

COMHAIRLE CHONTAE DHUN NA nGALL

Oifig Riarthóir na
gCruinnithe
Aras an Chontae
Leifear
24 Meán Fomhair, 2019

FOGRA CRUINNITHE

Beidh Cruinniú Comhairle Chontae Dhún na nGall ar siúl Dé Luain 30 Meán Fomhair, 2019 ag 11.00 r.n. in Áras an Chontae, Leifear.

DO GACH BHALL DEN CHOMHAIRLE

A Chara

Iarrtar ort a bheith i láthair ag an chruinniú seo den Chomhairle. Ta Clár an chruinnithe leis seo.

Beidh Clár Orduithe an Phríomh-Fheidhmeannaigh le feiceáil ag an gcruinniú.

Mise le meas

Seosamh O'Piobla
Riarthóir Cruinnithe

DONEGAL COUNTY COUNCIL

Office of Meetings Administrator
County House
Lifford
24th September, 2019

NOTICE OF MEETING

A Meeting of Donegal County Council will be held on Monday 30th September, 2019 at 11.00am in the County House, Lifford.

TO EACH MEMBER OF DONEGAL COUNTY COUNCIL

Dear Councillor

You are summoned to attend this meeting of the Council. The Agenda is attached.

The Register of Chief Executive's Orders will be available for inspection at the meeting.

Yours sincerely

Joe Peoples
Meetings Administrator

AGENDA

1. **Confirmation of Minutes**

Confirmation of the Minutes of the July Meeting of Donegal County Council held on the 22nd July, 2019.

2. **Filling of Casual Vacancy in the membership of the Council**

- a) Filling of Casual Vacancy occasioned by the death of Cllr Manus Kelly.
- b) Filling of consequential vacancies arising from a) above:-

- Letterkenny-Milford Municipal District Committee.
- Donegal County Council Value for Money Committee.
- Donegal County Council Health Committee.
- Donegal County Council Cultural Committee.
- Donegal County Enterprise Fund.
- Colmcille Heritage Trust.

3. **Disposal of Land – Section 211 of the Planning and Development Act, 2000**

Notice under Section 211 of the Planning and Development Act 2000 (as amended) and under Section 183 of the Local Government Act 2001 – to dispose of Specific Instance Cottage at Powderly, Carnone, Raphoe, Co Donegal to Kelvin Vance.

4. **Taking of decisions pursuant to the Planning and Development Act, 2000 (Part XI), and the Planning and Development Regulations, 2001 Part 8**

- a) To approve the carrying out of development works at the former Army Barracks, Lifford.
- b) To approve the carrying out of works in respect of the refurbishment and extension of Carrigart Bridge on the R-245-20 and the provision of 164m of new footway in the townlands of Carrigart and Umlagh in the Letterkenny - Milford Municipal District.
- c) To approve the carrying out of works in respect of the proposed “Muckish Railway Walk Upgrade (Phase 1 of the proposed Burtonport to Letterkenny Greenway)” in the townlands of Carrownamaddy, Kildarragh, Ray, Moyra Glebe and Dunmore in the Glenties Municipal District.
- d) To approve the carrying out of works in respect of the proposed “Great Arch Access Project” in the townland of Pollet in the Letterkenny-Milford Municipal District.
- e) To approve the carrying out of works in respect of the proposed Enterprise and Digital Hub Building (Alpha Building) in the townland of Ballyraine, Letterkenny in the Letterkenny- Milford Municipal District.
- f) To approve the carrying out of works in respect of the proposed Digital Hub at Carrigart Main Street in the Letterkenny – Milford Municipal District.

5. **Housing**
To adopt the Donegal County Council Traveller Accommodation Programme for 2019 – 2024.
6. **Water & Environment**
To approve the Climate Change Adaptation Strategy for 2019 – 2024.
7. **Corporate**
 - a) To adopt the Draft Strategic Policy Committee Scheme 2019 – 2024.
 - b) To consider request from Fermanagh & Omagh District Council to form an A5/N2 Cross Border Committee.
8. **Finance**
 - a) To agree date for 2020 statutory Budget Meeting.
 - b) That Members consider whether they wish to pass a resolution to vary the Local Property Tax in County Donegal in respect of 2020.
 - c) To consider and note the Audited Financial Statement 2018.
 - d) To consider and note the Local Government Audit Report on the AFS for 2018.
 - e) To note the report from the Donegal County Council Audit Committee on its consideration of the 2018 Audited Financial Statement and Audit Report for 2018 of Donegal County Council as required by Section 121(3) of the Local Government Act, 2001 (as amended).
9. **Endorsement of Minutes**
 - a) To note minutes of the Corporate Policy Group Committee Meeting held on the 15th April, 2019.
 - b) To note minutes of the Corporate Policy Group Committee Meeting held on the 16th July, 2019.
10. **Attendance at Conference, Seminar or Event**
Authorisation of representation at a Seminar, meeting or event under Section 142 (5) of Local Government Act 2001, S.I. No. 668 of 2006, Local Government (Expenses of Local Authority Members) Regulations 2006, S.I. No. 37 of 2010, Guidelines given by the Minister for the Environment, Heritage and Local Government in relation to the Local Government Act, 2001 (Section 142) Regulations 2010, and the Local Government (Expenses of Local Authority Members) Regulations, 2014.

Training

- Association of Irish & Local Government Elected Member's Training programme for October and November, 2019.
- LAMA 2019 Autumn Training Seminar to be held from Thursday 17th to Saturday 19th October, 2019 in the The Falls Hotel, Ennistymon, Co Clare.

Conferences

- Irish Planning Institute, Autumn Planning Conference "Best Practice and Emerging Trends" to be held on Friday 4th October, 2019 in the Grand Hotel, Malahide, Dublin.
- Connecting for Life 2019, 4th Annual Conference to be held on Friday 4th October in the Central Hotel, Donegal Town.

- Economic and Business Opportunities from Climate Change to be held Wednesday 9th October, 2019 in the Tullamore Court Hotel, Tullamore, Co Offaly.
- Irish Council for Social Housing – Social Housing 2019 “Innovation Delivery & Sustainability Social Housing Conference” to be held from 10th to 11th October, 2019 in Clayton Whites Hotel, Wexford.
- UN convention on the Rights of Persons with Disabilities: Past Lessons and Future Aspirations to be held Thursday 17th October, 2019 in the Hogan Mezzanine, Croke Park Conference Centre, Dublin 3.

Travel Abroad

- Attendance of the CPMR representative at the 47th CPMR General Assembly to be held from Wednesday 16th to Friday 18th October, 2019 in Real Albergo delle Povere Corso Calatafimi 217, 90129 Palermo, Sicily (Italy).
- Attendance of the Cathaoirleach on the Trade and Investment Mission to the North East of the United States from the 11th to 15th November, 2019.
- Attendance at the Hericoast Closing Conference in Lea Artibai, Spain from the 5th to 7th November, 2019.

11. Conference Reports

- Cllr Patrick Mc Gowan – Celtic Conferences- The Cohesion Policy Policy 2014 – 2020 held from 14th to 16th December, 2018 in the Four Seasons Hotel, Carlingford, Co Louth
- Cllr Niamh Kennedy – CPMR Political Bureau Meeting held on the 6th and 7th March, 2019 in Brest, France.
- Cllr Terence Slowey – Celtic Conferences, Ireland and Plastic Waste held from 12th to 14th April, 2019 in Carlingford, Co Louth.

MOTIONS

LIFFORD- STRANORLAR MUNICIPAL DISTRICT

Roads & Transportation

12. Cllr Patrick McGowan

"As the Minister for Transport Shane Ross has refused to meet the Stranorlar MD members and Donegal County Council road staff, that this Council discuss what the options are to ensure that Ballybofey Stranorlar will be adequately linked to the proposed TenT - B&S By-pass which is up to 5km from the centre."

Economic Development

13. Cllr Gary Doherty

"That Donegal County Council calls on the Minister for Finance to establish a Brexit fund to provide assistance and support for businesses in the border regions which will be most severely affected in the event of a hard Brexit."

GLENTIES MUNICIPAL DISTRICT

Planning

14. Cllr Michael Mc Clafferty

"That this Council look at what can be done about proposed Oyster Farms in areas of scenic activity given that they will have an impact on tourism along the Wild Atlantic Way."

Economic Development

15. Cllr Marie Therese Gallagher

"That this Council note the failure of previous motion to have a multi-department task-force set-up for the Donegal Gaeltacht and re-iterate this Council's dedication to ensuring a task-force is established, and that this Council commit resources to ensure that a high-level meeting across all agencies in Donegal is called by year end, to establish how such a taskforce could be established."

INISHOWEN MUNICIPAL DISTRICT

Water & Environment

16. Cllr Jack Murray

"That Donegal County Council commends the strike action of the young people of the County in relation to the climate emergency and resolves to play its part in working towards a cleaner environment."

Corporate

17. Cllr Terry Crossan

"I propose that the Donegal County Council re-affirms its support for the Good Friday Agreement in all its parts and recognises that in the event of a no deal Brexit Donegal would be one of the worst effected counties, and also call on Donegal County Council to urge the Government to prepare for a border poll on Irish Unity."

18. Cllr Albert Doherty

"That this Council calls on the Minister for Justice and the Courts Service to fast track the carrying out of the structural survey of courthouses, particularly those that are currently closed in order to ensure a speedy assessment of their condition, to prioritise the necessary works that will take place and to allow the early restoration of Court Services to the area. The closure of local courthouses in rural Ireland, including Co Donegal causes considerable inconvenience to the general public".

Roads & Transportation

19. Cllr Martin Farren

"That this Council recommend to Government that sufficient funding be put in place to repair and carry out necessary works on our Piers and Harbours in the 2020 Budget."

20. Cllr Paul Canning

"I would ask this Council to request the Design Team that is in charge of the National Primary Road between Manor Roundabout and Bridgend Roundabout to carry out an audit on all of the junctions going off this road including regional and county, as their seems to be a policy of removing road

markings and an unwillingness to provide proper junction boxes at major junctions. This is causing a lot of stress to drivers that commute everyday on this main road"

Housing

21. **Cllr Martin Mc Dermott**

"To call on this Council to review their policy on S.I. Houses where families who want to build an S.I. House on their own land are refused, because policy states that if social housing is available in that area you cannot get an S.I. House."

LETTERKENNY – MILFORD MUNICIPAL DISTRICT

Corporate

22. **Cllr Liam Blaney**

"That this Council supports a vote of no confidence in the Mercosur Trade Deal."

23. **Cllr Ciaran Brogan**

"I propose that this Council employ an Executive Solicitor in house to help and assist all the relevant sections of Council with our legal issues."

24. **Cllr Gerry Mc Monagle**

"That this Council call on the Minister for Health Simon Harris, T.D. to immediately lift the recruitment embargo in the health service to enable hospitals with long term vacancies to recruit the necessary staff needed to deliver a proper health service that meets the needs of our communities".

Water & Environment

25. **Cllr Michael McBride**

"I am asking Donegal County Council to provide budget funding to allow for the rollout of fouling stations county-wide over the term of this council giving priority to areas where there are high volumes of dogs walked on a daily basis in year 1 and 2."

Roads & Transportation

26. **Cllr Donal Coyle**

"That this Council withdraw that part of the Ten T Priority Route Improvement Project, Section 2 N56/N13 Letterkenny to Manorcunningham which proposes to construct a new four lane carriageway from Listillion through Drumany and Dromore and that immediate funding be sought for the urgent construction of the Bonagee Link with a bridge across the Swilly."

Planning

27. **Cllr Ian Mc Garvey**

"That Donegal County Council list and protect all Right of Ways in our County and exercise their authority and responsibility to keep these Right of Ways open as they have been for generations."

DONEGAL MUNICIPAL DISTRICT

Roads & Transportation

28. Cllr Niamh Kennedy

"That this Council discuss and implement a method in tackling the roadside hedges and grass verges with the relevant SPCs and in particular in relation to local roads where there is a significant increase in visitors, cyclists and walkers."

Economic Development

29. Cllr Micheál Naughton

"I am calling on Donegal County Council to ask Mr. Shane Ross TD, Minister for Transport, Tourism and Sport, to reduce the vat rate from 13.5% to 9% for the tourism sector".

Cultural Services

30. Cllr Barry Sweeny

"That Donegal County Council consider the naming of its libraries (or a room within the library) in honour of appropriate individuals from the literary or artistic realm who have suitable connection to those areas where the libraries are located."

31. **Cathaoirleach's Business**

32. **Chief Executive's Management Report**

QUESTIONS

LIFFORD - STRANORLAR MUNICIPAL DISTRICT

Roads & Transportation

33. Cllr Gerry Crawford

"What consultation takes place between Roads and Irish Water county-wide?"

34. Cllr Gerry Crawford

"Will this Council work to have speed limit signs placed on all speed camera signs county-wide?"

35. Cllr Gary Doherty

"Does this Council plan to undertake a review of parking charges in the County, and if so, what is the timescale for this process?"

Water and Environment

36. Cllr Gerry Crawford

"How many complaints of pollution county-wide from 2018 to date (figures for each MD) has this Council investigated and what follow-up actions were necessary?"

37. Cllr Gary Doherty

"How many bursts in the water line (on a Municipal District) basis have Donegal County Council fixed since 1/1/2016 as part of the service level agreement with Irish Water?"

Finance

38. Cllr Frank McBrearty

"What costs has the Council paid for legal services for Senior Counsel, Junior Counsel and County Council Solicitors in weekly, monthly and yearly payments over the past 15 years?"

39. Cllr Frank McBrearty

"How many legal cases have Donegal County Council defended over the past 15 years?"

40. Cllr Frank McBrearty

"What expenses have the Council executive been paid over the past 15 years and what is the breakdown yearly for each Director including the CE/County Manager?"

Corporate

41. Cllr Patrick McGowan

"Please can I have a detailed breakdown of all staff across the County outlining the work they do and where they work?" (as requested previously)

42. Cllr Patrick McGowan

"How does the Council and their partner organisations choose which hotels and other venues to hold events in, and is there a county-wide tendering process or a Council web page that hotels can register on?"

GLENTIES MUNICIPAL DISTRICT

Finance

43. Cllr Michael Mc Clafferty

"What assistance can be given in terms of a rate reduction for those businesses prevented from opening on several occasions and forced to close on others due to water main bursts in a number of our towns and villages?"

Roads & Transportation

44. Cllr Michael Mc Clafferty

"What options are open to the Council to take action on all rivers that are blocked along their banks, and to provide assistance to all recent flood victims so as to help them overcome the nightmare of recent floods."

INISHOWEN MUNICIPAL DISTRICT

Economic Development

45. Cllr Jack Murray

"Can this Council provide an update on its collaborative work with Derry City and Strabane District Council in preparation for Brexit?"

Roads & Transportation

46. Cllr Jack Murray

"Can this Council provide a breakdown of staff which work on grass cutting, gardening, park maintenance rubbish collection, flower planting and other work which aesthetically improve our communities on a MD by MD basis?"

Water & Environment

47. Cllr Terry Crossan

"Is it the position of the Council, that in the event of cases of pollution in close proximity to lakes, nature reserves or areas of outstanding beauty, to investigate the source of this pollution and where necessary and apart from any enforcement issues, to monitor and inform councillors on a regular basis of their status going forward?"

48. Cllr Paul Canning

"Does this Council have any update on the spreading of digestate on whether it has an affect on air quality?"

Housing

49. Cllr Albert Doherty

MICA affected Council Housing Stock.

"The Government announced funding and financial assistance in May for private homes affected by MICA/ Defective Blocks.

Has the Government offered funding for remedial works and repairs required for Council houses in Donegal to date and will the Council now seek from Government "Special MICA Assistance" funding to permit the commencement of necessitous works and repairs for families in Council Housing?"

50. Cllr Paul Canning

"Is this Council still in a financial position to purchase private houses?"

Cultural Services

51. Cllr Albert Doherty

"All Ireland Pollinator Plan.

"Will Donegal County Council Chief Executive and Council Chairperson and/or their representatives, now sign a framework agreement with the All Ireland Pollinator Plan (following motion adopted by council members in March 2019) to formalise the County Council's long term commitment to support Pollinators in County Donegal?"

Community Development

52. Cllr Martin Mc Dermott

"To ask the Council what progress has been made on my motion last year to look for European funding for life jackets for fishermen and to do a pilot scheme in Donegal?"

LETTERKENNY - MILFORD MUNICIPAL DISTRICT

Housing

53. Cllr Liam Blaney

"Will this Council disclose all contacts it has had in relation to MICA affected properties with any Government Departments or Ministers to date?"

54. Cllr Michael McBride

"Did Donegal County Council apply for the funding recently announced by the Government for the provision of serviced sites nationally?"

Roads & Transportation

55. Cllr Liam Blaney

"Has this Council received any indication of any further LIS funding for this year, which is badly required?"

Planning

56. Cllr Ciaran Brogan

"Can we have an update on the proposed review of the county development plan and local area plans and a timeframe for same?"

57. Cllr Jimmy Kavanagh

"Have the Council plans to update the Derelict Sites Register and to tackle the problems caused by derelict sites in housing estates across the County?"

Corporate

58. Cllr Jimmy Kavanagh

"Can the Council ensure that all polling booths in the county will be fully accessible for elderly and disabled persons in time for the next general election?"

Economic Development

59. Cllr Ciaran Brogan

"Can we have an updated report on what steps this Council has taken to deal with the Brexit situation so that we can be innovative with looking for additional funding from Government and Europe to help us meet the many challenges that lie ahead?"

60. Cllr Ian Mc Garvey

"Do we need a Special Meeting to discuss what may be faced by the residents of Donegal after Brexit?"

DONEGAL MUNICIPAL DISTRICT

Roads & Transportation

61. Cllr Niamh Kennedy

"Given that there are plans in place for 1000 plus new charge points for electric cars around the country, what plans have Donegal County Council in place as to the number of extra charge points, what locations or sites have been identified, and when do we expect these new sites to be activated?"

Emergency Services

62. Cllr Barry Sweeny

"Can Donegal County Council re-engage with the Minister for Housing, Planning and Local Government to finalise the implementation of the Capital Plan to refurbish or rebuild Donegal Fire Stations? A request to meet with the Minister was submitted in July 2018 and, as of yet, no response has been received?"

Planning

63. Cllr Barry Sweeny

"Can the Council provide information on how many applications for 5G masts are currently with the planning department and where these masts are, can

DCC provide a list of locations where 5G masts are already installed in the County?”

64. Motions from Other Councils/Bodies

KERRY COUNTY COUNCIL

“Considering obligations under the Good Friday Agreement (GFA), this Council calls on the Irish Government to bring Equal Status Act in line with Legislation in the 6 County state and include “political belief” as an unlawful ground for discrimination.”

KERRY COUNTY COUNCIL

“That we write to the Minister for Defence and An Taoiseach asking tha the long over due medals for gallantry and distinguished service specifically for the Irish soldiers of A Company who served at Jadotville in 1961 be awarded. These medals were promised by former Taoiseach Enda Kenny in his final days in Office and still they have not been received.”

LEITRIM COUNTY COUNCIL

“That the Minister for Agriculture, Michael Creed, T.D be informed that the members of Leitrim County Council are unanimously opposed to the EU Mercosur Trade Deal.”

WATERFORD CITY & COUNTY COUNCIL

“That Waterford City & County Council in keeping with the objective of making Waterford a fair employment area agrees with and endorses the right of all employees to be represented individually and/or collectively by a trade union if they so wish. We would expect and encourage all Employers and their representative organisations in Waterford City and County Council to fully recognise this basic fundamental human right and so not intimidate, harass or threaten the continued employment of those exercising this right.”

SLIGO COUNTY COUNCIL

“That Sligo County Council delay (1) the testing of 5G and the roll-out of 5G in County Sligo (2) call on ComReg to delay the licensing of its roll-out and (3) calls on the Minister for Communications, Climate Action and the Environment to establish the facts about the radiation impact of 55G and to delay the roll-out across the country until a full assessment of the health and environmental implications are carried out with a report compiled and presented to the Oireachtas.”