

COMHAIRLE CHONTAE DHUN NA nGALL

Oifig Riarthóir na
gCruinnithe
Aras an Chontae
LEIFEAR
22 Iúil 2008

Beidh Cruinniú Comhairle Chontae Dhún na nGall ar siúl Dé Luain, 28 Iúil, 2008, ag **2.00 in Áras an Chontae, Leifear**

DO GACH BHALL DEN CHOMHAIRLE

A Chara

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

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

Mise, le meas

A. MacSuibhne

Riarthóir Cruinnithe(RÚNAI CHONTAE)

DONEGAL COUNTY COUNCIL

Office of Meetings Administrator
County House
Lifford
22nd July , 2008

NOTICE OF MEETING

A Meeting of Donegal County Council will be held on Monday 28th July, 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 26th May, 2008.
 - b) Confirmation of Minutes of Adjourned Meeting of Donegal County Council held on 9th June, 2008.
 - c) Confirmation of Minutes of Meeting of General Purposes Committee held on 20th June, 2008.
 - d) Confirmation of Minutes of Special Meeting of Donegal County Council held on 23rd June, 2008.
 - e) Confirmation of Minutes of Annual General Meeting of Donegal County Council held on 23rd June, 2008.
 - f) Confirmation of Minutes of Meeting of General Purposes Committee held on 14th July, 2008.

2. **Material Contravention Of Development Plan**

Consideration of planning application by Peter & Annamarie McCready for erection of dwelling with wastewater treatment system at Cruit Upper, Kincasslagh, Letterkenny, Co. Donegal. Ref: 08/30368. (Report to be circulated).

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

Notice under Section 183 of the Local Government Act, 2001 to dispose of by way of lease, part of Public Services Centre, Drumlonagher, Donegal Town to Donegal Local Development Company Ltd.

4. **Taking of decision pursuant to Planning & Development Act, 2000 (Part XI), and Planning & Development Regulations, 2001 (Part 8).**
 - a) To approve the carrying out of works with regard to N56 Mountharles to Inver Road Re-alignment.

 - b) To approve the carrying out of works with regard to construction of Glencolmcille Reservoir.

5. **Finance**

To note and consider draft Un-Audited Financial Statement for 2007 including commentary by the County Manager and the Head of Finance.

6. **Corporate Services Programme**

- a) To approve the implementation from 1st March 2008 of the revised pay scales sanctioned by the Department of the Environment, Heritage and Local Government under section 27.17 of “Towards 2016”.
- b) To resolve, pursuant to Standing Order No 3, that the ordinary meeting of the Council for the month of September 2008 commence at 12.00 noon.
- c) To approve HEG Scheme 2008.

7. **Roads**

To approve applications to the NRA and DoEHLG for 2009 Low Cost Safety remedial work funding on National and Non-National Roads.

8. **Community, Culture and Enterprise Programme**

- a) To consider report and recommendations in relation to the Abbey Centre, Ballyshannon.
- b) To note report on collaboration with Local Development Companies on the upcoming National Rural Development Programme.
- c) To adopt Cultural Connections Strategic Plan for Cultural Services Division.

9. **Planning and Economic Development Programme**

- a) To approve request for Special Meeting on 15th September, 2008 in relation to the amendment of the Ballybofey/Stranorlar Local Area Plan 2005-2011.
- b) To consider Draft Ballyshannon and Environs Local Area Plan 2008 and to resolve to publish same for a 6 week period of public consultation.
- c) To consider Section 9 Agreement between Bundoran Town Council and Donegal County Council in respect of the review of the existing Bundoran Development Plan 2004-2010 and the preparation of a new Plan entitled “The Bundoran and Environs Development Plan 2010-2016”.

10. **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:-

a) **HOME**

- i. Councillors' Training Seminar 'The role of Local Government in Sport', to be held from 30th July to 1st August, 2008, at The Connemara Gateway Hotel, Oughterard, Co Galway.
- ii. Annual Sliabh Luachra Summer School, to be held from 5th to 10th August, 2008, at Bruach Carraige Cultural & Heritage Centre, Rockchapel, Co. Cork.
- iii. The Parnell Summer School 2008, to be held from 10th to 15th August, 2008, at Avondale House and Forest Park, Rathdrum, Co Wicklow.
- iv. The Merriman Summer School, to be held from 17th to 23rd August, 2008, at the Glor Irish Music Centre, Ennis, Co Clare.
- v. The Humbert Summer School, to be held from 21st to 24th August, 2008, to be held in Ballina, Co Mayo.
- vi. Training Seminar for Councillors, Local Government and the Arts, to be held from 22nd to 24th August, 2008 at Dooley's Hotel, Birr, Co Offaly.
- vii. 4th Annual Environment Ireland Conference 2008, to be held from 9th to 10th September, 2008, at Croke Park Conference Centre, Dublin.
- viii. 95th AMAI Annual Conference 2008, to be held from 10th to 13th September, 2008, at Sligo Park Hotel, Sligo.
- ix. CitizenFirst International Conference, to be held from 25th to 26th September, 2008, at Clare County Council Offices and at The Old Ground Hotel, Ennis, Co Clare.
- x. Remembrance Weekend and Conference, to be held 26th to 28th September, 2008 at Excel Heritage Centre, Mitchel Street, Tipperary, Co. Tipperary.
- xi. Getting A Grip 2008 'Addiction Proofing our Communities', to be held 2nd and 3rd October, 2008, at The Malton Hotel (Formerly the Great Southern) Killarney, Co. Kerry.
- xii. 2008 La Touche Legacy Seminar (20th Year), "The relationship between Local Authorities and the Business

Sector – are there lessons to be learned?” to be held, from 3rd to 5th October, 2008, at Charlesland Golf & Country Club Hotel, Greystones, Co. Wicklow.

b) **FOREIGN CONFERENCE**

- i. 3 Day Biowaste Treatment Study Tour to Germany 15th – 17th September, 2008.
- ii. Armistice Day Visit 2008, to mark the 10th anniversary of the opening of the Island of Ireland Peace Park, Messines Ridge, Flanders, Belgium from 9th – 12th November 2008.

11. **Mayor's Business**

12. **Manager's Report**

MOTIONS

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

MILFORD ELECTORAL AREA

Corporate Services

13. Clr. L. Blaney
"That Donegal County Council does not, downgrade Milford Public Service Centre Office, when the Milford and Letterkenny Electoral Area are amalgamated." (C)

Roads & Transportation Services

14. Clr. I. McGarvey
"That this Council take a decision to provide proper lighting as a matter of urgency on all Quay's and Piers on our Islands and the Mainland where necessary." (C)

Water, Environment & Emergency Services

15. Clr. N. McBride
"That Donegal County Council put the necessary funding in place so that the Civic Amenity site in Milford can open as soon as it is completed." (L)

STRANORLAR ELECTORAL AREA

Housing and Building

16. Clr. P. McGowan
"To call on the County Manager to urgently provide a Public Services Centre for the population of the proposed extended Stranorlar Electoral Area, and in light of the worsening economic climate to explore the provision of accommodation by securing the best financial terms possible by exploring all options for savings including the leasing of suitable accommodation, the surrender of existing rentals, the disposal/exchange of assets." (L)
17. Clr. J.J. Reid
"That this Council proceed immediately to build 28 Apartments on the Council owned site at Trusk Road, Ballybofey." (L)

Community Culture and Enterprise

18. Clr. A. Bonner
"That Donegal County Council will consult with O.P.W. in relation to the possibility of co-locating a New Garda Barracks, and state of the art library on one site, under Public/Private Partnership etc." (L)

GLENTIES ELECTORAL AREA

Water, Environment & Emergency Services

19. Clr. D. Alcorn
"That Donegal County Council do not meter premises that do not have a direct water supply to their premises." (C)

Corporate Services

20. Clr. T. Slowey
"That this County Council ensure that all Donegal County Council Housing is properly insulated." (C)

INISHOWEN ELECTORAL AREA

Community Culture and Enterprise

21. Clr. M. McDonald
"That this Council explore, again the potential for tourism and business linkages with Scotland to maximise community and other efforts that have recommenced in recent times." (O)

Corporate Services

22. Clr. B. McGuinness
"Further to my motion passed at the November 2007 Council Meeting regarding the closure/downgrading of Malin Head Coastguard Station and the fact that no response has been received from the Minister for Transport to our request for him to receive a joint deputation from Donegal and Kerry County Councils, I now call on the Council to further debate the closure of Malin Hd Coastguard Station and the failure of the Minister for Transport to respond on the Council's request to receive a deputation on this very serious matter." (O)

Water, Environment & Emergency Services

23. Clr. R. Donaghey
"That a design team be put in place immediately to allow money to be drawn down and refurbishment works to commence on Buncrana Leisure Centre." (L)
24. Clr. F. Conaghan
"That we discuss the Donegal Waste Management Plan." (C)

Planning and Economic Development

25. Clr. D. McGonagle
"That the Council review the Carndonagh Town Plan soon." (L)

LETTERKENNY ELECTORAL AREA

Roads & Transportation Services

26. Clr. D. Larkin
“That this Council after being furnished with a full report debate why after several years that cones placed as a temporary measure on the Glenties road at Glenswilly are still in place, given that monies had been allocated to do the safety measures needed.” (L)

Housing and Building

27. Clr. J. Harte
“That the Council ask the Minister for Environment to increase lending from Housing Finance Agency to Local Authorities to assist first time buyers.” (O)

DONEGAL ELECTORAL AREA

Water, Environment & Emergency Services

28. Clr. S. McEniff
"That Donegal County Council purchase the site marked on the attached map to accommodate the new Fire Station for Bundoran."
(L)

QUESTIONS

(L) Local

- (C) County
- (O) Other

MILFORD ELECTORAL AREA

Planning and Economic Development

29. Clr. L. Blaney
"When does Donegal County Council hope to pursue the Environmental Improvement Scheme and construction of a new Carpark in Milford?" (L)

Water, Environment & Emergency Services

30. Clr. L. Blaney
"When does Donegal County Council intend laying new water mains to Glenvar and construct new water reservoir in Milford?" (L)
31. Clr. N. McBride
"What is the up to date situation regarding the consultants reports and funding applications for the upgrade of the Churchill group water scheme?" (L)

Roads & Transportation Services

32. Clr. I. McGarvey
"When will work commence on The Quay, Ramelton as safety at the moment is a very serious problem due to very poor lighting and very bad surface without markings?" (L)
33. Clr. I. McGarvey
"Does the Council ever intend to address the serious traffic problems that exist in Ramelton and Milford now or in the near future?" (L)
34. Clr. N. McBride

"What is the up to date situation on my motion regarding the Audit of Safety measures on roads leading to and from schools in County Donegal?" (C)

STRANORLAR ELECTORAL AREA

Corporate Services

35. Clr. P. McGowan
"In light of the serious flooding which is recurring every year can the council re-establish the Land Drainage Committee which can source funding from the OPW?" (C)

Roads & Transportation Services

36. Clr. P. McGowan
"Can the Council give a up to date report on Castlefin Bridge strenghtening and new build proposals?" (L)
37. Clr. A. Bonner
"What steps is this Council taking to ensure that funding will be available in 2009 to start land acquisition and archaeological testing for the Ballybofey/Stranorlar by-pass on the NRAs 2009 allocations, pending positive outcome of An Bord Pleanala's decision?" (L)

Housing and Building

38. Clr. J.J. Reid
"How many applicants are currently on the waiting list for housing in Ballybofey/Stranorlar?" (L)

Planning and Economic Development

39. Clr. J.J. Reid
"How much money has Donegal County Council spent to date on the prepared plans for the Gate Initiative between Letterkenny/Derry?" (C)

Water, Environment & Emergency Services

40. Clr. A. Bonner
"Has a designated person been selected to work on the CPOs for the land required for the Ballybofey/Stranorlar Swimming Pool and if so what progress has been made to date?" (L)

GLENTIES ELECTORAL AREA

Roads & Transportation Services

41. Clr. J. Kelly
"Has this County Council set out a policy at Senior Planner/Road Engineer level to agree to procedures to be implemented regarding damage done to roads by those in construction industry and if so, does this policy directly engage the Gardai under the damage to Roads Act?" (C)
42. Clr. J. Kelly
"What long term plan of action has the Donegal County Council in place for dealing with the natural movement of sand along the coast (littoral drift) at Magheroarty Pier and to date what has been the cost of dredging and beach nourishment at Magheroarty Pier?" (L)

Water, Environment & Emergency Services

43. Clr. D. Alcorn
"Have plaques been erected on all newly opened Donegal County Council Fire Stations as promised?" (C)

Housing and Building

44. Clr. D. Alcorn
"What is the legal position with Donegal County Council re travellers parking in council car parks and on county council roads?" (C)
45. Clr. T. Slowey

"Does Donegal County Council Housing Section insure windows for accidental breakage for tenants renting Local Authority Properties?" (C)

Corporate Services

46. Clr. T. Slowey
"Is there a Customer Charter of Rights operational within Donegal County Council. If there is can a copy be provided for the Elected Members and if not when can we expect that a Customer Charter will be put in place?" (C)

INISHOWEN ELECTORAL AREA

Roads & Transportation Services

47. Clr. M. McDonald
"Can I have a breakdown of the monies allocated to Moville and Portlean Piers in the period 1997 – 2007, with an update on all works to date and the current status of the most recent projects proposed for these locations?" (L)
48. Clr. B. McGuinness
"Arising from concerns about the quality/condition of the temporary road reinstatement, what money has been included in the contract for Malin Sewerage Scheme for permanent road reinstatement and how soon can this work be carried out?" (L)
49. Clr. R. Donaghey
"When will crash barriers be erected at Rock Head, Burnfoot and the one at Lisfannon extended?" (L)
50. Clr. R. Donaghey
"What is the delay in progressing the Buncrana Breakwater, given that the Manager of Donegal County Council met with the Minister and the then Deputy Cecilia Keaveney in December 2006?" (L)
51. Clr. D. McGonagle
"When will the Council replace the retired roads workers in Inishowen?" (L)

52. Clr. B. McGuinness
"When will the carpark at St. Boden's Terrace, Culdaff be resurfaced and the drainage problem solved and progress to date? Please include copies of previous replies to same question." (L)

Water, Environment & Emergency Services

53. Clr. M. McDonald
"Can the Council outline when the EIS was requested for the Moville/Greencastle sewerage scheme, when was it submitted, and what was the reason for the delay in sending it to Bord Pleanala?" (L)
54. Clr D. McGonagle
"When will Malin Sewerage Scheme be complete?" (L)

LETTERKENNY ELECTORAL AREA

Housing and Building

55. Clr. D. Larkin
"Will the Manager furnish us with the details of all agreements of land sales, swaps and transfers entered into in the lifetime of this Council, highlighting the ones that have not gone through or that are pending?" (C)
56. Clr. D. Larkin
"Will the Manager as a matter of urgency review the practice of fitting our housing stock with OFCH, especially our OPD houses?" (C)

DONEGAL ELECTORAL AREA

Roads & Transportation Services

57. Clr. B. Byrne
"What progress has been made between the Roads Section Section and the Water Section in dealing with the rock-slide on the R263 at Dooley, Glencolumbkille?" (L)

Planning and Economic Development

58. Clr. B. Byrne
"What progress has been made with the Killybegs Environmental Scheme?" (L)

Water, Environment & Emergency Services

59. Clr. S. McEniff
"Can I please have the up to date position regarding the Laghey Sewerage Scheme?" (L)

60. MOTIONS FROM OTHER COUNCILS

BALBRIGGAN TOWN COUNCIL

"Balbriggan Town Council call on the Minister for Environment, Heritage and Local Government to introduce tougher penalties for anyone caught graffitng public property".

BALBRIGGAN TOWN COUNCIL

"Balbriggan Town Council call on all major retailers operating in the Republic of Ireland to ensure that all goods sold in their outlets are manufactured from sources that do not abuse children".

LAOIS COUNTY COUNCIL

"That Laois County Council call on the Minister of the Environment, Heritage and Local Government Mr John Gormley, T.D., to consider a deposit on all bottles and cans which contain beer, wine and spirits and refund the deposit when the bottles and cans are presented to any store which sell them".

SLIGO COUNTY COUNCIL

"Recognising that the will of the people as expressed at the ballot box is sovereign, and recognising that if all member states of the EU do not ratify the Lisbon Treaty it does not pass into law, and further recognising that the people of Ireland exercised their rights as citizens to reject the Lisbon Treaty, this Council rejects the calls from Europe to re-run the Lisbon Treaty referendum, and we call on the EU Commission, the EU Council of Ministers, the EU Parliament and the authorities in the other EU states to accept and respect the verdict of the Irish people, as they accepted the will of the French and Dutch people following their decision to reject the EU Constitution".

OFFALY COUNTY COUNCIL

“That Offaly county council call on the Minister for Justice, Equality and Law Reform to disseminate the text of the UN Convention on the Rights of People with Disability and request the speedy ratification of the Convention and the optional protocols”.

OFFALY COUNTY COUNCIL

“That Offaly County Council calls on the Minister to increase the subvention payment for people in private nursing homes to reflect the current costs of patient care”.

LIMERICK COUNTY COUNCIL

“That, Limerick county Council calls on the Taoiseach and the Minister for Social and Family Affairs to further increase the fuel allowance to help alleviate the effects of recent and future price increases on the elderly”.

SLIGO COUNTY COUNCIL

“That Sligo county council fully supports the continuation of the cancer campaign and calls on the Government and the HSE to support the proposal that Sligo General Hospital would extend its catchment area so as to allow the hospital to retain and further develop the cancer surgical and diagnostic services at Sligo General Hospital and all cancer care services including radiotherapy”.

DERRY CITY COUNCIL

“That this Council notes the growing number of people who use Google Earth when choosing a place to visit, when obtaining travel directions and when choosing a place to live.

This Council therefore write to Google encouraging them to upgrade their coverage of the Northwest of this island as soon as possible.

And this Council will copy this motion to both the Northern Ireland and Republic Of Ireland administrations and to all the Councils in the Northwest urging them to do the same”.

LISTOWEL TOWN COUNCIL

“That we the Town Council put in place a policy that all our future housing stock for our elderly/living alone be fitted with a “peep-hole” in their front doors, in doing so giving these tenants a sense of independence and security”.

DUN LAOGHAIRE-RATHDOWN COUNTY COUNCIL

“That this Council views with concern any attempt to introduce “Fixed Odds Betting Terminals” (F.O.T.B.s) into bookmakers’ shops, because of the addictive nature of this type of betting and calls on the minister for finance and the Government not to allow their introduction and that Local Authorities exercise any veto they have in legislation to prevent their installation”.

MACROOM TOWN COUNCIL

“That Macroom Town Council call on the Minister for the Environment, Heritage and Local Government to change the law regarding the payment of refuse charges in private rented accommodation. At present, this is the duty of the tenants and not the landlord. In a lot of cases the tenants do not have long-term contracts, so why should they pay annual refuse charges. If a refuse service is provided to tenants, they will use it. A small increase in tenants rent would off-set the cost to land-lords. Fly tipping has become a major national problem and this Council believes that a change in this law would greatly reduce this problem”.

MACROOM TOWN COUNCIL

“That we never forget the appalling tragedy of the Famine, the people who died, those who had to leave our shores in search of a new life and to escape the terrible tragedy of Ireland at that time.

In our dramatically changing Ireland it is very important that we remember the history of our country, therefore Macroom Town Council proposes that on an annual basis perhaps one of the Public Holiday Mondays be set aside as Famine Remembrance Day”.

DUBLIN CITY COUNCIL

“That the Manager ends the trend of Dublin City Council failing to make use of the opportunities presented by International Women’s Day to promote women’s participation in the political, economic and social life of Dublin City*. Given only one quarter of Councillors are women, as a signal of its commitment to gender equality, the Manager will initiate a programme of annual events which will become embedded in the annual life of the city and contribute towards promoting women’s equal participation in governance of the city”.

WESTMEATH COUNTY COUNCIL

“That this Council discuss the severe implications that the EU Directive on the Protection of Habitat Species is causing to our communities by the ban on turf cutting and also requests the Minister for the Environment,

Heritage and Local Government to accommodate the domestic turf cutters in these areas, as the EU has left this accommodation to the discretion of the individual countries. This motion to be circulated to all Local Authorities in the Country looking for their support”.

KERRY COUNTY COUNCIL

“That the members of Kerry County Council call on the Government to improve funding for Local Authorities by allowing a percentage of VAT collected in each county to be refunded to that county (without an increase in the VAT rate nationally) to ensure the proper funding of Local Authorities who are under extreme pressure at present”.

**MINUTES OF MEETING OF DONEGAL COUNTY COUNCIL, HELD
IN THE COUNTY HOUSE, LIFFORD ON 28th July, 2008.**

C/293/08 MEMBERS PRESENT

Clrs. G. Crawford, Mayor, D. Alcorn, L. Blaney, A. Bonnar, E. Bonner, J. Boyle, C. Brogan, B. Byrne, F. Conaghan, R. Donaghey, J. Kelly, J. Kennedy, D. Larkin, N. Mc Bride, 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/294/08 OFFICIALS IN ATTENDANCE

Mr M McLoone, County Manager, Mr Patrick McLaughlin, A/Director of Housing, Ms Helena O Toole, A/Director of Planning Services, Mr John McLaughlin, Director of Roads & Transportation, Mr Aidan McNicholas, Head of Finance, Mr Garry Martin, A/Director of Community Culture and Enterprise, Mr Peadar MacRory, A/Director of Water Environment Emergency, Mr Liam Ward, A/Director of Corporate Services, Mr Gerry Richards, Senior Planner, Mr Aidan O Doherty, Senior Engineer, Mr Declan McAleer, Financial Accountant, Mr Eunan Sweeney, Meetings Administrator and Ms Kathleen Browne, Staff Officer, Corporate Services.

C/295/08 MINUTES SILENCE

Prior to commencement of the business of the meeting, the Mayor advised members of the tragic death of Council employee, Mr Seamus Boyce. The sympathy of the members, management and staff was extended to his family and friends. A minute's silence was held as a mark of respect.

C/296/08 CONFIRMATION OF MINUTES OF MEETING OF
DONEGAL COUNTY COUNCIL HELD ON 26th MAY,
2008

On the proposal of Clr. Byrne, seconded by Clr. A Bonner, the Minutes of the Meeting of Donegal County Council held on the 26th May, 2008, were adopted.

- C/297/08 CONFIRMATION OF MINUTES OF ADJOURNED MEETING OF DONEGAL COUNTY COUNCIL HELD ON 9TH JUNE, 2008
On the proposal of Clr. McGarvey seconded by Clr. McEniff, the Minutes of the Adjourned Meeting of Donegal County Council held on the 9th June, 2008, were adopted.
- C/298/08 CONFIRMATION OF MINUTES OF MEETING OF GENERAL PURPOSES COMMITTEE HELD ON 20TH JUNE, 2008
On the proposal of Clr. Byrne seconded by Clr. Conaghan, the Minutes of the Meeting of General Purposes Committee held on the 20th June, 2008, were adopted.
- C/299/08 CONFIRMATION OF MINUTES OF SPECIAL MEETING OF DONEGAL COUNTY COUNCIL HELD ON 23RD JUNE, 2008
On the proposal of Clr. Larkin, seconded by Clr. Conaghan, the Minutes of the Special Meeting of Donegal County Council held on the 23rd June, 2008, were adopted.
- C/300/08 CONFIRMATION OF MINUTES OF ANNUAL GENERAL MEETING OF DONEGAL COUNTY COUNCIL HELD ON 23RD JUNE, 2008
On the proposal of Clr. Conaghan, seconded by Clr. McEniff, the Minutes of the Annual General Meeting of Donegal County Council held on the 23rd June, 2008, were adopted.
- C/301/08 CONFIRMATION OF MINUTES OF MEETING OF GENERAL PURPOSES COMMITTEE HELD ON 14TH JULY, 2008
On the proposal of Clr. Conaghan seconded by Clr. McEniff, the Minutes of the Meeting of General Purposes Committee held on the 14th July, 2008, were adopted.
- C/302/08 MATERIAL CONTRAVENTION OF COUNTY DEVELOPMENT PLAN 2006 - 2012, AS VARIED - CONSIDERATION OF PLANNING APPLICATION BY PETER & ANNAMARIE MCCREADY FOR ERECTION OF DWELLING HOUSE WITH WASTEWATER TREATMENT SYSTEM AT CRUIT UPPER, KINCASSLAGH, LETTERKENNY, CO DONEGAL. REF 08/30368

On the proposal of Clr Alcorn, seconded by Clr Conaghan, it was resolved to defer consideration of this item until after consideration of items 3, 4 and 5 on the agenda.

C/303/08 DISPOSAL BY WAY OF LEASE – PART OF PUBLIC SERVICES CENTRE, DRUMLONAGHER DONEGAL TOWN TO DONEGAL LOCAL DEVELOPMENT COMPANY LTD.

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

On the proposal of Clr. McEniff, seconded by Clr. Boyle, it was resolved to dispose of part of Public Services Centre, Drumlougher, Donegal Town to Donegal Local Development Company Ltd by way of lease, in accordance with Section 211 of the Planning & Development Act, 2000 and Section 183 of the Local Government Act, 2001.

C/304/08 TAKING OF DECISION WITH REGARD TO PROPOSED CARRYING OUT OF WORKS TO N56 MOUNTCHARLES TO INVER ROAD REALIGNMENT

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

On the proposal of Clr. Byrne, 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 N56 Mountcharles to Inver Road Realignment was approved.

C/305/08 TAKING OF DECISION WITH REGARD TO PROPOSED CONSTRUCTION OF GLENCOLMCILLE RESERVOIR.

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

On the proposal of Clr. Byrne, seconded by Clr. O Neill, 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 Construction of Glencolmcille Reservoir was approved.

C/306/08 NOTING AND CONSIDERATION OF DRAFT UN-AUDITED FINANCIAL STATEMENT FOR 2007

On the proposal of Clr McEniff, seconded by Clr E Bonner, the Council noted the report circulated with the agenda in relation to the above.

Following a number of queries raised by members, the County Manager, confirmed that a report would be brought to the September Council meeting updating members on progress on Capital Schemes and co-funding requirements.

C/307/08 MATERIAL CONTRAVENTION OF COUNTY DEVELOPMENT PLAN 2006 - 2012, AS VARIED - CONSIDERATION OF PLANNING APPLICATION BY PETER & ANNAMARIE MCCREADY FOR ERECTION OF DWELLING HOUSE WITH WASTEWATER TREATMENT SYSTEM AT CRUIT UPPER, KINCASSLAGH, LETTERKENNY, CO DONEGAL. REF 08/30368

The motion was duly proposed by Clr. Alcorn, seconded by Clr. Slowey.

Prior to consideration of the above item, 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, R Donaghey, J Kelly, J Kennedy, D Larkin, N McBride, M McDonald, S McEniff, I McGarvey, D McGonagle, P McGowan, B McGuinness, B O Neill, T Pringle, J. J. Reid and T Slowey (24).

Clr Conaghan queried the necessity for the Director of Service to read the reports into the record of the meeting and requested that further legal advise be sought. He stated that the Council took decisions at meetings on other matters and it was not considered necessary to read out the reports in each case. Ms O'Toole A/Director of Services , Planning and Economic Development advised that she would seek further advise on this matter but that the current advise was the process being followed.

Ms. O'Toole, proceeded to read into the record her own report and the report from Mr. Denis Kelly, Senior Planner, dated 22nd July, 2008.

Mr Kellys report recommended inter alia the permission be refused for the following reasons:-

“Having regard to the visually exposed and locally elevated location of the subject site, it is considered that the proposed development is unsuitably sited resulting in an obtrusive and strident feature imposed upon the landscape as viewed from the county road to the east of the site. Accordingly it is recommended that permission be refused for the following reason: -

REFUSE:

1. It is the policy of the Council to require compliance with the principle of “Best Practice” in relation to Location, Siting and Design of rural housing in accordance with Appendix E of the County Development Plan 2006-2012. The proposed development is located on the skyline of locally elevated lands and would occupy a visually obtrusive form of development within a visually sensitive landscape that does not have the capacity to absorb it and is wholly contrary to the aforementioned “Best practice”. Accordingly, to permit the development would materially contravene the provisions of Policy RH2, and Appendix E of the County Donegal Development Plan 2006 –2012 and would be contrary to the proper planning and sustainable development of the area.”

The Mayor invited the proposer and seconder of the motion to speak followed by any other member who wished to speak. Cllr Alcorn advised that the applicants Architects had considered Appendix E of the County Development Plan very carefully and the applicant had, in his view, complied with best practise as set out in the County Development Plan as follows: -

1. The house had been designed to a very high standard and respected the rural landscape.
2. The proposed development would fit in very well with the existing settlement pattern in the area and the landscape had the capacity to absorb it.
3. The siting and design of the house takes into account and integrates appropriately with its physical surroundings.
4. The family qualifies under RH2 building on family land owned prior to 2000. They are returning emigrants with their family enrolled in the local National School

On the proposal of Clr. Alcorn, seconded by Clr. Slowey, the following motion was put to the meeting by the Mayor and a recorded vote taken by the Meetings Administrator.

“That in accordance with Section 34(6)(a)(iv), of the Planning and Development Act 2000, Donegal County Council hereby resolves that a decision be made to grant planning permission to Peter and Annamarie McCready for the erection of dwelling with wastewater treatment system at Cruit Upper, Kincasslagh, Letterkenny, Co Donegal”.

The vote resulted in 22 for with 2 abstentions.

Those voting in favour were: -

Clrs: - D. Alcorn, L. Blaney, A. Bonnar, E. Bonner, J Boyle, C. Brogan, B. Byrne, F. Conaghan, G. Crawford, R. Donaghey, J. Kelly, J. Kennedy, D. Larkin, N. Mc Bride, M. McDonald, S. Mc Eniff, I. McGarvey, D McGonagle, P. Mc Gowan, B. McGuinness, B. O’Neill, T. Slowey. (22)

Clrs. Pringle and Reid abstained. (2)

The Mayor declared the motion carried.

Prior to consideration of the Schedule of Conditions, the Meetings Administrator advised that the 24 members who were present for the earlier roll call were still present and that a number of members who had arrived in the interim but were not eligible to vote. The Council agreed, therefore, that a further roll call was unnecessary.

Ms. O'Toole read into the record a Schedule of Conditions which Mr. Denis Kelly, Senior Planner had set out in his report for consideration of members if, despite his recommendation, the Council decided to grant permission. It was proposed by Clr. Alcorn, seconded by Clr. Slowey, that the Schedule of Conditions set out in Mr. Kelly's report be attached to the permission

A recorded vote on the motion to attach conditions was then taken by the Meetings Administrator, resulting in 22 for with 2 abstentions.

Those voting in favour were: -

Clrs: - D. Alcorn, L. Blaney, A. Bonnar, E. Bonner, J Boyle, C. Brogan, B. Byrne, F. Conaghan, G. Crawford, R. Donaghey, J. Kelly, J. Kennedy, D. Larkin, N. Mc Bride, M. McDonald, S. Mc Eniff, I. McGarvey, D. McGonagle, P. Mc Gowan, McGuinness, B. O' Neill, T. Slowey. (22)

Clrs. Pringle and Reid abstained. (2)

The Mayor declared the motion carried.

C/308/08 APPROVAL OF THE REVISED PAY SCALES

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

On the proposal of Clr. Conaghan, seconded by Clr. Byrne, the Council approved implementation from 1st March 2008 of the revised pay scales sanctioned by the Department of the Environment, Heritage and Local Government under section 27.17 of "Towards 2016".

C/309/08 RESOLUTION TO COMMENCE COUNCIL MEETING FOR THE MONTH OF SEPTEMBER 2008 AT 12.00 NOON.

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, pursuant to Standing Order No. 3, that the ordinary meeting of Donegal County Council for the month of September commence at 12.00 noon.

C/310/08 APPROVAL OF HIGHER EDUCATION GRANT SCHEME 2008

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

On the proposal of Clr. Larkin, seconded by Clr. Conaghan, the Council approved the Higher Education Grant Scheme for 2008.

C/311/08 APPROVAL OF APPLICATIONS TO THE NRA AND DOEHLG FOR 2008 LOW COST SAFETY REMEDIAL WORK FUNDING ON NATIONAL AND NON-NATIONAL ROADS

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

Clr. Conaghan queried the projects for Inishowen which he stated were different from what was agreed. He proposed, seconded by Clr. Brogan, and it was resolved, that Conns Brae be included.

On the proposal of Clr. Conaghan, seconded by Clr. McEniff, the Council approved the application to the NRA and DoEHLG for 2008 for low cost safety remedial work funding on National and Non National Roads.

Clr. Conaghan raised the issue of Veagh Junction and the Director agreed to examine the matter.

C/312/08 ABBEY CENTRE, BALLYSHANNON

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

It was proposed by Clr. O'Neill and seconded by Clr. McEniff "that the Council adopt the recommendations in the report"

An amendment was proposed by Clr. Larkin seconded by Clr. A. Bonner "that a decision be postponed until the matter had been considered by the Finance Working Group and the Corporate Policy Group".

Clr. Larkin stated that a dangerous precedent was being set and he wished to highlight the matter. A long debate ensued following which Clr. Larkin withdrew his amendment.

The motion was declared carried.

C/313/08 MESSAGE OF GOOD WISHES TO MR FRANCIE COYLE

On behalf of all the members of the Council, it was resolved on the proposal of Clr. Conaghan, seconded by Clr. Slowey that a message of good wishes for a speedy recovery be sent to Mr Francie Coyle, Director of Planning & Economic Development.

C/314/08 COLLABORATION WITH LOCAL DEVELOPMENT COMPANIES ON THE UPCOMING NATIONAL RURAL DEVELOPMENT PROGRAMME

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

On the proposal of Clr. McGowan, seconded by Clr. Alcorn, the Council noted the report.

C/315/08 ADOPTION OF CULTURAL CONNECTIONS STRATEGIC PLAN FOR CULTURAL SERVICES DIVISION

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

On the proposal of Clr. Brogan, seconded by Clr. McGowan, the Council resolved that a workshop be held where each area of Cultural Services seeking funding be invited to attend and make a submission, to the Cultural Services Division.

Clr. Brogan also suggested that a competition be held to select a name for the Arts Centre in Letterkenny.

A prolonged discussion ensued with members raising a range of issues to which Mr Gary Martin responded.

It was proposed by Clr. Larkin, seconded by Clr. McGuinness, that the Council adopt the Plan subject to the priorities highlighted at the Corporate Policy Group meeting, as follows: -

1. The plan should focus on how to overcome barriers to access, should be inclusive and open to all ages and, in particular, focus on introducing the arts to the younger age group at an early stage by targeting children at primary schools.
2. The plan should also promote the provision of services either directly and/or in partnership with other agencies or bodies, including community organisation and private developers.
3. The plan should target people who have literacy problems.

An amendment was proposed by Clr. A. Bonner, seconded by Clr. McGowan, that the Council defer adoption of the Plan until after the workshop was held

The amendment was put to the meeting and a vote was taken by show of hands resulting in 3 for and 18 against. The Mayor declared the amendment defeated.

The motion was then put to the meeting and a vote was taken by show of hands resulting in 17 for with 3 against. The Mayor declared the motion carried.

C/316/08 SPECIAL MEETING IN RELATION TO AMENDMENT OF BALLYBOFEY/STRANORLAR LOCAL AREA PLAN 2005-2011

On the proposal of Clr. McGowan, seconded by Clr. A. Bonner, the Council resolved to hold a Special Meeting in relation to amendment of Ballybofey/Stranorlar Local Area Plan at 11.00 am on 15th September 2008.

C/317/08 DRAFT BALLYSHANNON AND ENVIRONS LOCAL AREA PLAN 2008

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

On the proposal of Clr. O Neill, seconded by Clr. McEniff, the Council resolved to publish the Draft Ballyshannon and Environs Local Area Plan for a six week period of public consultation

C/318/08 SECTION 9 AGREEMENT – BUNDORAN TOWN COULD AND DONEGAL COUNTY COUNCIL TO REVIEW THE EXISTING BUNDORAN DEVELOPMENT PLAN 2004-2010 AND THE PREPARATION OF A NEW PLAN

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

On the proposal of Clr. McEniff, seconded by Clr. O Neill, it was resolved that Donegal County Council enter into a Section 9 Agreement with Bundoran Town Council in respect of the review of the existing Bundoran Development Plan 2004 and 2010 and agree to the preparation of a new Plan entitled “The Bundoran and Environs Development Plan 2010-2016”. It was noted that Bundoran Town Council had already signed the agreement.

C/319/08 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.
- Councillors' Training Seminar 'The role of Local Government in Sport', to be held from 30th July to 1st August, 2008, at The Connemara Gateway Hotel, Oughterard, Co Galway.
 - Annual Sliabh Luachra Summer School, to be held from 5th to 10th August, 2008, at Bruach Carraige Cultural & Heritage Centre, Rockchapel, Co. Cork.
 - The Parnell Summer School 2008, to be held from 10th to 15th August, 2008, at Avondale House and Forest Park, Rathdrum, Co Wicklow.
 - The Merriman Summer School, to be held from 17th to 23rd August, 2008, at the Glor Irish Music Centre, Ennis, Co Clare.
 - The Humbert Summer School, to be held from 21st to 24th August, 2008, to be held in Ballina, Co Mayo.
 - Training Seminar for Councillors, Local Government and the Arts, to be held from 22nd to 24th August, 2008 at Dooley's Hotel, Birr, Co Offaly.
 - 4th Annual Environment Ireland Conference 2008, to be held from 9th to 10th September, 2008, at Croke Park Conference Centre, Dublin.
 - 95th AMAI Annual Conference 2008, to be held from 10th to 13th September, 2008, at Sligo Park Hotel, Sligo.
 - CitizenFirst International Conference, to be held from 25th to 26th September, 2008, at Clare County Council Offices and at The Old Ground Hotel, Ennis, Co Clare.
 - Remembrance Weekend and Conference, to be held 26th to 28th September, 2008 at Excel Heritage Centre, Mitchel Street, Tipperary, Co. Tipperary.

- Getting A Grip 2008 ‘Addiction Proofing our Communities’, to be held 2nd and 3rd October, 2008, at The Malton Hotel (Formerly the Great Southern) Killarney, Co. Kerry.
- 2008 La Touche Legacy Seminar (20th Year), “The relationship between Local Authorities and the Business Sector – are there lessons to be learned?” to be held, from 3rd to 5th October, 2008, at Charlesland Golf & Country Club Hotel, Greystones, Co. Wicklow.

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. McGuinness, it was resolved that the Mayor and two members, selected by lot, attend the following conference:

- 3 Day Biowaste Treatment Study Tour to Germany 15th – 17th September, 2008.

Clr Slowey suggested that a member of staff specialising in Bio Waste also attend.

On the proposal of Clr Conaghan, seconded by Clr McGuinness, it was resolved that the Mayor, Clr Ian McGarvey and one other member, selected by lot, attend the following Conference.

- Armistice Day Visit 2008, to mark the 10th Anniversary of the opening of the Island of Ireland Peace park, Messines Ridge, Flanders, Belgium from 9th – 12th November 2008.

C/320/08 MAYORS BUSINESS

Votes of Sympathy

- Clr Nicholas Crossan, Buncrana Town Council, on the death of his mother Elizabeth Crossan.

- Mary Corry, Revenue Collector, on the death of her father, Donal McEleney.
- Paddy Kennedy, Water and Environment, Lifford, on the death of his brother Liam Kennedy.
- Linda McCann, Corporate Services, Letterkenny and Marie Dabell, Housing, Letterkenny, on the death of their father Hughie McCay.
- John Sheridan, Lorry Driver, Milford Roads, on the death of his brother, Martin.
- Gerard Coll, Milford Roads, on the death of his brother James.
- Mary Walsh, Librarian, Ballyshannon Library, on the death of her mother Margaret Gallagher.
- James Trimble, Information Systems on the death of his grandmother, Mary Ann Trimble.
- Jim Boyle, Garvan, Cloghan on the death of his father.

100th ANNIVERSARY OF THE DONEGAL ASSOCIATION OF BOSTON

On the proposal of Clr. McGuinness, seconded by Clr. McEniff, it was resolved that the Mayor accept the invitation from the Donegal Association of Boston to attend the celebrations of the 100th Anniversary of Donegal Association of Boston on 1st November, 2008.

LOCAL RECEPTION FOR EAMON GILES

On the proposal of Clr. McBride, seconded by Clr. Blaney, it was resolved to approve a request from the Milford Electoral Area Committee for permission to host a reception for Mr Eamon Giles on Friday 24th October 2008 at the Public Services Centre, Milford.

Clr. Blaney queried why other receptions approved by the Council in the past had not taken place. The Meetings

Administrator advised that several receptions had taken place but in some cases the proposed recipients had not responded to the Council. He agreed to provide an update on the matter through the CPG.

RESIGNATION OF CLR TONY McDAID

The Mayor referred to the resignation of Clr. Tony McDaid and extended his best wishes for the future to Tony, his wife Joan and the family. He stated that Tony had been a hard working Councillor for the area and a good colleague.

Clrs Conaghan, Slowey and McLochlainn paid tributes and formally expressed their good wishes on behalf of their respective parties. Other members echoed the sentiments of good wishes.

ROAD SAFETY

The Mayor raised the issue of Road Safety along the Letterkenny/Lifford Road and in particular the Tullyrap junction. He called on the Roads Service to act immediately to put it right.

The Mayor also suggested that tape, or some form of marker, be erected at the scene of a traffic accident to indicate that action had been taken in relation to the incident.

Mr John McLaughlin advised that tenders for resurfacing of the road at Tullyrap had been received last week. Signage and hedges would also be dealt with at this junction.

Mr McLaughlin informed the Mayor that he would work with the Road Safety Group and Gardai to move the suggestion in relation to “accident markers” forward.

C/321/08 MANAGERS 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.

C/322/08 CHANGE IN ORDER OF BUSINESS

On the proposal of Clr. Slowey, seconded by Clr. Larkin, it was resolved to deal with Clr. McEniff's motion at this juncture.

C/323/08 PURCHASE OF SITE MARKED TO ACCOMMODATE THE NEW FIRE STATION FOR BUNDORAN

On the proposal of Clr. McEniff, seconded by Clr. Byrne, the following motion was adopted:-

"That Donegal County Council purchase the site marked on the attached map to accommodate the new Fire Station for Bundoran."

Members were informed that:-

"The Minister has considered proposals in relation to fire station to cover Bundoran and Ballyshannon. However, no funding was allocated to the project this year. We will be revisiting with Department officials whether funding will be provided for a station in both towns or not. No approval has been received to proceed with the acquisition of any site."

The County Manager advised that the Council would revert to the Department of the Environment and convey the Council's decision in this matter. He further advised that no allocation for two fire stations had been received and he would revert to the Council when a response was received from the Department of Environment."

C/324/08 MILFORD PUBLIC SERVICE CENTRE OFFICE

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

"That Donegal County Council does not, downgrade Milford Public Service Centre Office, when the Milford and Letterkenny Electoral Area are amalgamated."

Members were informed that:-

“No decision has been taken on the future of the Milford Public Service Centre nor have any decisions been taken on the implications of reducing the number of Electoral Areas from six to five or from other changes to the size, populations or redistribution of Council seats between Electoral Areas. Full consultations will take place over the next few months with the staff who provide services to the areas, before any changes are made. The approval of the Elected Members will be sought to any changes to the role of the Milford Public Service Centre or to the services delivered by any of the other Public Service Centres. The review of the full implications of the Electoral Boundary Committee Report will be completed before the Local Elections in 2009.”

The County Manager, advised that he had written to Service Managers to advise how the review would be conducted.

C/325/08 PROVISION OF LIGHTING ON ALL QUAY’S AND PIERS ON OUR ISLANDS AND THE MAINLAND WHERE NECESSARY

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

"That this Council take a decision to provide proper lighting as a matter of urgency on all Quay's and Piers on our Islands and the Mainland where necessary."

Members were informed that:-

“The Marine Section will carry out a risk assessment of all piers and harbours as regards lighting and will make recommendations.”

C/326/08 FUNDING TO ALLOW CIVIC AMENITY SITE IN MILFORD TO OPEN

Clr. McBride, proposed, seconded by Clr. McGarvey, the following motion.

"That Donegal County Council put the necessary funding in place so that the Civic Amenity site in Milford can open as soon as it is completed"

Members were informed that:-

“Revenue funding for operational expenditure is put in place annually when adopting the annual budget. Income and expenditure are kept under review as the year goes on. The Council is currently undertaking a review of financial out-turns to date, trends to year-end and service levels in the context of delivering efficiencies. This review will be considered in advance of decisions on the opening dates for new civic amenity sites.”

Clr. Larkin expressed his support for the motion but proposed, seconded by Clr. Blaney, that the motion be amended to include all Civic Amenity Sites.

Clr. McBride agreed to amend his motion accordingly and the following motion was unanimously agreed:-

"That Donegal County Council put the necessary funding in place so that all the Civic Amenity sites in the county can open as soon as they are completed"

Mr Peadar MacRory confirmed that income from Civic Amenity Sites was well down this year to date. To avoid the risk of over expenditure, it was necessary to review the operation of all Civic Amenity Sites. He advised that he would revert to the Council in September with more up to date information.

C/327/08

PUBLIC SERVICES CENTRE FOR THE
STRANORLAR ELECTORAL AREA

Clr. McGowan proposed, seconded by Clr. A. Bonner, the following motion:-

"To call on the County Manager to urgently provide a Public Services Centre for the population of the proposed extended Stranorlar Electoral Area, and in light of the worsening economic climate to explore the provision of

accommodation by securing the best financial terms possible by exploring all options for savings including the leasing of suitable accommodation, the surrender of existing rentals, the disposal/exchange of assets".

Members were informed that:-

“The Council will continue to explore all options to respond to the creation of the larger Stranorlar Area while taking account of the current economic climate - including the options outlined in the Motion. A full report will be submitted to the Council in due course.”

Mr. McLoone advised that he would have a progress report available in September in relation to the review of all public services centres.

Following a discussion, Clr. McGowan, sought permission to change the wording of his motion to read:

"To call on the County Manager to urgently provide a Public Services Centre for the population of the existing Stranorlar Electoral Area, and in light of the worsening economic climate to explore the provision of accommodation by securing the best financial terms possible by exploring all options for savings including the leasing of suitable accommodation, the surrender of existing rentals, the disposal/exchange of assets".

The motion, as altered, was seconded by Clr. A. Bonner and adopted.

C/328/08

BUILDING OF 28 APARTMENTS ON THE COUNCIL OWNED SITE AT TRUSK ROAD, BALLYBOFEY

"That this Council proceed immediately to build 28 Apartments on the Council owned site at Trusk Road, Ballybofey.”

Clr. Reid advised that since submitting this motion a number of issues had arisen and he had been unable to get a response or resolution to same. The motion was withdrawn.

C/329/08 CO-LOCATION OF A NEW GARDA BARRACKS, AND STATE OF THE ART LIBRARY ON ONE SITE, UNDER PUBLIC/PRIVATE PARTNERSHIP

Clr. A. Bonner proposed, seconded by Clr. McGowan, the following motion:-

"That Donegal County Council will consult with O.P.W. in relation to the possibility of co-locating a New Garda Barracks, and state of the art library on one site, under Public/Private Partnership etc"

Members were informed that:-

"The Council is awaiting a response from the Department in relation to the proposal for a new library in Ballybofey/Stranorlar. Pending this, contact can be made with the OPW to assess their plans for the area and to see if there is complementarity between any proposals that they might have and that of a library for the area."

An amendment was proposed by Clr. MacLochlainn, seconded by Clr. Pringle:-

"That Donegal County Council will consult with O.P.W. in relation to the possibility of co-locating a New Garda Barracks, and state of the art library on one site"

A vote on the amendment was taken by a show of hands and resulted as follows: -

2 for and 15 against. The Mayor declared the amendment lost.

A vote on the original motion was taken by a show of hands and resulted as follows: -

15 for and 2 against. The Mayor declared the motion carried.

C/330/08 METERING OF PREMISES THAT DO NOT HAVE A DIRECT WATER SUPPLY TO THEIR PREMISES

Clr. Alcorn, seconded by Clr. McGuinness, proposed the following motion:-

"That Donegal County Council do not meter premises that do not have a direct water supply to their premises".

Members were informed that:-

“The Department of Environment, Heritage and Local Government requires local authorities to meter all non-domestic users of water services, in line with the government's water pricing policy. Charging based on metered consumption is considered to be the most equitable way for non-domestic customers to pay for water services. This position is in line with the views expressed by organisations representing the farming and the business communities. It is recognised that difficulties may arise in the case of multiple customers sharing a single connection. In cases where it proves not possible or not feasible to meter such supplies, alternative arrangements proposed can be considered, subject to their being agreed by all parties.”

Following debate, Clr. Alcorn sought permission to change the wording of his motion to read as follows: -

"That Donegal County Council do not meter premises that do not have a direct water supply to their premises and review or examine charges to voluntary bodies and report back to members at the next meeting".

On the proposal of Clr. Alcorn, seconded by Clr. McGuinness the motion, as altered was adopted.

C/331/08 EXTENSION OF TIME OF MEETING

On the proposal of Clr. Alcorn, seconded by Clr. McGowan, it was unanimously resolved pursuant to Standing Order 29 to suspend Standing Order 3 to enable the meeting to

continue to 6.30pm to allow for the completion of the Business of the Meeting.

C/332/08 CHANGE OF ORDER OF BUSINESS

On the proposal of Clr. Alcorn, seconded by Clr. McGowan, it was resolved to take Clr. Larkin's motion as next order of business

C/333/08 TEMPORARY CONES AT GLENSWILLY

On the proposal of Clr. Larkin, seconded by Clr. Blaney, the following motion was adopted:-

"That this Council after being furnished with a full report debate why after several years that cones placed as a temporary measure on the Glenties road at Glenswilly are still in place, given that monies had been allocated to do the safety measures needed".

Members were informed that:-

"The temporary cones at this junction were placed at a time when a number of accidents were occurring at this location. In terms of regulating the traffic and reducing accidents, the cones have proved to be very successful.

The junction of the R250 and the R251 at Rashedoge was the subject of proposals for realignment in c. 2006. The proposed realignment required additional lands from an adjacent landowner. The negotiations with the landowner proved unsuccessful due to various complications.

Road Design and Area Staff have recently agreed to re assess the junction with a view to providing a satisfactory solution within the existing land in the control of the Council. As soon as this new design is to hand an estimate will be prepared and at that stage funding will have to be identified."

Clr. Larkin called on the Roads Service to carry out a full review at this junction and to report back to the Council in

October. He also called for work to commence on the junction in October.

The Director of Service, advised the members that the Council were aware of the situation at this junction. He confirmed that he would write to Clr. Larkin and the Members of the Milford, Letterkenny and Glenties Electoral Areas to advise on the up to date situation in relation to same in September.

C/334/08

PROPER INSULATION OF DONEGAL COUNTY COUNCIL HOUSING

On the proposal of Clr. Slowey, seconded by Clr. McGuinness, the following motion was adopted:-

"That this County Council ensure that all Donegal County Council Housing is properly insulated."

Members were informed that:-

“Donegal County Council ensures that all of its housing complies with the requirements of Part L of the Building Regulations “ Conservation of Fuel and Energy”, which are currently at the design stage. The standards set by these regulations also include insulating the building fabrics to specified U values.

In relation to the existing housing stock, under the Central Heating and Refurbishment Programme, the Council have, over the past number of years, been installing insulation in houses where none already exists. From the 1st January 2009 the Council will be required to provide Building Energy Rating (BER) Certificates in respect of its existing stock where a casual vacancy is being let or a house is being sold under the Tenant Purchase Scheme. The BER will give an objective scale of comparison of the energy performance of a dwelling and the Council are presently in the process of setting up a panel of assessors to provide such certificates as the need arises.”

The members complimented the Housing service on the delivery of the Central Heating Project.

C/335/08 EXPLORATION OF THE POTENTIAL FOR TOURISM AND BUSINESS LINKAGES WITH

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

"That this Council explore, again the potential for tourism and business linkages with Scotland to maximise community and other efforts that have recommenced in recent times."

Members were informed that:-

"The Council through the Interreg Programme has engaged with Scotland through ICBAN, the NWRCBG, the North East Partnership in Northern Ireland and directly in seeking to develop tourism, environmental, economic and cultural projects which will have positive impacts in Donegal. The Council is presently awaiting the outcome of a number of applications for grant aid to develop projects in the indicated sectors. The NWRCBG have indicated, as lead applicant for a substantial number of these, that they will advise immediately of any decisions reached."

Mr Gary Martin advised that there were ongoing links at different levels with a number of Scottish Regions and Councils. He was happy to explore all proposals and agreed to liaise directly with the members regarding same.

C/336/08 CLOSURE OF MALIN HEAD COASTGUARD STATION AND THE FAILURE OF THE MINISTER FOR TRANSPORT TO RESPOND ON THE COUNCIL'S REQUEST TO RECEIVE A DEPUTATION

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

"Further to my motion passed at the November 2007 Council Meeting regarding the closure/downgrading of Malin Head Coastguard Station and the fact that no response has been received from the Minister for Transport to our request for him to receive a joint deputation from Donegal and Kerry County Councils, I now call on the Council to further debate

the closure of Malin Hd Coastguard Station and the failure of the Minister for Transport to respond on the Council's request to receive a deputation on this very serious matter."

Members were informed that:-

"The Council adopted the following motion at the November 2007 Council Meeting: -

"That this Council call on the Government and the Minister for Transport and Marine to reverse its decision to downgrade or close Malin Head Coastguard Station."

The Council also resolved to seek a meeting with the Minister in relation to the matter and to liaise with Kerry County Council in respect to providing a joint submission and a joint delegation on the closure of both Malin Head and Valentia Coast Guard Stations. Kerry County Council subsequently confirmed its willingness to be part of a joint delegation.

At the January 2008, Council Meeting it was unanimously resolved; "That a delegation from Donegal County Council, including senior executive staff and a cross party representative group of elected members, seek a urgent meeting with the Minister for Transport, Mr. Noel Dempsey and Senior NRA Officials to urge them to increase Donegal's National Road allocation for this year." It was agreed to request the Minister to receive a delegation from the Council in relation to both the above matters and, if convenient, for both meetings to be held on the same day.

A letter issued to the Minister on the 4th February conveying the Council's requests. Follow up phone calls were made by the Council to the Department of Transport at the end of February and end April 2008. A written reminder issued on the 28th May 2008. A follow up telephone call and fax were sent to the Department last week. A response to the Council's request is awaited."

Following debate, it was unanimously resolved on the proposal of Clr. McGuinness, seconded by Clr. McBride to write to An Tanaiste, Ms Mary Coughlan T.D. Minister for

Enterprise Trade and Employment seeking a meeting on the matter and that the Oireachtas members from the county be invited to.

C/337/08 THAT WE DISCUSS THE DONEGAL WASTE MANAGEMENT PLAN

Motion in the name of Clr. F. Conaghan:-

"That we discuss the Donegal Waste Management Plan."

Clr. Conaghan withdrew his motion and it was resolved on the proposal of Clr. Conaghan, seconded by Clr. McGuinness, that a Special Meeting of the Council be held on a date to be agreed by the Mayor with the new Director of Service to discuss the Donegal Waste Management Plan.

C/338/08 TO REVIEW THE CARNDONAGH TOWN PLAN

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

"That this Council review the Carndonagh Town Plan soon".

Members were informed that:-

“Following the agreement of Council to proceed with Local Area Plan in the context of an Electoral Area Plan approach, the head of the Central Planning Unit, Gerry Richards, has committed to meeting Members of the Inishowen Electoral Area in September to discuss the programme for Plan preparation and/or review. This will include consideration of a timetable for work on the review of the Carndonagh Plan within this context.”

The following questions and replies were noted:-

C/339/08 The following question was submitted by Clr. Blaney:-

"When does Donegal County Council hope to pursue the Environmental Improvement Scheme and Construction of a new Carpark in Milford?"

Clr. Blaney was informed that:-

“Land negotiations for the proposed car park have been completed and contracts are in the process of exchange. Tender documents are in the course of preparation. Before the Council tenders any further capital works or signs contracts a comprehensive review is being undertaken of the co-funding required from the Development Contribution Scheme or by borrowing. A full report on the balance of funding needed to complete schemes which are under construction and of the funding needed for schemes which would be ready to go to construction in 2008/2009 is being prepared for the Council meeting on September 29, 2008. Environmental Improvement Schemes, car parks and other town/village enhancement work schemes will be included in this report.”

C/340/08 The following question was submitted by Clr. Blaney:-

"When does Donegal County Council intend laying new water mains to Glenvar and construct new water reservoir in Milford?"

Clr. Blaney was informed that:-

“The tender report for Fanad Regional Water Supply Stage 2 contract 1 which includes the laying of watermains to Glenvar and the construction of a reservoir in Milford is currently being finalised and it is expected that work will commence on site in quarter 4 of 2008.”

C/341/08 The following question was submitted by Clr. McBride:-

"What is the up to date situation regarding the consultants reports and funding applications for the upgrade of the Churchill Group Water Scheme?"

Clr. McBride was informed that:-

“The final draft of the Preliminary Report for Churchill Group Water Supply Scheme has been received and it is being considered by Council officials. It is expected that it will be finalised shortly and submitted to the Rural Water

section of the Department of Environment Heritage and Local Government. Contract and tender documents will commence when approval to proceed is received from the Department.”

C/342/08 The following question was submitted by Clr. McGarvey:-

"When will work commence on The Quay, Ramelton as safety at the moment is a very serious problem due to very poor lighting and very bad surface without markings?"

Clr. McGarvey was informed that:-

“The Road Service is marking a number of junctions / areas within Ramelton Town over the summer months. Allocation for these Works has only recently been agreed at Electoral Area Level.”

C/343/08 The following question was submitted by Clr. McGarvey:-

"Does the Council ever intend to address the serious traffic problems that exist in Ramelton and Milford now or in the near future?"

Clr. McGarvey was informed that:-

“Ramelton : Initial surveys and desk studies have been conducted on options for traffic enhancements within this Town.

Milford : Detailed plans that were presented at Electoral Area Level a number of times outlined traffic enhancements in the short,medium and long term. Also, locally the roads service has been meeting the Elected Members and a Local Group and steps have been taken earlier this year which has improved traffic flow through this Town.”

C/344/08 The following question was submitted by Clr. McBride:-

"What is the up to date situation on my motion regarding the Audit of Safety measures on roads leading to and from schools in County Donegal?"

Clr. McBride was informed that:-

“The Road Safety Engineer/Road Safety Officer/ Roads Area Engineers have carried out Safety Audits at over 200 schools in the county. The audits involved the inspection and recording of existing features and issues in the vicinity of the schools including set-down areas, parking (staff, bus and public), signing and lining, vision lines, footpaths, speed limits, prevailing speeds, and school flashing lights.

The Road Safety Engineer and Road Safety Officer also met with Electoral Area Committees to discuss areas of particular concern. All schools were written to by the Road Safety Team asking them to complete Safety Questionnaires and inviting them to make submissions in relation to improving Road Safety at their schools. 130 schools have responded to this invitation.

The results of the audits and submissions are now being assessed by the Safety Engineer. A report will be compiled containing the findings and will include recommended measures to deal with issues which arise. The report will be presented to the Elected Members by Q4 2008.”

C/345/08 The following question was submitted by Clr. McGowan:-

"In light of the serious flooding which is recurring every year can the council re-establish the Land Drainage Committee which can source funding from the OPW?"

Clr. McGowan was informed that:-

“A review of the Committee structure within Donegal County Council has been under way for the last few years and a number of reports have been made to the Corporate Policy Group recommending inter alia, a reduction in the number of committees some of which no longer serve their original purpose. Creation of a further committee would be at odds with the foregoing. It is believed that this matter can be dealt with under existing structures.

There has been no Arterial Drainage or Drainage Committee in existence in the Council in at least the past 25 years.”

C/346/08 The following question was submitted by Clr. McGowan:-

"Can the Council give a up to date report on Castlefin Bridge strenghtening and new build proposal?"

Clr. McGowan was informed that:-

“Existing Bridge

The tender period for the Strengthening of Castlefin Bridge has now ended and 10 submissions were received. These submissions are currently being assessed to ensure that the contractors meet the minimum requirements for engagement and shall then be assessed for both quality and price as is required under the new form of contract. The works shall be undertaken as part of the County Council bridge strengthening programme, but given the special nature of Castlefin bridge and its fishery status it is intended to undertake the works at this bridge first. This was included as a requirement as part of the tender documentation. Providing everything is in order it is anticipated that these works will commence in August.

To control the loading on the bridge by ensuring that traffic is restricted to one way, a traffic light shuttle systems similar to that on Clady bridge is required. A specification and tender documentation is currently being drafted for the provision of this.

Once the costs for the strengthening works and the shuttle system are known, consideration to can then be given to the extent of the resurfacing works that can be undertaken within the budget available.

New bridge

Most of the data has now been collected for the constraints study with the exception of the traffic counts. These are scheduled to take place in September when the schools return. Once all the data has been collated the constraints study, which will form the basis for the route selection, shall be completed. The constraints study shall be published by the end of the year as programmed.”

C/347/08 The following question was submitted by Clr. A. Bonner:-

"What steps is this Council taking to ensure that funding will be available in 2009 to start land acquisition and archaeological testing for the Ballybofey/Stranorlar by-pass on the NRAs 2009 allocations, pending positive outcome of An Bord Pleanala's decision?"

Clr. A. Bonner was informed that:-

“Staff from the NRDO will prepare a request for funding from NRA in the coming months for all national roads projects in the county (including the Ballybofey/ Stranorlar Bypass). Allocation of funding is at the discretion of the NRA and is dependent on sufficient funding being allocated to the NRA from government and also on the level of committed funds on other projects in other counties. NRDO staff continue to liaise closely with NRA officials with a view to securing adequate funding for next year for all Donegal projects.

The outcome of the Oral Hearing is expected later in the year from An Bord Pleanala and the Ballybofey/Stranorlar Bypass continues to be a top priority for the Council.”

C/348/08 The following question was submitted by Clr. J.J. Reid:-

"How many applicants are currently on the waiting list for housing in Ballybofey/Stranorlar?"

Clr. Reid was informed that:-

“There are currently 102 applicants with a first preference for Ballybofey and 31 applicants with a first preference for Stranorlar. Nine of these applicants are requests for transfers.”

C/349/08 The following question was submitted by Clr. J.J. Reid:-

"How much money has Donegal County Council spent to date on the prepared plans for the Gate Initiative between Letterkenny/Derry?"

Clr. Reid was informed that:-

“The Letterkenny Town Council has sponsored the bid to the Department of the Environment, Heritage and Local Government under the Gateway Innovation Fund. Donegal County Council has provided professional expertise and input under normal agency arrangements which are covered by separate charging arrangements with the Town Council. There is, consequently, no cost burden on the Donegal County Council.”

C/350/08 The following question was submitted by Clr. A. Bonner:-

"Has a designated person been selected to work on the CPOs for the land required for the Ballybofey /Stranorlar Swimming Pool and if so what progress has been made to date?"

Clr. A. Bonner was informed that:-

“The preparation of CPO documentation requires the input of a number of people and no single individual carries out the entire task. With regard to progress, the documentation in question is nearing completion with expected publication in August 2008.”

C/351/08 The following question was submitted by Clr. Kelly:-

"Has this County Council set out a policy at Senior Planner/Road Engineer level to agree to procedures to be implemented regarding damage done to roads by those in construction industry and if so, does this policy directly engage the Gardai under the damage to Roads Act?"

Clr. Kelly was informed that:-

“At present there is no written policy document for this work area. However, earlier this year the Roads Service has commenced work on measures to address this issue and are currently discussing these proposals with the Planning Service.

The Gardai are engaged as appropriate when damage is caused to the Public Road Network.”

C/352/08 The following question was submitted by Clr. Kelly:-

"What long term plan of action has the Donegal County Council in place for dealing with the natural movement of sand along the coast (littoral drift) at Magheroarty Pier and to date what has been the cost of dredging and beach nourishment at Magheroarty Pier?"

Clr. Kelly was informed that:-

“Magheroarty pier silts up annually from the natural lateral drift of sand. €35,000 is spent annually dredging the harbour. Donegal County Council has secured a five year licence in 2008 for depositing the dredged sand on the beach as beach nourishment.”

C/353/08 The following question was submitted by Clr. Alcorn:-

"Have plaques been erected on all newly opened Donegal County Council Fire Stations as promised?"

Clr. Alcorn was informed that:-

“Plaques have not yet been erected at a number of fire stations opened in the recent past. This work will be organised with a view to their erection before the end of the year.”

C/354/08 The following question was submitted by Clr. Alcorn:-

"What is the legal position with Donegal County Council re travellers parking in council carparks and on county council roads?"

Clr. Alcorn was informed that:-

“The current Traveller Accommodation Programme 2005 – 2008 sets out the strategy to deal with illegal encampments.

There are two Acts used, namely the Criminal Justice (Public Order) Act 1994, as amended by Section 24 of the Housing (Miscellaneous Provisions) Act, 2002, and the

Planning and Development Act 2000. The responsibility for these Acts rests with the Gardai and the Council (Planning Service) respectively. Where an encampment is deemed to be in breach of the Criminal Justice (Public Order) Act, and this would include Council carparks, the Housing Service issue a notice to the Gardai asking them to take immediate action to have it removed in accordance with the Act.

Where an encampment is deemed to be in breach of the Planning and Development Act and this includes public roads, the Housing Service refer the matter to the Planning Service for taking the necessary enforcement action under the Planning Acts through their enforcement teams.”

C/355/08 The following question was submitted by Clr. Slowey:-

"Does Donegal County Council Housing Section insure windows for accidental breakage for tenants renting Local Authority Properties?"

Clr. Slowey was informed that:-

“Under the terms of the Letting Agreement under which properties are let, the Tenant is responsible for inter alia all internal decorations and for any breakage of glass in the porch, windows and doors. This is further highlighted in the Tenants Handbook which is issued to all Tenants. The Council do not therefore insure windows for accidental breakages as this is the Tenants responsibility and they are advised to have their own insurance in place.”

C/356/08 The following question was submitted by Clr. Slowey:-

"Is there a Customer Charter of Rights operational within Donegal County Council. If there is can a copy be provided for the Elected Members and if not when can we expect that a Customer Charter will be put in place?"

Clr. Slowey was informed that:-

“A draft Customer Action Plan 2006 – 2009 has been prepared. The purpose of the Plan is to define targets for the improvement of the quality of customer services over this

period, and to describe how these aims can be achieved. The plan, and a work programme to implement the commitments in it, are currently being progressed by staff through the partnership process.

It is envisaged that the plan will be presented to the Elected Members for consideration before the end of the current year.”

C/357/08 The following question was submitted by Clr. McDonald:-

“Can I have a breakdown of the monies allocated to Moville and Portlean Piers in the period 1997 – 2007, with an update on all works to date and the current status of the most recent projects proposed for these locations?”

Clr. McDonald was informed that:-

“€94,460 and €361,885 have been spent between the years 1997 and 2007 on the improvements to Moville and Portaleen piers respectively. In addition, a crane was erected at Portaleen.

€2,500 and €13,125 have been provided by the Department of Agriculture, Fisheries and Food in 2008 for Moville and Portaleen piers respectively subject to Donegal County Council providing matching monies of €7,500 and €4,375. Consideration is still ongoing as to the source of these matching monies.”

C/358/08 The following question was submitted by Clr. McGuinness:-

"Arising from concerns about the quality/condition of the temporary road reinstatement, what money has been included in the contract for Malin Sewerage Scheme for permanent road reinstatement and how soon can this work be carried out?"

Clr. McGuinness was informed that:-

“All reinstatement to date on Malin Sewerage Scheme is temporary. The total tendered contract value was €1,694,477.93 incl. VAT and this includes for permanent

reinstatement of the road. The contract requires that all temporary reinstatement be replaced with permanent reinstatement and trenches be saw cut to form a straight edge and sealed at edges with bitumen binder.

The contractor intends to carry out permanent reinstatement on the Malin to Carndonagh road within the next 2-3 weeks. The remainder of roads will be reinstated in the sequence in which pipe laying was completed.

The Culdaff Road will require additional permanent reinstatement to that described above as the road appears to have sunken in areas outside the trenches, resulting in an uneven surface, the Engineer for the contract (Jennings O'Donovan) is currently assessing the most appropriate method for reinstating this road. The proposal will be agreed with the Roads Area Engineer.”

C/359/08 The following question was submitted by Clr. Donaghey:-

"When will crash barriers be erected at Rock Head, Burnfoot and the one at Lisfannon extended?"

Clr. Donaghey was informed that:-

“Rockhead:

The R238 between Tooban and Burnfoot has been reviewed and is included in an application for funding under the DOEHLG Scheme for Low Cost Accidents. This application, if successful, will include anti skid surfacing along with supplementing the barrier to be installed under the 2008 Discretionary Improvements funding of €5000. In this regard it is intended to carry out the works once the status of this application is known but not later than year end.

Lisfannon:

The Council notes the recent accident at Lisfannon along with the many previous tragedies in the immediate area. Following this, and representations made by members of the public and councillors including Cllr. Donaghey, the Council has reviewed the overall alignment of the area, the signage and safety barriers and is in the process of making a application to the Department of the Transport for

substantial funding to remediate this location. Councillors will be advised as matters progress.”

C/360/08 The following question was submitted by Clr. Donaghey:-

"What is the delay in progressing the Bunrana Breakwater, given that the Manager of Donegal County Council met with the Minister and the then Deputy Cecilia Keaveney in December 2006?"

Clr. Donaghey was informed that:-

Donegal County Council has not received the foreshore licence required from the Department of Agriculture, Fisheries and Food to allow the project to proceed. There is no information, required by the Department, outstanding from Donegal County Council at this time.”

C/361/08 The following question was submitted by Clr. McGonagle:-

"When will the Council replace the retired roads workers in Inishowen?"

Clr. McGonagle was informed that:-

“The recruitment of staff in Roads and Transportation, like other areas of the Council, is subject to the constraints placed on the Council by available funds both from grants from the Department of Transport and by our own limited resources along with how expenditure is apportioned between our own staff and resources and those of the private sector.

In recent years the proportion of works being undertaken by the private sector has grown. The reasons for this are numerous but include factors such as increased use of macadams on roads along with the outsourcing of a number of work packages (such as sign maintenance and overlay contracts) by the NRA.

Notwithstanding this the Council remains committed to maintaining sufficient resources of its own to provide for its core functions which currently include winter maintenance, surface dressing, emergency works etc.

Roads and Transportation will continue to review it's staffing level in each electoral area based on the proportions of work it sees being outsourced (for example Mill Bridge, Buncrana) and those works that it can carry out from it's own resources.”

C/362/08 The following question was submitted by Clr. McGuinness:-

"When will the carpark at St. Boden's Terrace, Culdaff be resurfaced and the drainage problem solved and progress to date? Please include copies of previous replies to same question.

Clr. McGuinness was informed that:-

“As noted on previous occasions the car park area at St. Boden's Tce., Culdaff is being addressed jointly by the Housing and Roads Directorates:

1. The drainage system at the scheme including the existing discharge to the river has been inspected at the scheme and all necessary repairs, blockages and replacements have been carried out.
2. As noted previously CLAR Class II and III monies have yet to be allocated to the Council for 2008. No final decisions have been made by CLAR in relation to the allocation for 2008. In the event that funding does not become available from this source the works could be funded from the Development Contribution Scheme for 2008-2009. Proposals for funding under this scheme are to be brought to Inishowen EAC in September.”

C/363/08 The following question was submitted by Clr. McDonald:-

"Can the Council outline when the EIS was requested for the Merville/Greencastle sewerage scheme, when was it submitted, and what was the reason for the delay in sending it to Bord Pleanala?"

Clr. McDonald was informed that:-

“In letter from An Bord Pleanala dated 03 January 2008, An Bord Pleanala directed the Council to carry out an Environmental Impact Assessment for the Moville Greencastle Sewerage Scheme. The resulting Environmental Impact Statement has now been completed by the Councils consultants. The EIS will be published and submitted to An Bord Pleanala in parallel with the publication of the Compulsory Purchase Order documentation, both of which will be dealt with by An Bord at one Oral Hearing. The delay has arisen in connection with finalising the CPO Notices and documentation from a legislative and legal perspective.”

C/364/08 The following question was submitted by Clr. McGonagle:-

"When will Malin Sewerage Scheme be complete?"

Clr. McGonagle was informed that:-

“It is expected that the civil works on the Malin Sewerage Scheme will be completed by the third quarter of 2008 with the mechanical and electrical works being completed and commissioned in the fourth quarter of 2008.”

C/365/08 The following question was submitted by Clr. Larkin:-

"Will the Manager furnish us with the details of all agreements of land sales, swaps and transfers entered into in the lifetime of this Council, highlighting the ones that have not gone through or that are pending?"

Clr. Larkin was informed that:-

“The question as framed will require very substantial time in researching all land agreements over the past 4 years over all the Council services including in particular Roads, Housing and WEES. I understand that Clr. Larkin has indicated that only Section 183 proposals are required but even the amended question will require a significant level of staff time over all the services. The information will not be provided for the Council’s meeting on the 28th instant but can be obtained after a period of research. It would be

preferable however if any specific query was identified to enable full information on that issue to be furnished.”

C/366/08 The following question was submitted by Clr. Larkin:-

"Will the Manager as a matter of urgency review the practice of fitting our housing stock with OFCH, especially our OPD houses?"

Clr. Larkin was informed that:-

“In 2004-2005 the Council reviewed its policy on the type of heating system and decided to install OFHS in all new schemes, for reasons that Oil fired systems are more efficient in terms of Energy savings and CO2 emissions. Solid Fuel heaters are not considered efficient and have high maintenance costs and also have a higher output of CO2 emissions. Furthermore, the Council were receiving a number of grant applications from persons with disabilities who could not maintain the solid fuel systems due to mobility problems.

Under the Building Regulations, Part L1 of the Technical Guidance Documents (TGD) requires that we provide and commission energy efficient space and water heating systems with effective controls. The net efficiency required is min. 86%-- the oil condensing burners, which we now specify have a rating of 90%.

Under Part L of the TGD the aim is to provide the following minimum level of control:

- 1) Automatic control of space heating on the basis of room temperature: not available with SFC.
- 2) Automatic control of heat input to stored hot water: not available with SFC.
- 3) Separate and independent automatic time control of space and water heating: not available with SFC.
- 4) Immediate shut down of boiler when there is no demand.

Further to the above, the Council is now required to provide a BER certificate with the sale of dwellings. In order to achieve a high BER rating it is necessary to provide the most

cost effective and efficient space and water heating systems in our dwellings and it is for this reason that we have dispensed with the use of solid fuel burners in favour of oil/gas condensing burners which have an efficiency rating of 90%. However in Rural housing, to provide the tenant with some flexibility should they choose to buy out the dwelling, we have provided the necessary plumbing connections in order that they might fit a Solid Fuel Cooker with the minimum of cost and disruption if and when the dwelling comes into their ownership.”

C/367/08 The following question was submitted by Clr. Byrne:-

"What progress has been made between the Roads Section and the Water Section in dealing with the rock-slide on the R263 at Dooley, Glencolumbkille?"

Clr. Byrne was informed that:-

“Detailed discussions have taken place between the Roads and Water Services Sections on a co-ordinated approach to dealing with the rock-slide at Glencolumbkille. It has now been decided that the Roads Section will take the lead on dealing with the obstruction and that the Water Services Section will provide Roads with the necessary funding.”

C/368/08 The following question was submitted by Clr. Byrne:-

"What progress has been made with the Killybegs Environmental Scheme?"

Clr. Byrne was informed that:-

“Design work for the Killybegs Environmental Scheme has been completed and the tender documents are in the course of preparation.

Before the Council tenders any further capital works or signs contracts a comprehensive review is being undertaken of the co-funding required from the Development Contribution Scheme or by borrowing. A full report on the balance of funding needed to complete schemes which are under construction and of the funding needed for schemes which

would be ready to go to construction in 2008/2009 is being prepared for the Council meeting on September 29, 2008. Environmental Improvement Schemes, car parks and other town/village enhancement work schemes will be included in this report.”

C/369/08 The following question was submitted by Clr. McEniff:-

"Can I please have the up to date position regarding the Laghey Sewerage Scheme?"

Clr. McEniff was informed that:-

“Tenders have been invited for the scheme. We are expecting tenders on the 20th August, 2008.”

C/370/08 The following motions from other authorities were noted:-

BALBRIGGAN TOWN COUNCIL

“Balbriggan Town Council call on the Minister for Environment, Heritage and Local Government to introduce tougher penalties for anyone caught graffitng public property”.

BALBRIGGAN TOWN COUNCIL

“Balbriggan Town Council call on all major retailers operating in the Republic of Ireland to ensure that all goods sold in their outlets are manufactured from sources that do not abuse children”.

LAOIS COUNTY COUNCIL

“That Laois County Council call on the Minister of the Environment, Heritage and Local Government Mr John Gormley, T.D., to consider a deposit on all bottles and cans which contain beer, wine and spirits and refund the deposit when the bottles and cans are presented to any store which sell them”.

SLIGO COUNTY COUNCIL

“Recognising that the will of the people as expressed at the ballot box is sovereign, and recognising that if all member states of the EU do not ratify the Lisbon Treaty it does not pass into law, and further recognising that the people of Ireland exercised their rights as citizens to reject the Lisbon Treaty, this Council rejects the calls from Europe to re-run the Lisbon Treaty referendum, and we call on the EU Commission, the EU Council of Ministers, the EU Parliament and the authorities in the other EU states to accept and respect the verdict of the Irish people, as they accepted the will of the French and Dutch people following their decision to reject the EU Constitution”.

OFFALY COUNTY COUNCIL

“That Offaly County Council call on the Minister for Justice, Equality and Law Reform to disseminate the text of the UN Convention on the Rights of People with Disability and request the speedy ratification of the Convention and the optional protocols”.

OFFALY COUNTY COUNCIL

“That Offaly County Council calls on the Minister to increase the subvention payment for people in private nursing homes to reflect the current costs of patient care”.

LIMERICK COUNTY COUNCIL

“That, Limerick county Council calls on the Taoiseach and the Minister for Social and Family Affairs to further increase the fuel allowance to help alleviate the effects of recent and future price increases on the elderly”.

SLIGO COUNTY COUNCIL

“That Sligo county council fully supports the continuation of the cancer campaign and calls on the Government and the HSE to support the proposal that Sligo General Hospital would extend its catchment area so as to allow the hospital to retain and further develop the cancer surgical and diagnostic services at Sligo General Hospital and all cancer care services including radiotherapy”.

DERRY CITY COUNCIL

“That this Council notes the growing number of people who use Google Earth when choosing a place to visit, when obtaining travel directions and when choosing a place to live.

This Council therefore write to Google encouraging them to upgrade their coverage of the Northwest of this island as soon as possible.

And this Council will copy this motion to both the Northern Ireland and Republic Of Ireland administrations and to all the Councils in the Northwest urging them to do the same”.

LISTOWEL TOWN COUNCIL

“That we the Town Council put in place a policy that all our future housing stock for our elderly/living alone be fitted with a “peep-hole” in their front doors, in doing so giving these tenants a sense of independence and security”.

DUN LAOGHAIRE-RATHDOWN COUNTY COUNCIL

“That this Council views with concern any attempt to introduce “Fixed Odds Betting Terminals” (F.O.T.B.s) into bookmakers’ shops, because of the addictive nature of this type of betting and calls on the minister for finance and the Government not to allow their introduction and that Local Authorities exercise any veto they have in legislation to prevent their installation”.

MACROOM TOWN COUNCIL

“That Macroom Town Council call on the Minister for the Environment, Heritage and Local Government to change the law regarding the payment of refuse charges in private rented accommodation. At present, this is the duty of the tenants and not the landlord. In a lot of cases the tenants do not have long-term contracts, so why should they pay annual refuse charges. If a refuse service is provided to tenants, they will use it. A small increase in tenants rent would offset the cost to land-lords. Fly tipping has become a major national problem and this Council believes that a change in this law would greatly reduce this problem”.

MACROOM TOWN COUNCIL

“That we never forget the appalling tragedy of the Famine, the people who died, those who had to leave our shores in search of a new life and to escape the terrible tragedy of Ireland at that time.

In our dramatically changing Ireland it is very important that we remember the history of our country, therefore Macroom Town Council proposes that on an annual basis perhaps one

of the Public Holiday Mondays be set aside as Famine Remembrance Day”.

DUBLIN CITY COUNCIL

“That the Manager ends the trend of Dublin City Council failing to make use of the opportunities presented by International Women’s Day to promote women’s participation in the political, economic and social life of Dublin City*. Given only one quarter of Councillors are women, as a signal of its commitment to gender equality, the Manager will initiate a programme of annual events which will become embedded in the annual life of the city and contribute towards promoting women’s equal participation in governance of the city”.

WESTMEATH COUNTY COUNCIL

“That this Council discuss the severe implications that the EU Directive on the Protection of Habitat Species is causing to our communities by the ban on turf cutting and also requests the Minister for the Environment, Heritage and Local Government to accommodate the domestic turf cutters in these areas, as the EU has left this accommodation to the discretion of the individual countries. This motion to be circulated to all Local Authorities in the Country looking for their support”.

KERRY COUNTY COUNCIL

“That the members of Kerry County Council call on the Government to improve funding for Local Authorities by allowing a percentage of VAT collected in each county to refunded to that county (without an increase in the VAT rate nationally) to ensure the proper funding of Local Authorities who are under extreme pressure at present”.

This concluded the business of the meeting.