

COMHAIRLE CHONTAE DHUN NA nGALL

Oifig Riarthóir na
gCruinnithe
Aras an Chontae
LEIFEAR

22 Bealtaine 2007

Beidh an Cruinniu Comhairle Chontae Dhun na nGall ag dul ar aghaidh Dé Luain, 28 Bealtaine, 2007, ag **2.00 ag Arás an Chontae, Leifear**

DO GACH BHALL DEN CHOMHAIRLE

A Chara

Iarrtar ort bheith i lathair ag an gcruinniu seo den Chomhairle. Ta Clar an Cruinnithe le seo.

Beidh Clar Orduithe an Bhainisteora Contae le feiceal ag an gcruinniu.

Mise, le meas

A. MacSuibhne

Riarthóir Cruinniu (RUNAI CHONTAE)

DONEGAL COUNTY COUNCIL

Office of Meetings Administrator
County House
Lifford
22nd May, 2007

NOTICE OF MEETING

A Meeting of Donegal County Council will be held on Monday 28th May, 2007, at 2.00 p.m. 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 County Manager's Orders will be available for inspection at the meeting.

Yours sincerely

E. Sweeney

Meetings Administrator (County Secretary)

AGENDA

1. **Confirmation of Minutes**
 - (a) Confirmation of Minutes of Meeting of Donegal County Council held on the 26th March 2007.
 - (b) Confirmation of Minutes of Adjourned Meeting of Donegal County Council held on the 16th April 2007.
 - (c) Confirmation of Minutes of Special Meeting of Donegal County Council held on 16th April 2007.
 - (d) Confirmation of Minutes of Meeting of General Purposes Committee held on 16th April 2007.

2. **Material Contravention of County Development Plan**
 - (a) Consideration of Planning Application 06/40987 by Sharon Rouse for erection of dwelling house and sewage treatment system with detached garage at Knockbrack, Letterkenny. (Report to be circulated at separately)
 - (b) Consideration of Planning Application 06/30384 by Damien Coll for erection of dwelling and septic tank at Magheraroarty, Gortahork, County Donegal. (Report to be circulated separately)

3. **Disposal of Land – Section 211 Planning & Development Act, 2000**
 - (a) Notice under Section 183 of the Local Government Act, 2001 to dispose 0.069 hectares of land to Mrs Teresa Ann Doherty at Glebe, Carndonagh.
 - (b) Notice under Section 183 of the Local Government Act, 2001 to dispose of 0.054 acres of land to Mr David Love, Killylastin, Letterkenny.
 - (c) Notice under Section 183 of the Local Government Act, 2001 to dispose of a building and plot of land (Circa 4.36 acres) at Pearse Road, Letterkenny, Co. Donegal to Dermot Gidea, John Gildea, Terence Gildea, Conal Gildea, Patrick Gildea and MBC Building Contractors Limited at Meenglass, Ballybofey, Co. Donegal.

4. **Taking of decision pursuant to Planning & Development Act, 2000 (Part XI), and Planning & Development Regulations, 2001 (Part 8).**
- (a) To approve the carrying out of works with regard to 5 no. Specific Instance Cottages at various locations in the county.
 - (b) To approve the carrying out of works with regard to 18no. housing units at Raphoe Road, Castlefin.
 - (c) To approve the carrying out of works with regard to the construction of 2 no. Precast Concrete Reservoirs at Aghanursan, Milford, Co. Donegal.
 - (d) To approve the carrying out of works with regard to Dam at Lough Nalughraman, Lagunna, Ardara.
 - (e) To approve the carrying out of works with regard to Ballybofey/Stranorlar Swimming Pool. (Report to be circulated at Meeting).
 - (f) To approve the carrying out of works with regard to proposed Road Project, Dungloe Foreshore Development (Phase 1).
 - (g) To approve the carrying out of works with regard to the proposed road realignment L-1092-3 Rosnakill to Carrowkeel (Phase 1)
 - (h) To approve the carrying out of works with regard to the proposed road realignment R245 Milford to Carrigart (Phase 3)
 - (i) To approve the carrying out of works with regard to the proposed ESB Substation for Donegal Town New Pier Pump Station.
5. **Date for Annual General Meeting**
To agree date of Annual General Meeting 2007.
6. **Finance Programme**
- (a) To approve the final amended expenditure figures for 2006, as contained in the Draft (unaudited) Annual Financial Statement 2006.
 - (b) To approve Overdraft Accommodation requirement of Fifty Million Euro (€50,000,000) for half year ending 31st December 2007.
7. **Housing Programme**
- (a) To approve the raising of a loan in the sum of €5,000,000 from the Housing Finance Agency for the purpose of payment of Tenant Purchase Loans.

- (b) To approve the raising of an increased loan of €150,000 for the development of a Voluntary Housing Project at Lifford by Habinteg Housing Association (Ireland) Ltd under the Capital Loan and Subsidy Scheme.
8. **Corporate Programme**
- (a) To note progress report on Capital Projects and Revenue Work Programmes as at 31st March 2007.
 - (b) To approve the appointment of Mr Pat O'Regan as the Bord Iascaigh Mhara representative on the Fisheries and Coastal Protection Committee.
9. **Planning & Economic Development Programme**
- (a) To consider Draft Buncrana & Environs Development Plan 2007.
 - (b) Review of Letterkenny & Environs Development Plan 2003-2009 (as varied) - Adoption of Section 9 Agreement to provide for joint working arrangements.
 - (c) To resolve to make a variation of the Letterkenny and Environs Development Plan 2003-2009.
 - (d) To consider Manager's Report on the Draft Newtoncunningham Local Area Plan 2007 and adoption of Plan.
 - (e) To consider Manager's Report on the Draft Lifford Local Area Plan 2007 and adoption of Plan.
 - (f) To consider Manager's Report on the Draft Pettigo Local Area Plan 2007 and adoption of Plan.
 - (g) To fix new date for Workshop to consider the variation of the County Development Plan.
10. **Roads Programme including Marine**
- To consider the distribution of the Marine Services budget allocation.
11. **Community, Enterprise & Cultural Services Programme**
- (a) To adopt Terms of Reference and Framework for Disability Strategy Group
 - (b) To adopt Movice (Regulation and Control of the Consumption and Possession of Intoxicating Liquor in Public Places) Bye Laws 2006.
 - (c) Report on Regional Cultural Centre.

- (d) To consider Report on Inter Territorial Co-operation –Cross Border Networks:-
- Recommendation for operation of Interreg IV
 - Review of Cross Border Networks

12. **Conferences**

Authorisation of representation at a seminar, meeting or event under Section 142 (5) of Local Government Act, 2001 and S.I. No 668 of 2006, Local Government (Expenses of Local Authority Members Regulations).

- (a) Byrne Perry Summer School Gorey, Co. Wexford to be held on 29th June – 1st July 2007.
- (b) Training Seminar for Councillors to be held at the Bellingham Castle Hotel, Castlebellingham, Co. Louth on 8th, 9th and 10th June 2007
- (c) Border, Midlands & Western Regional Assembly to be held at The Four Seasons Hotel, Carlingford, Co. Louth on 13th June 2007.
- (e) Cork Environmental Forum National Seminar 2007 to be held at the Ambassador Hotel, Military Hill, St. Lukes, County Cork on 05th June, 2007.
- (f) 03rd Annual Irish Public Private Partnerships Policy Forum to be held at The Gresham Hotel, Dublin on 26th June, 2007.
- (g) Safer, Cleaner, Greener Environments Conference, to be held at Ballymun Civic Centre, Ballymun, Dublin on 07th June, 2007.

13. **Mayor's Business**

14. **Manager's Report**

MOTIONS

- (L) Local
- (C) County
- (O) Other

DONEGAL ELECTORAL AREA

Roads & Transportation

15. Clr. Pringle
“That Donegal County Council provide traffic calming in Dunkineely on the N56 approaches.” (L)
16. Clr. Kennedy
“Can this Council instruct Bus Eireann to arrange their pick up and drop off service over at their own bus station in Donegal Town thus reducing the traffic congestion in the town centre.” (L)

Corporate Services

17. Clr. O’Neill
“That this Council seeks to have the status of Ballyshannon Town Council upgraded to the recognition it deserves as it is the only Town Authority in the county that does not have the full urban status.” (L)

MILFORD ELECTORAL AREA

Planning & Economic Development

18. Clr. McGarvey
“That members of Group Water Schemes be exempted from development charges for water as they are currently being asked to pay twice for the service.” (C)

STRANORLAR ELECTORAL AREA

Housing & Building

19. Clr. Reid
“That this Council purchase and demolish dwelling house at dangerous junction in Killygordon.” (L)
20. Clr. A. Bonner
“That this Council makes the Ballybofey and Stranorlar One Stop Shop a priority for the next 12 months and give the people of the Stranorlar Electoral Area a sense of first class citizenship to this county as we are the only Electoral Area with no public service building.” (L)

Roads & Transportation

21. Clr. McGowan
“That this Council begin work on planning and designing a new bridge for Castlefin and in the meantime carry out some works on the adjacent roads to cater for lorries and other large vehicles.” (L)

GLENTIES ELECTORAL AREA

Roads & Transportation

22. Clr. O’Domhnaill
“That Donegal County Council provide public lighting at all piers and slipway structures in Donegal to improve safety provisions.” (C)

Water, Environment & Emergency Services

23. Clr. Slowey
“That this Council make available to the elected members of this Local Authority the report sent to the Environmental

Protection Agency on the substandard drinking water supplies in County Donegal.” (C)

INISHOWEN ELECTORAL AREA

Housing & Building

24. Clr. Donaghey
“That Donegal County Council together with Buncrana Town Council immediately appoint a dedicated person to progress work on Council land at Lisowen, Buncrana for the relevant interested community groups.” (L)

LETTERKENNY ELECTORAL AREA

Housing & Building

25. Clr. Larkin
“That we review the present County Library with regards to an extension or move to a green field site.” (C)
26. Clr. Crawford
“That this Council discuss its plans for phase 2 works to the County House.” (C)

Corporate Services

27. Clr. McDaid
“That this Council seeks to examine models of good practice in other local authorities within the 32 counties, the U.K. and Europe that have significantly addressed the under representation of women in politics.” (O)

QUESTIONS

- (L) Local
- (D) County
- (O) Other

DONEGAL ELECTORAL AREA

Water, Environment & Emergency Services

28. Clr. Pringle
“What progress has been made on the Killybegs Sewerage and preparation of contract documents for the network?” (L)
29. Clr. Pringle
“What is the update on the Frosses/Inver Water Scheme upgrade and when is it expected that work will be completed?” (L)
30. Clr. Kennedy
“What is the update with the Old Fire Station in Donegal Town?” (L)

Housing & Building

31. Clr. Kennedy
“What has the Council planned for the temporary halting site in Donegal Town?” (L)

Roads & Transportation

32. Clr. O’Neill
“Will Donegal County Council immediately convene a Special Meeting with the NRA to discuss their lack of action in landscaping the three roundabouts along the Ballyshannon/Bundoran Bypass that was opened 12 months ago?” (L)
33. Clr. O’Neill
“Will Donegal County Council host a public dedication ceremony in renaming the new landmark bridge in Ballyshannon “Red Hugh O’Donnell Bridge” as proposed by

Ballyshannon Town Council on Friday 13th July 2007 to coincide with the Flight of the Earls 400th celebration in Ballyshannon?" (L)

MILFORD ELECTORAL AREA

Water, Environment & Emergency Services

34. Clr. McGarvey
"When will Ramelton Reservoir Start?" (L)
35. Clr. McGarvey
"When will work on Portlean pipe replacement start?" (L)

STRANORLAR ELECTORAL AREA

Roads & Transportation

36. Clr. Reid
"When will work start and completion date on the Stranorlar car park?" (L)
37. Clr. A. Bonner
"When will this Council prioritise directional signs for Ballybofey from the Letterkenny, Lifford and Castledearg direction?" (L)
38. Clr. A. Bonner
"When is this Council proposing to commence traffic calming at Navenny, Ballybofey as traffic is travelling too fast on this stretch of road and is an accident waiting to happen?" (L)
39. Clr. McGowan
"Can the Council work with the Gardai in stopping speeding vehicles on all our county roads especially at the entrance to our towns and villages and design traffic calming measures or ramps?" (C)

Housing & Building

40. Clr. Reid
“How many turnkey social houses have the Council purchased in the last ten years including the Urban Councils and the total cost?” (C)

Community, Culture & Enterprise

41. Clr. McGowan
“Will the Manager personally give some time to advance work on projects in Ballybofey and Stranorlar or appoint a dedicated person to advance the North West Regional Sports Centre at the Finn Valley Centre lands in Stranorlar showing the proposals for swimming pool, Centre of Excellence for Sports in the region, Community Enterprise Centre and develop playgrounds for the area etc.?”(L)

GLENTIES ELECTORAL AREA

Water, Environment & Emergency Services

42. Clr. O’Domhnaill
“Can Donegal County Council develop a programme to provide public toilets at island piers in conjunction with Island Committees and Udaras na Gaeltachta also can public toilets be provided at the county’s beaches over the summer months?” (C)
43. Clr. Slowey
“ When will the long promised chlorination system for the Ardara water supply at the reservoir be put in place?” (L)
44. Clr. Slowey
“Have Donegal County Council identified all the historical landfill sites in Donegal and can you name them and outline the time frame for their reclamation and the projected cost of this work and how it will be paid for?” (C)

LETTERKENNY ELECTORAL AREA

Roads & Transportation

45. Clr. Larkin
“When will work start on the Lisnennan Road to the Old Woodlands School as it is in a terrible condition?” (L)
46. Clr. Crawford
“What monies were provided from our resources for Non National Roads maintenance for years 2006 and 2007 and how much of these figures was for Area Office costs?” (C)
47. Clr. Crawford
“What plans exist to put in place a footpath from Beechwood Grove, Lifford to Curraghlane Lifford?” (L)
48. Clr. McDaid
“Will this Council consider the provision of adequate traffic calming measures at Main Street, St. Johnston in the interests of public safety due to the large number of heavy vehicles now using the street?” (L)

Corporate Services

49. Clr. Larkin
“Will the Council give the Elected Members a breakdown of staffing levels under each Director of Service in each of the Area Offices and Lifford?” (C)

Community, Culture & Enterprise

50. Clr. McDaid
“Will this Council seek funding to produce a guide for people with disabilities which gives an accurate overview of the provision of access to all arts, culture, heritage, leisure and community venues in the county with a view to promoting universal accessibility?” (C)

MOTIONS FROM OTHER COUNCILS

51. SHANNON TOWN COUNCIL
“That Shannon Town Council call on all Local Authorities in the West to campaign in favour of a strong Western corridor from Letterkenny to Cork to counter balance the Eastern corridor from Belfast to Rosslare. This campaign should begin by the local authorities of the west coming together to form a joint action group consisting of the Cathairligh/Mayors and Managers of Cork City and County, Limerick City and County, Galway City and County and Counties Kerry, Clare, Mayo, Sligo and Donegal to make this happen.”
52. NAAS TOWN COUNCIL
“That this Council supports the efforts of everylifecounts.com in their efforts to have just one day each year, 21st September, World Peace Day, where there won’t be any deaths on television for entertainment purposes.”
53. FERMOY TOWN COUNCIL
“That this Council should express its abhorrence of this Government’s Policy of purchasing carbon credits and insist it stops immediately.”
54. LIMERICK COUNTY COUNCIL
At a recent meeting of Limerick County Council, a Prime Time programme on the sexual abuse of children by teachers was discussed.
In the course of the discussion, a resolution was adopted by the Council calling on the Minister for Education to accept responsibility for the sexual abuse of children by teachers and not pursue the victims for compensation who seek redress through the courts.”

MINUTES OF MEETING OF DONEGAL COUNTY
COUNCIL HELD IN THE COUNTY HOUSE, LIFFORD
ON 28TH MAY. 2007.

C/235/07

MEMBERS PRESENT

Clrs. E. Bonner, Mayor, D. Alcorn, L. Blaney, A. Bonner, J. Boyle, C. Brogan, G. Crawford, Padraig Doherty, Pearse Doherty, R. Donaghey, J. Kennedy, D. Larkin, T. McDaid, M. McDonald, S. McEniff, I. McGarvey, D. McGonagle, P. McGowan, P. MacLochlainn, B. O'Domhnaill, B. O'Neill, T. Pringle, J.J. Reid and T. Slowey.

C/236/07

APOLOGIES

Apologies were received from Clrs. B. Byrne, F. Conaghan and N. McBride who were unable to attend the meeting.

C/237/07

OFFICIALS IN ATTENDANCE

Mr. Michael McLoone, County Manager, Mr. Liam Kelly, Director Housing & Building, Mr. Francie Coyle, Director Planning & Economic Development, Mr. Michael Heaney, Director Community Culture & Enterprise, Mr. John McLaughlin, Director Roads & Transportation, Mr. Peadar MacRory, A/Director Water, Environment & Emergency Services, Mr. Aidan McNichols, Head of Finance, Mr. Gerry Richards, Senior Planner, Mr. Eunan Quinn, Senior Executive Planner, Mr. Paul Kilcoyne, Senior Engineer, Mr. James Boyle, Senior Engineer, Mr. Vincent Lynn, Senior Engineer, Mr. Simon Harron, Executive Planner, Mr. Eunan Sweeney, Meetings Administrator, Ms. Annmarie Crawford, Staff Officer.

C/238/07

CONFIRMATION OF MINUTES OF MEETING OF
DONEGAL COUNTY COUNCIL HELD ON 26TH
MARCH, 2007

On the proposal of Clr. Alcorn, seconded by Clr. McEniff, the Minutes of Meeting of Donegal County Council held on 26th March 2007, were adopted.

- C/239/07 CONFIRMATION OF MINUTES OF ADJOURNED MEETING OF DONEGAL COUNTY COUNCIL HELD ON 16TH APRIL, 2007.
On the proposal of Clr. McEniff, seconded by Clr. E. Bonner, the Minutes of Adjourned Meeting of Donegal County Council held on 16th April 2007, were adopted.
- C/240/07 CONFIRMATION OF MINUTES OF SPECIAL MEETING OF DONEGAL COUNTY COUNCIL HELD ON 16TH APRIL 2007.
On the proposal of Clr. McEniff, seconded by Clr. E. Bonner, the Minutes of Special Meeting of Donegal County Council held on 16th April 2007, were adopted.
- C/241/07 CONFIRMATION OF MINUTES OF MEETING OF GENERAL PURPOSES COMMITTEE HELD ON 16TH APRIL, 2007.
On the proposal of Clr. Alcorn, seconded by Clr. Crawford, the Minutes of Meeting of General Purposes Committee held on 16th April 2007, were adopted.
- C/242/07 CONSIDERATION OF PLANNING APPLICATION 06/40987 BY SHARON ROUSE FOR ERECTION OF DWELLING HOUSE AND SEWAGE TREATMENT SYSTEM WITH DETACHED GARAGE AT KNOCKBRACK, LETTERKENNY.
Cr. Larkin advised that he wished to withdraw the above motion.
He noted that the application had fallen between the two Development Plans i.e. County Development Plan 2000-2006 and the County Development Plan 2006-2012. An anomaly existed, he noted, in that the applicant was able to prove that she was a member of indigenous rural community yet failed to comply with Policy RH4 of the County Development Plan 2006-2012 on the basis that she was living within the boundary of Letterkenny Town Council. Clr. Larkin called on the Planning Directorate to remedy this anomaly.

C/243/07 CONSIDERATION OF PLANNING APPLICATION 06/30384 BY DAMIEN COLL FOR ERECTION OF DWELLING AND SEPTIC TANK AT MAGHERAROARTY, GORTAHORK, COUNTY DONEGAL.

Clr. O'Domhnaill advised that he wished to withdraw the above motion.

C/244/07 DISPOSAL OF LANDS AT GLEBE, CARNDONAGH TO MRS. TERESA ANN DOHERTY

Members considered the report, circulated with the agenda, in relation to the above.

On the proposal of Clr. McGonagle, seconded by Clr. McDonald it was resolved to dispose of 0.069 hectares of land at Glebe, Carndonagh to Mrs. Teresa Ann Doherty, in accordance with Section 211 of the Planning & Development Act, 2000 and Section 183 of the Local Government Act, 2001, subject to the conditions set out in the Section 183 Notice.

C/245/07 DISPOSAL OF LAND AT KILLYLASTIN, LETTERKENNY TO MR. DAVID LOVE

Members considered the report, circulated with the agenda, in relation to the above.

It was agreed to defer consideration of this item pending clarification of the following:-

1. Who actually occupied the land in question?
2. Has Donegal County Council the authority to sell the plot?

C/246/07 DISPOSAL OF A BUILDING AND PLOT OF LAND AT PEARSE ROAD, LETTERKENNY TO MR. DERMOT GILDEA, JOHN GILDEA, TERENCE GILDEA, CONAL GILDEA, PATRICK GILDEA AND MBC BUILDING CONTRACTORS LIMITED AT MEENGLASS, BALLYBOFEY, CO. DONEGAL.

Members considered the report, circulated with the agenda, in relation to the above.

Clrs. Larkin and Brogan expressed disappointment that this item had been included on the agenda without prior consideration by the Letterkenny Electoral Area Committee. A lengthy debate ensued with members enquiring as to when the full audit of all Council properties and ensuing report would be completed.

The County Manager advised that the overall strategy in relation to the disposal of assets had been outlined in the various budget books and that it had been agreed that this was the most appropriate way of financing the building programme.

The item, he advised, had been placed before the members in good faith with the simple aim of reducing assets to balance the books.

On the proposal of Clr. Larkin, seconded by Clr. Brogan it was agreed to defer a decision to enable the matter to be referred back to the Letterkenny Electoral Area Committee for consideration.

C/247/07 TAKING OF DECISION WITH REGARDS TO 5NO. SPECIFIC INSTANCE COTTAGES.

Members considered the report, circulated with the agenda, in relation to the above.

On the proposal of Clr. Alcorn, seconded by Clr. Pdraig Doherty, the carrying out of works under Part XI of the Planning & Development Act, 2000 and Part 8 of the Planning & Development Regulations 2001, with regard to 5no. Specific Instance cottages at various locations in the county was approved.

C/248/07 TAKING OF DECISION WITH REGARDS TO 18NO HOUSING UNITS, RAPHOE ROAD, CASTLEFIN

Members considered the report, circulated with the agenda, in relation to the above.

On the proposal of Clr. A. Bonner, seconded by Clr. Pearse Doherty, the carrying out of works under Part XI of the Planning & Development Act, 2000 and Part 8 of the Planning & Development Regulations 2001, with regard to 18no. housing units at Raphoe Road, Castlefin, was approved.

- C/249/07 TAKING OF DECISION WITH REGARD TO CONSTRUCTION OF 2NO. PRECAST CONCRETE RESERVOIRS AT AGHANURSAN, MILFORD
Members considered the report, circulated with the agenda, in relation to the above.
On the proposal of Clr. McGarvey, seconded by Clr. Blaney, the carrying out of works under Part XI of the Planning & Development Act, 2000 and Part 8 of the Planning & Development Regulations 2001, with regard to construction of 2no. precast concrete reservoirs at Aghanursan, Milford, was approved.
- C/250/07 TAKING OF DECISION WITH REGARD TO DAM AT LOUGH NALUGHRAMAN, LAGUNNA, ARDARA.
Members considered the report, circulated with the agenda, in relation to the above.
On the proposal of Clr. Pringle, seconded by Clr. Slowey, the carrying out of works under Part XI of the Planning & Development Act, 2000 and Part 8 of the Planning & Development Regulations 2001, with regard to dam at Lough Nalughraman, Lagunna, Ardara, was approved.
- C/251/07 TAKING OF DECISION WITH REGARD TO BALLYBOFEY/STRANOLRAR SWIMMING POOL.
Members considered the report, circulated with the agenda, in relation to the above.
On the proposal of Clr. McGowan, seconded by Clr. A. Bonner, the carrying out of works under Part XI of the Planning & Development Act, 2000 and Part 8 of the Planning & Development Regulations 2001, with regard to Ballybofey/Stranorlar Swimming Pool, was approved.
- C/252/07 TAKING OF DECISION WITH REGARD TO ROAD PROJECT, DUNGLOE FORESHORE DEVELOPMENT
Members considered the report, circulated with the agenda, in relation to the above.
On the proposal of Clr. E. Bonner, seconded by Clr. Alcorn, the carrying out of works under Part XI of the Planning & Development Act, 2000 and Part 8 of the Planning & Development Regulations, 2001, with regard to Road Project, Dungloe Foreshore Development, was approved.

C/253/07 TO APPROVE THE CARRYING OUT OF WORKS WITH REGARD TO ROAD REALIGNMENT L-1092-3 ROSSNAKILL TO CARROWKEEL (PHASE 1)

Members considered the report, circulated with the agenda, in relation to the above.

On the proposal of Clr. Blaney, seconded by Clr. McGarvey, the carrying out of works under Part XI of the Planning & Development Act, 2000 and Part 8 of the Planning & Development Regulations, 2001 with regard to Road Realignment (L-1092-3) Rossnakill to Carrowkeel (Phase 1), was approved.

Mr. John McLaughlin advised that he would consult with the Area Manager in relation to the commencement of works.

Clr. Blaney requested clarification as to why it had been decided to start works 1km South of Keadue Bridge.

C/254/07 TO APPROVE THE CARRYING OUT OF WORKS WITH REGARD TO ROAD REALIGNMENT R245 MILFORD TO CARRIGART (PHASE 3)

Members considered the report, circulated with the agenda, in relation to the above.

On the proposal of Clr. Blaney, seconded by Clr. McGarvey, the carrying out of works under Part XI of the Planning & Development Act, 2000 and Part 8 of the Planning & Development Regulations, 2001 with regard to Road Realignment R245 Milford to Carrigart (Phase 3), was approved.

Clr. Blaney enquired as to why works for this stretch of road included plans for a 7m wide carriageway when Rossnakill to Carrowkeel was to consist of a 6m wide carriageway.

C/255/07 TO APPROVE THE CARRYING OUT OF WORKS WITH REGARD TO ESB SUBSTATION FOR DONEGAL TOWN NEW PIER PUMP STATION.

Members considered the report, circulated with the agenda, in relation to the above.

On the proposal of Clr. Kennedy, seconded by Clr. Boyle, the carrying out of works under Part XI of the Planning & Development Act, 2000 and Part 8 of the Planning &

Development Regulations, 2001 with regard to ESB Substation for Donegal Town Pier Pump Station, was approved.

Clr. Kennedy noted that extra care should be taken to ensure that works were completed in an environmentally friendly nature. It was imperative, he added, that the physical aspect of the project was finished to an acceptable standard.

C/256/07 FIXING OF DATE FOR ANNUAL GENERAL MEETING 2007.

The Mayor suggested that the Annual General Meeting of Donegal County Council be held on Friday 29th June 2007 at 2.00pm. It was agreed that further clarification would be sought as the date in question was not suitable for some members.

C/257/07 DRAFT (UNAUDITED) ANNUAL FINANCIAL STATEMENT 2006.

Members considered the report, circulated with the agenda, in relation to the above.

On the proposal of Clr. Brogan, seconded by Clr. Crawford, the final amended expenditure figures for 2006, as contained in the Draft (unaudited) Annual Financial Statement 2006, was approved.

C/258/07 OVERDRAFT ACCOMMODATION - €50,000,000

Members considered the report, circulated with the agenda, in relation to the above.

On the proposal of Clr. McEniff, seconded by Clr. Brogan, the Council resolved to authorise overdraft accommodation of fifty million euro (€50,000,000) for half year ending 31st December, 2007.

C/259/07 RAISING OF LOAN OF €5,000,000 FROM HOUSING FINANCE AGENCY

Members considered the report, circulated with the agenda, in relation to the above.

On the proposal of Clr. McEniff, seconded by Clr. O'Neill, the raising of a loan in the sum of five million euro (5,000,000) from the Housing Finance Agency for the purpose of payment of Tenant Purchase Loans, was approved.

C/260/07 RAISING OF LOAN OF €150,000 FOR DEVELOPMENT OF A VOLUNTARY HOUSING PROJECT

Members considered the report, circulated with the agenda, in relation to the above.

On the proposal of Clr. Crawford, seconded by Clr. McDaid, the raising of an increased loan of one hundred and fifty thousand euro (€150,000) for the development of a Voluntary Housing Project at Lifford by Habinteg Housing Association (Ireland) Ltd, under the Capital Loan and Subsidy Scheme, was approved. Clr. Pearse Doherty asked that members be advised of the rent being charged.

C/261/07 PROGRESS REPORT FOR QUARTER 1, 2007- CORPORATE SERVICES

Members considered the report, circulated with the agenda, in relation to the above.

On the proposal of Clr. Crawford, seconded by Clr. Alcorn, the progress report on Capital Projects and Revenue Work Programmes as at 31st March, 2007, was noted.

C/262/07 APPOINTMENT TO FISHERIES AND COASTAL PROTECTION COMMITTEE.

On the proposal of Clr. Alcorn, seconded by Clr. Boyle, the appointment of Mr. Pat O'Regan as the Bord Iascaigh Mhara Representative on the Fisheries and Coastal Protection Committee, was approved.

C/263/07 CONFERENCE ATTENDANCE

Having noted the revised arrangements under Section 142 5(d) of the Local Government Act, 2001, introduced by the Local Government (Expenses of Local Authority Members) Regulations 2006 and directives issued by the Minister in that regard on the proposal of Clr. Crawford, seconded by Clr. O'Neill, it was resolved to authorise any member if he/she so wished to attend the following conferences, subject to the following procedures:-

1. Individual members not exceeding their annual budget for attendance at conferences.

2. Payment of expenses for attendance to be conditional on the member furnishing documentary evidence of attendance.

- (a) Byrne Perry Summer School Gorey, Co. Wexford to be held on 29th June – 1st July 2007.
- (b) Training Seminar for Councillors to be held at the Bellingham Castle Hotel, Castlebellingham, Co. Louth on 8th, 9th and 10th June 2007
- (c) Border, Midlands & Western Regional Assembly to be held at The Four Seasons Hotel, Carlingford, Co. Louth on 13th June 2007.
- (d) Cork Environmental Forum National Seminar 2007 to be held at the Ambassador Hotel, Military Hill, St. Lukes, County Cork on 05th June, 2007.
- (e) 03rd Annual Irish Public Private Partnerships Policy Forum to be held at The Gresham Hotel, Dublin on 26th June, 2007.
- (f) Safer, Cleaner, Greener Environments Conference, to be held at Ballymun Civic Centre, Ballymun, Dublin on 07th June, 2007.

C/264/07 DRAFT BUNCRANA AND ENVIRONS DEVELOPMENT PLAN 2007

Members considered the report, circulated with the agenda, in relation to the above.

In response to Clr. MacLochlainn's request that the matter be deferred until after a public meeting on the 30th May, Mr. Francie Coyle confirmed that members would have the opportunity to review the plan when the public consultation period was over. It was imperative, he advised, that the plan be published, as failure to do so would result in the loss of a number of months work by the Planning Section.

On the proposal of Clr. MacLochlainn, seconded by Clr. Donaghey, it was resolved to publish the Draft Buncrana and Environs Development Plan 2007, in accordance with Section 12(1)-(3) of the Planning and Development Act, 2000.

C/265/07 REVIEW OF LETTERKENNY AND ENVIRONS DEVELOPMENT PLAN 2003-2009 (AS VARIED)

Members considered the report, circulated with the agenda, in relation to the above.

On the proposal of Clr. Larkin, seconded by Clr. Crawford, it was resolved that Donegal County Council, with the agreement of Letterkenny Town Council, shall review the current Letterkenny and Environs Development Plan 2003-2009, including the preparation of a new plan for the town and its environs, and that arrangements should be agreed between them in accordance with Section 9(3)(b) of the Planning and Development Act, 2000.

C/266/07 TO RESOLVE TO MAKE A VARIATION OF THE LETTERKENNY AND ENVIRONS DEVELOPMENT PLAN 2003-2009

Members considered the report, circulated with the agenda, in relation to the above.

On the proposal of Clr. Larkin, seconded by Clr. Crawford, it was resolved to adopt Variation No. 4 – Letterkenny & Environs Development Plan 2003-2009 (as varied).

C/267/07 DRAFT NEWTOWNCUNNINGHAM LOCAL AREA PLAN 2007

Members considered the report, circulated with the agenda, in relation to the above.

It was agreed to defer consideration of the above item and include the matter on the agenda for the Special Meeting of Donegal County Council scheduled for Monday 11th June, 2007.

C/268/07 DRAFT LIFFORD LOCAL AREA PLAN 2007

Members considered the report, circulated with the agenda, in relation to the above.

It was agreed to defer consideration of the above item and include the matter on the agenda for the Special Meeting of Donegal County Council scheduled for Monday 11th June, 2007.

C/269/07 DRAFT PETTIGO LOCAL AREA PLAN 2007

Members considered the report, circulated with the agenda, in relation to the above.

On the proposal of Clr. McEniff, seconded by Clr. Boyle, it was resolved to remove the master plan approach because of the multiplicity of landowners involved, but to retain the

Principles and Standards as set out in the original master plan.

Clr. Pringle referred to the extension of the plan boundary on the north side of the Kimmid Road and requested that this land be rezoned for residential purposes.

On the proposal of Clr. McEniff, seconded by Clr. O'Neill it was resolved to include the following objective:-

“To provide, upgrade and extend footpaths on all roads to the Local Area Plan boundary during the lifetime of the plan.”

On the proposal of Clr. McEniff, seconded by Clr. Boyle, it was resolved to publish the material alterations outlined above in respect of the Draft Pettigo Local Area Plan 2007, in accordance with Section 20(3) of the Planning and Development Acts, 2000-2006.

C/270/07 FIXING OF DATE FOR WORKSHOP ON VARIATION OF THE COUNTY DEVELOPMENT PLAN

On the proposal of Clr. McEniff, seconded by Clr. Crawford, it was resolved to hold a Workshop on Monday 11th June, 2007 at 10.00am in the County House, Lifford, to consider the variation of the County Development Plan.

C/271/07 DISTRIBUTION OF THE MARINE SERVICES BUDGET

Members considered the report, circulated with the agenda, in relation to the above. Members complimented Mr. Vincent Lynn and Mr. Brian Cullen on the excellent work carried out by the Marine Section.

A number of concerns were raised, however, in relation to works at Magheraroarty Pier in particular the ongoing problem with dredging works.

Members noted the Capital Projects Report on Roads for the first quarter 2007, which had been circulated prior to the meeting.

It was agreed that all queries in relation to same should be forwarded to Mr. John McLaughlin. Mr. McLaughlin agreed to arrange meetings with the NRDO and the NRA

Design Office in relation to projects in the Letterkenny and Stranorlar Electoral Areas.

C/272/07 TERMS OF REFERENCE AND FRAMEWORK FOR DISABILITY STRATEGY GROUP.

Members considered the report, circulated with the agenda, in relation to the above.

Clr. McGowan called on the Disability Strategy Group to make specific recommendations and then report back to the Council.

On the proposal of Clr. McGowan, seconded by Clr. Larkin, the terms of reference and framework for the Disability Strategy Group were adopted.

C/273/07 MOVILLE (REGULATION AND CONTROL OF THE CONSUMPTION AND POSSESSION OF INTOXICATING LIQUOR IN PUBLIC PLACES) BYE LAWS 2006.

Members considered the report, circulated with the agenda, in relation to the above.

On the proposal of Clr. McDonald, seconded by Clr. McGonagle, the Movice (Regulation and Control of the Consumption and Possession of Intoxicating Liquor in Public Places) Bye Laws 2006, were adopted.

C/274/07 REPORT ON REGIONAL CULTURAL CENTRE

It was agreed to defer consideration of the matter.

C/275/07 INTER TERRITORIAL CO-OPERATION –CROSS BORDER NETWORKS

Members considered the report, circulated with the agenda, in relation to the above.

The County Manager advised that Donegal County Council, in co-operation with the five other border counties, had responded recently to the Special EU Programming Body in relation to the operation of the Interegg IV Programme. Cross border collaboration was imperative, he added, so as to take advantage of the new political, social and economic climate in Northern Ireland. It was agreed that a working group be set up to look at the totality of cross- border

relationships followed by the holding of a workshop to review the various issues involved.

C/276/07 MAYOR'S BUSINESS

Votes of Sympathy

Votes of sympathy were conveyed to the following:-

- The Family of the late Joe Doohan, Feymore, Creeslough, Assistant Water Works Inspector, Milford Electoral Area.
- Frances Nichols, Information Officer on the death of her mother, Maura Nichols.
- Ronnie Moore, Water, Environment & Emergency Services, on the death of his brother, Alan Moore.
- Malachy Hegarty, Library Administration, on the death of his daughter, Laura Hegarty.
- The Family of the late Mervyn Lecky, former Clerk of Works, Donegal County Council.
- Ann Marie Quinn, Finance, on the death of her mother, Mona Quinn.

Votes of Congratulations

Votes of congratulations were conveyed to the following:-

- The Donegal Senior Football Team on winning the Alliance Ulster Football League Championship Title 2007.
- Niall Blaney, T.D., Mary Coughlan, T.D., Pat the Cope Gallagher, T.D., Dr. Jim McDaid, T.D., Dinny McGinley, T.D., Joe McHugh, T.D., on their election to Dáil Eireann. (The Mayor also commiserated with unsuccessful candidates).
- The County Manager, Clr. Ciaran Brogan, Mayor Letterkenny Town Council, the members of Letterkenny Town Council and Mr. Paul McGill, Area Manager, on the opening of the new Letterkenny Leisure Centre.

- Mr. Pat Nora Gallagher on his efforts in promoting the recent production of Riverdance.
- Mr. Frank Kerrane, Chief Fire Officer on his retirement from Donegal County Council. A number of tributes were paid to Mr. Kerrane with all present applauding his commitment and dedication to Fire Services in the county. The County Manager extended his best wishes and acknowledged the professional and courteous manner in which Mr. Kerrane had carried out his duties over the past thirty years.

Register of Electors

A lengthy debate ensued with a number of members highlighting the inadequacies of the current system. Mr. Eunan Sweeney welcomed the constructive comments from members and highlighted some of the difficulties encountered in relation to the compilation of the Register including the short time frame for dealing with postal vote applications, the absence of an individual elector identifier, persons not ordinarily resident in the county but insisting on being registered in Donegal and ongoing resourcing of the Register. He expressed the opinion that the system needed to be reviewed and that the Department of the Environment, Heritage and Local Government would have to take the lead. The Council agreed that Mr. Sweeney compile a report, with recommendations based on experience in Donegal for an overhaul of the Register for submission to the Department.

Capital Sewerage Schemes

The Mayor requested regular updates on the progression of such schemes and asked that members be provided with updated information of Preliminary Reports to the DOEHLG.

Piers

The Mayor called for a review of the Development Contribution Scheme particularly in relation to the provision of funding for the county's piers and harbours.

Glenties Library

It was noted that the Old Fire Station site would provide a suitable location for the proposed Glenties Library.

Halting Site – Big Isle

The Mayor enquired as to the delay in vacating the site, the provision of permanent accommodation for families living there and its overall designation as a transient site.

Freedom of the County – Resolution under Section 74 of Local Government Act, 2001.

On the proposal of Clr. E. Bonner, seconded by Clr. Alcorn, it was resolved to award the Freedom of the County to Mr. Packie Bonner in honour of his outstanding achievements in the field of sport both at home and abroad. It was agreed that the Civic Reception in his honour would be held at 2.00pm on Monday, 25th June, 2007 in the Council Chamber, County House, Lifford.

C/277/07 **COUNTY MANAGER’S REPORT**

Members considered the report, circulated with the agenda and addendum circulated at the meeting, in relation to the above.

The County Manager outlined the main points in his report.

C/278/07 **STATUS OF BALLYSHANNON TOWN COUNCIL**

On the proposal of Clr. O’Neill, seconded by Clr. Boyle, the following motion was adopted:-

“That this Council seeks to have the status of Ballyshannon Town Council upgraded to the recognition it deserves as it is the only Town Authority in the county that does not have the full urban status.”

Members were informed that:-

“The Local Government Act 2001 does not make any provision for change of status of exiting Town Councils. It appears that any change in the functions of Ballyshannon Town Council would have to be effected through new legislation.

Town Councils are divided into 3 categories in the Local Government Act, 2001 (Schedule 6) namely Borough Councils, former Urban District Councils and former Town

Commissioners. Ballyshannon Town Council falls into the latter category. The distinction reflects the different range of functions exercised by each category e.g. Town Councils that were formerly Town Commissioners are not rating authorities unlike Town Councils that were Urban District Councils.

The Local Government Act, 2001 provides a mechanism for qualified electors of a town having a population of at least 7500 at the last census and not having an existing Town Council to make a proposal for the establishment of a Town Council. Such newly established Council would have powers similar to other Town Councils including Ballyshannon that were formerly Town Commissioners.”

Clr. O’Neill advised that Ballyshannon Town Council currently operated within a very limited budget and had little official status. This was deplorable, he noted, given that the town was home to one of the biggest ratepayers in the county.

It was agreed that the motion, together with the request that Ballyshannon be afforded the same status as Town Councils formed from the old Urban District Councils would be forwarded to the Department of Environment, Heritage and Local Government for consideration.

C/279/07

ADJOURNMENT OF MEETING

On the proposal of Clr. E. Bonner, seconded by Clr. Alcorn, the Council agreed to adjourn consideration of the remainder of business of the meeting to 10.00am on Friday 15th June, 2007.

The following schedule of meetings was noted for Monday 11th May, 2007:-

9.00am	Workshop – Regional Cultural Centre, Letterkenny
10.00am	Workshop-Review of County Development Plan
12.00noon	Special Meeting of Donegal County Council
4.00pm	General Purposes Committee Meeting.

