

COMHAIRLE CHONTAE DHUN NA nGALL

Oifig Riarthóir na
gCruinnithe
Aras an Chontae
LEIFEAR

20 Bealtaine 2008

Beidh an Cruinniú Comhairle Chontae Dhún na nGall ag dul ar aghaidh Dé Luain, 26 Bealtaine, 2008, ag **2.00 ag Arás an Chontae, Leifear**

DO GACH BHALL DEN CHOMHAIRLE

A Chara

Iarrtar ort a bheith i láthair ag an gcruinniú seo den Chomhairle. Ta Clár an Cruinnithe le seo.

Beidh Clár Orduithe an Bhainisteora Contae le feiceáil ag an gcruinniú.

Mise, le meas

A. MacSuibhne

Riarthóir Cruinnithe(RUNAÍ CHONTAE)

DONEGAL COUNTY COUNCIL

Office of Meetings Administrator
County House
Lifford
20th May , 2008

NOTICE OF MEETING

A Meeting of Donegal County Council will be held on Monday 26th May, 2008, 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 31st March, 2008.
 - (b) Confirmation of Minutes of Adjourned Meeting of Donegal County Council held on 14th April, 2008.
 - (c) Confirmation of Minutes of General Purposes Committee Meeting held on 14th April, 2008.
 - (d) Confirmation of Minutes of Adjourned Meeting of Donegal County Council held on 28th April, 2008.

2. **Disposal of Land – Section 211 Planning & Development Act, 2000**
 - (a) Notice under Section 183 of the Local Government Act, 2001 to dispose of lands at Loughanure, Annagry to Mr. James McGarvey.
 - (b) Notice under Section 183 of the Local Government Act, 2001 to dispose of lands at Raforker, Donegal Town to Mr. Laurence McMullin of Raforker Developments Ltd, Drumlonagher, Donegal Town.

3. **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 Proposed Road Realignment L1125, Meenaneary. (Supplementary report to be circulated)
 - (b) To approve the carrying out of works with regard to Proposed Road Realignment R247, Rosnakill to Kerrykeel Phase 2 (Supplementary report to be circulated)

4. **Planning and Economic Development Programme**

To consider the Manager's Report on the submissions received to the Draft Amendment to the Ballybofey/Stranorlar Local Area Plan 2005/2011.

5. **Housing & Building Programme**
 - (a) To approve the raising of a loan of €5,000,000 to fund Affordable Housing Loans.

- (b) To adopt proposed policy “credit for children” to be given to separated/non-resident fathers where there is a legal agreement in place.
6. **Finance Programme**
- (a) To agree Overdraft Accommodation of Fifty Million Euro (€50,000,000) for half year ending 31st December, 2008.
 - (b) To note adopted 2008 Revenue Budget Restated – New Costing System Format.
7. **Corporate Services Programme**
- (a) To adopt indicative text of Annual Report 2007.
 - (b) To note report regarding Service Indicators 2007.
8. **Roads & Transportation Programme**
- (a) To note report from Commission for Taxi Regulation in relation to National Maximum Taxi Fare Revision and consider request for submissions.
 - (b) To approve amendment to policy on Unauthorised Advertisement Signs on Public Roads and Footpaths.
9. **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 2006:-
10. **Home**
- (a) Greenhouse Gas Emissions, The Challenge for Local Government Conference to be held on 30th May, 2008 at the Institute of Technology, Tallaght.
 - (b) National Association of Councillors Annual Conference to be held on 05th June, 2008 at Ard Rí House Hotel, Tuam, County Galway.
 - (c) Respond National Conference 2008 to be held on 05th June 2008 at The Killeshin Hotel, Portlaoise, County Laois.
 - (d) Energy Action Limited Conference to be held on 05th June, 2008 at Dunboyne Castle Hotel.
 - (e) The Local Government Housing Service Conference to be held on 06th-08th June, 2008 at the Bellingham Castle Hotel, Castlebellingham, County Louth.
 - (f) The Society For Folk Life Studies Annual Conference to be held on 18th-21st September, 2008 at Lake Hotel, Lake Shore, Muckross Road, Killarney, County Kerry.

Foreign Conference

- (g) National Association of Councillors Equality and Opportunity Conference to be held on 6th –08th June, 2008 at Mercure Holland House Hotel and Spa, Cardiff.

11. **Mayor's Business**

12. **Manager's Report**

MOTIONS

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

DONEGAL ELECTORAL AREA

Corporate Services

13. **Clr. Pringle**
"That Donegal County Council ensure that all contractors comply with the registered agreement for the construction workers pension scheme for all contracts before awarding contracts to ensure the no contractor has an unfair advantage." (C)

Finance

14. **Clr. McEniff**
"That Donegal County Council waive the water rates in respect of the Donegal Waterbus as it is an important tourism attraction." (L)

MILFORD ELECTORAL AREA

Roads and Transportation

15. **Clr. Blaney**
"That Donegal County Council proceed with a Compulsory Purchase Order on lands at Milford that are required for a car park (where no agreement has been signed yet) as this is holding up the

Environment Improvement Scheme for Milford Town which was promised to the people of Milford to commence in September 2006." (L)

Community, Culture and Enterprise

16. Clr. McGarvey
"That Donegal County Council re-examine supporting Donegal Ancestry as agreed by contract instead of closing it." (L)

Water, Environment and Emergency Services

17. Clr. McBride
"That this Council allow all 22(twenty two) Group Water Schemes that have been submitted to the Dept. for funding in the current year proceed to construction." (C)

STRANORLAR ELECTORAL AREA

Water, Environment and Emergency Services

18. Clr. A. Bonner
"That this Council, as a matter of urgency, permits a minimum of one group water scheme in each electoral area to proceed to construction, along with the Navenney scheme which is only €10,000." (C)

Community, Culture and Enterprise

19. Clr. Reid
"That this Council purchase the field known as Martyrs Field, Drumboe for use as a public park, to be financed from the sale of assets fund." (L)
20. Clr. McGowan
"That this Council request an urgent meeting with The Tanaiste Minister Mary Coughlan and the primary development organisations to agree strategic actions to kick start job creation in the county by supporting indigenous business and to encourage additional inward investment etc." (C)

GLENTIES ELECTORAL AREA

Community, Culture and Enterprise

21. Clr. Slowey
"That the members of this Council discuss what we can now do, in conjunction with our new Tanaiste and Minister for Enterprise, Trade and Employment, Mary Coughlan, to enhance, develop, support and create more employment in Donegal." (C)
22. Clr. Gallagher
"Considering that exploration is to begin in the next few weeks off the coast of Donegal by Shell and Statoil, that this Council calls on the Government to amend the terms and conditions of the exploration licences which allow these companies, if successful, to accumulate extraordinary wealth from our natural resources with very little in return to the Irish State." (O)

Corporate Services

23. Clr. Kelly
"In light of the increasing number of European Directives which directly effect the running of this Council and the people we represent, that we establish a specific Committee to investigate Directives and their legal implications on the working of this chamber." (C)

INISHOWEN ELECTORAL AREA

Water, Environment and Emergency Services

24. Clr. Conaghan
"That we discuss the Donegal Waste Management Plan." (C)
25. Clr. Donaghey
"That Donegal County Council proceed immediately with completion of contract documents for the Buncrana Leisure Centre since approval has been granted for a feasibility study/preliminary report which was submitted by Donegal County Council and the leisure centre." (L)

26. Clr. McGuinness
"That this Council review the development charge for water from Group Water Schemes off regional schemes or Council sources."
(C)

Roads and Transportation

27. Clr. McDonald
"That this Council ensure that all traffic islands are fitted with cats eyes on their cement bases to maximise their safety both those which are under the NRA control and those that are local authority responsibilities."

Community Cultural and Enterprise

28. Clr. MacLochlainn
"In view of the increase in agency employment throughout the economy and the fact that many workers from home and abroad are offered agency employment when they are seeking direct and permanent employment, this Council calls on the Minister to ensure that the forthcoming legislation on agency employment embodies the principle of equal treatment for all workers." (C)

LETTERKENNY ELECTORAL AREA

Roads and Transportation

29. Clr. Crawford
"That this Council discuss progress made in its efforts to help eliminate causes of flooding in Raphoe." (L)

30. Clr. Harte
"That this Council seek assurances from the Government that the Lifford to Manorcunningham proposed carriageway be completed as a matter of urgency?" (L)

Community, Culture and Enterprise

31. Clr. McDaid
"That this Council calls on the Minister for Education and Science, Batt O'Keefe to allow the practice of Tumoideachas to continue in Gaelscoileanna in this county and throughout the state as is current

practice in the North of Ireland and to carry out more research on the topic." (O)

Corporate Services

32. Clr. Larkin
"That this Council request the Research and Policy Unit of Donegal County Council to review fully the workings of our PSC's in each Electoral Area and compare the service now being given, with that before decentralisation and the aims of the Council at that time." (C)

Water, Environment and Emergency Services

33. Clr. Brogan
"I propose that this Council seek expressions of interest in Donegal with regard to land fill or future recycling proposals as our landfill in Ballinacarrick is near full capacity." (C)

QUESTIONS

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

DONEGAL ELECTORAL AREA

Water Environment and Emergency Services

34. Clr. Pringle
"When will Donegal County Council implement the Brown Bin collection for compostable waste?"(C)
35. Clr. Pringle
"What steps are being taken to improve the collection rate for household waste in this county?"(C)
36. Clr. McEniff
"What is the present position regarding the Tully Group Water Scheme ref no 1047?"(L)
37. Clr. McEniff
"What action is being taken by the Council regarding the sewerage odour at Drumrooske in Donegal Town?"(L)

MILFORD ELECTORAL AREA

Roads and Transportation

38. Clr. Blaney
"What present vacancies exist within all sections of the Roads & Transportation Services of Donegal County Council (Road Design, Lorry Drivers, Road Workers etc) and when do we intend to have these vacant positions filled and if a breakdown could be provided of same?"(C)

Water Environment and Emergency Services

39. Clr. McGarvey
"How or when will the sewerage treatment problems be dealt with in the Milford Electoral Area?"(L)

40. Clr. McGarvey
"What proposals are there to deal with the water problems around the Ramelton Area?"(L)

Planning and Economic Development

41. Clr. McBride
"When can we expect local area plans to be put in place for towns and villages in the Milford electoral area?"(L)
42. Clr. McBride
"I would like a breakdown of development charge monies collected in the Milford area for Water and Environment over the past five years and the projects that the money has been spent on."(L)

STRANORLAR ELECTORAL AREA

Water Environment and Emergency Services

43. Clr. A Bonner
"Is the new fire station in Stranorlar getting a new fire engine, as is customary by this Council in all previous new stations?"(L)
44. Clr. Reid
"Will the new water mains from Stranorlar to St. Joseph's Hospital and the road strengthening works be carried out in 2008?"(L)
45. Clr. Reid
"Why will the Council not supply 4" water pipes to the residents of the Curraghamore Road, Ballybofey?"(L)

Roads and Transportation

46. Clr. A Bonner
"Who is responsible for grass cutting, etc in private housing developments taken over by Donegal County Council?"(C)
47. Clr. McGowan
"Please can the Council Road Section give details of the proposed new road realignment at Drumboe Lower in accordance with requirement for new Finn Valley College ECT including costs and funding."(L)

Housing and Building

48. Clr. McGowan
"Why has this Council been selective in pursuance of derelict buildings throughout the county especially in the Finn Valley area and can a detailed report be given on same?"(C)

GLENTIES ELECTORAL AREA

Water Environment and Emergency Services

49. Clr. Alcorn
"Following my ongoing reps at local and county level for over 2 years, I would ask Donegal County Council to clarify if any pipe replacement will be carried out on the Rosses Regional Water Supply at any of the following locations:-
Annagry area
Kincasslagh area
Keadue-Burtonport area and Dungloe area under the "Small Capital Scheme Programme" (L)
50. Clr. Alcorn
"Now that construction work is near complete on the new Civic Amenity Site at Meenmore, Dungloe, when does Donegal County Council intend to open this much needed asset for the Glenties Electoral Area?"(L)
51. Clr. Slowey
"What plans have this Council in place for the upgrading of inadequate water filtration systems for the removal of Crypto Sporridium as identified in the recent Environmental Protection Agency report on vulnerable drinking water supplies in Donegal."(C)
52. Clr. Gallagher
"Is this Council aware that raw sewerage is running into the Bay at Dunfanaghy and what steps have this Council taken to remedy this pollution?"(L)

53. Clr. Gallagher
"What steps have this Council taken in recent months to ensure that funding is made available from the Department of Local Government for pipe replacement on the Rosses Regional Water Supply and given that the Government have continuously refused to fund this necessary work, what steps are the Council proposing to take to rectify the situation where drinking water on the Caravan Road and other areas is seriously discoloured?"(L)

Planning and Economic Development

54. Clr. Slowey
"How does Donegal County Council Planning Section interact with An Taisce, as regards their remit under the Planning Act. Would the Council outline in detail how this interaction works in practice on a day to day basis as regards routine planning applications?"(C)

INISHOWEN ELECTORAL AREA

Roads and Transportation

55. Clr. MacLochlainn
"Following the successful adoption of a recent Council motion, what progress has been made on the establishment of a cross border implementation committee of elected Council members, Oireachtas members, Assembly members and other relevant stakeholders to oversee plans for rail links within Donegal and connecting Donegal to existing Island wide rail links?"(C)
56. Clr. Conaghan
"What plans have the Council got to deal with the several dangerous junctions on the N13 at Newtowncunningham including Kiernan's Filling Station and the Moyle Junction?"(L)
57. Clr. McGuinness
"When will the carpark at St. Boden's Terrace, Culdaff be resurfaced and the drainage problem solved?"(L)
58. Clr. McDonald
"That the Council ensure that adequate sign posting is supplied and maintained particularly over the summer months."(C)

Water Environment and Emergency Services

59. Clr. MacLochlainn
"What are the Council doing to address ongoing problems with insufficient water pressure in the Killea and Newtowncunningham areas?"
60. Clr. Donaghey
"What is the current position regarding a Civic Amenity Site for Buncrana's growing population?"(L)
61. Clr. McDonald
"What is the current position in relation to supporting business's to advertise their existence while also maintaining a tidy appearance particularly at entrance to towns?"(C)

Housing and Building

62. Clr. Conaghan
"What is the Council's plan for the provision of housing in Inishowen over the next 3 years including number of houses, location and other housing services to be provided?"(L)
63. Clr. Donaghey
"What is the status of the proposal to develop a Council Outreach Service in Buncrana?"(L)

Corporate Services

64. Clr. McGuinness
"Will minutes of the Corporate Policy Group Meetings be circulated to all Council members?"(C)

LETTERKENNY ELECTORAL AREA

Roads and Transportation

65. Clr. Crawford
"When does this Council expect to be able to carry out Road Strengthening works on Rosgier, Ballindrait Road and Ballindrait Argergy Road?"(L)

66. Clr. Brogan
"When will works start on roads from O'Donnell Park to Dunnes Stores and from Ramada Hotel to Rosemount and will this work be done at night to minimise traffic problems?"(L)
67. Clr. Larkin
"Why has work committed to several years ago by DCC not taken place at Pearse Road and when will it take place?" (L)

Housing and Building

68. Clr. Crawford
"What plans does this Council have to refurbish its housing stock in Croghan Heights, Lifford?"(L)
69. Clr. Larkin
"Has this Council a register of derelict buildings and if so how many have been dealt with since this legislation was brought in in 2000?"(C)

Community Culture and Enterprise

70. Clr. McDaid
"Will this Council explain why the elections to the Board of Donegal Local Development Company (DLDC) under the Cohesion Process which were to be held on May 19th have been postponed?"(C)
71. Clr. McDaid
"What progress has been made by the Community & Enterprise Unit in response to my motion of November 2007 that Donegal County Council seek to examine models of good practice in local authorities within the 32 counties, the UK and Europe that have significantly addressed the under representation of women in political life?"(C)

Water Environment and Emergency Services

72. Clr. Brogan
"When will emergency works start at Ballyraine to prevent spillage of raw sewerage onto the road and works to overflow tanks be carried out?"(L)

MOTIONS FROM OTHER COUNCILS

73. PASSAGE WEST TOWN COUNCIL

“A large proportion of motorcycle accidents resulting in serious injury and death are directly related to road conditions and in particular to road repairs. In light of this I would call on this town council and all other councils throughout Ireland to insist that road works be finished to a high standard for all road users, and that in particular, the practice of “bedding in” new surfaces be stopped and adequate warning of roadworks be monitored on a daily basis.”

74. CLONMEL BOROUGH COUNCIL

“That Clonmel Borough Council ask the Minister for Environment to overhaul the current driving test, as the current failure rate of 50% is not acceptable and that Cahir Testing Centre or another suitable venue be opened in order to reduce the current waiting time to sit a test which is 6 months or more at present and that motion be circulated to all local authorities.”

75. LETIRIM COUNTY COUNCIL

"That Leitrim County Council prepare a detailed submission on the public consultation document "2020 Vision-Sustainable Travel and Transport" published recently by the Department of Transport. I further propose that the Council request the Department of the Taoiseach to legislate that representatives of the Council for the West and the BMW region are appointed to each national policy-making and decision-taking body, including (but not exclusively) the National Transportation Policy Committee, National Roads Authority, Industrial Development Authority, An Bord Pleanala, Health Services Executive etc. This would help ensure that the urban bias of recent policy development is challenged and that the interests of people in rural areas are protected and promoted. That this motion be circulated to all local authorities in the Council of the West and the BMW region.

76. SOUTH TIPPERARY COUNTY COUNCIL

“That this Council call on the Government to introduce change to the way the Housing Agencies Respond and Cluid operate so as to allow tenants with those agencies to purchase their homes as is the given right of all other social housing tenants also that the same

terms and conditions of sale would apply. If passed that notice of this motion be circulated to all other Councils.”

77. NEW ROSS TOWN COUNCIL

“That this Council calls on the Minister for the Environment to allow local authorities to decide housing policy in their respective areas and that we further call on the minister to ensure that the acquisition of land banks for social housing continues as a central plank of housing policy at a local level”.

**MINUTES OF MEETING OF DONEGAL COUNTY COUNCIL, HELD
IN THE COUNTY HOUSE, LIFFORD ON 26th May, 2008.**

C/190/08 **MEMBERS PRESENT**

Clrs. J. Boyle, Mayor, D. Alcorn, L. Blaney, A. Bonnar, E. Bonner, C. Brogan, B. Byrne, F. Conaghan, G. Crawford, R. Donaghey, M.T. Gallagher, J. Harte, J. Kelly, D. Larkin, N. Mc Bride, T. McDaid, M. Mc Donald, S. McEniff, I. McGarvey, D. Mc Gonagle, P. Mc Gowan, B. Mc Guinness, P. Mac Lochlainn, P. O' Dochartaigh, B. O' Neill, T. Pringle, J.J. Reid, T. Slowey.

C/191/08 **APOLOGIES**

Apologies were received from Clr. J Kennedy, who was unable to attend the meeting.

C/192/08 **OFFICIALS IN ATTENDANCE**

Mr. Michael McLoone, County Manager, Mr. L. Kelly, Assistant County Manager, Director of Housing, Mr. Francie Coyle, Director of Planning and Economic Development, Mr. Sean Sheridan, Director Corporate Services, Mr. John Mc Laughlin, Director Roads and Transportation, Mr. Aidan Mc Nicholas, Head of Finance, Mr. Michael Heaney, Director Community Culture and Enterprise, Mr. C. Lyons, Director Water, Environment and Emergency Services, Mr. Gerry Richards, Senior Planner, Mr James Boyle Senior Engineer, Mr. Garry Martin, Senior Executive Officer, Ms Catherine McLaughlin, Assistant Planner, Mr. Eunan Sweeney, Meetings Administrator, Ms. Anne Marie Crawford, Staff Officer, Corporate Services.

C/193/08 **CONFIRMATION OF MINUTES OF MEETING OF
DONEGAL COUNTY COUNCIL HELD ON 31st MARCH,
2008**

On the proposal of Clr. Larkin, seconded by Clr. McBride, the Minutes of the Meeting of Donegal County Council held on the 31st March 2008, were adopted.

- C/194/08 CONFIRMATION OF MINUTES OF ADJOURNED MEETING OF DONEGAL COUNTY COUNCIL HELD ON 14th APRIL, 2008
On the proposal of Clr. McEniff, seconded by Clr. Larkin, the Minutes of the Adjourned Meeting of Donegal County Council held on the 14th April 2008, were adopted.
- C/195/08 CONFIRMATION OF MINUTES OF MEETING OF GENERAL PURPOSES COMMITTEE HELD ON 14th APRIL, 2008
On the proposal of Clr. Larkin, seconded by Clr. McBride, the Minutes Of General Purposes Committee Meeting held on the 14th April 2008, were adopted.
- C/196/08 CONFIRMATION OF MINUTES OF ADJOURNED MEETING OF DONEGAL COUNTY COUNCIL HELD ON 28th APRIL, 2008
On the proposal of Clr. Kelly, seconded by Clr. McGarvey, the Minutes of the Adjourned Meeting of Donegal County Council held on the 28th April 2008, were adopted.
- C/197/08 DISPOSAL OF LANDS AT LOUGHANURE, ANNAGRY, TO MR JAMES MCGARVEY.
Members considered the report, circulated with the agenda, in relation to the above.
On the proposal of Clr. Gallagher, seconded by Clr. Slowey, it was resolved to dispose of lands at Loughanure, Annagry to Mr James McGarvey, in accordance with Section 211 of the Planning & Development Act, 2000 and Section 183 of the Local Government Act, 2001.
- C/198/08 DISPOSAL OF LANDS AT RAFORKER, DONEGAL TOWN, TO MR LAURENCE MCMULLIN.
Members considered the report, circulated with the agenda, in relation to the above.
On the proposal of Clr. McEniff, seconded by Clr. Pringle, it was resolved to dispose of lands at Raforker, Donegal Town to Mr Laurence McMullin, of Raforker Developments Ltd, Drumlonagher, Donegal Town, in accordance with Section 211 of the Planning & Development Act, 2000 and Section 183 of the Local Government Act, 2001.

C/199/08 TAKING OF DECISION WITH REGARD TO PROPOSED ROAD REALIGNMENT L1125, MEENANEARY.

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

On the proposal of Clr. Pringle, seconded by Clr. McEniff, 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 Proposed Road Realignment L1125, Meenaneary was approved.

C/200/08 TAKING OF DECISION WITH REGARD TO PROPOSED ROAD REALIGNMENT R247, ROSSNAKILL TO KERRYKEEL.

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

On the proposal of Clr. McGarvey, seconded by Clr. McBride, 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 Proposed Road Realignment R247, Rossnakill to Kerrykeel was approved.

C/201/08 CONSIDERATION OF MANAGER'S REPORT ON THE SUBMISSIONS RECEIVED TO THE DRAFT AMENDMENT TO THE BALLBOFEY/STRANORLAR LOCAL AREA PLAN 2005/2011

Members considered the Manager's Report and accompanying map, together with the Booklet of Recommended Alterations circulated with the agenda in relation to the above and the Addendum to the Manager's Report circulated during the meeting.

Submission No's 1,10, and 26 Golf Club Lands

On the proposal of Clr. A. Bonner, seconded by Clr. Mc Gowan, it was resolved to amend the Ballybofey/Stranorlar Local Area Plan 2005-2011 and rezone 4.7 acres which are currently part of the Golf Course from "Residential Phase A" to "Recreation, Amenity and Open Space.

On the proposal of Clr. A. Bonner, seconded by Clr. Mc Gowan, it was resolved to amend the Ballybofey/Stranorlar Local Area Plan 2005-2011 and amend Land use Zoning

Map to incorporate a “buffer zone” around the Golf Course and insert text detailing how these areas are to develop.

On the proposal of Clr. A. Bonner, seconded by Clr. Mc Gowan, it was resolved to materially alter the Ballybofey/Stranorlar Local Area Plan 2005-2011 and materially change proposed amendment Ref 20(a) as set out in the Manager’s Report in relation to Material Alteration No. 1 so as to rezone the subject lands so that lands north of the county road revert back to “Residential Phase B” while lands south of the county road be retained as “Recreation, Amenity & Open Space”

Submission No’s 2, 3, 4, 5, 6 , and 17 Masterplan Area 2 Framework- Drumboe.

The Director of Planning and Economic Development informed members that there were a number of submissions in relation to fields within the Masterplan area. These, he noted, could go out for public consultation again. He asked members to drop Options 2 and 3 and run with Option 1 in regard to the Drumboe-Masterplan Area 2 Framework.

Clr. A. Bonner proposed, seconded by Clr. Mc Gowan:-

“That the Ballybofey/Stranorlar Local Area Plan 2005-2011 be materially altered so as to: -

- Adopt Masterplan Area 2 Framework, Option 3
- Rezone an area of land in Option 3 from “Heavily Wooded Area” to “Residential Amenity Zone 3” and insert additional text as follows:
“This zone shall allow for the provision of one dwelling house only on the subject lands”
- Amend and reorder the proposed text of Masterplan Area 2 Framework policy set out in the proposed amendment so that it correlates with Option 3.”
(Vide Appendix 1)

An amendment was proposed by Clr Reid, seconded by Clr. Slowey,

“That the Ballybofey/Stranorlar Local Area Plan 2005-2011 be materially altered as per the recommendations set out in the County Manager’s Report.”

Mr. Eunan Sweeney, Meetings Administrator advised that in accordance with Standing Orders a recorded vote would be taken firstly in relation to the amendment.

A recorded vote taken by the Meetings Administrator resulted in 4 voting for, 14 against with 4 abstentions.

Those voting in favour were:

Clrs. Boyle, Mc Bride, Reid and Slowey.(4)

Those voting against were:

Clrs. Alcorn, A. Bonner, E. Bonner, Brogan, Byrne, Conaghan, Crawford, Donaghey, Kelly, Larkin, Mc Donald, Mc Eniff, Mc Gonagle and Mc Gowan. (14)

Clrs. Gallagher, Mc Daid, Mc Garvey and Mac Lochlainn abstained.(4)

The Mayor declared the amendment lost

A recorded vote was then taken on the motion which resulted in 14 voting for, 4 against with 4 abstentions.

Those voting in favour were:

Clrs. Alcorn, A. Bonner, E. Bonner, Brogan, Byrne, Conaghan, Crawford, Donaghey, Kelly, Larkin, Mc Donald, Mc Eniff, Mc Gonagle and Mc Gowan. (14)

Those voting against were:

Clrs. Boyle, Mc Bride, Reid and Slowey.(4)

Clrs. Gallagher, Mc Daid, Mc Garvey and Mac Lochlainn abstained.(4)

The Mayor declared the motion carried.

(Vide Appendix 1 to these minutes.)

Submission No.7

On the proposal of Clr. A. Bonner, seconded by Clr. Mc Gowan, it was resolved to materially alter the Ballybofey/Stranorlar Local Area Plan 2005-2011 and amend proposed amendment refs.15 & 16, as set out in the Manager's report in relation to Material Alteration 3, so as to:

- Include a cycle path that correlates with the "Northwest Cycle Route" as delineated in purple on the attached map.

And to materially alter the Ballybofey/Stranorlar Local Area Plan 2005-2011 and amend proposed amendment refs.15 & 16 as set out in the Manager's report in relation to Material Alteration 4, so as to:

- Reroute the proposed walkway/cycle path to follow the county road as illustrated in the attached map.
- Change proposed amendment Ref 20(a) as set out in the Manager's Report in relation to Material Alteration No. 1 so as to rezone the subject lands so that lands north of the county road revert back to "Residential Phase B" while lands south of the county road be retained as "Recreation, Amenity & Open Space".
- Change Proposed Amendment Refs. 24 & 25: and rezone lands adjacent to Dreenan Bridge from "Possible Education/Community Sites" to "Education & Mixed Use" along with other lands to the east as delineated in orange on the accompanying map.
- To insert a new policy, namely, 'CR15: Education And Mixed Use' at page 50 of the Ballybofey/Stranorlar Local Area Plan 2005-2011. "The subject lands shall be developed with the primary focus of education provision with all other uses being secondary in importance to that"

- To materially change Proposed Amendment Refs. 24 & 25 as recommended in Managers Report in relation to Mat Alt 5 subject to inserting text stating that ‘the subject lands shall be developed with the primary focus of education provision with all other uses being secondary in importance to that’. As recommended in the Managers Report, in relation to sites A-E, with additional text to be inserted in relation to sites A, B, C, E, as follows: “education shall be the predominant use in these areas”, this new text shall not apply to site D.
- **Change Proposed Amendment Refs. 24 & 25 so as to:**
 - Re-zone Sites A-E from “Possible Education/Community Sites” to “Neighbourhood Area” as delineated in red on the attached maps. (Vide Appendix 1)
 - Insert a new policy, namely, ‘CR14: Neighbourhood Areas’ at page 50 of the Ballybofey/Stranorlar Local Area Plan 2005-2011, as recommended in the Managers Report subject to the insertion of additional text as follows:

“On sites A, B, C and E education shall be the predominant use, while this shall not be applicable to Site D”

Submission No.8

On the proposal of Clr. A. Bonner, seconded by Clr. Mc Gowan, it was resolved to materially alter the Ballybofey/Stranorlar Local Area Plan 2005-2011 so as to:

- To change proposed Amendment Refs 15 & 16 as set out in the Manager’s Report in relation to Material Alteration 3, so as to include a cycle path that correlates with the “Northwest Cycle Route” as delineated in purple on the attached map.
- To change proposed Amendment Refs 15 & 16 as set out in the Manager’s Report in relation to Material Alteration 4, so as to reroute the proposed

walkway/cycle path to follow the county road as illustrated in the attached map.

- Change proposed amendment Ref 20(a) as set out in the Manager's Report in relation to Material Alteration No. 1 so as to rezone the subject lands so that lands north of the county road revert back to "Residential Phase B" while lands south of the county road be retained as "Recreation, Amenity & Open Space"

Submission No's 9, 11, 12, 13, 14, 15, 24 and 25

On the proposal of Clr. A. Bonner, seconded by Clr. Mc Gowan, it was resolved to materially alter the Ballybofey/Stranorlar Local Area Plan 2005-2011 so as to:

- Change Proposed Amendment Refs. 24 & 25: and rezone lands adjacent to Dreenan Bridge from "Possible Education/Community Sites" to "Education & Mixed Use" along with other lands to the east as delineated in orange on the attached map. (Vide Appendix 1)
- To insert a new policy, namely, 'CR15: Education And Mixed Use' at page 50 of the Ballybofey/Stranorlar Local Area Plan 2005-2011. "The subject lands shall be developed with the primary focus of education provision with all other uses being secondary in importance to that"
- To materially change Proposed Amendment Refs. 24 & 25 as recommended in Managers Report in relation to Mat Alt 5 subject to inserting text stating that 'the subject lands shall be developed with the primary focus of education provision with all other uses being secondary in importance to that'. As recommended in the Managers Report, in relation to sites A-E, with additional text to be inserted in relation to sites A, B, C, E, as follows: "education shall be the predominant use in these areas", this new text shall not apply to site D.
- **Change Proposed Amendment Refs. 24 & 25 so as to:**
 - Re-zone Sites A-E from "Possible Education/Community Sites" to "Neighbourhood

Area” as delineated in red on attached map” (Vide Appendix 1)

- Insert a new policy, namely, ‘CR14: Neighbourhood Areas’ at page 50 of the Ballybofey/Stranorlar Local Area Plan 2005-2011, as recommended in the Managers Report subject to the insertion of additional text as follows:

“On sites A, B, C and E education shall be the predominant use, while this shall not be applicable to Site D”

Submission No. 16

Responding to members queries, the Director of Planning and Economic Development advised that it would not be possible to deal with this submission as the lands in question had not been satisfactorily identified.

Submission No. 18

On the proposal of Clr. A. Bonner, seconded by Clr. Mc Gowan, it was resolved to materially alter the Ballybofey/Stranorlar Local Area Plan 2005-2011 and:

- Materially change proposed amendment Ref 20(a) as set out in the Manager’s Report in relation to Material Alteration No. 1 so as to rezone the subject lands so that lands north of the county road revert back to “Residential Phase B” while lands south of the county road be retained as “Recreation, Amenity & Open Space”.
- Change Proposed Amendment Refs. 24 & 25: and rezone lands adjacent to Dreenan Bridge from “Possible Education/Community Sites” to “Education & Mixed Use” along with other lands to the east as delineated in orange on the accompanying map.
- To insert a new policy, namely, ‘CR15: Education And Mixed Use’ at page 50 of the Ballybofey/Stranorlar Local Area Plan 2005-2011. “The subject lands shall be developed with the primary focus of education provision with all other uses being secondary in importance to that”

- To materially change Proposed Amendment Refs. 24 & 25 as recommended in Managers Report, in relation to Mat Alt 5 subject to inserting text stating that: “The subject lands shall be developed with the primary focus of education provision with all other uses being secondary in importance to that”, as recommended in the Managers Report, in relation to sites A-E, with additional text to be inserted in relation to sites A, B, C, E, as follows: “education shall be the predominant use in these areas”, this new text shall not apply to site D.
- **Change Proposed Amendment Refs. 24 & 25 so as to:**
Re-zone Sites A-E from “Possible Education/Community Sites” to “Neighbourhood Area” as delineated in red on the attached maps.(Vide Appendix 1)

Insert a new policy, namely, ‘CR14: Neighbourhood Areas’ at page 50 of the Ballybofey/Stranorlar Local Area Plan 2005-2011, as recommended in the Managers Report subject to the insertion of additional text as follows:

“On sites A, B, C and E education shall be the predominant use, while this shall not be applicable to Site D”

Submission No’s 19 & 29

On the proposal of Clr. A. Bonner, seconded by Clr. Mc Gowan, it was resolved to materially alter the Ballybofey/Stranorlar Local Area Plan 2005-2011 and: change Proposed Amendment Ref. 13 so as to:

- Insert additional text (as set out in submission Ref. 29) into policy E5 Retail development proposals within town centre areas at page 35 of the Ballybofey/Stranorlar Local Area Plan 2005 - 2011, as follows:
“It is a local objective to provide for a large foodstore on lands zoned ‘Town Centre’ at the corner of the

Donegal Road and the proposed link road to the bypass.”

Submission No. 21

On the proposal of Clr. A. Bonner, seconded by Clr. Mc Gowan, it was resolved to: -

- Adopt Masterplan Area 2 Framework, Option 3
- Rezone an area of land in Option 3 from “Heavily Wooded Area” to “Residential Amenity Zone 3” and insert additional text as follows:
“This zone shall allow for the provision of one dwelling house only on the subject lands”
- Amend and reorder the proposed text of Masterplan Area 2 Framework policy set out in the proposed amendment so that it correlates with Option 3.
(Vide Appendix 1)

Submission No’s 23 and 27

On the proposal of Clr. A. Bonner, seconded by Clr. Mc Gowan, it was resolved to materially alter the Ballybofey/Stranorlar Local Area Plan 2005-2011 and amend Proposed Amendment 5 so as to:

- Rezone **3.85Acres/1.56HA** from “River Corridor Recreation & Amenity” to “Education & Mixed Use” along with other lands to the west as delineated in orange on the attached map (Vide Appendix 1).
- Insert a new policy, namely, ‘CR15: Education And Mixed Use’ at page 50 of the Ballybofey/Stranorlar Local Area Plan 2005-2011, both of which were recommended in the Managers Report, subject to an additional text insertion as follows:
“The subject lands shall be developed with the primary focus of education provision with all other uses being secondary in importance to that...”
- Rezone lands near Dreenan Bridge from “River Corridor, Recreation & Amenity” to “Riverside Development Area” as delineated with a red boundary on the attached map.(Vide Appendix 1)
Insert mapping, as detailed below at page 50 of the Ballybofey/Stranorlar Local Area Plan 2005–2011.

- Insert a new policy, namely, ‘CR16: Riverside Development Area’ insert the map below at page 50 of the Ballybofey/ Stranorlar Local Area Plan 2005-2011, as follows:

“CR16: Riverside Development Area:

Development proposals on lands falling within the Riverside Development Area shall accord with the uses set out in the attached map(Vide Appendix 1)

A section 47 agreement shall be completed in relation to the ceding of open space lands to Council as part of any planning application on the subject lands and prior to any development taking place.”

- Rezone 2 parcels of land on the Glenfin Road from “River Corridor, Recreation & Amenity” to “Residential Phase A”, as delineated on the attached map (Vide Appendix 1).
- Insert additional text into policy H10 Layout at page 17 and into policy CR12: River Finn at page 50 of the Ballybofey/Stranorlar Local Area Plan 2005-2011, as follows:

“Where a riverside buffer zone has been identified, it shall be a width of 30 metres. Lands falling within such a zone such as those on the Glenfin Road shall be retained for amenity purposes.”

Submission No. 28

On the proposal of Clr. A. Bonner, seconded by Clr. Mc Gowan, it was resolved to materially alter the Ballybofey/Stranorlar Local Area Plan 2005-2011 and change Proposed Amendment References 7 & 8 so as to: “Amend the legend of the Masterplan Area 1 Framework, at Railway Road to change “Vehicular Access” to “Indicative Road Line”, as indicated in the addendum circulated during the meeting. (Vide Appendix 1)

On the proposal of Clr. Mc Gowan, seconded by Clr. A. Bonner, it was resolved to amend the Ballybofey-Stranorlar Local Area Plan 2005- 2011, subject to the recommendations set out in the Manager’s Report (May 2008) together with the material amendments made at the meeting, and to publish for a four week period of public consultation said modifications deemed to be Material Alterations to the previously published draft amendment, in

accordance with section 20(3) (e) of the Planning and Development Acts 2000-2006.

The Director of Planning and Economic Development thanked members for their co-operation and acknowledged the dedicated efforts of all those involved in preparing the draft amendment to the plan.

C/202/08 TO APPROVE THE RAISING OF A LOAN OF FIVE MILLION EURO (€5,000,000) TO FUND AFFORDABLE HOUSING LOANS

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

On the proposal of Clr. Larkin, seconded by Clr. McBride, it was resolved :-

“That in accordance with the provisions of the Local Government (No2) Act 1960 and Section 27 of the Housing(Miscellaneous Provisions) Act, 1992 we, the members of Donegal County Council, hereby authorise the borrowing of a loan in the sum of €5,000,000 from the Housing Finance Agency for the purpose of payment of Affordable Housing Loans”.

C/203/08 TO ADOPT PROPOSED POLICY “CREDIT FOR CHILDREN” TO BE GIVEN TO SEPARATED/NON RESIDENT FATHERS WHERE THERE IS A LEGAL AGREEMENT IN PLACE.

Members considered the report, circulated with the agenda, in relation to the above and generally welcomed the policy amendment. A number of queries were raised namely, whether or not the policy excluded fathers who wished to pay but were not in a position to do so, and whether or not Donegal County Council had any right to extend the policy to separated/non resident fathers only where there was a legal agreement in place.

Clr. Pringle stated that the wording of the policy should state non-resident parents and not specifically non-resident fathers.

On the proposal of Clr. Larkin, seconded by Clr. Conaghan, it was resolved to adopt the policy subject to the correction suggested by Clr. Pringle.

C/204/08 MOTION TO HAVE MATTER DISCUSSED AS URGENT BUSINESS

A request, signed by Clrs. Mac Lochlainn, Gallagher, Mc Daid, Slowey and Pringle, to have the following matter discussed as Urgent Business was placed before the Council:-

“ That Donegal County Council calls on the Government to:

- Retain existing safe, high quality cancer services at Sligo General Hospital as a satellite unit under the responsibility of the Galway Centre of Excellence;
- Proceed immediately with the provision of a satellite unit at Letterkenny General Hospital and under the responsibility of the Galway Centre of Excellence pending the twinning of medical oncology and surgical services at Letterkenny with radiation oncology at Altnagelvin, Derry to form a Centre of Excellence for the north-west cross-border region;
- Significantly enhance cross-border co-operation between health services maximising the health care resources of Ireland as a whole, particularly in the development of cancer care.

And furthermore calls on all Donegal elected representatives to support the above actions”.

Mr. Eunan Sweeney Meetings Administrator advised that in order for the motion to be passed those voting in favour should number not less than half of the total number of members of the Council and not less than three quarters of the members present at the meeting.

Clr. Mac Lochlainn stated that the matter required adequate consideration and proper debate. He advised that he was willing to withdraw the motion to accommodate additional signatories.

It was resolved on the proposal of Clr. Conaghan, seconded by Clr. Brogan, that a recorded vote be taken..

Clr. Conaghan advised that his party was not opposed, in principle, to the wording of the motion but rather to the manner in which it had been introduced.

Prior to consideration of the motion, the Meetings Administrator carried out a roll call of members present and recorded as in attendance those listed below:

Clrs:- D. Alcorn, L. Blaney, A. Bonner, E. Bonner, J. Boyle, C. Brogan, B. Byrne, F. Conaghan, G. Crawford, Pádraig Doherty, R. Donaghey, M.T Gallagher, J. Harte, J. Kelly, D. Larkin, N. McBride, T. McDaid, M. McDonald, S. McEniff, I. McGarvey, D. McGonagle, P. McGowan, B. Mc Guinness, P. McLochlainn, T. Pringle, J.J. Reid ,T. Slowey.(27)

A recorded vote was then taken by the Meetings Administrator, resulting in 12 for, with 15 against.

Those voting in favour were: -

Clrs:- J. Boyle, P. Doherty, M.T Gallagher, J. Harte, N. McBride, T. McDaid, I. McGarvey, B. Mc Guinness, P. McLochlainn, T. Pringle, J.J. Reid ,T. Slowey.(12)

Those voting against were: -

Clrs:- D. Alcorn, L. Blaney, A. Bonner, E. Bonner, C. Brogan, B. Byrne, F. Conaghan, G. Crawford, R. Donaghey, J. Kelly, D. Larkin, M. McDonald, S. McEniff, D McGonagle, P. McGowan. (15)

The Mayor declared the motion lost.

C/205/08 TO AGREE OVERDRAFT ACCOMODATION OF FIFTY MILLION EURO (€50,000,000) FOR HALF YEAR ENDING 31ST DECEMBER, 2008

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

On the proposal of Clr. Conaghan, seconded by Clr. McEniff, the Council resolved to authorise overdraft accommodation of fifty million euro (€50,000,000) for half year ending 31st December, 2008.

Clr. Larkin asked that information be provided in relation to the bank charges associated with a €50,000,000 overdraft.

It was agreed that a report would be presented at the July Council Meeting in relation to the Register of Derelict Sites, including up to date information on the legal aspects involved, the extension of the register and enforcement measures employed.

C/206/08 TO NOTE 2008 ADOPTED REVENUE BUDGET RESTATED – NEW COSTING SYSTEM FORMAT

Members noted the report circulated with the agenda in relation to the above.

The County Manager advised that the new Costing Format would be the method used in future years when tabling the Draft Revenue Budget for consideration by Elected Members.

C/207/08 TO ADOPT INDICATIVE TEXT OF ANNUAL REPORT 2007

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

On the proposal of Clr. McEniff, seconded by Clr. Brogan, the indicative text for the Annual Report 2007 was adopted.

C/208/08 TO NOTE REPORT REGARDING SERVICE INDICATORS 2007

On the proposal of Clr. Conaghan, seconded by Clr. Slowey, the Council noted the report circulated with the agenda in relation to the above.

It was agreed that each Director of Service would consult with the relevant Strategic Policies Committee in relation to service improvements.

C/209/08 TO NOTE REPORT FROM COMMISSION FOR TAXI REGULATION IN RELATION TO NATIONAL MAXIMUM TAXI FARE REVISION AND CONSIDER REQUEST FOR SUBMISSIONS.

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

On the proposal of Clr. Larkin, seconded by Clr. Slowey, it was resolved that the matter be considered at the Roads and

Transportation SPC scheduled for the 26th May, 2008 and views, if any, conveyed to the Regulator.

C/210/08 TO APPROVE AMENDMENT TO POLICY ON UNAUTHORISED ADVERTISEMENT SIGNS ON PUBLIC ROADS AND FOOTPATHS.

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 amend the policy on unauthorised advertisement signs on public roads and footpaths as follows: -

“That Donegal County Council will not pursue or take steps to remove B&B signage from public roads or footpaths except in cases where they create a hazard for other road users”.

Members called for greater enforcement of the policy.

C/211/08 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. McGowan, seconded by Clr. Crawford, it was resolved to authorise any member, if he/she so wished, to attend the following conferences, subject to the normal 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.
 - Greenhouse Gas Emissions, The Challenge for Local Government Conference to be held on 30th May, 2008 at the Institute of Technology, Tallaght.
 - National Association of Councillors Annual Conference to be held on 05th June, 2008 at Ard Rí House Hotel, Tuam, County Galway.

- Respond National Conference 2008 to be held on 05th June 2008 at The Killeshin Hotel, Portlaoise, County Laois.
- Energy Action Limited Conference to be held on 05th June, 2008 at Dunboyne Castle Hotel.
- The Local Government Housing Service Conference to be held on 06th-08th June, 2008 at the Bellingham Castle Hotel, Castlebellingham, County Louth.
- The Society For Folk Life Studies Annual Conference to be held on 18th-21st September, 2008 at Lake Hotel, Lake Shore, Muckross Road, Killarney, County Kerry.

Conferences Abroad

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 Conaghan, seconded by Clr. Crawford, it was resolved to select, by lot, two number members to attend the following conference:

- National Association of Councillors Equality and Opportunity Conference to be held on 6th –08th June, 2008 at Mercure Holland House Hotel and Spa, Cardiff.

A preliminary list of names was drawn to aid the selection and members were asked to confirm interest by the 27th May, 2008.

C/212/08 MAYOR'S BUSINESS

Vote of Sympathy

Seán Ó Daimhín, Oifigeach Forbartha Gaeilge on the death of his father, Mr. Joe Devine

Marian Shovelin, Corporate Services, Donegal Town on the death of her mother, Mrs Annie Byrne.

Sean Houston, Library Service on the death of his mother, Mrs Josie Houston.

Phyliss Loughrey, Ramelton Library on the death of her sister, Margaret Toye.

The family of Martina Mc Leron and her daughter Louise who were killed in a tragic road accident at Meenacuing.

The family of Robert Bonner, Ballybofey who died recently in tragic circumstances.

Events Schedule

It was agreed that the official opening of the Ardara Environmental Improvement Scheme would take place on Friday 13th June, 2008 at 3.00pm followed by the opening of the Ardara Sewerage Scheme at 4.00pm

Glenties Tidy Towns Committee

On the proposal of Clr. Slowey, seconded by Clr. Gallagher, it was resolved to approve a request from the Glenties Electoral Area Committee for permission to hold a reception for the Glenties Tidy Towns Committee in recognition of their achievements in the National Tidy Towns Competition, on Wednesday, 8th June, 2008 at 12.00 noon in the Dungloe Public Services Centre.

Presentation by Roads Service Northern Ireland

It was agreed that the Roads Service of Northern Ireland would give a presentation to the General Purposes Committee on Monday 9th June, 2008 on the proposed Motorway Scheme – A5 Aughnacloy to Derry.

Responding to member's comments on the need for a workshop to deal with a number of such issues, the County Manager advised that consideration would be given to same after the June GP Meeting. He advised that there would be ongoing discussions in relation to Donegal County Council's level of involvement.

Civic Reception – Phil Coulter

The Mayor thanked all who had been involved in the organisation of the reception and acknowledged that the event had been an enormous success.

Correspondence from Office of the Minister for Foreign Affairs

Members noted correspondence from the Office of the Minister for Foreign Affairs advising that intensive activity continues at ministerial and official level aimed at ensuring that Ireland's views were brought to the attention of the key figures in the World Trade Organisation negotiations.

Correspondence from Professor Tom Keane, Interim Director- National Cancer Control Programme

The Mayor requested that a copy be distributed to all members.

C/213/08 COUNTY MANAGER'S REPORT

Members considered the report, circulated with the agenda, and addendum circulated at the meeting. The County Manager outlined the main points of his reports.

It was agreed that a report on the 2008 Capital Allocations for Disabled Persons Grants, Essential Repair Grants, and Housing Adaption Grants be brought to the next Housing Strategic Policy Committee Meeting.

In response to a query from Clr. Mc Guinness as to whether the Department had issued a circular letter limiting the purchase of new housing stock, it was agreed that the matter should be clarified with the department and members advised.

Clr. Mc Daid requested an update in relation to the Disability Audit of our public buildings.

Best wishes were extended to Mr. Chris Lyons, Director Water, Environment and Emergency Services who had recently tendered his resignation. Members congratulated him on his appointment as Chief Operating Officer at Trinity College, Dublin and wished him well in his new post.

C/214/08 THAT CONTRACTORS COMPLY WITH THE REGISTERED AGREEMENT FOR THE CONSTRUCTION WORKERS PENSION SCHEME

On the proposal of Clr. Pringle, seconded by Clr. McGarvey, the following motion was adopted:-

"That Donegal County Council ensure that all contractors comply with the registered agreement for the construction workers pension scheme for all contracts before awarding contracts to ensure the no contractor has an unfair advantage."

Members were informed that: -

"In accordance with the Contractors Charter, local authorities are obliged to ensure that contractors are compliant with the terms of the registered agreement for contractors in advance of awarding contracts. This includes compliance with the requirements of the construction workers pensions scheme. These requirements have been brought to the attention of each directorate within Donegal Co. Council for implementation".

Clr. Pringle expressed concern that Northern Ireland Contractors had an unfair advantage in that they were not obliged to comply with the registered agreement for the construction workers pension scheme. He noted that a number of such contractors held contracts with Donegal County Council at present and he enquired as to the ongoing legality of this situation.

The County Manager agreed to review the matter and follow up on the issues raised by Clr. Pringle.

Clr. Pringle asked that a meeting be arranged with the Construction Industry Monitoring Agency in relation to our ongoing obligations.

C/215/08 THAT DONEGAL COUNTY COUNCIL RE-EXAMINE SUPPORTING DONEGAL ANCESTRY

On the proposal of Clr. McGarvey, seconded by Clr. McBride, the following motion was adopted:-

"That Donegal County Council re-examine supporting Donegal Ancestry as agreed by contract instead of closing it."

Members were informed that: -

"Donegal County Council are currently working closely with the board and executive of Donegal Ancestry with a view to

assessing how best the genealogical records of County Donegal may be maintained, recorded and subsequently made available to all interested stakeholders. The objective of the ongoing discussions and the obtaining of legal advice is to ensure that all potential issues associated with any proposal discussed are fully reviewed and all ramifications and cost implications associated with any proposals are fully considered.

It should be noted that the operational losses of Donegal Ancestry Ltd. continue to increase year on year with the operational loss for the most recent year ending 31st December 2007 being a figure in the region of €54,000. Donegal County Council has, as part of a long-term commitment, which is due to come to an end in 2010, an obligation to underwrite operational losses on an annual basis. However, it is essential that a structured and considered review of how the genealogical records are going to be maintained on a long-term basis be taken at this point in time and the Council is fully committed to this ongoing work. The Council has examined in detail the ongoing operations of Donegal Ancestry Ltd. since 2000 and has found little if any positive trend in levels of activity or trade and as such feel that it is now essential that all options be considered going forward with regard to the maintenance, updating and making available of the genealogical records of the County.

A further meeting will take place in the next few weeks with the Board of Donegal Ancestry Ltd. to review progress”.

Clr. Mc Garvey outlined the importance of retaining Donegal Ancestry Ltd in Ramelton given the current lack of employment in the town.

On the proposal of Clr. Mc Garvey, seconded by Clr. Mc Bride, it was resolved that Donegal County Council should examine the entire project including the preparation of a business plan and assess the possibility of the centre serving the county as a whole.

Mr Michael Heaney, Director Community Culture and Enterprise agreed to meet with Donegal Ancestry Ltd and review progress to date.

C/216/08 GROUP WATER SCHEME

On the proposal of Clr. Mac Lochlainn, seconded by Clr. A. Bonner, it was resolved to take Motions 17, 18 and 26 together as they all related to the issue of Group Water Schemes.

On the proposal of Clr. Mc Bride, seconded by Clr. A. Bonner the following motion was adopted: -

"THAT THIS COUNCIL ALLOW ALL 22 (TWENTY TWO) GROUP WATER SCHEMES THAT HAVE BEEN SUBMITTED TO THE DEPT. FOR FUNDING IN THE CURRENT YEAR PROCEED TO CONSTRUCTION."

Members were informed that: -

"The Council has been allocated a block grant of €6.47 million for the Rural Water Programme in 2008, in response to a request for €13.67 million. Schemes for which there already were contractual commitments at the time of the allocation are estimated to cost €12.71 million. If this situation remains unchanged, it will result in a significant shortfall in funding and increased overdraft for the Council. Under these circumstances we regret that we are unable to commit to further spending at this time. We have written to the Department seeking additional funding and we expect to meet officials from the Department shortly. The situation will be kept under review.

On the proposal of Clr. A. Bonner, seconded by Clr. P. Mc Gowan the following motion was adopted: -

"THAT THIS COUNCIL, AS A MATTER OF URGENCY, PERMITS A MINIMUM OF ONE GROUP WATER SCHEME IN EACH ELECTORAL AREA TO PROCEED TO CONSTRUCTION, ALONG WITH THE NAVENNEY SCHEME WHICH IS ONLY €10,000."

Members were informed that: -

"The council has been allocated a block grant of €6.47 million for the Rural Water Programme in 2008, in response

to a request for €13.67 million. Schemes for which there already were contractual commitments at the time of the allocation are estimated to cost €12.71 million. If this situation remains unchanged, it will result in a significant shortfall in funding and increased overdraft for the Council. Under these circumstances we regret that we are unable to commit to further spending at this time. We have written to the Department seeking additional funding and we expect to meet officials from the Department shortly. The situation will be kept under review”.

On the proposal of Clr. Mc Guinness, seconded by Clr. Reid the following motion was adopted.: -

“THAT THIS COUNCIL REVIEW THE DEVELOPMENT CHARGE FOR WATER FROM GROUP WATER SCHEMES OFF REGIONAL SCHEMES OR COUNCIL SOURCES.”

Members were informed that: -

“Group Water Schemes are an effective partnership approach to the provision of a supply network in a locality. However, the principle of such a charge for new development recognises the Council’s need to fund improvements to the water supply in terms of both increasing the capacity and improving water quality. The application of a charge in this case and generally facilitates the Council in financing this work.

In adopting the 2008 Scheme, the Council agreed to provide for a reduction of 50% in the water charge levied where the GWS costs are €1500 or over. The Council has also resolved to make provision for review of the charge in specific individual cases where the charge is exceptionally high”.

Members expressed concern at the significant shortfall in funding for the Rural Water Programme 2008 and called on the Water, Environment and Emergency Services Directorate, together with the Finance Directorate, to further assess the situation.

It was agreed to contact the Department of the Environment Heritage and Local Government in relation to obtaining additional funding to allow the 22 Schemes prioritised to progress.

The lengthy delay in providing a reduction of 50% in water charges where GWS costs were €1500 or over was deemed unacceptable. Mr. Francie Coyle, Director, Planning and Economic Development acknowledged that there had been a delay, with the matter only recently considered by the Corporate Policy Group. It was hoped, he advised, to roll out the implementation of this provision over the coming weeks. He agreed to review all fees paid since the 8th February, 2008.

It was acknowledged that, in many instances, new dwellings were located in close proximity to public water sources and the owners involved were willing to spend their own money in order to obtain an adequate water supply. Some provision they noted should be made for persons in this type of situation.

The County Manager advised that one aspect to be considered was cash flow and the other was whether the Council could recover the money in the future if it proceeded with more schemes. He stated that the €6.47 million block grant allocated would have to be carried on overdraft to meet the various contractual obligations.

He agreed to pursue the sourcing of additional funding and to look at the possibility of prioritising one Group Scheme per electoral area whilst also examining funding options for the remaining 16 schemes.

A review of the situation would be carried out over the next 3 to 4 weeks, he added.

Concern was expressed that members were being left in the dark in relation to decisions taken by the Corporate Policy Group. Clr. Mc Guinness proposed, seconded by Clr. Pringle, and it was resolved, that the Minutes of the Corporate Policy Group and the various Strategic Policy Committees be circulated to all members.

C/217/08 THAT THIS COUNCIL PURCHASE THE FIELD
KNOWN AS MARTYRS FIELD, DRUMBOE FOR USE
AS A PUBLIC PARK

On the proposal of Clr. Reid, seconded by Clr. Bonnar, the following motion was adopted:-

"That this Council purchase the field known as Martyrs Field, Drumboe for use as a public park, to be financed from the sale of assets fund."

Members were informed that: -

“The members will be aware that no funding was allocated in Budget 2008 against this land.”

Clr. Reid called on the County Manager to visit the field in question to assess its suitability for the project. A number of members advised that a cast iron guarantee would be required in relation to the protection of the monument, should any type of works be approved.

Mr Francie Coyle, Director of Planning and Economic Development urged members to give careful consideration to the project and outlined the necessity of living within one's means.

C/218/08 ADJOURNMENT OF MEEETING

On the proposal of Clr. Boyle, seconded by Clr. Alcorn, it was resolved to adjourn the remainder of the business of the meeting to 11.00am on Monday, 9th June 2008.

This concluded the business of the meeting.