members and looked forward to continuing to be part of the committee.

Cllr. Connolly thanked Mr. Kelly and all his officials on their continued hard work.

Mr. Molloy thanked the chair and the officials on their professionalism, he felt that this was a good network to be involved in and wished all the elected members well in the upcoming elections.

Mr. Kelly thanked all the members for their kind words.

The Chairperson thanked the Members for their contributions over the past 5 years and wished those seeking re election every success and closed the meeting.

The next SPC meeting will take place on Monday 29th September 2014 at 2pm.