

COMHAIRLE CHONTAE DHUN NA nGALL

Oifig Riarthóir na
gCruinnithe
Aras an Chontae
LEIFEAR
21 Aibreán 2009

Beidh Cruinniú Comhairle Chontae Dhún na nGall ar siúl Dé Luain, 27 Aibreán, 2009, ag
12.00 meán lae in Áras an Chontae, Leifear

DO GACH BHALL DEN CHOMHAIRLE

A Chara

Iarrtar ort a bheith i láthair ag an chruinniú seo den Chomhairle. Tá 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
21st April, 2009

NOTICE OF MEETING

A Meeting of Donegal County Council will be held on Monday 27th April, 2009 at **12.00 noon 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 Milford Electoral Area Committee held on the 9th September, 2008.
- b) Confirmation of Minutes of Meeting of Milford Electoral Area Committee held on the 13th November, 2008.
- c) Confirmation of Minutes of Meeting of Milford Electoral Area Committee held on the 19th January, 2009.
- d) Confirmation of Minutes of Meeting of Donegal Heritage Forum held on the 18th September, 2008.
- e) Confirmation of Minutes of Meeting of Donegal Heritage Forum held on the 8th January, 2009
- f) Confirmation of Minutes of Meeting of Donegal Electoral Area Committee Meeting held on 14th January, 2009.
- g) Confirmation of Minutes of Meeting of Donegal County Council held on the 23rd February, 2009.

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

- a) Notice under Section 183 of the Local Government Act, 2001 to dispose of land at Dromore, Raphoe, Co Donegal to Mr P.J. McHugh, Liskee Road, Strabane, Co. Tyrone.
- b) Notice under Section 183 of the Local Government Act, 2001 to dispose of land at Barrack Hill, Carndonagh, to the Electricity Supply Board, Castle Avenue, Buncrana, Co. Donegal.

3. Taking of decision pursuant to Planning & Development Act, 2000 (Part XI), and Planning & Development Regulations, 2001 (Part 8).

- a) To approve the carrying out of works with regard to proposed sewage treatment plant percolation area and associated site works for Donegal County Council Housing Scheme at Radhairc Na Mhuirlinn, Cashel, Glencolmcille.

4. Planning and Economic Development

Consideration of the Manager's Report on submissions to the Draft Letterkenny and Environs Development Plan 2009 – 2015.

5. Finance

To resolve to approve overdraft accommodation of Fifty Million euro (€50,000,000) for half-year ending 31st December, 2009.

6. Housing and Building

To approve the raising of a loan of €7,000,000 from the Housing Finance Agency to fund Donegal County Council's commitments to the payment of Shared Ownership Loans.

7. Corporate Services

- a) To decide whether to issue polling cards to Local Government Electors for the Local Elections on 5th June, 2009.

- b) To note summary report from Irish Language Development Officer on progress made in relation to development and delivery of services through Irish under Donegal Local Authorities Language Scheme 2005-2008.

8. Endorsement of Confirmed Meetings

Endorsement of the Confirmed Minutes of Meeting of Rural Water Monitoring Committee held on the 3rd February, 2009.

9. Deputations

Reception of Deputation from Sligo Borough Council to address the Council on the Retention of Cancer Care Services in Sligo General Hospital (4.00pm approx).

10. Community Culture and Enterprise

- a) Update on County Development Board Priorities Review. (Verbal Update).

11. 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**
 - Third Sector Forum, Ireland At the Crossroads, Economy, Europe and Emigrants – the response of Local Government to be held from Thursday 30th April to Saturday 2nd May, 2009 at the Kingsley Hotel, Victoria Cross, Cork City.
 - 25th Annual Environmental Conference, Energy from Waste to be held from Thursday 7th to Friday 8th May,

2009 at the Carrigaline Court Hotel, Carrigaline, Co. Cork.

- Respond Housing Association, “Is Combating Poverty a Dead Agenda?” to be held Thursday 7th May, 2009 at the Osprey Hotel and Spa, Devoy Quarter, Naas, Co Kildare.

12. Conference Reports

- Clr. Terence Slowey – L.A.M.A. Conference held on Wednesday 26th and Thursday 27th November, 2008.
- Clr. Gareth Reid – Effective Communications for Councillors held from Friday 30th to Sunday 1st February, 2009.
- Clr. Brendan Byrne – Irelands Water What is the Real Cost held on Thursday 19th and Friday 20th February, 2009.
- Clr. Terence Slowey – Irelands Water What is the Real Cost held on Thursday 19th and Friday 20th February, 2009.
- Clr. Patrick McGowan – Review and Reform of Local Government Friday 20th and Saturday 21st February, 2009.
- Clr. Joe Kelly – Women of 1916 held Saturday 21st February, 2009.
- Clr. Joe Kelly – Maximising Your Vote held from Thursday 26th to Saturday 28th February, 2009.
- Clr. Terence Slowey – Maximising Your Vote held from Thursday 26th to Saturday 28th February, 2009.
- Clr. Gareth Reid – International Local Government Convention Ireland held from Tuesday 3rd March to Friday 6th March, 2009.
- Clr. Terence Slowey – Rattoo Heritage Conference held from Wednesday 4th March to Sunday 8th March, 2009.
- Clr. Jimmy Harte – Infrastructure Ireland held Wednesday 11th March and Thursday 12th March, 2009.
- Clr. Jimmy Harte – Building Energy Regulations held from Friday 13th March to Sunday 15th March, 2009.
- Clr. Jimmy Harte – Planning and Development Control Seminar held from Friday 20th March to Sunday 22nd March, 2009.

13. Mayor's Business

14. Manager's Report

15. Motions from Other Councils/Bodies

COUNTY DONEGAL VOCATIONAL EDUCATION
COMMITTEE

“Request to the Minister for Health and Children for the banning of Party Pills.”

COUNTY DONEGAL VOCATIONAL EDUCATION
COMMITTEE

Request to the Minister for Transport to introduce Drug Driving Testing measures as a matter of urgency.”

NENAGH TOWN COUNCIL

“Nenagh Town Council calls on Government to maintain investments in Primary Education, to avoid increasing class sizes at Primary level and to ensure that the educational opportunities of our children are protected in these economically challenging times and requests the Mayor to inform An Taoiseach of this resolution.”

LONGFORD TOWN COUNCIL

“That the Rural Development Programme 2009-2013 administering the Leader and Social Inclusion Programmes through the joint Leader Partnership Development Companies be amended to allow funding from Local Authorities be considered as matching funding for all projects under the programme.”

MONAGHAN TOWN COUNCIL

“ That this Council calls on the Minister for Finance to reduce the current vat rate to at least the same level as Northern Ireland so as to give business in the Border Region a stimulus to retain shoppers.”

MONAGHAN TOWN COUNCIL

“That this Council rejects outright the proposed reintroduction of across the board third level fees as this will lead to deprivation of the less well off among the student population. Means testing should be introduced. The present proposal would deprive the nation of the talents of possible future leaders in every facet of our society.”

MONAGHAN TOWN COUNCIL

“In the interest of protecting rate paying retail shops and services from undue overheads, that this Council correspond with Phonographic Performance Ireland (PPI) and Irish Music Rights

Organisation (IMRO) to ensure fees being levied to shopkeepers are not done in duplication for the same service.”

NEW ROSS TOWN COUNCIL

“That this Council calls on the Minister of the Environment, Heritage and Local Government to publish legislation as soon as is practicable to amend the Planning and Development Acts 2000 – 2006, Section 42 (3)(b), to the effect that the appropriate period for planning for a planning permission fully granted, is extended to 8 years.”

LIMERICK COUNTY COUNCIL

“That, Limerick County Council calls on the Government to introduce appropriate legislation to ensure that the overheads faced by small businesses are curtailed as many are finding it increasingly difficult to remain in business.”

MONAGHAN TOWN COUNCIL

“That this Council recognises Seachtain na Gaeilge’s significance of celebrating and promoting the Irish language, condemns the Government for it’s recent attacks on the Irish language, namely the proposal to abolish Early Immersion (Tumoideachas) Education and cuts to support for summer courses in Irish colleges in the Gaeltacht.

This Council appeals these cuts and calls for their immediate reversal.

Aithníonn an comhairle an tábhacht a bhaineann le Seachtain na Gaeilge I gceiliúradh agus forbairt na teanga, cáineann an comhairle na hionsaithe atá déanta ag an Rialtas ar an Ghaeilge sa tumoideachas agus na ciorraithe atá curtha I bhfeidhm ar na cúrsaí samhraidh sa Ghaeltacht. Tá an comhairle glan in aghaidh na ciorraithe seo agus iarrann muid ar an Rialtas cúlú a dhéanamh orthu.”

KILLARNEY TOWN COUNCIL

“In view of the fact that the Irish Bookmakers Association are lobbying the Government very strongly to allow Gaming Machines into the Bookmakers Shops in the Republic, I am asking Killarney Town Council to circulate all Councils calling on the Government to reject this Gaming Machine proposal, as it would be the ruination of society in this Country.”

TRALEE TOWN COUNCIL

“That Tralee Town Councillors deplore the recent budget, which instead of giving to the people who gave their working life to the state, they now find themselves being disfranchised by the removal of their medical card.”

TRALEE TOWN COUNCIL

“(a) TTC calls on the Taoiseach and his Ministers to immediately reverse the medical card proposal in the recent budget.

(b) We also call for the withdrawal of the catastrophic cuts in education which will have a devastating impact on our children and our Country going forward.”

LIMERICK COUNTY COUNCIL

“That, Limerick County Council calls on the Government to introduce appropriate legislation to ensure that the overheads faced by small businesses are curtailed as many are finding it increasingly difficult to remain in business.”

KILLARNEY TOWN COUNCIL

“That Killarney Town Council call on the Government to have a ‘National Carers Day’ to sit alongside other national days.”

GALWAY CITY COUNCIL

“That Galway City Council recognises the considerable difficulties posed in many housing estates by landlords who fail to maintain their properties in good and proper order.”

GALWAY CITY COUNCIL

“That the Council believes that landlords have a responsibility to make regular checks on their properties to ensure that their condition does not act a detriment to the local community.”

GALWAY CITY COUNCIL

“That the council calls on the Minister for the Environment to amend section 128 of the Residential Tenancies Act 2004 to empower local communities to identify the owners of rented properties. The legislation should be changed to ensure that landlords declare their ownership on a register and that register should be available to the public for examination.”

**MINUTES OF MEETING OF DONEGAL COUNTY COUNCIL, HELD
IN THE COUNTY HOUSE, LIFFORD ON 27th APRIL, 2009**

C/200/09 **MEMBERS PRESENT**

Clrs. G. Crawford, Mayor, D. Alcorn, L. Blaney, A. Bonner, J. Boyle, C. Brogan, B. Byrne, F. Conaghan, R. Donaghey, C. Harvey, J. Kelly, J. Kennedy, D. Larkin, N. Mc Bride, M. Mc Donald, S. Mc Eniff, I. McGarvey, D. Mc Gonagle, P. Mc Gowan, B. McGuinness, P. Mac Lochlainn, B. O' Neill, T. Pringle, G. Reid, T. Slowey

C/201/09 **APOLOGIES**

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

C/202/09 **OFFICIALS IN ATTENDANCE**

Mr. Michael McLoone, County Manager, Mr. L. Kelly, Assistant County Manager, Director of Housing, Mr. Francie Coyle, Director of Planning and Economic Development, Mr. John Mc Laughlin, Director Roads and Transportation, Mr. Seamus Neely, Director Water, Environment and Emergency Services, Mr. Michael Heaney, Director Community Culture and Enterprise, Mr Sean Sheridan, Director Corporate Services, Mr. Aidan Mc Nicholas, Head of Finance, Mr Gerry Richards, Senior Planner, Mr Eunan Quinn, Senior Executive Planner, Mr Simon Harron, Executive Planner, Mr Seán Ó Daimhín, Oifigeach Na Gaeilge, Mr Eunan Sweeney Meetings Administrator, Ms. Anne Marie Crawford, Staff Officer, Corporate Services.

C/203/09 **CONFIRMATION OF MINUTES OF MEETING OF
MILFORD ELECTORAL COMMITTEE HELD ON 9TH
SEPTEMBER, 2008**

On the proposal of Clr. Blaney, seconded by Clr. McBride, the Minutes of Meeting of Milford Electoral Area Committee held on the 9th September, 2008, were adopted.

C/204/09 **CONFIRMATION OF MINUTES OF MEETING OF
MILFORD ELECTORAL COMMITTEE HELD ON 13TH
NOVEMBER, 2008**

On the proposal of Clr. Blaney, seconded by Clr. McBride, the Minutes of Meeting of Milford Electoral Area Committee held on the 13th November, 2008, were adopted.

C/205/09 CONFIRMATION OF MINUTES OF MEETING OF MILFORD ELECTORAL COMMITTEE HELD ON 19TH JANUARY, 2009

On the proposal of Clr. Blaney, seconded by Clr. McBride, the Minutes of Meeting of Milford Electoral Area Committee held on the 19th January, 2009, were adopted.

Clr. Blaney referred to Minute No's MEC 37/08,47/08 and 03/09 and advised that while the minute in question was indeed accurate it should be noted that all the members of the Milford Electoral Area fully supported the retention of all services in the Milford Public Service Centre.

C/206/09 CONFIRMATION OF MINUTES OF MEETING OF DONEGAL HERITAGE FORUM HELD ON 18TH SEPTEMBER, 2008

On the proposal of Clr. Larkin, seconded by Clr. Byrne, the Minutes of Meeting of Donegal Heritage Forum held on the 18th September, 2008, were adopted.

C/207/09 CONFIRMATION OF MINUTES OF MEETING OF DONEGAL HERITAGE FORUM HELD ON 8TH JANUARY, 2009

On the proposal of Clr. Larkin, seconded by Clr. Byrne, the Minutes of Meeting of Donegal Heritage Forum held on the 8th January, 2009, were adopted.

C/208/09 CONFIRMATION OF MINUTES OF MEETING OF DONEGAL ELECTORAL AREA COMMITTEE HELD ON 14TH JANUARY, 2009

On the proposal of Clr. Byrne, seconded by Clr. Boyle, the Minutes of Meeting of Donegal Heritage Forum held on the 14th January, 2009, were adopted.

C/209/09 CONFIRMATION OF MINUTES OF MEETING OF DONEGAL COUNTY COUNCIL HELD ON 23RD FEBRUARY, 2009

On the proposal of Clr. Byrne, seconded by Clr. Conaghan, the Minutes of Meeting of Donegal Heritage Forum held on the 23rd February, 2009, were adopted.

C/210/09 DISPOSAL OF LAND AT DROMORE, RAPHOE TO MR PJ MCHUGH, LISKEE ROAD, STRABANE, CO TYRONE

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

On the proposal of Clr. Crawford, seconded by Clr. Larkin, it was resolved to transfer a plot of land at Dromore, Raphoe to Mr P.J. McHugh, in accordance with Section 211 of the Planning & Development Act, 2000 and Section 183 of the Local Government Act, 2001.

C/211/09 DISPOSAL OF LAND AT BARRACK HILL, CARNDONAGH TO THE ELECTRICITY SUPPLY BOARD, CASTLE AVENUE, BUNCRANA, CO DONEGAL

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

On the proposal of Clr. Donaghey, seconded by Clr. McDonald, it was resolved to transfer a plot of land at Barrach Hill, Carndonagh to the Electricity Supply Board, in accordance with Section 211 of the Planning & Development Act, 2000 and Section 183 of the Local Government Act, 2001.

C/212/09 TAKING OF DECISION WITH REGARD TO PROPOSED SEWAGE TREATMENT PLANT PERCOLATION AREA AND ASSOCIATED SITE WORKS FOR DONEGAL COUNTY COUNCIL HOUSING SCHEME AT RADHAIRC NA MHUIRLINN, CASHEL, GLENCOLMCILLE

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

On the proposal of Clr. Pringle, seconded by Clr. Byrne, 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 the proposed sewage treatment plant percolation area and associated site works for Donegal County Council Housing Scheme at Radhairc Na Mhuirlinn, Cashel, Glencolmcille, was approved.

C/213/09

CONSIDERATION OF THE MANAGER'S REPORT ON SUBMISSIONS TO THE DRAFT LETTERKENNY AND ENVIRONS PLAN 2009-2015

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

Mr. Francie Coyle, Director Planning and Economic Development informed the meeting that 127 submissions had been received in respect of the Draft Letterkenny and Environs Plan 2009-2015. He drew Members attention to the County Manager's Report and in particular page 2 the themed response on extensions to the plan boundary for which there were 15 requests.

Mr. Eunan Quinn, Senior Executive Planner provided an overview of the submissions outlining the fact that a number of requests had been made for extensions to the plan boundary and the zoning of additional lands for development purposes. These, he advised, sought the zoning of lands for "Primarily Residential" use. Overall, the submissions contained proposals to rezone over 90 hectares (223 acres) of land and he asked members to take cognisance of the fact that the Planning Authority's advice was that there was sufficient land zoned within the Draft Plan Boundary to accommodate the future growth of the town. Members noted that 4743 planning permissions had been granted between August 2003 and July 2008 some of which had not yet been progressed.

The County Manager stated that current population statistics seemed to indicate that the population of Letterkenny would rise to between 36000 and 39000 by 2020. To accommodate this growth, 3700 units of housing would be needed and in the region of 105 hectares of land. The current plan, encompassing the existing boundaries, could he informed members provide for up to 12000 housing units within 343 hectares of land already zoned as residential.

It was proposed by Clr. Larkin, seconded by Clr. Brogan, that the Council authorise Letterkenny Town Council to decide on Submissions and Material Alterations within the Town Council Boundary. A number of Members advised that the Draft Letterkenny and Environs Plan 2009 –2015 had widespread implications for the county as a whole particularly in relation to population movement and future

transportation projections. Following a short debate the motion was adopted.

Extensions to Plan Boundary

Submissions No 11, 15, 16, 50, 66, 67, 74, 75, 80, & 81
Members agreed to accept the County Manager's recommendation and not extend the plan boundary in respect of the above submissions.

Submission No 46

On the proposal of Clr. Larkin, seconded by Clr. Brogan, it was resolved not to accept the County Manager's recommendation but instead to extend the Plan Boundary to include lands at Ballaghaderg for commercial use.

Submission No 49

On the proposal of Clr. Larkin, seconded by Clr. Brogan, it was resolved to accept the County Manager's recommendation and materially alter the Draft Letterkenny and Environs Development Plan 2009-2015 so as to amend the plan boundary and zone the lands as "Established Development" in accordance with Reference 49 contained in the Map Booklet attached to Manager's Report circulated with the agenda.

Submission 51

Clr. Larkin advised that it was appropriate in this case to extend the plan boundary as the lands in question had access to a range of facilities including a serviced sewer network, footpaths and lighting. He proposed, seconded by Clr. Blaney, to accept Submission 51 and extend the plan boundary to include the specified lands at Glencar Scotch and Killyclug,

Clr. Larkin stated that there were safeguards within the plan to deal with land zoned as Strategic Reserve. Clr. Mc Guinness advised that he had considerable difficulty with this proposal and was not in a position to support the recommendation as it clearly ignored the advice of the Executive not to extend the plan boundary given that there

was already an adequate supply of land within the existing town boundary. He asked that his objection be recorded.

A recorded vote was called for by three members and in accordance with Standing Orders was then taken by the Meetings Administrator. This resulted in 14 voting for with 8 abstentions.

Those voting for included:

Clrs Alcorn, Blaney, A. Bonner, Brogan, Conaghan, Crawford, Donaghey, Harvey, Kelly, Kennedy, Larkin, Mc Donald, Mc Eniff, and Mc Gonagle (14)

Clrs Boyle, Mc Bride, Mc Garvey, Mc Gowan, Mc Guinness, Pringle, Reid and Slowey abstained. (8)
The Mayor declared the motion carried.

Recommendations within DCC Area

Submission No 1

On the proposal of Clr. Larkin, seconded by Clr. Blaney, it was resolved not to accept the County Manager's recommendation but instead to materially alter the Draft Letterkenny and Environs Development Plan 2009-2015 by rezoning the lands in question as "Established Development"

Submission No 5

Members were in agreement with the County Manager's themed response on transportation.

Submission No's 8, 32, 38, 73, & 76

Members accepted the recommendations contained in the County Manager's Report.

Submission No 14

On the proposal of Clr. Brogan, seconded by Clr. Mc Eniff, it was resolved not to accept the County Manager's recommendation but instead to materially alter the Draft Letterkenny and Environs Development Plan 2009-2015 by rezoning the lands in question from "Primarily Residential" to "Commercial"

Submission No 52

On the proposal of Clr Brogan, seconded by Clr. Larkin, it was resolved not to accept the County Manager's recommendation but instead to materially alter the Draft Letterkenny and Environs Development Plan 2009-2015 by rezoning lands from "SPA, SAC and Associated Adjoining Lands to " Residential", but excluding the NHA.

Submission No 71

On the proposal of Clr. Larkin, seconded by Clr. Brogan, it was resolved to accept the County Manager's recommendation. It was acknowledged that some provision needed to be made for a new School in the area. Mr. Eunan Quinn, Senior Executive Planner advised that this matter would be part of the ongoing discussions with the Department of Education.

Submission No 77

On the proposal of Clr. Brogan, seconded by Clr. Larkin, it was resolved not to accept the County Manager's recommendation but instead to materially alter the Draft Letterkenny and Environs Development Plan 2009-2015 by reverting to "Low Density Residential" as included in the Letterkenny and Environs Development Plan 2003-2009.

Submission No 78

On the proposal of Clr. Larkin, seconded by Clr. Brogan, it was resolved to accept the County Manager's recommendation and amend zoning from "Local Environment" to "Established Development" in accordance with Reference 78 as contained in Map Booklet circulated with the Manager's Report.

Submission No 79

On the proposal of Clr. Brogan, seconded by Clr. Larkin, it was resolved to accept the County Manager's recommendation and materially alter the Draft Letterkenny and Environs Development Plan 2009-2015 by amending "SPA, NHA, SAC and associated adjoining lands to "Primarily Residential" in accordance with Reference 79 as contained in Map Booklet circulated with the Manager's Report.

Themed Response on Built Heritage

On the proposal of Clr Larkin, seconded by Clr. Brogan, it was resolved to accept the recommendations contained in the County Manager's Report.

Assessment of the Significant Effects on the Environment of implementing the recommended Material Alterations

On the proposal of Clr. Brogan, seconded by Clr. Larkin, Members noted the effects on the environment of implementing the recommended Material Alterations.

It was also acknowledged that Submission DCC 3 was a matter for Letterkenny Town Council.

In response to a query by Clr. Larkin, it was confirmed that only items published for consultation as Material Alterations would be considered at the final stage of adoption in Summer 2009. Thus it was acknowledged that matters not published as Material Alterations would be deemed as accepted by both Councils and could not be revisited at a later stage in the review process

On the proposal of Clr. Larkin, seconded by Clr. Brogan, it was resolved to amend the Draft Letterkenny and Environs Development Plan 2009-2015 subject to the recommendations set out in the Manager's Report (March 2009) together with amendments made during the meeting and to publish said amendments (together with information on the likely significant effects on the environment of implementing the proposed amendments) which is deemed to be a Material Alteration to the Draft Plan, in accordance with Section 12(7) of the Planning and Development Act 2000.

Mr. Francie Coyle, Director of Planning and Economic Development thanked all of those who had been involved in the preparation of the Plan he applauded also the significant input from both the Members of Donegal County Council and Letterkenny Town Council.

C/214/09 TO AGREE OVERDRAFT ACCOMODATION OF FIFTY MILLION EURO (€50,000,000) FOR HALF YEAR ENDING 31ST DECEMBER 2009

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

On the proposal of Clr. Alcorn, seconded by Clr. McBride, the Council resolved to authorise overdraft accommodation of fifty million euro (€50,000,000) for half year ending 31st December, 2009.

C/215/09 TO APPROVE THE RAISING OF A LOAN OF €7,000,000 FROM THE HOUSING FINANCE AGENCY TO FUND DONEGAL COUNTY COUNCIL'S COMMITMENT TO THE PAYMENT OF SHARED OWNERSHIP LOANS

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

“That in accordance with the provisions of the Local Government (No 2) Act 1960 and Section 27 of the Housing (Miscellaneous Provisions) Act, 1992, we, the members of Donegal County Council, hereby authorise the borrowing of a loan in the sum of €7,000,000 from the Housing Finance Agency for the purpose of payment of Shared Ownership Loans”.

C/216/09 ADJOURNMENT FOR LUNCH

On the proposal of Clr. Crawford, seconded by Clr. Larkin, it was resolved to adjourn the meeting to 3.00pm.

C/217/09 LE TABHAIRT FAOI DEARA TUAIRISC ACHOIMREACH ÓN OIFIGEACH FORBARTHA GAEILGE AR AN DUL CHUN CINN ATÁ DÉANTA MAIDIR LE FORBAIRT AGUS SEACHADADH SEIRBHÍSÍ I NGAEILGE FAOI SCÉIM TEANGA ÚDARÁIS ÁITIÚLA DHÚN NA NGALL 2005 -2008
TO NOTE SUMMARY REPORT FROM THE IRISH LANGUAGE DEVELOPMENT OFFICER ON PROGRESS MADE IN RELATION TO THE DEVELOPMENT AND DELIVERY OF SERVICES THROUGH IRISH UNDER DONEGAL LOCAL AUTHORITIES LANGUAGE SCHEME 2005-2008

Rinne na baill plé ar an tuairisc, a seoladh leis an chlár maidir leis an ábhar thuas.

Thug Seán Ó Daimhín, Oifigeach Forbartha na Gaeilge, cuntas ar an staid reatha maidir le soláthar seirbhísí trí Ghaeilge in achan cheann de na hIonaid Seirbhísí Pobail agus sa Cheannáras. Tugadh tuairisc chomh maith maidir leis na cleachtais earcaíochta atá i bhfeidhm agus maidir le tioncnaimh reatha oiliúna.

Chuir an tUas. Ó Daimhín in iúl do na baill go raibh dul chun cinn suntasach déanta ó thaobh cur chun cinn na Gaeilge ar Shuíomh Idirlín agus ar Inlíon na Comhairle. D'éirigh thar barr le Scéim Scoláireachta Chontae Dhún na nGall, a thug sé le fios, agus bronnadh 102 Lán-Scoláireachtaí Gaeltachta ar dhaoine óga ar fud an chontae, i gcomhar leis na Coláistí Samhraidh Gaeltachta.

Bhí obair ag leanstan, a chomhairligh sé, maidir le roinnt gníomhaíochtaí a chur chun cinn a raibh sé de chuspóir acu cur le húsáid na Gaeilge i measc bhaill foirne Chomhairle Contae Dhún na nGall agus na gComhairlí Baile.

Mar Chathaoirleach ar Choiste na Gaeilge, ghabh an Clr Alcorn buíochas leis an Uas. Ó Daimhín as ucht a thiomantachta agus a dhúthrachta i leith cur chun cinn na Gaeilge. Thug sé aitheantas don méid a baineadh amach thar thréimhse na Scéime Teanga deireanaí agus bhí sé ag súil le bheith ag tógáil ar an méid sin. Tugadh aitheantas chomh maith don méid a rinne an Bainisteoir Contae, Mícheál Mac Giolla Eoin agus Riarthóir na gCruinnithe, Adhamhnán Mac Suibhne.

Chomhairligh an tUas. Adhamhnán Mac Suibhne, Riarthóir na gCruinnithe go raibh dea-thoil anois ann don Ghaeilge taobh istigh den Chomhairle go háirithe maidir leis an obair laethúil agus gur ábhar dóchais dó an oiread forbairtí a cuireadh i gcrích.

Mar fhocal scoir, ghabh an tUas. Ó Daimhín buíochas leis na Baill uilig agus go háirithe na baill sin ar Choiste na Gaeilge as an tacaíocht agus chuidiú leanúnach a chuir siad ar fáil.

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

Mr. Sean O' Daimhin, Oifigeach Forbartha Gaeilge, outlined the current status of service provision through the medium of the Irish Language in each of the Public Service Centres and

at Headquarters. An update was also provided in relation to current recruitment practices and ongoing training initiatives. Mr. O' Daimhin proceeded to inform members that much progress had been made in terms of promoting the language both on the Council's Website and the Intranet.

The Donegal County Scholarship Scheme, he noted, had been a phenomenal success with 102 full Gaeltacht Scholarships awarded to young people throughout the county in conjunction with the Gaeltacht Summer Colleges. Work, he advised, was ongoing in relation to the promotion of various activities with the aim of actively promoting the use of the language among Donegal County Council and Town Council Staff.

Clr. Alcorn, in his capacity as Chairman of Coiste na Gaeilge, thanked Mr. O' Daimhin for his ongoing commitment and dedication to the promotion of the language.

He acknowledged the achievements made over the lifetime of the last Sceim Teanga and looked forward to building on those achievements. The contribution made by Mr. Michael McLoone County Manager and Mr. Eunan Sweeney, Meetings Administrator was also acknowledged.

Mr. Eunan Sweeney, Meetings Administrator advised that there was a very positive attitude to Irish within the Council, particularly in relation to day to day activity and that he was heartened by the wide range of developments that had taken place.

Mr. O' Daimhin in conclusion thanked Members and in particular the Members of Coiste na Gaeilge for their ongoing support and assistance.

C/218/09

ENDORSEMENT OF MINUTES OF MEETING OF
RURAL WATER MONITORING COMMITTEE HELD
ON 3RD FEBRUARY, 2009

On the proposal of Clr. Pringle, seconded by Clr. McGowan, it was resolved to endorse the confirmed Minutes of Meeting of Rural Water Monitoring Committee held on the 3rd February, 2009.

C/219/09 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. Alcorn, seconded by Clr. McDonald, 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.

a) HOME

- Third Sector Forum, Ireland At the Crossroads, Economy, Europe and Emigrants – the response of Local Government to be held from Thursday 30th April to Saturday 2nd May, 2009 at the Kingsley Hotel, Victoria Cross, Cork City.
- 25th Annual Environmental Conference, Energy from Waste to be held from Thursday 7th to Friday 8th May, 2009 at the Carrigaline Court Hotel, Carrigaline, Co. Cork.
- Respond Housing Association, “Is Combating Poverty a Dead Agenda?” to be held Thursday 7th May, 2009 at the Osprey Hotel and Spa, Devoy Quarter, Naas, Co Kildare.

C/220/09 UPDATE ON COUNTY DEVELOPMENT BOARD PRIORITIES REVIEW

Members noted the report circulated prior to the meeting in respect of the County Development Board Priorities and the preparation of an economic action plan.

C/221/09 TO NOTE VARIOUS CONFERENCE REPORTS

On the proposal of Clr. Alcorn, seconded by Clr McDonald, the Council noted the following reports:-

- Clr. Terence Slowey – L.A.M.A. Conference held on Wednesday 26th and Thursday 27th November, 2008.

- Clr. Gareth Reid – Effective Communications for Councillors held from Friday 30th to Sunday 1st February, 2009.
- Clr. Brendan Byrne – Irelands Water What is the Real Cost held on Thursday 19th and Friday 20th February, 2009.
- Clr. Terence Slowey – Irelands Water What is the Real Cost held on Thursday 19th and Friday 20th February, 2009.
- Clr. Patrick McGowan – Review and Reform of Local Government Friday 20th and Saturday 21st February, 2009.
- Clr. Joe Kelly – Women of 1916 held Saturday 21st February, 2009.
- Clr. Joe Kelly – Maximising Your Vote held from Thursday 26th to Saturday 28th February, 2009.
- Clr. Terence Slowey – Maximising Your Vote held from Thursday 26th to Saturday 28th February, 2009.
- Clr. Gareth Reid – International Local Government Convention Ireland held from Tuesday 3rd March to Friday 6th March, 2009.
- Clr. Terence Slowey – Rattoo Heritage Conference held from Wednesday 4th March to Sunday 8th March, 2009.
- Clr. Jimmy Harte – Infrastructure Ireland held Wednesday 11th March and Thursday 12th March, 2009.
- Clr. Jimmy Harte – Building Energy Regulations held from Friday 13th March to Sunday 15th March, 2009.
- Clr. Jimmy Harte – Planning and Development Control Seminar held from Friday 20th March to Sunday 22nd March, 2009.

C/222/09 TO MAKE RECOMMENDATIONS ON THE ISSUING OF POLLING CARDS

Mr Eunan Sweeney, Meetings Administrator informed members that the European Parliament Elections will be held on Friday, 5th June 2009, the same day as the Local Elections. There were, he advised, approximately 1800 people who have an entitlement to vote in local elections only. It had, not been the practice in the past to issue polling cards to these electors. But it was, he advised, a reserved function and a matter for the Council to determine whether Local Election Polling Cards should be issued.

On the proposal of Clr. Alcorn, seconded by Clr. McGuinness, it was resolved to issue Polling Cards to Local

Government Electors for the Local Elections on 5th June, 2009.

C/223/09 MAYORS BUSINESS

Votes of Sympathy

Votes of sympathy were proposed to the following and a minutes silence observed by all.

- The family of the late Garda Robert McCallion.
- Patrick McGinley, Water Works Inspector on the death of his mother Anne McGinley.
- Clr. Pdraig Doherty on the death of his sister-in-law Mary Doherty.

Stranorlar Electoral Area Offices

The Mayor advised that in light of the recent Electoral Area Boundary changes and the current economic situation it would be prudent to retain the Stranorlar Electoral Area Offices at the Headquarters of Donegal County Council in Lifford. He asked that this matter be further investigated.

Responding to Clr. Crawford, the County Manager, affirmed that there was considerable work ongoing in relation to staffing and resource issues. The Directors of Service were working both at Headquarters and at Electoral Area Level to provide a comprehensive analysis of the situation. This work, he confirmed, would tack into consideration a number of specific aspects namely:

- Budgetary Matters with specific implications for staffing and the retention of services.
- Reconfiguration from 6 to 5 Electoral Areas
- Accommodation implications.

Thus he advised it would be prudent to wait until the relevant assessments had been carried out, and he agreed to bring a more comprehensive analysis of the situation to the May Council Meeting.

C/224/09 MANAGERS REPORT

The Manager outlined the main points of his report circulated with the agenda and the addendum circulated during the meeting.

Retirement of Mr. Liam Kelly, A.C.M/Director of Housing and Building

The County Manager paid tribute to Mr. Liam Kelly, Assistant County Manager/Director of Housing and Building who had given notice of his intention to retire on the 15th May, 2009. Mr. Kelly had over 44 years service in various roles in Local Government and over the years he had made an excellent contribution to Donegal County Council and excelled as Manager of Bundoran, Ballyshannon and Buncrana Town Councils. The Manager praised the integrity and expertise with which Mr. Kelly had discharged his duties and wished both himself and his wife Kay well for the future.

Members also conveyed their best wishes acknowledging the great assistance provided by Mr. Kelly over the years. The Mayor extending congratulations advised that Mr. Kelly should be proud of his many achievements and thanked him for his courtesy to him as Mayor over the past year.

Mr. Kelly thanked all present for their best wishes and paid particular tribute to all the dedicated staff that he had worked with over the years. The quality of the current housing programme was, he affirmed, a testament to the staff concerned. He concluded by thanking the County Manager, the Senior Management Team and the Members for their support and encouragement over the years.

Revised Road Grant Allocations 2009

The County Manager informed Members that the Department of Transport had issued amended allocations setting out the Revised Regional and Local Road Grants for 2009 on the 14th April 2009 and that details had been circulated to all Members shortly afterwards. These reduced the overall allocation for 2009 by €9,728,000. The amendments, he noted, had significant implications for Donegal County Council in terms of the following: -

- (a) Expectations by public that previous programme would be completed;
- (b) Reduced funds available for Council pay bill, Suppliers and Contractors;
- (c) Overhead Fund Contribution;
- (d) Condition of road network after poor winter;
- (e) Re-Prioritisation of works to achieve maximum benefit from available monies.

Mr. Mc Loone advised that as a result a number of steps had already been taken to allow the roadworks programme get underway as soon as possible including: -

- 1) The restoration improvement list jobs 186DL to 281DL which have remained on the list to be examined locally by Supervisors, Engineers, Manager and Elected Members with a view to prioritisation of the strengthening of roads that are in most need. This could result in amounts allocated to some stretches of roads being reduced to allow other roads to be treated based on condition (this prioritisation will also include a review of the jobs 282DL to 363DL which were part of the February allocation of €15.24m.
- 2) Local Workshops to be held with Elected Members within the next 10 days with a view to obtaining a consensus on the new programme (already completed in some areas)
- 3) The Central Roads Management to review the priority lists from the Local Workshops and compile the county-wide list and seek approval from the Department of Transport within a few days of submitting the revised county wide priority list.
- 4) The pavement strengthening work to be undertaken after the Department issues its approval.

The Mayor responding to a number of requests from Members that they be allowed to debate the matter reminded

all concerned that there was no facility to debate items contained in the County Manager's Report.

Clr. Slowey expressed disappointment that the matter would not be debated and noted that the Roads SPC at its recent meeting had deferred consideration of the item on the understanding that it would come before the full Council.

After considerable debate, on the proposal of Clr. Mc Gowan, seconded by Clr. Mc Eniff, it was resolved on completion of the remaining Area Workshops to forward revised listings to the Department of Transport for approval and to hold a Special Meeting of the Council as soon as possible thereafter to discuss the implications of this Revised Programme.

Clr. Pringle requested that a report outlining the full implications of the cutbacks be brought to this meeting.

C/225/09

MOTIONS FROM OTHER COUNCILS

The following motions from other authorities were noted:-

COUNTY DONEGAL VOCATIONAL EDUCATION COMMITTEE

"Request to the Minister for Health and Children for the banning of Party Pills."

COUNTY DONEGAL VOCATIONAL EDUCATION COMMITTEE

Request to the Minister for Transport to introduce Drug Driving Testing measures as a matter of urgency."

NENAGH TOWN COUNCIL

"Nenagh Town Council calls on Government to maintain investments in Primary Education, to avoid increasing class sizes at Primary level and to ensure that the educational opportunities of our children are protected in these economically challenging times and requests the Mayor to inform An Taoiseach of this resolution."

LONGFORD TOWN COUNCIL

“That the Rural Development Programme 2009-2013 administering the Leader and Social Inclusion Programmes through the joint Leader Partnership Development Companies be amended to allow funding from Local Authorities be considered as matching funding for all projects under the programme.”

MONAGHAN TOWN COUNCIL

“ That this Council calls on the Minister for Finance to reduce the current vat rate to at least the same level as Northern Ireland so as to give business in the Border Region a stimulus to retain shoppers.”

MONAGHAN TOWN COUNCIL

“That this Council rejects outright the proposed reintroduction of across the board third level fees as this will lead to deprivation of the less well off among the student population. Means testing should be introduced. The present proposal would deprive the nation of the talents of possible future leaders in every facet of our society.”

MONAGHAN TOWN COUNCIL

“In the interest of protecting rate paying retail shops and services from undue overheads, that this Council correspond with Phonographic Performance Ireland (PPI) and Irish Music Rights Organisation (IMRO) to ensure fees being levied to shopkeepers are not done in duplication for the same service.”

NEW ROSS TOWN COUNCIL

“That this Council calls on the Minister of the Environment, Heritage and Local Government to publish legislation as soon as is practicable to amend the Planning and Development Acts 2000 – 2006, Section 42 (3)(b), to the effect that the appropriate period for planning for a planning permission fully granted, is extended to 8 years.”

LIMERICK COUNTY COUNCIL

“That, Limerick County Council calls on the Government to introduce appropriate legislation to ensure that the overheads faced by small businesses are curtailed as many are finding it increasingly difficult to remain in business.”

MONAGHAN TOWN COUNCIL

“That this Council recognises Seachtain na Gaeilge’s significance of celebrating and promoting the Irish language, condemns the Government for it’s recent attacks on the Irish language, namely the proposal to abolish Early Immersion (Tumoideachas)

Education and cuts to support for summer courses in Irish colleges in the Gaeltacht.

This Council appeals these cuts and calls for their immediate reversal.

Aithníonn an comhairle an tábhacht a bhaineann le Seachtain na Gaeilge I gceiliúradh agus forbairt na teanga, cáineann an comhairle na hionsaithe atá déanta ag an Rialtas ar an Ghaeilge sa tumoideachas agus na ciorraithe atá curtha I bhfeidhm ar na cúrsaí samhraidh sa Ghaeltacht. Tá an comhairle glan in aghaidh na ciorraithe seo agus iarrann muid ar an Rialtas cúlú a dhéanamh orthu.”

KILLARNEY TOWN COUNCIL

“In view of the fact that the Irish Bookmakers Association are lobbying the Government very strongly to allow Gaming Machines into the Bookmakers Shops in the Republic, I am asking Killarney Town Council to circulate all Councils calling on the Government to reject this Gaming Machine proposal, as it would be the ruination of society in this Country.”

TRALEE TOWN COUNCIL

“That Tralee Town Councillors deplore the recent budget, which instead of giving to the people who gave their working life to the state, they now find themselves being disfranchised by the removal of their medical card.”

TRALEE TOWN COUNCIL

“(a) TTC calls on the Taoiseach and his Ministers to immediately reverse the medical card proposal in the recent budget.

(b) We also call for the withdrawal of the catastrophic cuts in education which will have a devastating impact on our children and our Country going forward.”

LIMERICK COUNTY COUNCIL

“That, Limerick County Council calls on the Government to introduce appropriate legislation to ensure that the overheads faced by small businesses are curtailed as many are finding it increasingly difficult to remain in business.”

KILLARNEY TOWN COUNCIL

“That Killarney Town Council call on the Government to have a ‘National Carers Day’ to sit alongside other national days.”

GALWAY CITY COUNCIL

“That Galway City Council recognises the considerable difficulties posed in many housing estates by landlords who fail to maintain their properties in good and proper order.”

GALWAY CITY COUNCIL

“That the Council believes that landlords have a responsibility to make regular checks on their properties to ensure that their condition does not act a detriment to the local community.”

GALWAY CITY COUNCIL

“That the council calls on the Minister for the Environment to amend section 128 of the Residential Tenancies Act 2004 to empower local communities to identify the owners of rented properties. The legislation should be changed to ensure that landlords declare their ownership on a register and that register should be available to the public for examination.”

C/226/09

RECEPTION OF DEPUTATION FROM SLIGO
BOROUGH COUNCIL TO ADDRESS COUNCIL ON
RETENTION OF CANCER CARE SERVICES IN SLIGO
GENERAL HOSPITAL

The Mayor welcomed Mayor Veronica Cawley, and Clr. Arthur Gibbons, Sligo Borough Council to the Meeting. He advised that in accordance with Standing Orders the deputation should take note of the following guidelines: -

- The privilege of a deputation shall be confined to the making of two short addresses and the presentation of a

submission, the total time taken not to exceed fifteen (15) minutes.

- The deputation may be questioned by members of the Council but shall not be entitled to ask questions.
- When the members of a deputation have addressed the meeting, they shall withdraw from the meeting.

Clr. Cawley advised that the proposal by the Government and the HSE to close down the Breast Care Cancer Unit in Sligo General Hospital was unacceptable to the vast majority of citizens. The multi-disciplinary team based in Sligo General Hospital she noted operated to the highest standards and was serviced by an experienced and highly qualified team of medical and nursing staff. Effectively the Government's decision to withdraw services from Sligo would create a service void in the region north of a Galway/Dublin line. A proposal had been put by the management of Sligo General Hospital to Professor Tom Keane, Minister Mary Harney and Professor Brendan Drumm contained proposals which would allow the retention of the Breast Cancer Service in Sligo General Hospital whilst meeting the standards as outlined in the National Quality Assurance Breast Care Standards. A response on the matter, she stated was still pending. This submission outlined grave concerns from a hospital perspective around the transfer of services from Sligo and the ability of Cancer Centres in Galway and Dublin to accommodate 1000 additional outpatients and subsequent inpatients from the Sligo General Hospital catchment area. It was noted that a catchment population of 250,000 was required for the setting up of a Centre of Excellence for Cancer Care and that the local catchment population of Sligo and Letterkenny General Hospitals combined was in excess of this figure.

Clr. Cawley continued by outlining two possible alternative models of care both of which would ensure the retention and improvement of the Breast Cancer Service in Sligo General Hospital. The first option proposed the continuation of the breast service in both Sligo and Letterkenny thus maintaining local access and continuity of service for patients. The second option proposed that Sligo General Hospital would extend its catchment area in the south of the

region linking into University College Hospital Galway. With this option it was noted that breast care services would continue to be provided on both Sligo and Letterkenny Hospital Sites and link into UCHG as the Cancer Centre for the delivery of services and tertiary referral pathways. The overall emphasis Clr Cawley confirmed was to provide a service that was safe, accessible and met the standards outlined in the National Quality Assurance Quality Standards for Symptomatic Breast Services. The Members of Sligo Borough Council unanimously supported the retention of Cancer Surgical and Diagnostic Services at Sligo General Hospital and she asked the Members of Donegal County Council to support them in their efforts. Clr. Arthur Mc Guinness noted that the matter had cross party support and advised that once the service moved to Galway there would be no prospect of developing services in either Sligo or Letterkenny. Members welcomed the excellent presentation and noted the urgency of the situation. It was suggested that all relevant Local Authorities in the Northwest catchment area meet with the Ministers for Health in both jurisdictions to assess capabilities for service provision and the retention of existing services. Clr. Cawley in conclusion welcomed this statement noting that the current strategy did not serve the needs of the people in the area and did not have the capacity to deal with the normal patient flow.

This concluded the business of the meeting.

Certified: _____
Mayor.

Date: _____