

**COMHAIRLE CHONTAE DHUN NA nGALL**

Oifig Riarthóir na  
gCruinnithe  
Aras an Chontae  
LEIFEAR

24 Eanáir 2006

Beidh an Cruinniu Comhairle Chontae Dhun na nGall ag dul ar aghaidh Dé Luain, 30 Eanáir, 2006, 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**

**S. O’Piobla**

**Riarthóir Cruinniu Ionadach(RUNAI CHONTAE)**

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**DONEGAL COUNTY COUNCIL**

Office of Meetings Administrator  
County House  
Lifford  
24<sup>th</sup> January , 2006

**NOTICE OF MEETING**

A Meeting of Donegal County Council will be held on Monday 30th January, 2006, 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**

**J. Peoples**

**A/Meetings Administrator (County Secretary)**

## AGENDA

1. **Confirmation of Minutes**
  - (a) Confirmation of Minutes of Special Meeting of Donegal County Council held on the 23<sup>rd</sup> November 2005.
  - (b) Confirmation of Minutes of the Meeting of Donegal County Council held on the 28<sup>th</sup> November 2005.
  - (c) Confirmation of Minutes of the Adjourned Meeting of Donegal County Council held on the 7<sup>th</sup> December 2005.
  - (d) Confirmation of Minutes of the General Purposes Meeting of Donegal County Council held on the 12<sup>th</sup> December 2005.
  
2. **Disposal of Land- Section 211 Planning & Development Act, 2000**

Notice under Section 183 of the Local Government Act, 2001 to resolve to dispose of land in Stranorlar to Mr. Neil Doherty, Mullindrait, Stranorlar.
  
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 2no. Specific Instance Cottages.
  
  - (b) To approve the carrying out of works with regard to R250 Roundabout – Ballymacool.
  
  - (c) To approve the carrying out of works with regard to Lagan Area Water Supply Scheme Phase 3 Water Supply Improvements to Manorcunningham.
  
4. **Corporate Services Programme**
  - (a) To appoint 5 members to Regional Health Forum – West, pursuant to Health Act 2004 (Regional Health Forums) Regulations 2005.
  
  - (b) To approve the nomination of a member to replace Clr. A. Bonner on the County Enterprise Board.

- (c) To approve attendance at the Annual St. Patrick's Day celebrations in the U.S.A.
- (d) Part 15 of the Local Government Act, 2001 (Ethics Framework)-Obligation on members to furnish Declaration of Interest.
- (e) Local Elections (Declaration of Donations & Expenditure) Act, 1999, (as amended) - Obligation on members to furnish Statutory Declaration and Donation Statement on donations received in 2005.

5. **Water, Environment & Emergency Services Programme**

To adopt Policy for recovering costs of recycling.

6. **Roads Programme**

To consider the report on proposed Speed Limit Reduction on N14 Four Lane Road at Letterkenny (between Port Road Roundabout and Dry Arch Roundabout).

7. **Finance Programme**

To approve agreement to provide for inter-authority borrowing/lending between Donegal County Council, Letterkenny, Buncrana, Bundoran and Ballyshannon Town Councils for period up to 31<sup>st</sup> December, 2006.

8. **Housing Programme**

Raising of a loan of €4,745,222 for the development of a Voluntary Housing Project at Convent Land, Carndonagh by North and West Housing Association under the Capital Loan & Subsidy Scheme.

9. **Conferences**

**Home:**

- (a) Wicklow Tourism and East Coast and Midlands Tourism Conference & Workshop in the Marriott Hotel, Druids Glen, Newtonmountkenedy, Co. Wicklow on the 15<sup>th</sup> and 16<sup>th</sup> February, 2006.

- (b) Seminar for Councillors “The Local Government Planning Service” in The Clonea Strand Hotel, Clonea, Co. Waterford on the 3<sup>rd</sup> and 4<sup>th</sup> February, 2006.
- (c) Enterprise Kiltullagh Ltd “21<sup>st</sup> Century Infrastructure for 21<sup>st</sup> Century Tourism” in the White House Hotel, Ballinlough, Co. Roscommon on the 16<sup>th</sup> February, 2006.
- (d) CLÁR Programme Colmcille Winter School in Colmcille Heritage Centre, Gartan, Church Hill, Letterkenny on the 24<sup>th</sup> – 26<sup>th</sup> February 2006.
- (e) Association of County and City Councils Annual Conference 2006 in the Fairways Hotel, Dundalk, Co. Louth on the 9<sup>th</sup> – 11<sup>th</sup> March 2006.
- (f) Media Skills to be held in the Clarinbridge Court Hotel, Galway on the 28<sup>th</sup> January 2006.

10. *Cathaoirleach’s Business*

11. *Manager’s Report*

MOTIONS

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

INISHOWEN ELECTORAL AREA

*Community, Enterprise & Cultural Services*

12. Clr. F. Conaghan  
“That Donegal County Council supports the application by Donegal Ploughing Association to host the National Ploughing

Championships here in the County and offer whatever assistance we can should the bid be successful.” (C)

**Water, Environment & Emergency Services**

13. Clr. M. McDonald  
“That this Council addresses the serious issue of litter in the County and re-addresses the lack of prosecutions and the lack of on spot fines being paid for litter offences, while at the same time reassesses the suitability of locations of their re-cycling facilities?” (L)
14. Clr. P. McLochlainn  
“That Donegal County Council will examine the feasibility of constructing a dam at Loch na mbradan, Carrigart to provide an additional and enhanced water supply to Downings, Carrigart, and surrounding areas.” (L)

**Roads & Transportation Services**

15. Clr. Rena Donaghey  
“That Donegal County Council immediately prepare an overall plan for the development of Bunrana Pier, to incorporate all interested parties.” (L)

**Corporate Services**

16. Clr. B. McGuinness  
“That the Council seek a meeting with the Chief Superintendent, Terry McGinn, to discuss Gardai/Resource levels in Donegal and to call on the Minister for Justice to increase the number of Gardai in the County and if necessary seek an all party deputation to the Minister regarding same.” (C)

**LETTERKENNY ELECTORAL AREA**

**Community, Enterprise & Cultural Services**

17. Clr. T. McDaid

“That this Council through its Community & Enterprise Section facilitates a multi agency approach to develop a community safety strategy for the Lifford area.” (L)

#### DONEGAL ELECTORAL AREA

##### *Housing & Building Services*

18. Clr. T. Pringle  
“That this Council seek approval from the Department of Environment for the inclusion of the provision of playgrounds in social housing developments of over ten houses to be funded through the Capital Programme.” (C)

#### MILFORD ELECTORAL AREA

##### *Community, Enterprise & Cultural Services*

19. Clr. I. McGarvey  
“That this Council fast-track any proposed works for Rathmullan and area in preparation for the commemoration of the Flight of the Earls.” (L)

##### *Roads & Transportation Services*

20. Clr. L. Blaney  
“That this Council take immediate steps to rectify the situation on the R250 at Foxhall junction known locally as Jameson's Junction which was highlighted four years ago and in recent times.” (C)

#### STRANORLAR ELECTORAL AREA

##### *Community, Enterprise & Cultural Services*

21. Clr. P. McGowan  
“That this Council agree to incorporate the Balor Theatre into the Council services and nominate directors onto a new management board to be agreed. This new company would

operate under the guidance of the Council Cultural Services division to further develop programmes, through education, drama, cross border cultural linkages in co-operation with the V.E.C. etc.” (L)

22. Clr. J.J. Reid  
“As this Council has formally agreed to support the building of a Resource Centre on the 1.5acre site set aside for Community Facilities and as the Convoy District Development Association are the only community group applying to lead this project, I propose that this council ratify this application and allocate the use of the site to allow them to apply for funding.” (L)

#### GLENTIES ELECTORAL AREA

##### *Corporate Services*

23. Clr. D. Alcorn  
“That this Council arrange to have the Voting Register for this County put into alphabetical order in all townlands.” (C)
24. Clr. B. O’Domhnaill  
“I am calling on Donegal County Council to lobby against the introduction of high tuition fees in Universities/Third Level Colleges in the North of Ireland, England and Wales.” (C)

##### *Housing & Building Services*

25. Clr. Pearse Doherty  
“That Donegal County Council amend its current housing policy to facilitate elderly returning emigrants and that it leads a inter agency group made up of Donegal County Council, The Health Service Executive, The Department of Social Welfare, the V.E.C. and other relevant bodies to ensure that there is a joined up approach to meet the needs of elderly returning emigrants that have fallen upon difficult times while away from home and whose needs are more than a Council House.” (C)

**Community, Enterprise & Cultural Services**

26. Pádraig O'Dochartaigh  
“Go mbeid Comhairle Contae Dhún na nGall gníomhach i bhforbairt na turasóireachta, mar pháirt thabhachtach de Phlean Forbartha Chontae Dhún na nGall 2005/6.  
That Donegal County Council will take a proactive approach to the development of the tourism industry as a key element of the Donegal Development Plan throughout the county.”  
(C)

**Water, Environment & Emergency Services**

27. Clr. T. Slowey  
“That Donegal County Council not charge Householders to recycle their waste.” (C)

**QUESTIONS**

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

**INISHOWEN ELECTORAL AREA**

**Water, Environment & Emergency Services**

28. Clr. F. Conaghan  
“What plans do the Council have to progress a new sewerage scheme for the village of Carrigans?” (L)
29. Clr. M. McDonald  
“To ask this Council what efforts have the Council made to attract funding for the difficulties of the water supply in Moville and what applications are currently awaiting a response?” (L)

**Roads & Transportation Services**

30. Clr. F. Conaghan

“When will the pedestrian crossing be put in place in Muff?”  
(L)

31. Clr. M. McDonald  
“To ask this Council what the current position is in relation to the footpath for Moville Community College?” (L)

32. Clr. R. Donaghey  
“When will Cockhill Housing Estate have new footpaths and have the road in the park renewed as they are in an abysmal state?” (L)

33. Clr. P. MacLochlainn  
“When will Donegal County Council erect lighting on the R238 leading in to Buncrana from the North West Golf Links in to the town?” (L)

#### **Community, Enterprise & Cultural Services**

34. Clr. R. Donaghey  
“What is present update on proposed Lough Swilly Coastal Education & Research Centre?” (L)

35. Clr. B. McGuinness  
Why has the Council not pursued plans to provide a ferry service between Moville and the main land of Scotland and give a chronological report on same to date and details of what funding has been applied for? (L)

#### **Housing & Building Services**

36. Clr. P. MacLochlainn  
“What plans have Donegal County Council to construct affordable housing units in Inishowen in 2006 and is the Council aware of any plans by Buncrana Town Council to construct affordable housing units in 2006 in line with long standing commitments?” (L)

37. Clr. B. McGuinness  
What progress has been made in acquiring turnkey housing developments at Glengad and Malin Head and what assistance has the Council given to facilitate these developments? (L)

## LETTERKENNY ELECTORAL AREA

### *Roads & Transportation Services*

38. Clr. Gerry Crawford  
“In addition to €8,000 being provided for low cost safety measures at Ballyholey Junction (Raphoe) by the NRA what plans do the Council have to provide a Right turning lane at this accident black spot?” (L)
39. Clr. T. McDaid  
“When will the proposed traffic lights be installed at Clady Bridge?” (L)

### *Corporate Services*

40. Clr. Gerry Crawford  
“As a result of recent fire damage to Council property in Lifford what effect has this had on services provided and what is the current status of the building?” (L)

### *Housing & Building Services*

41. Clr. T. McDaid  
“At what stage is the collation of statistics on the number of Non-Resident Fathers in the County?” (C)

## DONEGAL ELECTORAL AREA

### *Water, Environment & Emergency Services*

42. Clr. T. Pringle  
“What is the timescale and costings for the refurbishment of the Ballbane landfill site?” (L)

### *Roads & Transportation Services*

43. Clr. T. Pringle

“Will this Council investigate through the Council's Road Safety Engineer the provision of traffic calming measures on Forge Rd, Mountcharles particularly around the new housing developments on the road?” (L)

### MILFORD ELECTORAL AREA

#### *Finance*

44. Clr. I. McGarvey  
“How much money was paid out in 2005 for Consultancy services?” (C)

#### *Water, Environment & Emergency Services*

45. Clr. I. McGarvey  
“Was the proposed €150,000 agreed for transfer to Milford Public Service Centre for water supply to Ramelton and district provided?” (L)
46. Clr. L. Blaney  
“Will the Environment Department of Donegal County Council consider providing a skip at Rathmullan Pier to cater for waste from the large volume of boats using the pier on a daily basis?” (L)

### STRANORLAR ELECTORAL AREA

#### *Finance*

47. Clr. P. McGowan  
“Can I have a breakdown per Electoral Area under each Directorate of the 2006 Budget to be implemented?” (C)

#### *Planning & Economic Development*

48. Clr. P. McGowan  
“What progress has been made in relation to the Masterplan Area in Stranorlar including possible sites for John Paul Youth Club, Twin Towns Boxing Club and other?” (L)

### GLENTIES ELECTORAL AREA

### **Water, Environment & Emergency Services**

49. Clr. D. Alcorn  
“Because of all the complaints Re-burst pipes and dirty water in various parts of the Rosses area, what action will Donegal County Council take in 2006 to help improve this?”  
(L)
50. Clr. T. Slowey  
“When will the Donegal Town Sewerage Treatment Plant and Foul Sewerage Collection System be completed?” (L)
51. Clr. T. Slowey  
“How much Toxic & Hazardous waste was generated in Donegal in 2005 and will the Council list the top five producers and state the final disposal point of the waste?”  
(C)
52. Clr. Pearse Doherty  
“What is the current position in relation to the Gweedore Sewerage Scheme, when do we expect it to go to tender and will the Gweedore Scheme be constructed before, after or at the same time as the Letterkenny scheme and is this stated in the contact documents?” (L)

### **Roads & Transportation Services**

53. Clr. D. Alcorn  
“Can I get an assurance that improvement works will be carried out on the Caravan Road to Diamond Road, Dungloe in 2006?” (L)
54. Clr. P. O'Dochartaigh  
“Cén uair a thógfas Comhairle Contae Dhún na nGall 'sconsaí sábháilteachta ag Dún Lúiche - o bharr Dhún Lúiche go dtí imeall an bhaile?”  
“When will Donegal County Council erect safety barriers on the Errigal Road, from the council site into the control points of the village of Dunlewey?” (L)
55. Clr. P. O'Dochartaigh

“Cén uair a chuirfidh Comhairle Contae Dhún na nGall Comhartaí boithre suas chuig na poirt farantóireachta san iarthuaiscirt?”

“When will Donegal County Council erect proper signposts to the Ferryports in the North West?” (C)

### Corporate Services

56. Clr. Pearse Doherty

“Can the Council provide a detailed break down month by month and by each individual councillor of the conference attended by him or her, the fee that was paid in respect of that conference and the amount for overnight stay that was paid in respect of that conference since the 2004 local government elections?”

57. Clr. B.O’Domhnaill

“What progress has been made in respect to the erection and flying of the Irish Tri Colour (Brat Na hEireann) at County Uouse and each Public Service Centre?” (C)

### MOTIONS FROM OTHER COUNCILS

58. MACROOM TOWN COUNCIL

“That this Council calls on the Department of Justice, Transport and the Environment and Local Government and the Department of Finance to introduce measures to improve pedestrian visibility at night by means of reflective jackets or otherwise.”

“That this Council calls on the Minister for the Environment, Heritage & Local Government to grant local authorities the discretion to set their own fees for licences, for street furniture, granted under Section 254 of the Planning & Development Act, 2000 and Schedule 12 of the Planning & Development Regulations, 2001.”

59. LONGFORD COUNTY COUNCIL

“That Longford County Council call on the Minister for Justice to bring forward workable legislation, as a matter of urgency, to enable prosecution of those found in possession of, and using unauthorised fireworks.”

60. WATERFORD COUNTY COUNCIL  
“That Waterford County Council call on the Minister for Education and Science to instigate a review of catchment areas for school transport at both primary and secondary level.”
61. MULLINGAR TOWN COUNCIL  
“That Mullingar Town Council calls on the Minister at the Department of Social and Family Affairs to introduce a local telephone service similar to other Government Departments.”
62. BALBRIGGAN TOWN COUNCIL  
“Balbriggan Town Council call on all Local Authorities to arrange for developers of new residential housing estate to provide maps with house numbers for emergency services i.e. An Garda Síochána in the interest of safety.”
63. BALLYSHANNON TOWN COUNCIL  
“That Ballyshannon Town Council call on Donegal County Council to ensure that all Polling Station Stations are wheelchair user friendly for future Elections.”

MINUTES OF MEETING OF DONEGAL COUNTY  
COUNCIL HELD ON 30<sup>TH</sup> JANUARY 2006 IN THE  
COUNTY HOUSE LIFFORD

C/31/06

MEMBERS PRESENT

Clrs. D. Larkin, Cathaoirleach, D. Alcorn, L. Blaney, A. Bonnar, E. Bonnar, J. Boyle, C. Brogan, B. Byrne, F. Conaghan, G. Crawford, Pádraig Doherty, Pearse Doherty, R. Donaghey, J. Harte, J. Kennedy, N. McBride, T. McDaid, M. McDonald, I. McGarvey, D. McGonagle, P. McGowan, B. McGuinness, P. McLochlainn, B. O'Domhnaill, B. O'Neill, T. Pringle, J.J. Reid, T. Slowey.

C/32/06

APOLOGIES

Apologies were received from Clr. McEniff who was unable to attend the meeting.

C/33/06

OFFICIALS IN ATTENDANCE

Mr. Michael McLoone, County Manager, Mr. Liam Kelly, Assistant County Manager/Director of Housing, Mr. Francie Coyle, Director Planning & Economic Development, Mr. Jim Holohan, Director Water, Environment & Emergency Services, Mr. John McLaughlin, Director Roads & Transportation, Mr. Aidan McNicholas, Head of Finance, Mr. Sean Sheridan, Director Corporate Services, Mr. B. Boyle, Head of Information Systems, Mr. Gary Martin, S.E.O., Mr. Joe Peoples, A/Meetings Administrator, Ms. AnnMarie Conlon, Communications Officer, Ms. AnneMarie Crawford, Staff Officer, Corporate Services.

C/34/06

CONFIRMATION OF MINUTES OF SPECIAL  
MEETING OF DONEGAL COUNTY COUNCIL  
HELD ON 23<sup>RD</sup> NOVEMBER 2005

On the proposal of Clr. Byrne, seconded by Clr. Conaghan, the Minutes of Special Meeting of Donegal County Council held on the 23<sup>rd</sup> November, 2005, were adopted.

- C/35/06                    CONFIRMATION OF MINUTES OF THE MEETING OF DONEGAL COUNTY COUNCIL HELD ON THE 28<sup>TH</sup> NOVEMBER 2005  
On the proposal of Clr. Alcorn, seconded by Clr. Pearse Doherty, the Minutes of Meeting of Donegal County Council held on the 28<sup>th</sup> November, 2005, were adopted subject to Min C/537/05 being amended to include the proposal by Clr. Pearse Doherty, seconded by Clr. Pringle that a meeting be arranged between Senior Politicians and MPs in the northern counties to discuss the impact of Transport 21.
- C/36/06                    CONFIRMATION OF MINUTES OF THE ADJOURNED MEETING OF DONEGAL COUNTY COUNCIL HELD ON THE 7<sup>TH</sup> DECEMBER 2005  
On the proposal of Clr. Brogan, seconded by Clr. Alcorn, the Minutes of The Adjourned Meeting of Donegal County Council held on the 7<sup>th</sup> December, 2005, were adopted.
- C/37/06                    CONFIRMATION OF MINUTES OF THE GENERAL PURPOSES MEETING OF DONEGAL COUNTY COUNCIL HELD ON THE 12<sup>TH</sup> DECEMBER 2005  
On the proposal of Clr. McBride, seconded by Clr. O'Domhnaill, the Minutes of the General Purposes Meeting of Donegal County Council held on the 12<sup>th</sup> December, 2005, were adopted.
- C/38/06                    DISPOSAL OF LANDS IN STRANORLAR.  
Members considered the report, circulated with the agenda, in relation to the above.  
On the proposal of Clr. J.J. Reid, seconded by Clr. A. Bonner, it was resolved to dispose of lands in Stranorlar, to Mr. Neil Doherty, Mullindrait, Stranorlar, in accordance with Section 211 of the Planning & Development Act, 2000 & Section 183 of the Local Government Act, 2001.
- C/39/06                    TAKING OF DECISION WITH REGARD TO 2NO. SPECIFIC INSTANCE COTTAGES  
Members considered the report, circulated with the agenda, in relation to the above.

On the proposal of Clr. Pádraig Doherty, seconded by Clr. Blaney, the carrying out of works under Part XI Planning & Development Act, 2000 and Part 8 of the Planning & Development Regulations 2001, with regard to 2 no. Specific Instance Cottages was approved.

C/40/06

TAKING OF DECISION WITH REGARD TO R250  
ROUNABOUT – BALLYMACCOOL

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

On the proposal of Clr. Brogan, seconded by Clr. Blaney, the carrying out of works under Part XI Planning & Development Act, 2000 and Part 8 of the Planning & Development Regulations 2001, with regard to R250 Roundabout – Ballymacool was approved.

Clr. McDaid raised concern in relation to the constraints being placed on local residents as a result of these roadworks.

Mr. John McLaughlin Director of Roads and Transportation advised that the roundabout in question was a complex development a fact confirmed by the detailed requirements of the planning report attached.

C/41/06

TAKING OF DECISION WITH REGARD TO  
LAGAN AREA WATER SUPPLY SCHEME PHASE  
3 WATER SUPPLY IMPROVEMENTS TO  
MANORCUNNINGHAM

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

On the proposal of Clr. Larkin, seconded by Clr. Crawford, the carrying out of works under Part XI Planning & Development Act, 2000 and Part 8 of the Planning & Development Regulations 2001, with regard to Lagan Area Water Supply Scheme Phase 3 Water Supply Improvements to Manorcunningham was approved.

C/42/06

APPOINTMENT OF FIVE MEMBERS TO THE  
REGIONAL HEALTH FORUM-WEST PUUSUANT  
TO HEALTH ACT 2004 (REGIONAL HEALTH  
FORUMS) REGULATIONS 2005

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

Mr. Joe Peoples, A/Meetings Administrator informed members that the election of members to this body was governed by Regulation 8, S.I. No. 797 of 2005 (Health Act 2004 (Regional Health Forums) Regulations 2005) and that grouping applied. The formation of a group would he added necessitate a roll call. Even if no group was formed there still existed, he confirmed, a requirement to make the appointments successively.

A roll call was then taken by the Meetings Administrator.

Those recorded as in attendance were: -

Clrs. D. Alcorn, L. Blaney, A. Bonnar, E. Bonnar, J. Boyle, C. Brogan, B. Byrne, F. Conaghan, G. Crawford, Pádraig Doherty, Pearse Doherty, R. Donaghey, J. Harte, J. Kennedy, D. Larkin, N. McBride, T. McDaid, M. McDonald, I. McGarvey, D. McGonagle, B. McGuinness, P. MacLochlainn, B. O'Domhnaill, B. O'Neill, T. Pringle, J.J. Reid, T. Slowey.

Members were informed that the number required to form a group was 6.

No group was formed.

The Cathaoirleach invited nominations for the **first position.**

Clr. Mc Eniff was proposed by Clr. Conaghan, seconded by Clr. Byrne.

As there were no other candidates proposed the **Cathaoirleach declared Clr. Mc Eniff elected to the first position on the Regional Health Forum- West.**

The Cathaoirleach then invited nominations for the **second position.**

Clr. MacLochlainn was proposed by Clr. Pearse Doherty, seconded by Clr. McDaid.

Clr. Brogan was proposed by Clr. Conaghan, seconded by Clr. Crawford.

A recorded vote was then taken by the Meetings Administrator

The resulted in 4 votes for Clr. MacLochlainn, 12 votes for Clr. Brogan with 11 abstentions.

Those voting for Clr MacLochlainn were :  
Clrs. Pearse Doherty, Mc Daid, MacLochlainn, and Pringle. (4)

Those voting for Clr. Brogan:-

Clrs. Alcorn, A. Bonnar, E. Bonner, Brogan, Byrne, Conaghan, Crawford, Donaghey, Kennedy, McDonald, Mc Gonagle, O'Domhnaill. (12)

Clrs. Blaney, Boyle, Pádraig Doherty, Harte, Larkin, McBride, McGarvey, McGuinness, O'Neill, Reid and Slowey abstained. (11)

**The Cathaoirleach declared Clr. Brogan elected to the second position on the Regional Health Forum – West.**

The Cathaoirleach then invited nominations for the **third position.**

Clr. Mac Lochlainn was proposed by Clr. Pringle, seconded by Clr. Pearse Doherty.

Clr. Alcorn was proposed by Clr. Conaghan, seconded by Clr. B. O'Domhnaill..

A recorded vote was then taken by the Meetings Administrator.

The resulted in 4 votes for Clr. MacLochlainn, 12 votes for Clr. Alcorn with 11 abstentions.

Those voting for Clr MacLochlainn were :

Clrs. Pearse Doherty, Mc Daid, MacLochlainn, and Pringle. (4)

Those voting for Clr. Alcorn:-

Clrs. Alcorn, A. Bonnar, E. Bonner, Brogan, Byrne, Conaghan, Crawford, Donaghey, Kennedy, McDonald, McGonagle, O'Domhnaill. (12)

Clrs Blaney, Boyle, Padraig Doherty, Harte, Larkin, Mc Bride, Mc Garvey, Mc Guinness, O' Neill, Reid and Slowey abstained. (11)

**The Cathaoirleach declared Clr. Alcorn elected to the third position on the Regional Health Forum – West.**

The Cathaoirleach then invited nominations for the **fourth position.**

Clr. MacLochlainn was proposed by Clr. Pearse Doherty, seconded by Clr. Pringle.

Clr. Reid was proposed by Clr. Slowey, seconded by Clr. Boyle.

A recorded vote was then taken by the Meetings Administrator.

The resulted in 6 votes for Clr. MacLochlainn, 8 votes for Clr. Reid with 13 abstentions.

Those voting for Clr. MacLochlainn:-

Clrs. Blaney, Pearse Doherty, Larkin, Mc Daid, Mac Lochlainn, and Pringle. (6)

Those voting for Clr. Reid were:-

Clrs. Boyle, Padráig Doherty, Harte, Mc Bride, Mc Guinness, O' Neill, Reid and Slowey. (8)

Clrs. Alcorn, A. Bonnar, E. Bonner, Brogan, Byrne, Conaghan, Crawford, Donaghey, Kennedy, Mc Donald, McGarvey, McGonagle, and O'Domhnaill abstained. (13)

**The Cathaoirleach declared Clr. Reid elected to the fourth position on the Regional Health Forum West.**

The Cathaoirleach then invited nominations for the **fifth position.**

Clr. MacLochlainn was proposed by by Clr. Pearse Doherty, seconded by Clr. Pringle.

Clr. Bernard McGuinness was proposed by Clr. Slowey, seconded by Clr. Boyle.

A recorded vote was then taken by the Meetings Administrator.

The resulted in 6 votes for Clr. MacLochlainn, 8 votes for Clr. Reid with 13 abstentions.

Those voting for Clr MacLochlainn:-  
Clrs. Blaney, Pearse Doherty, Larkin, Mc Daid, MacLochlainn, and Pringle. (6)

Those voting for Clr. McGuinness were:  
Clrs. Boyle, Pádraig Doherty, Harte, Mc Bride, Mc Guinness, O'Neill, Reid and Slowey. (8)

Clrs. Alcorn, A. Bonnar, E. Bonner, Brogan, Byrne, Conaghan, Crawford, Donaghey, Kennedy, McDonald, McGarvey, McGonagle, and O'Domhnaill abstained. (13)

**The Cathaoirleach declared Clr. McGuinness elected to the fifth position on the Regional Health Forum – West.**

Clrs. McEniff, Brogan, Alcorn, Reid and McGuinness were therefore selected as Donegal County Council representatives on the Regional Health Forum- West.

C/43/06

NOMINATION OF MEMBER TO THE COUNTY ENTERPRISE BOARD

Members were informed that Clr. A. Bonner wished to resign from the County Enterprise Board. Mr. Joe Peoples A/Meetings Administrator advised that there was one position to be filled.

Clr. McGowan was proposed by Clr. Conaghan, seconded by Clr. A. Bonnar.

Clr. MacLochlainn was proposed by Clr. Pearse Doherty, seconded by Clr. Pringle.

A recorded vote was then taken by the A/Meetings Administrator.

This resulted in 13 votes for Clr. McGowan, 4 votes for Clr. MacLochlainn with 10 abstentions.

Those voting in favour of Clr. McGowan were: -

Clrs. Alcorn, A Bonnar, E. Bonner, Brogan, Byrne, Conaghan, Crawford, Donaghey, Kennedy, McDonald, Larkin, McGonagle, and O'Domhnaill abstained. (13)

Those voting in favour of Clr. MacLochlainn were: -

Clrs. Pearse Doherty, McDaid, MacLochlainn, and Pringle. (4)

Clrs. Blaney, Boyle, Pádraig Doherty, Harte, McBride, McGarvey, McGuinness, O'Neill, Reid and Slowey abstained. (10)

Clr. McGowan was therefore selected to replace Clr. A Bonnar on the County Enterprise Board.

C/44/06

TO RECOMMEND ATTENDANCE AT THE ST. PATRICK'S DAY CELEBRATIONS IN THE U.S.A.

On the proposal of Clr. Conaghan, seconded by Clr. Alcorn, it was resolved that the party would consist of the Cathaoirleach or his nominee, the Leas Cathaoirleach or his nominee, and two officials to be nominated by the County Manager.

Clr. Pearse Doherty requested that the itinerary for the trip be made available to members plus a report on outcome of the trip itself to be presented to the General Purposes Committee.

C/45/06

PART 15 OF THE LOCAL GOVERNMENT ACT, 2001 (ETHICS FRAMEWORK) - OBLIGATION ON MEMBERS TO FURNISH DECLARATION OF INTERESTS.

Mr. Joe Peoples, A/Meetings Administrator, reminded members of their obligation to return Declaration of Interest forms by the 28<sup>th</sup> February 2006.

C/46/06

LOCAL ELECTIONS (DECLARATION OF DONATIONS & EXPENDITURE ACT, 1999, (AS AMENDED) - OBLIGATION ON MEMBERS TO FURNISH STATUTORY DECLARATION AND DONATION STATEMENT ON DONATIONS RECEIVED IN 2005

Mr. J. Peoples, A/Meetings Administrator reminded members of their obligation to return Statutory Declaration and Donation Statement on donations received in 2005 by 31<sup>st</sup> January 2006.

C/47/06

POLICY FOR RECOVERING COSTS OF RECYCLING.

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

On the proposal of Clr. Conaghan, seconded by Clr. Brogan, members approved the Policy of Recycling charges to include the following:-

1. It is recommended that Donegal County Council should develop in partnership with the private sector operators, an integrated recycling

infrastructure, as well as practices, procedures, and controls, in order to maximise reuse, and recycling of waste, consistent with the objectives of its waste Management Plan.

2. Investment in recycling and recharging systems will be targeted in such a way as to optimise the contribution of the various elements of the recycling infrastructure, viz., home composting, bring banks, kerbside collection, civic amenity sites.
3. Maximum use will be made of grant aid, and in so far as local charges are required to meet costs, the charging systems will respect the “polluter – pays principle” and the pay by use policy” as adopted by the EU and national government.

Members expressed concern in relation to the possible loss of revenue that would be incurred if a Material Recycling Facility were not made available in the county. A number of members were in agreement that a lack of focus on recycling issues, had contributed to the failure of the current Waste Management Plan. Another area of contention was the fact that the policy on recycling as presented seemed to hand over control to the private sector.

A number of other issues were raised, namely:-

- The need to expedite the provision of bottle banks
- The timescale for the provision of the new recycling depot in Dungloe.
- The need for ongoing co-operation with waste contractors, to ensure that the general public are made fully aware of the range of waste collection services available.
- Long term investment to be a priority.

Mr. Jim Holohan, Director of Water, Environment and Emergency Services stated that the policy reflected the members wishes to incentives recycling . He noted that

in the long run kerbside recycling would prove to be the most productive.

Clr. Pearse Doherty stated that policy No 2 should be amended to include the following: -

“services to be expanded to allow all households to avail of recycling in the county.”

The County Manager in reply advised that the practical implications of this expansion could be evaluated in the Waste Management Plan.

C/48/06

TO CONSIDER THE REPORT ON PROPOSED SPEED LIMIT REDUCTION ON N14 FOUR LANE ROAD AT LETTERKENNY (BETWEEN PORT ROAD ROUNDABOUT AND DRY ARCH ROUNDABOUT).

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

Mr. John McLaughlin, Director of Roads and Transportation advised that the proposal to reduce the speed limit on this stretch of road had now to go out to public consultation, given that both Letterkenny Town Council and the Gardai Siochana had been notified pursuant to Section 9(3) of the Road Traffic Act, 2004. Clr. McDaid queried whom the final decision rested with and whether or not this was a reserved function of the council.

In reply Mr. McLaughlin confirmed that as the road in question was a national road there would have to be consultation with the NRA. The decision itself he added was a reserved function of the council.

C/49/06

TO APPROVE AGREEMENT TO PROVIDE FOR INTER AUTHORITY BORROWING/LENDING

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

On the proposal of Clr. Conaghan, seconded by Clr. Brogan, it was resolved that the Council approve of an agreement to provide for the inter-authority borrowing/lending between Donegal County Council, Letterkenny, Bundoran, Buncrana and Ballyshannon

Town Councils for the period up to 31<sup>st</sup> December, 2006, in accordance with the Local Government Act, 2001 (Section 106, Sub Section 6) which updates Part II of the Local Government (No. 2) Act, 1960.

Such inter-authority borrowing/lending to be subject to:

1. A maximum of €1m for any one loan.
2. Interest to be paid by the borrowing Authority at the Prevailing Bank Overdraft Rate.
3. Repayment on three days notice.

C/50/06

RAISING OF A LOAN OF 4,745,222 FOR THE DEVELOPMENT OF A VOLUNTARY HOUSING PROJECT AT CONVENT LAND, CARNDONAGH BY NORTH AND WEST HOUSING ASSOCIATION.

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

On the proposal of Clr. McGuinness, seconded by Clr. McDonald, the following resolution was adopted:-

“That in accordance with the provisions of the Local Government (No. 2) Act, 1960 and Section 26 of the Housing Miscellaneous Provisions Act, 1992, we, the members of Donegal County Council hereby authorise the raising of a loan in the sum of €4,745,222 from the Housing Finance agency for the purpose of funding a Voluntary Housing Project at Convent Land, Carndonagh, Co. Donegal.”

Mr. Liam Kelly, Director of Housing advised that the increase on the original approval had come about because of the increased costs involved.

C/51/06

CONFERENCE ATTENDANCE

Having considered the criteria set out in Section 142 5(d) of the Local Government Act 2001, on the proposal of Clr. McGuinness, seconded by Clr. Conaghan, it was resolved that any members who wished could attend the following conferences:-

- Wicklow Tourism and East Coast and Midlands Tourism Conference & Workshop in the Marriott

Hotel, Druids Glen, Newtonmountkennedy, Co. Wicklow on the 15<sup>th</sup> and 16<sup>th</sup> February, 2006.

- Seminar for Councillors “The Local Government Planning Service” in The Clonea Strand Hotel, Clonea, Co. Waterford on the 3<sup>rd</sup> and 4<sup>th</sup> February, 2006.
- Enterprise Kiltullagh Ltd “21<sup>st</sup> Century Infrastructure for 21<sup>st</sup> Century Tourism” in the White House Hotel, Ballinlough, Co. Roscommon on the 16<sup>th</sup> February, 2006.
- CLÁR Programme Colmcille Winter School in Colmcille Heritage Centre, Gartan, Church Hill, Letterkenny on the 24<sup>th</sup> – 26<sup>th</sup> February 2006.
- Association of County and City Councils Annual Conference 2006 in the Fairways Hotel, Dundalk, Co. Louth on the 9<sup>th</sup> – 11<sup>th</sup> March 2006.
- Media Skills to be held in the Clarinbridge Court Hotel, Galway on the 28<sup>th</sup> January 2006.

C/52/06

CATHAOIRLECH'S BUSINESS

Clr. Larkin welcomed the recent announcement in relation to Lagan Phase (3) and enquired as to how this would affect the Labbadish and Drumoghill Group Water Schemes.

He thanked the Corporate Policy Group and the Community Culture and Enterprise Directorate for their efforts in setting up a Steering Committee to oversee the co-ordination of events in relation to the 1916 Rising Commemoration celebrations.

In relation to the NRA announcement of funding for national and non-national roads, he requested that the Director of Roads and Transportation further consider the Three Year Roads Programme on an Electoral Area basis.

Clr. Larkin also requested that an update be provided on recycling as soon as the Letterkenny Recycling Centre was advertised for tender.

The Cathaorileach commended the following:-

- Donegal Sports Stars winners and nominees on their achievements.
- Brian McDaid on his fund raising efforts for the Donegal Hospice through the Mini to Monte Carlo campaign.

### **Votes of Congratulations**

Best wishes were extended to Clr. McEniff on the occasion of his 70<sup>th</sup> birthday.

Members agreed to hold a Special Meeting of Donegal County Council on Monday 6<sup>th</sup> February, 2006 at 10am so as to consider the County Donegal Draft Development Plan 2005 and the Manager's report on the Public Consultation Process, and to decide if the draft Plan should be accepted or amended by resolution as required by Section 12(6) of the Planning and Development Acts 2000- 2004.

C/53/06

### **MANAGER'S REPORT**

Members considered the report, circulated with the agenda, together with the addendum circulated during the meeting.

The County Manager outlined the main points of his reports.

Referring to An Bord Pleanála's decision to refuse permission for a landfill site at Meenaboll, the County Manager noted that this development had serious implications for sustainable waste management in the county.

The Cathaoirleach then invited members to comment on the implications of An Bord Pleanála's decision to refuse permission for the development of a landfill site at Meenaboll.

A number of members were of the opinion that this decision vindicated the views of the local population who had consistently insisted that they had not been consulted on the matter. It was time they confirmed to re-evaluate the consultation process. Clr. Pringle noted that under current EU legislation the Waste Management Plan was obliged to specify criteria for the selection of sites. This he added had clearly not been the case.

A number of queries were raised namely:-

- The total of any further expenditure on Meenaboll.
- The total paid in consultancy fees to date for the Meenaboll Project.
- What provision existed in the current Waste Management plan to deal with the closure of Meenaboll?
- What the final expenditure had been on Coravaddy?

Members were gravely concerned at the amount of money spent to date on consultancy fees (€445,000) and questioned the value for money aspect involved.

Clr. MacLochlainn requested a breakdown of all monies paid to Kirk McClure Morton.

Mr Jim Holohan, Director of Water, Environment and Emergency services agreed to provide same.

Queries were also raised as to why the members had not been informed of An Bord Pleanala's request on the 5<sup>th</sup> May 2005 to furnish further information in relation to the effects on the environment of the proposed development.

They welcomed the County Manager's recommendations to invite the Consultants RPS Kirk McClure Morton and Mr. Donal Casey, Senior Executive Chemist to address the Council.

It was agreed that a Special Meeting should be held to discuss the overall implications for waste management in the county.

Clr. Pearse Doherty advised that the Meenaboll Action Group should also be invited to attend. This the Cathaoirleach confirmed would have to be arranged through the normal channels for the reception of deputations.

The emphasis now it was agreed was to tackle the issues involved and examine the cross border options available.

Clr. Slowey asked the County Manager and the Director of Water, Environment and Emergency Services, Mr. Jim Holohan to prepare a report on the matter as soon as the inspectors report became available.

The Cathaoirleach reminded members that the onus was now back with Donegal County Council to find viable solutions to the problem.

The County Manager advised those present that considerable effort had gone into the site selection criteria given the nature of the county and the concentration of excluded zones. Decisions had to be made as to whether now was the time to hand over waste management to the private sector and or other counties .The feasibility of incineration and the possibility of cross border co-operation were matters which now needed to be addressed he added.

Mr. McLoone affirmed that the next step was to invite the consultants to review the inspectors report and determine whether the best way forward was to initiate the same processes for an alternative site within the county.

Clr. Reid requested that Lough Mourne be included on the agenda for a future meeting of the General Purposes Committee.

## **MOTIONS**

C/54/06

### **NATIONAL PLOUGHING ASSOCIATION**

On the proposal of Clr. Conaghan, seconded by Clr. Brogan, the following motion was adopted:-

“That Donegal County Council supports the application by Donegal Ploughing Association to host the National Ploughing Championships here in the County and offer whatever assistance we can should the bid be successful.”

Members were informed that:-

“The proposal to host the National Ploughing Championship in County Donegal would have a substantial economic impact on that area and on this basis the Community and Enterprise Division of the Council will facilitate and endeavour to assist the Donegal Ploughing Association in any way possible to support them in their ongoing efforts.”

Clr. Conaghan suggested 2008 as a suitable date noting that landholders in the area needed sufficient time to adjust land use patterns etc..

He called on the Community, Culture and Enterprise Directorate to write to the National Ploughing Association outlining the suitability of Donegal as a venue for the National Ploughing Championships and offering whatever assistance may be available.

C/55/06

#### LITTER OFFENCES

On the proposal of Clr. McDonald, seconded by Clr. McGonagle, the following motion was adopted:-

“That this Council addresses the serious issue of litter in the County and re-addresses the lack of prosecutions and the lack of on spot fines being paid for litter offences, while at the same time reassesses the suitability of locations of their re-cycling facilities?”

Members were informed that:-

“The Council employed three additional Litter Wardens in 2005, bringing the total number of full-time wardens in the county to six. They are responsible for investigating offences under both the Litter Pollution Act and Waste Management Act. They also carried out

surveys as part of the National Litter Pollution Monitoring System (NLPMS). The Council made first use of the NLPMS in 2005. It is intended to be fully compliant with the requirements of the NLPMS by the end of 2006. In addition, the Council is committed to making and adopting a new Litter Management Plan by the end of the year.

448 fines were issued under the Litter Pollution Act in 2005 compared with 249 in 2004. 143 fines were paid in 2005 compared with 80 in 2004. Unpaid fines are periodically reviewed to determine the appropriate follow up. Only one case was referred for prosecution in 2005. This was decided in January 2006 with fines of €6,000 imposed and the Council was granted legal costs. A further case is due to be heard on 6th March 2006, based on a referral in 2004. The council will consider further prosecutions in 2006.

The Council operates 56 bring banks and two civic amenity sites throughout the county. The location of these facilities has in all cases been selected with the view to convenience for local users and minimising the risk of abuse of the site. Regrettably abuse does happen on occasions, despite the council's best endeavours to keep sites tidy. Identifying suitable locations for sites has proved difficult at times. We are always open to suggestions of alternative sites in any town or village. The coverage of bring banks and CA sites will be reviewed under the ongoing review of the Waste Management Plan."

C/56/06

DAM AT LOCH NAMBRADAN

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

"That Donegal County Council will examine the feasibility of constructing a dam at Loch na mbradan, Carrigart to provide an additional and enhanced water supply to Downings, Carrigart, and surrounding areas."

Members were informed that:-

An improved water supply to Downings, Carrigart, and surrounding areas has been examined under two schemes - Cranford Water Supply Small Scheme (Rural Water Programme) and Cranford Regional Water Supply Scheme (Water Services Investment Programme 2005-2007). Consultants have developed a network model which has indicated possible pipeline improvements and this is now being considered. In addition Donegal County Council in-house staff have examined and assessed various raw water sources which would have the capacity to supply some or all of the region. The Council's hydrological assessment indicates that a dam at Loch Nambradan is incapable of meeting the projected demands and a number of more suitable sources including Lough Nacreaght are being considered.”

Clr. MacLochlainn stated that it was imperative that the community in this area were presented with a long term solution to water supply problem, and one which would allow for regeneration of the area.

The following amendment was then proposed by Clr. McBride, seconded by Clr. Slowey.

“That any monies spent on the enhancement of the water supply in the Downings area would be specifically used for the upgrade of piping.”

C/57/06

CONVOY DISTRICT DEVELOPMENT  
ASSOCIATION

Clr. Reid requested that the following motion be dealt with at this juncture.

“As this Council has formally agreed to support the building of a Resource Centre on the 1.5acre site set aside for Community Facilities and as the Convoy District Development Association are the only community group applying to lead this project, I propose that this council ratify this application and allocate the use of the site to allow them to apply for funding.”

Members were informed that:-

“The formal support” which Clr. Reid refers to relates to a motion considered at the adjourned meeting of Donegal County Council held on the 28th July, 2005. The minutes of the said meeting are as follows:-

**“C/385/05 RESOURCE CENTRE IN CONVOY**

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

“That this Council support the building of a resource centre in Convoy.”

Members were informed that:-

“In December, 2001, North and West Housing Association sought the support of the Council through the Voluntary Housing Scheme for construction of a voluntary scheme in Convoy. In February 2002, the Stranorlar Electoral Area Committee agreed to support this housing scheme on condition that a communal facility be provided alongside the housing development. Under the Voluntary Housing Scheme, funding of €5,800 per housing unit is available if a communal facility is also being provided - one of the main stipulations for availing of this funding is that any communal facility must be of benefit to the occupants of the housing scheme and it may also be of benefit to the wider community.

Construction has now commenced on this 34 house voluntary scheme in Convoy but as yet, the provision of a communal facility alongside same has not been progressed. A portion of the site is available for such a facility and funding in the sum of €197,200 (i.e. 5,800 x 34) is available through the Voluntary Housing Scheme towards same. Obviously, additional funding would need to be sourced through other channels also. The usual manner in which the provision of such a facility would progress, i.e. where funding is being accessed through the Voluntary Housing Scheme, is that the voluntary housing body would enter into negotiations with an identified local group with regard to

operation/running of the facility. The grant available is paid directly to the voluntary housing body.

One local group in Convoy has put forward a formal proposal for the provision of a communal facility and a copy of this proposal has been given to the members of the Stranorlar Electoral Area Committee.”

A request had been submitted by the Convoy and District Development Association Ltd for the transfer of the land for the proposed “Community Facility” to them. The submission cited a resource centre as being proposed.

Electoral Area Committee at meeting on the 25<sup>th</sup> January, 2005 made no decision on the request.

Matter again considered at meeting held on the 17<sup>th</sup> February, 2005 between the three members and Mary Hannigan, Area Manager. Two separate proposals came forward as follows –

1. That the land be transferred to the play group in Convoy (whoever the playgroup may be or whoever the playgroup designates as it’s representative) and used to address the needs of the playgroup as well as the needs of the occupants of the voluntary housing scheme and indeed the whole community. In conjunction with this provision was also to be made for a play area in any land transferred.
2. The other proposal was that an all encompassing resource centre be provided on the lands similar to other areas in the County/Electoral Area.

At Electoral Area Committee meeting on the 12<sup>th</sup> July, 2005 a proposal to meet with the playgroup, North West Housing, Council Members and the County Childcare Committee to progress the childcare facility was carried. It was also proposed that a playground should also be developed as part of the childcare facility. The minutes of the meeting of the 12<sup>th</sup> July read as follows:-  
“Ms Hannigan circulated a copy of correspondence received from the Convoy & District Development

Association at the meeting. The correspondence referred to their earlier request in relation to a portion of the site in Convoy currently being developed by the North and West Voluntary Housing Group. The Development Association have proposals for the erection of a Community Resource Centre, including a childcare facility and were seeking the agreement of the Council to allow them enter negotiations with the Voluntary Housing Group to progress a joint project.

Clr. McGowan referred to a proposal to transfer land to the Convoy Playgroup to progress a childcare facility however this could not proceed at the time as the land was not in Council ownership and had only recently been acquired by the Voluntary Housing Body. He submitted that the childcare facility should not be delayed while considering other projects and proposed that an early meeting take place with the Playgroup, North & West Housing, Council Members and the County Childcare Committee to progress the childcare facility. Clr. Bonnar seconded the proposal and submitted that a playground should also be developed as part of the childcare facility.

Clr. Reid expressed his annoyance at what he saw as a lack of support for a Resource Centre in Convoy and called on members to support this project. He submitted that Clrs. McGowan & Bonnar fully supported the development of Resource Centres in Castlefin & Killygordon and questioned their motives in relation to the Convoy proposal. He submitted that this project was realisable and would be of great benefit to the Convoy area and that the group had assets to help finance the project.

The proposal to meet with the playgroup was carried.

From the minutes of the various meetings at Electoral Area level and Council level the only two “decisions” that have been made are:-

1. That the Council meet with the playgroup, North West Housing, Council members and the County Childcare Committee and progress the childcare

facility and that a playground be developed in conjunction with the childcare facility.

And,

2. That the Council support the building of a resource centre in Convoy.

It could be argued that while the motion to support the building of a resource centre in Convoy was not specific to any particular site it is reasonable to assume that given there is an application before the Council to develop such a facility on the voluntary housing site, this in effect, is agreement to giving the land to the Development Association for that purpose. On the other hand it could be argued that “support” does not necessarily mean the giving of land and certainly not the land on the voluntary housing site as the Electoral Area Committee had already agreed to meet the Childcare Committee to progress the development of a childcare facility and playground on those lands.

The one proposal however which is specific is in relation to the meeting with the Childcare Group and this is the one which has been acted on and a meeting was held with the relevant groups on the 18th November, 2005 a copy of the minutes of that meeting are appended hereunder.

Minutes of meeting held in Regional Training Centre, Stranorlar on 18<sup>th</sup> November, 2005 in relation to use of portion of land set aside for communal facilities on site of North and West Housing’s Voluntary Housing Scheme at Milltown, Convoy.

**Present**

Clr. J.J.Reid

Clr .A .Bonner

Clr. .P.McGowan

Patrick McLaughlin, S.E.O., Housing

Mary Hannigan, Area Manager, Housing

Tommy Doherty, Asst.Engineer, Housing

Mary McGowan, Co. Childcare Committee

Debbie Kyne, Convoy Community Playgroup

Development Committee

## Gerry Kelly, North and West Housing

Patrick McLaughlin opened the meeting by giving a synopsis of the position to date with regard to this particular portion of land. Same had initially been acquired in addition to the land for the social housing scheme as the Stranorlar Electoral Area Committee's support for the proposal was conditional on the provision of communal facilities also. The acquisition of this additional land had also been funded by the Dept. of the Environment, Heritage and Local Government through the voluntary housing scheme funding.

Patrick advised that approximately one and a half acres was available for development of the facilities and that to date, 3 proposals had come forward from 3 different bodies requesting use of land for their particular project.

The 3 proposals are for 1) a resource centre (put forward by Convoy and District Development Association), 2) facilities for the Convoy Community Playgroup, and 3) a playground (put forward by Convoy Community Environment Committee). The purpose of today's meeting was to agree a strategy for moving forward using whatever guaranteed funding is in place. It was further noted that North and West Housing will project lead whatever communal facility development is agreed.

At the outset, Cllr.Reid expressed his dissatisfaction that there was no representative from the Convoy and District Development Association at the meeting and queried why the group had not been invited to attend. Patrick referred Cllr.Reid to the decision taken at the Stranorlar Electoral Area Committee meeting held on 12<sup>th</sup> July 2005 which outlined which groups were to be invited to today's meeting. It was noted that the Development Association was not named as one of those to be invited.

Patrick invited the Co.Childcare Committee and playgroup representatives to clarify their needs. Mary McGowan advised that she'd been in contact with the Convoy Community Playgroup in relation to their needs. Mary stated that the playgroup's portion of any

building to be provided would be funded by the EOCP (Equal Opportunities Childcare Programme). If the facility is part of an overall plan accommodating other groups/interests, it must be illustrated to the EOCP how the remainder of the development is being funded.

There is no onus on the playgroup to **own** a premises but a long term lease agreement must be entered into. Funding is also available through the EOCP for staffing any childcare facility.

Debbie re-iterated the playgroup's need for a suitable premises but stated that the group was not in favour of a playground at this location. She advised that the playgroup committee had concerns, largely relating to possible anti-social behaviour, if a playground was in place. Patrick outlined that if the playgroup were not going to "allow" a playground adjacent to their premises, then obviously the Council would want to reconsider its position in relation to allocation of any land to them for the playgroup facility. A discussion followed in relation to this issue and following same, Debbie agreed to revert to the other Playgroup Committee members to review their position with regard to provision of a playground on the site and to advise the Council of the committee's position on the matter prior to the next meeting of the Stranorlar Electoral Area Committee to be held on 29<sup>th</sup> Nov.2005. Patrick also pointed out that it must be established if there is enough room on the one and a half acres to accommodate a playground alongside the communal facilities building. Furthermore, there must also be a group to represent the playground proposal, as is the case with the playgroup committee.

It was emerging at this point in the meeting that the proposal for communal facilities would comprise of accommodation for the Playgroup alongside North and West Housing's standard voluntary housing scheme facilities such as meeting room, kitchen etc, with the added possibility of a playground. Gerry displayed plans of the type of facility North and West envisaged for their portion of the building. Discussion followed in relation to the day to day management/running of the facilities. It was agreed that this matter would have to be negotiated locally with North and West Housing.

Cllr.Reid stated that while he welcomed the fact that the needs of the Playgroup and North & West Housing would be met, he failed to comprehend why all proposals could not be incorporated into one Resource Centre, as previously put forward in the submission made to the Council by Convoy and District Development Association Ltd. He again expressed his extreme disappointment at the fact that the Development Association were not included in today's meeting and he was of the opinion that deterrents had been put in this group's way to prevent them from progressing their project.

Cllr. Reid's comments were noted and Patrick summarised the decisions taken at today's meeting as follows:

- The development on the one and a half acres of land available at Milltown will include North and West Housing's communal facilities and accommodation for Convoy Community Playgroup. These developments could be built under one roof or as separate buildings, although the general feeling at the meeting was that to have all under one roof was the most suitable option.
- The playgroup committee is to consider its position with regard to the provision of a playground on the site and will revert to the Council in this matter prior to the next meeting of the Stranorlar Electoral Area Committee meeting on 29<sup>th</sup> November.
- Following clarification regarding the playground, North and West Housing will convene a meeting with the Playgroup and Playground representatives (if playground is going ahead, if not – they will obviously not attend this meeting) to clarify the position regarding management of the facility.

It was agreed that the minutes of today's meeting would be placed before members for adoption at the Stranorlar Electoral Area Committee meeting on 29<sup>th</sup> November, 2005.”

The Playgroup Committee subsequently contacted the Council to advise that they would prefer that the playground was not located adjacent to their proposed facility. The Electoral Area Committee at its meeting on the 29<sup>th</sup> November, 2005 agreed that in addition to the building of the North and West Housing's communal facilities and the accommodation for the Convoy Community Playgroup, that the playground would also be developed at this location. North and West Housing were then invited to co-ordinate a meeting of the playgroup and the playground representatives with a view to project leading the development of the agreed facilities on the site.

At the request of the Convoy & District Development Association, a meeting was held with them on the 15<sup>th</sup> December, 2005 and a copy of the minutes of that meeting are appended hereunder -  
“

**Memo of meeting with Convoy & District Development Assoc. in  
Regional Training Centre, Stranorlar on 15/12/2005**

Present

**C.D.D.A.**

Thomas McMenamin

John McCluskey

Lydia Nesbitt

Mary McCluskey

Rosemary Scott

Kathleen Harris

**D.C.C.**

Cllr.J.J.Reid

Cllr.A.Bonner

Cllr.P.McGowan

Patrick McLaughlin

Mary Hannigan

Patrick McLaughlin opened the meeting by giving a summary of how matters had developed as regards use of the land available at Milltown, Convoy. The position now was that the Stranorlar E.A. Committee

had taken a decision to have North and West Housing project lead a development on this particular piece of ground that would include North and West Housing's own communal facility, accommodation for Convoy Community Playgroup and a playground.

The Development Association outlined their position on the matter highlighting how they believed they had been deliberately excluded in this case, despite submitting a realistic proposal to the Council for development of a resource centre on this site which would address the needs of all community groups in Convoy. The members of the Association present at the meeting gave details of the various groups they represented, i.e. Guides, Women's Group, Senior Citizens etc and how these groups did not have any suitable premises in which to meet. The Development Association stated that the only group in Convoy whose needs were now being met was the Playgroup. When Patrick queried as to why the Playgroup Committee was not under the umbrella of the Development Association similar to the other groups in Convoy, Thomas advised that the Playgroup had approached them but because of the difficulties the Development Association had experienced in this matter so far, they advised the Playgroup to stand alone in pursuing their facility. The Development Association also stated that, while welcoming North and West's involvement in the project, a community project should be led by the community and not an outside agency. Patrick explained that liaising with community groups to develop a communal facility would indeed be a fundamental aspect of the work carried out by bodies like North and West.

The main aim of the Development Association in attending today's meeting was to obtain the support of the 3 members of the electoral area committee in allowing them to acquire the site at Milltown for development of an all-encompassing resource centre. The Association acknowledged differences in the past and stated that mistakes had been made by all parties involved but that they were willing to put the past behind them and move forward with an all inclusive approach.

Cllr.McGowan stated that a decision had been taken as to how to move forward as outlined by Patrick at the start of the meeting and that a commitment had been given to the playgroup as they are the only body who can obtain 100% funding. He referred to a number of premises in Convoy which are available for public use and confirmed his willingness to liaise with any group to find the best solution for them.

Cllr.Bonner acknowledged the work of the various community groups in Convoy but stated that it was known that there were difficulties and conflict in Convoy among the groups themselves and in which the councillors had no direct involvement.

Cllr.Reid referred to this division in Convoy starting at an AGM of the Development Association a few years ago and that the problems had escalated since then. He stated that the decision now taken by the Electoral Area Committee had merely allowed North and West Housing to fulfil their own obligations with regard to provision of a communal facility and that the needs of the wider community in Convoy were not being met. He understood the Playgroup's decision to stand alone as they do not want to lose funding available to them but is supportive of the Development Association's proposal.

Patrick concluded that today's meeting was to be an opportunity for the Development Association to present their case, which they had comprehensively done. He acknowledged the good work of all community groups in Convoy and accepted that the needs of all groups were not being met with the decision now made. He stressed, however, that the Council would be progressing the matter based on that decision and had already requested North and West Housing to convene a meeting of the relevant parties to initiate the process.

The Development Association expressed their extreme disappointment at the current position. Cllr.

McGowan suggested that the Association hold a further meeting with the 3 Cllrs and the Council's Community and Enterprise section early in the New Year to discuss the matter further. This was agreed

and the Development Association is to contact the members with a suitable date.”

It is understood that the follow up meeting as referred to between the members and the Convoy & District Development Association has taken place locally over the past few weeks.

Clrs. Pearse Doherty and Tony McDaid outlined their support for the motion and stated that it was essential that this Resource Centre came to fruition so as to allow the community in Convoy to develop.

Clr. McGowan advised however that he had grave concerns in relation to the matter and was totally opposed to the motion. The local playgroup had identified funding for a playground and had met with the Convoy and District Development Association to agree a three part process. This motion would effectively overturn that decision he added.

Clr. McGowan proposed, seconded by Clr. O’ Domhnaill that Clr. Reids’s motion should not go forward and that the decision of the Stranorlar Electoral Area Committee be taken as final.

The Meetings Administrator read into the record the following motion which had been proposed by Clr. Reid and seconded by Clr. Pearse Doherty: -

“As this Council has formally agreed to support the building of a Resource Centre on the 1.5acre site set aside for Community Facilities and as the Convoy District Development Association are the only community group applying to lead this project, I propose that this council ratify this application and allocate the use of the site to allow them to apply for funding.”

A recorded vote was then taken by the A/Meetings Administrator which resulted in 12 for, 9 against, with 2 abstentions.

Those voting in favour were: -  
Clrs. Boyle, Pádraig Doherty, Pearse Doherty,  
McBride, McDaid, McGarvey, McGuinness,  
MacLochlainn, O'Neill, Pringle, Reid, Slowey. (12)

Those voting against were: -  
Clrs. Alcorn, E. Bonner, Brogan, Byrne, Conaghan,  
McDonald, McGonagle, McGowan, O'Domhnaill. (9)

Clrs. Blaney and Larkin abstained.

C/58/06

### COMMUNITY SAFETY STRATEGY FOR LIFFORD AREA

On the proposal of Clr. McDaid, seconded by  
Clr. Pearse Doherty, the following motion was adopted:-

“That this Council through its Community & Enterprise  
Section facilitates a multi agency approach to develop a  
community safety strategy for the Lifford area.”

Members were informed that:-

“Community & Enterprise may be in a position to  
facilitate a multi-agency response in a CDB context  
should there be a formal request from the local  
community. It would seem that An Garda Síochána  
would be the lead agency in any such multi agency  
response and that they would be consulted immediately  
by C & E on receipt of any such request from the  
Community with a view towards seeing how this might  
be progressed.”

Clr. McDaid acknowledged the disruption caused by the  
recent spate of crime in the Lifford area. This was he  
advised being perpetrated by a very small minority of  
people.

Clr. Larkin called on Donegal County Council to look  
at the wider picture particularly in relation to the whole  
area of anti social behaviour. The Community and  
Enterprise Unit he advised must examine the whole  
issue of building communities from a social and  
economic point of view.

C/59/06

PROVISION OF PLAYGROUNDS IN SOCIAL HOUSING DEVELOPMENTS

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

“That this Council seek approval from the Department of Environment for the inclusion of the provision of playgrounds in social housing developments of over ten houses to be funded through the Capital Programme.”

Members were informed that:-

“The members will be aware that a multi-annual programme has been drawn up for the provision of one playground in each Electoral Area on an annual basis. The criteria is that the playground must be located on Council property and the local residents must take ownership thereof. The playground must be fully enclosed and provided with the proper safety equipment. The playgrounds are inspected once a week by a member of Council staff and where it is considered unsafe for whatever reason, the facility is locked and the local group must take responsibility for making it safe prior to the Council permitting it to be reopened. In addition to the playgrounds provided under the multi-annual programme, the Department of the Environment have indicated that they would fund playgrounds in larger social housing schemes where there was a clearly identified demand from prospective residents. The Department have indicated that approximately €1,000 per unit can be made available in such cases. Based on the cost of such playgrounds, it is anticipated that a scheme will need to be consisting of approximately 25-30 units to make it viable and also the units must be for families to meet the Departments criteria. Given the significant change in the composition of the housing waiting list, where a large percentage of applicants are singles, units to meet those needs would not attract funding from the Department. The requirement that the residents take responsibility for playgrounds is a matter which must also be considered and the involvement of the Council’s Tenant Liaison Officers will be vital in this regard.

While playgrounds have been provided in a number of Council housing estates under the multi-annual programme as referred to above, one was also provided in the recently opened housing scheme in Glenties and was funded directly through the social housing programme. The situation in Glenties can be monitored over the coming months with a view to establishing the suitability of the approach of providing same prior to residents associations being formed and their subsequent ownership thereof. In addition to the scheme at Glenties, the Department have also indicated that they would be willing to provide finance for similar playgrounds in three separate schemes proposed in Rathmullan, Manorcunningham and Stranorlar. Given the costs associated with the provision of the playgrounds and the monies which the Department are making available, consideration can be given to making a case to the Department that particularly in the case of smaller schemes, the funding can be drawn down and used in the context of the Council's multi-annual programme where a playground can be provided in the local area in question, although not necessarily within the new scheme."

Clr. Pringle welcomed the response particularly in relation to the availability of funding. And called for the provision of various types of facilities in conjunction with the multi-annual programme.

Clr. McGowan called for the provision of similar facilities in the two estates currently being built in the Ballybofey/Stranorlar area, in addition to the green areas already provided for.

Clr. Reid warned however that in many instances playgrounds were not acceptable to the majority of people and that great care needed to be taken when assessing the suitability of a particular site.

The Cathaoirleach welcomed the timely inclusion of Clr. Pringle's motion but advised that every effort should be made to ensure that there was balanced consultation between residents and the Housing Authority.

He also recognised the enormous input of Ms. Aileen O'Doherty in having the Playground Policy adopted nationally.

C/60/06

RECYCLE WASTE

Clr. Slowey requested that the following motion be withdrawn: -

“That Donegal County Council not charge Householders to recycle their waste.”

C/61/06

ADJOURNMENT OF MEETING.

Members agreed to adjourn the meeting to 2.00pm on Monday 13<sup>th</sup> February, 2006 so as to complete the remainder of items on the agenda.

This concluded the business of the meeting.