

COMHAIRLE CHONTAE DHUN NA nGALL

Oifig Riarthóir na
gCruinnithe
Aras an Chontae
LEIFEAR

25 Márta 2008

Beidh an Cruinniú Comhairle Chontae Dhún na nGall ag dul ar aghaidh Dé Luain, 31 Márta, 2008, ag **2.00 ag Arás an Chontae, Leifear**

DO GACH BHALL DEN CHOMHAIRLE

A Chara

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

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

Mise, le meas

A. MacSuibhne

Riarthóir Cruinnithe(RUNAÍ CHONTAE)

DONEGAL COUNTY COUNCIL

Office of Meetings Administrator
County House
Lifford
25th March , 2008

NOTICE OF MEETING

A Meeting of Donegal County Council will be held on Monday 31st March, 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 Annual Budget Meeting held on 11th January, 2008.
 - (b) Confirmation of Minutes of Adjourned Annual Budget Meeting held on 18th January, 2008.
 - (c) Confirmation of Minutes of Meeting of Donegal County Council held on 28th January, 2008.
 - (d) Confirmation of Minutes of Adjourned Meeting of Donegal County Council held on 4th February, 2008.
 - (e) Confirmation of Minutes of Special Meeting of Donegal County Council held on 08th February, 2008.
 - (f) Confirmation of Minutes of Meeting of General Purposes Committee held on 11th February, 2008.

2. **Disposal of Land – Section 211 Planning & Development Act, 2000**
 - (a) Notice under Section 183 of the Local Government Act, 2001 to dispose of office accommodation at Letterkenny Public Service Centre, Neil T. Blaney Road, Letterkenny to Letterkenny Town Council.
 - (b) Notice under Section 183 of the Local Government Act, 2001 to dispose of site at Moville Fire Station, Lower Main Street, Moville, County Donegal to the E.S.B.

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 4 No. Specific Instance Cottages at various locations in the county.
 - (b) To approve the carrying out of works with regard to Laghey Sewerage Scheme.
 - (c) To approve the carrying out of works with regard to Visitor Centre at Rossnowlagh.
 - (d) To approve the carrying out of works with regard to Recreation and Amenity area at Shore Road, Ramelton.
(Report to be circulated separately)

4. **Finance Programme**
 - (a) To note report on Irrecoverable Rates 2007.

- (b) To approve agreement to provide for Inter Authority borrowing/lending between Donegal County Council, Letterkenny, Buncrana, Bundoran and Ballyshannon Town Councils for the period 01st January 2007 to 31st December, 2008, in accordance with the Local Government Act, 2001, Section 106, Sub Section 6, which updates Part 11 of the Local Government (No. 2) Act, 1960.
- (c) To note Local Government Audit Report, including, where appropriate, County Manager's Response, on the Audited Accounts of Donegal County Council for year ending 31st December, 2006.

5. **Roads and Transportation Programme**

- (a) To approve updated priority list for the Coastal Protection Programme 2007-2013.
- (b) To approve the 2008 Bridge Strengthening Programme.

6. **Planning and Economic Development Programme**

- (a) Consideration of Manager's Report on the Material Alterations to the Draft Buncrana & Environs Development Plan and to make the new plan.
- (b) Consideration of Manager's Report on pre-draft consultation in respect of review of Letterkenny & Environs Development Plan 2003-2009 (as varied).
- (c) To agree publication of the proposed draft amendment to Lifford Local Area Plan 2007-2013.
- (d) To agree publication of the proposed draft amendment to Newtowncunningham Local Area Plan 2007-2013.
- (e) To approve application for funding under the Peace III Programme (2007-2013): Measure 2.1 Creating Shared Public Spaces in respect of the following projects:-
 - 1. Pettigo/Tullyhommon-The Model Eco Village Project
 - 2. Lifford/Strabane Riverside Regeneration Project.

7. **Corporate Programme**

- (a) To agree date for Annual General Meeting
- (b) To approve the payment of travelling/subsistence expenses to committee members who are not local authority members.
- (c) To resolve to amend Standing Order No. 87 - quorum for meetings of Strategic Policy Committees.

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

- (a) To approve raising of a loan of €7,330,000 to fund:

1. Cost of Non Domestic Metering Project
 2. Non Domestic Marginal Capital Cost (project details in attached report.)
- (b) That Donegal County Council approves entering into arrangements with Mayo County Council under Section 85 of the Local Government Act, 2001 whereby Mayo County Council shall perform on behalf of Donegal County Council those of its functions as Fire Authority, for the County of Donegal as set out in the agreement.

9. **Conferences**

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

- (a) Rattoo Heritage Society Conference to be held on 02nd-6th April at Golf Hotel, Ballybunion, County Kerry.
- (b) Kadenza Consultancies “Effective Communications for Councillors to be held on 04th-06th April, 2008 at The Silver Tassie Hotel, Milford Road, Letterkenny.
- (c) Wexford Borough Council Conference “Better Local Government – Is it Working?” to be held on 3rd-05th April, 2008 at The Talbot Hotel, Wexford.
- (d) 24th Annual Environmental Conference to be held on 17th-18th April 2008 at The Carrigaline Court Hotel, Carrigaline, County Cork.
- (e) Enniscorthy Town Council Conference “1916 Revolution or Betrayal” to be held on 19th April, 2008 at The Riverside Park Hotel, Enniscorthy, County Wexford.
- (f) Chambers Ireland “Local Economic & Social Development Conference” to be held on 21st April, 2008 at The Marriott Hotel, Henry Street, Limerick.
- (g) Confederation of European Councillors Conference “Developments in the Planning Systems, North & South” to be held on 24th April, 2008 at The Killyhevlin Hotel, Enniskillen, County Fermanagh.

Foreign Conference

- (h) National Association of Councillors “Regeneration & Housing Conference” to be held on 11th-13th April, 2008 at The Crown Spa Hotel, Scarborough.

10. Mayor's Business

11. Manager's Report

MOTIONS

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

LETTERKENNY ELECTORAL AREA

Planning & Economic Development

12. Clr. Harte

"That the Council decide to make use of the Big Isle site for the benefit of the county." (L)

Community, Culture & Enterprise

13. Clr. Larkin

"That this Council once again request the County Manager to implement the Council decision of the 23rd April 2003 and engage in "full and meaningful consultations with the Angling Associations" and representatives in the Donegal Game Angling Federation so that a Donegal Angling Development Plan will be agreed with the full cooperation of all who can develop the angling potential of this county." (C)

Water, Environment & Emergency Services

14. Clr. Brogan

"I propose that this Council immediately take action to carry out emergency works at Ballyraine to prevent the spillage of raw sewerage onto the road at Ballyraine and that works needed to be done on overflow tanks be carried out." (L)

DONEGAL ELECTORAL AREA

Water, Environment & Emergency Services

15. Clr. McEniff
"That the Council contribute the 10% shortfall needed to upgrade the sewerage system at Rockfield National School, Ballyshannon. The Department of Education have sanctioned a grant to cover 90%." (Letter from Department forwarded to Director of Service). (L)

Community, Culture & Enterprise

16. Clr. O'Neill
"That this Council address the requirement for key tourism signage to be audited across the county and immediate funding be made available for the provision of new signage following consultation with Electoral Area Committees who will indicate the attractions/areas of importance for signage going forward." (C)

MILFORD ELECTORAL AREA

Corporate Services

17. Clr. McGarvey
"That this Council, as a matter of urgency, give 100% support to efforts being made on a cross border basis for a cancer radiation unit in the North West." (O)

STRANORLAR ELECTORAL AREA

Housing & Building

18. Clr. Reid
"That the Council considers investing a similar amount of funding towards a Business Park in Ballybofey/Stranorlar area in lieu of a Public Service Office if the Electoral Areas are re-drawn to include Lifford in the Stranorlar Electoral Area." (L)

GLENTIES ELECTORAL AREA

Community, Culture & Enterprise

19. Clr. Kelly
"That this County Council, in light of the money which it allocates annually to the City of Derry Airport, request that the Airport Authority erect a sign at the Airport exit which clearly shows the direction and mileage for County Donegal (Dun na nGall) and that a space be requested within the terminal itself upon which Donegal County Council could advertise." (C)

Planning & Economic Development

20. Clr. Slowey
"That Donegal County Council put in place with immediate effect the protocols and procedures to ensure that a Town Plan is enacted for the Heritage Town of Ardara and other Heritage Towns across the county" (L)
21. Clr. Alcorn
"That this Council discuss the type and quality of materials used during roadworks construction and repair work." (C)

Roads & Transportation

22. Clr. O'Dochartaigh
"That Donegal County Council will address the safety concerns that exist at Ballymore National School and

Ballymore Church so that people can exit the N56 and the school and church grounds with a reasonable degree of safety." (L)

Water, Environment & Emergency Services

23. Clr. Gallagher
"That this Council meet with interested parties with an interest in renewable hydro energy to investigate the possibility of using turbines on this Councils water resources, to create energy, to return to the grid, that in turn would create revenue hence relieving costs on this Council and rate payers." (C)

INISHOWEN ELECTORAL AREA

Roads & Transportation

24. Clr. Conaghan
"That this Council discuss the prioritising of the county-wide list of non national roads submitted to the Department for funding given that some roads agreed at Electoral Areas have been omitted from the county-wide list without explanation." (C)
25. Clr. MacLochlainn
"That Donegal County Council seek to employ a dedicated employee/officer to promote the development of a rail network linking Derry to Letterkenny and Sligo and that the council also convene an implementation Committee of elected council members, Oireachtas members, and other relevant stakeholders to oversee plans for rail links within Donegal and connecting Donegal to existing Island wide rails links" (C)

Community, Culture & Enterprise

26. Clr. Donaghey
"That Donegal County Council write to both the Minister for Justice and the Garda Commissioner urging them to set up a full time Dog Drugs Unit in County Donegal." (C)

27. Clr. McGonagle
"That this Council give funding to the Clonmany Tug O' War Team who won a gold medal in the World Championship." (L)

Finance

28. Clr. McGuinness
"That this Council encourage the return of the small shops/retail outlets by exempting them from rates." (C)

QUESTIONS

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

LETTERKENNY ELECTORAL AREA

Roads & Transportation

29. Clr. Harte
"When will the Diamond area and approach road into Raphoe be resurfaced as the situation is unacceptable at present?" (L)
30. Clr. Brogan
"When will design be complete on proposed road from Ballyraine to Dry Arch as funding for same is now in place?" (L)
31. Clr. Brogan
"When will works start on proposed third lane from Ballyraine to Port Bridge as agreed by both Councils?" (L)

Corporate Services

32. Clr. Larkin
"Will the Council call on the Standing Orders Committee to meet to look at the functions of our Council Meetings and Protocols etc." (C)

Planning & Economic Development

33. Clr. Larkin
"Has there been any update on GIF for Letterkenny?" (L)

DONEGAL ELECTORAL AREA

Water, Environment & Emergency Services

34. Clr. McEniff
"Why is the Carrickboy area excluded from the Ballyshannon Sewerage Scheme contract and what are the necessary steps to have it included?" (L)
35. Clr. McEniff
"Could I please have an up to date report regarding the application to the Department of Environment for separate Fire Stations for Ballyshannon and Bundoran?" (L)
36. Clr. O'Neill
"Will this Council make available the necessary funding to provide a new sewerage pumping station at Carrickboy, Ballyshannon for the established houses that are inside the town boundary but have been omitted from the current Capital Scheme that is under construction?" (L)

Community, Culture & Enterprise

37. Clr. O'Neill
"Will Donegal County Council proceed with the erection of the proposed statue of Rory Gallagher in Ballyshannon, as agreed at a recent meeting of Donegal County Council?" (L)

MILFORD ELECTORAL AREA

Water, Environment & Emergency Services

38. Clr. McGarvey
"What is the present intention for the disused reservoir at Breaghy, Ramelton and could the Local Development Group acquire it as an amenity for the area?" (L)

Roads & Transportation

39. Clr. McGarvey
"What is the result of the traffic survey for Ramelton?" (L)

STRANORLAR ELECTORAL AREA

Planning & Economic Development

40. Clr. Reid
"Could we have an up to date report on the final plans for Brogan's field, Stranorlar?" (L)

Water, Environment & Emergency Services

41. Clr. Reid
"The residents of Crossroads/Killygordon are being told that they cannot connect into the new public services when it is built. How many years will it take to complete this work-1-5, 5-10, 10-20 yrs, how do the Council intend to treat the sewerage in the interim?" (L)

GLENTIES ELECTORAL AREA

Roads & Transportation

42. Clr. Slowey
"When will the new lighting programme be drawn up and what is the timescale for its implementation"? (C)
43. Clr. O'Dochartaigh
"When will Donegal County Council commence dredging operations at Magheroarty Pier?" (L)
44. Clr. O'Dochartaigh
"When will Donegal County Council advertise for Harbour Masters for the small ports in the county?" (C)
45. Clr. Byrne
"Can this Council include the R230 from Glencolumbkille to Ardara in the Regional Signage Programme?" (L)

46. Clr. Byrne
"Can this Council make an application to Roinn na Gaeltachta for co-funding to construct a footpath to Noamh Cartha's National School, Kilcar from the village to Kilcar?" (L)

Planning & Economic Development

47. Clr. Alcorn
"Could I have an update on the Dungloe Foreshore Project and details as to what part of the development will be done during year end 31/12/2008?" (L)

Water, Environment & Emergency Services

48. Clr. Slowey
"What is the contribution in monetary terms that Donegal County Council will be expected to pay for the following projects: Glenties Sewerage Scheme, Dungloe Sewerage Scheme, Burtonport Sewerage Scheme, Gweedore Sewerage Scheme, Falcarragh Sewerage Scheme, Dunfanaghy/Portnablagh Sewerage Scheme?" (L)
49. Clr. Alcorn
"I request a detailed report as to why it took between four to five months from the date tenders were sought for the Environment Section of this Council to appoint a contractor to remove the old end of life cars on Arranmore Island?" (L)

INISHOWEN ELECTORAL AREA

Water, Environment & Emergency Services

50. Clr. Conaghan
"What solution has this Council got to address the serious number of bursts occurring on the water inter-connector at Grianan farm, Burt and does the Council appreciate the severe difficulties this causes for a wide catchment area such as Killea right back to the Crislaghmore Crislaghkeel Group Water Scheme at Burnfoot and Fahan?" (L)
51. Clr. McGonagle
"When will the Malin Sewerage Scheme be completed?"(L)

52. Clr. MacLochlainn
"What plans do the council have to ensure the delivery of a Civic Amenity Site to Buncrana"? (L)

Roads & Transportation

53. Clr. Conaghan
"When will the lights go up at Tooban, Burnfoot, as prioritised by the Inishowen Electoral Area Committee, given the fact that the Senior Official responsible for same refused to answer this question at a recent Inishowen Electoral Area Committee Meeting?" (L)
54. Clr. Donaghey
"When will work begin on the Mill Bridge, Buncrana, which is part of the Buncrana Inner Relief Road?" (L)
55. Clr. McGuinness
"Why has the carpark at St. Boden's Terrace, Culdaff not been resurfaced?" (L)
56. Clr. MacLochlainn
"Can the roads section give a report on the progression of pedestrian crossings in Muff"? (L)

Planning & Economic Development

57. Clr. Donaghey
"When will Donegal County Council have the Section 47 finalised for occupancy conditions of people who will benefit from planning permissions granted to original applicants?" (C)
58. Clr. McGonagle
"When will the Town Renewal Scheme start on the Market Square, Clonmany?" (L)

Community, Culture & Enterprise

59. Clr. McGuinness
"How much money, to date, has (a) the Council and (b) the Irish Government contributed to the City of Derry Airport?"
(C)

MOTIONS FROM OTHER COUNCILS

60. BALLINASLOE TOWN COUNCIL
"That this Council write to the Minister for the Environment and Local Government requesting the immediate reversal of his Departments decision to withdraw grant assistance from "Disabled Persons Grants" applications and that this motion be circulated to every Local Authority for their consideration and to the East Galway Oireachtas members."
61. LIMERICK COUNTY COUNCIL
"That Limerick County Council adopts a motion of no confidence in the Health Services Executive (HSE) and calls upon the Government and the Minister for Health to abolish the HSE and replace it with an efficient body who would have the professionalism and commitment to deliver a modern and effective Health Service for Cystic Fibrosis patients, especially young adult patients who are born with this life threatening disease; furthermore, that this motion be circulated to all local authorities seeking their support for same."
62. BALBRIGGAN TOWN COUNCIL
"Balbriggan Town Council call on the Government to bring legislation to prevent economic migrants and refugees with criminal records from entering Ireland."
63. MACROOM TOWN COUNCIL
"In light of the 2006 statistics that 14,598 dogs were put to sleep by local authorities not to mention the number of dogs put down by individuals, Macroom Town Council calls on the Government to introduce a micro chipping and neutering/spaying incentive scheme to curb unwanted dogs

(suggestion: licence for a neutered dog = €10, licence for unneutered dog = €150.)”

It was pointed out at the meeting that persons on restricted means i.e. Social Welfare are able to have their dogs neutered/spayed for €14 through the neutering scheme being run by the Dog Trust.

64.

MACROOM TOWN COUNCIL

“The Council notes the increase in agency employment throughout the economy. We are aware that many workers from home and abroad are offered agency employment when they are seeking direct and permanent employment. We understand trade unions have raised concerns that many of these workers are retained on minimum conditions and in some instances are not receiving all their entitlements. Agency employment should not be used as an unnecessary substitute for direct employment or as a mechanism for avoidance of or undermining of fair pay and conditions.” Noting that legislation will come before the Oireachtas on the issue of Agency Employment, Macroom Town Council believes and recommends to the Minister that the principle of equal treatment should be included in any such legislation on the issue.”

65.

SOUTH TIPPERARY COUTNY COUNCIL

“That this Council writes to the Government supporting the Irish Guide Dogs for the Blind appeal for an increase in funding and furthermore, that this motion be circulated to all local authorities for their support.”

66.

CLONMEL BOROUGH COUNCIL

“That this Borough Council request all Borough/Town Councils to call on the Minister for Justice to continue to oppose any move by Bookmaker chains to have gaming machines placed in their offices. This is to help families from returning to poverty status, when parents get hooked on these machines, as has happened in Clonmel in the not too distant past.”

67. CLONMEL BOROUGH COUNCIL
“That this Borough Council undertake not to apply any water charges to non-commercial activities such as schools etc.”

68. CLONES TOWN COUNCIL
“That Clones Town Council call on the Minister for Health, Mary Harney, T.D. to appoint an Ombudsman in the Department of Health so that the people of the country can get an honest answer regarding their complaints about health matters.”

**MINUTES OF MEETING OF DONEGAL COUNTY COUNCIL, HELD
IN THE COUNTY HOUSE, LIFFORD ON 31st MARCH 2008**

C/130/08 **MEMBERS PRESENT**

Clrs. J. Boyle, Mayor, D. Alcorn, L. Blaney, E. Bonner, C. Brogan, B. Byrne, F. Conaghan, G. Crawford, R. Donaghey, M.T Gallagher, J. Harte, J. Kennedy, D. Larkin, N. Mc Bride, T. McDaid, M. Mc Donald, 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/131/08 **APOLOGIES**

Apologies were received from Clrs. A. Bonner, J. Kelly, and S. Mc Eniff, who were unable to attend the meeting.

C/132/08 **OFFICIALS IN ATTENDANCE**

Mr. Michael McLoone, County Manager, Mr. L. Kelly, Assistant County Manager, Director of Housing, Mr. Francie Coyle, Director of Planning and Economic Development, Mr. Sean Sheridan, Director Corporate Services, Mr. John Mc Laughlin, Director Roads and Transportation, Mr. Aidan Mc Nicholas, Head of Finance, Mr. Michael Heaney, Director Community Culture and Enterprise, Mr. C. Lyons, Director Water, Environment and Emergency Services, Mr. Gerry Richards, Senior Planner, Mr Denis Kelly, Senior Executive Planner, Ms. Sinead Harkin, Executive Planner Mr. Simon Harron, Executive Planner, Mr. Garry Martin, Senior Executive Officer, Mr. Eunan Sweeney, Meetings Administrator, Mr. Kevin O' Connor, Marine and Water Leisure Co-ordinator, Mr. Eugene Devenney, Staff Officer, Ms. Anne Marie Crawford, Staff Officer, Corporate Services.

C/133/08 **CONFIRMATION OF MINUTES OF ANNUAL BUDGET MEETING OF DONEGAL COUNTY COUNCIL HELD ON 11TH JANUARY, 2008**

On the proposal of Clr. Larkin, seconded by Clr. Byrne, the Minutes of the Annual Budget Meeting of Donegal County Council held on the 11th January 2008, were adopted.

- C/134/08 CONFIRMATION OF MINUTES OF ADJOURNED ANNUAL BUDGET MEETING OF DONEGAL COUNTY COUNCIL HELD ON 18TH JANUARY, 2008
On the proposal of Clr. Larkin, seconded by Clr. Byrne, the Minutes of the Adjourned Annual Budget Meeting of Donegal County Council held on the 18th January 2008, were adopted.
- C/135/08 CONFIRMATION OF MINUTES OF MEETING OF MEETING OF DONEGAL COUNTY COUNCIL HELD ON 28TH JANUARY, 2008
On the proposal of Clr. Mc Garvey, seconded by Clr. Mc Gowan, the Minutes of the Meeting of Donegal County Council held on the 28th January 2008, were adopted.
- C/136/08 CONFIRMATION OF MINUTES OF MEETING OF ADJOURNED MEETING OF DONEGAL COUNTY COUNCIL HELD ON 4TH FEBRUARY, 2008
On the proposal of Clr. Donaghey, seconded by Clr. Conaghan, the Minutes of the Adjourned Meeting of Donegal County Council held on the 4th February 2008, were adopted.
- C/137/08 CONFIRMATION OF MINUTES OF SPECIAL MEETING OF DONEGAL COUNTY COUNCIL HELD ON 8TH FEBRUARY, 2008
On the proposal of Clr. Conaghan, seconded by Clr. Mc Garvey, the Minutes of the Special Meeting of Donegal County Council held on the 8th February 2008, were adopted.
- C/138/08 CONFIRMATION OF MINUTES OF GENERAL PURPOSES COMMITTEE MEETING OF DONEGAL COUNTY COUNCIL HELD ON 11TH FEBRUARY, 2008
On the proposal of Clr. Conaghan, seconded by Clr. Mc Bride, the Minutes of the General Purposes Committee Meeting held on the 11th February 2008, were adopted.

C/139/08 DISPOSAL OF OFFICE ACCOMODATION AT LETTERKENNY PUBLIC SERVICE CENTRE TO LETTERKENNY TOWN COUNCIL

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

On the proposal of Clr. Brogan , seconded by Clr. Larkin, it was resolved to dispose of circa 131sq metres of office space at the Letterkenny Public Services to Letterkenny Town Council for the sum of €1,451,320, with each authority being responsible for their own legal costs and stamp duty, in accordance with Section 211 of the Planning & Development Act, 2000 and Section 183 of the Local Government Act, 2001.

Clr. Larkin referred to the site of the new Regional Community and Cultural Centre and asked that every effort be made to ensure that the portion of the site earmarked for the Donegal Youth Service be preserved

C/140/08 DISPOSAL OF SITE AT MOVILLE FIRE STATION, LOWER MAIN STREET, MOVILLE TO THE ESB.

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

On the proposal of Clr. Donaghey, seconded by Clr. Mc Guinness, it was resolved to dispose of site at Lower Main Street, Moville to the ESB, in accordance with Section 211 of the Planning & Development Act, 2000 and Section 183 of the Local Government Act, 2001.

C/141/08 TAKING OF DECISION WITH REGARD TO 4 NO SPECIFIC INSTANCE COTTAGE AT VARIOUS LOCATIONS IN THE COUNTY

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

On the proposal of Clr. Mc Bride , seconded by Clr. Alcorn, the carrying out of works under Part XI of the Planning & Development Act, 2000 and Part 8 of the Planning & Development Regulations 2001, with regard to 4. No Specific Instance Cottages at various locations in the county was approved.

Concern was expressed that applicants for S.I Housing in the Inishowen Electoral Area were consistently being referred to the Housing List for Towns and Villages.

It was agreed on the proposal of Clr. Conaghan, seconded by Clr. Guinness that the low level of S.I. approval in the Inishowen area together with an assessment of overall housing options be tabled for discussion at the next meeting of the Inishowen Electoral Area Committee.

The delay in processing S.I applications was noted with members calling for greater co-operation between services and that provision be made for cross cover when an Engineer in a particular Electoral Area was on leave.

Mr. Liam Kelly, Director Housing and Transportation agreed to take stock of all current S.I applications and assess where there were particular delays in the system. He advised that a report would then be presented to the Housing and Building SPC.

C/142/08 TAKING OF DECISION WITH REGARD TO LAGHEY SEWERAGE SCHEME

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

On the proposal of Clr. Pringle, seconded by Clr. Kennedy, 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 Laghey Sewerage Scheme was approved. Clr. Kennedy asked that consideration be given to extending the scheme to the other side of the town.

C/143/08 TAKING OF DECISION WITH REGARD TO VISITOR CENTRE AT ROSSNOWLAGH

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

On the proposal of Clr. Kennedy, seconded by Clr. Pringle, 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 Visitor Centre at Rosstown was approved.

It was agreed that a report on the operational side of the development would be brought to the General Purposes Committee for consideration, and that a date for a follow-up workshop on various aspects of the Marine and Leisure Programme could also be agreed.

C/144/08 TAKING OF DECISION WITH REGARD TO RECREATION AND AMENITY AREA AT SHORE ROAD, RAMELTON

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

On the proposal of Clr. Mc Garvey, seconded by Clr. Mc Bride, 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 Recreation and Amenity Area at Shore Road, Ramelton was approved.

C/145/08 IRRECOVERABLE RATES

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

It was acknowledged that a considerable effort had been made to increase the collection figures and that the 90% collection rate was indeed commendable.

A lengthy debate ensued with members highlighting a concern in relation to the high percentage of irrecoverable rates in the Glenties Electoral Area. They called for more in depth assessment of these figures and the possible causes of same.

It was acknowledged that there was a need to examine the current revenue base especially in relation to businesses, which did not operate from specifically named premises. Members also called on the Finance Sub - Group to further address these concerns.

It was agreed that a report on the matter including an up to date assessment of all small retail businesses in the county and the particular sectors they represent be brought to the General Purposes Committee for consideration.

Mr. Aidan Mc Nicholas advised that he was obliged under the Local Government (Financial Procedures & Audit Regulations 2002) to provide the attached report indicating the present position on the rate account. He clarified a number of matters in relation to the valuation process and reminded members that the rateable valuation was not relation to business turnover.

C/146/08 INTER AUTHORITY BORROWING

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

On the proposal of Clr. Larkin, seconded by Clr. Mac Lochlainn, it was resolved that the Council approve of an agreement to provide for the Inter Authority borrowing/lending between Donegal County Council, Letterkenny, Buncrana, Bundoran and Ballyshannon Town Councils for the period up to 31st December 2007, in accordance with the Local Government Act, 2001, Section 106, Sub-Section 6 which updates Part 11 of the Local Government (No 2) Act, 1960.

On the proposal of Clr. Larkin, seconded by Clr. Mac Lochlainn, it was resolved that the Council approve of an agreement to provide for the Inter Authority borrowing/lending between Donegal County Council, Letterkenny, Buncrana, Bundoran and Ballyshannon Town Councils for the period up to 31st December 2008, in accordance with the Local Government Act, 2001, Section 106, Sub-Section 6 which updates Part 11 of the Local Government (No 2) Act, 1960

C/147/08 TO NOTE LOCAL GOVERNMENT AUDIT REPORT, YEAR ENDING 31ST DECEMBER, 2006

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

On the proposal of Clr. Brogan, seconded by Clr. Larkin, the contents of the Local Government Audit Report for year ending 31st December, 2006 was noted.

A number of issues were raised in the ensuing discussion. These included:

- What the current position was in relation to the €600,017 presently held by the Council's solicitor in respect of payments for land acquisitions
- What selection process had been used in appointing the Council Solicitor and whether the criteria involved took into account previous performance record?
- The high number of projects deemed ineligible for LIS funding in the Inishowen Electoral Area.
- The high cost of works on LIS Roads and the absence of a value for money mechanism in respect of such projects.
- Late allocation of CLAR monies

Members requested an update in relation to land acquisitions together with details on the number of Part Vs and the current projections for Part V provisions.

C/148/08 UPDATED PRIORITY LIST FOR COASTAL PROTECTION PROGRAMME 2007 - 2013

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

Members asked that the following beaches be included on the Priority List for Coastal Protection Programme 2007 – 2013: -

Massmount – Croaghan, Fanad,
Lagg,
Magheraroarty,
Magheragallen,

The Director of Roads and Transportation agreed to write to the Minister to ascertain whether it was possible to incorporate Inch Embankment, Swilly View and Millbay Inch as one specific project.

It was also agreed to examine the possibility of incorporating Massmount – Croaghan on the list.

On the proposal of Clr. Mc Gowan, seconded by Clr. Crawford, the Priority List for Coastal Protection Programme 2007- 2013 was agreed on the basis that any change in the top five projects would result in the matter being brought back to members for consideration.

C/149/08 2008 BRIDGE STRENGTHENING PROGRAMME.

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

It was acknowledged that there were a number of bridges throughout the county that could have been included in the list.

On the proposal of Clr. Larkin, seconded by Clr. Crawford, it was resolved to approve the 2008 Bridge Strengthening Programme subject to the Wooden Bridge at Manor being added to the list.

Members requested an up to date report on all the bridges listed.

C/150/08

CONSIDERATION OF MANAGER'S REPORT ON THE MATERIAL ALTERATIONS TO THE DRAFT BUNCRANA AND ENVIRONS DEVELOPMENT PLAN AND TO MAKE THE NEW PLAN

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

Mr. Francie Coyle, Director Planning and Economic Development advised that the additional documentation circulated contained a number of decisions taken by Buncrana Town Council at their meeting on the 26th March, 2008.

Material Alteration No. 1

On the proposal of Clr. Mc Guinness, seconded by Clr. MacLochlainn, it was resolved not to accept the recommendation of the Manager and in lieu to modify the material alteration by amending the plan boundary so as to exclude the lands identified in yellow (in the submission from Mark Carlin) from the plan area, and to proceed with the remainder of the material alteration to 'General Employment.

It was noted that the lands identified in yellow in the submission from Mark Carlin would be located outside the plan area and, therefore would be located within the Urban Generated Rural Development as set out in the CDP 2006-

Material Alteration No. 2

On the proposal of Clr. MacLochlainn, seconded by Clr. McGuinness, it was resolved to materially alter the Draft Buncrana and Environs Development Plan 2007 and amend the plan so as to extend the plan boundary and to zone the lands as "Primarily Residential."

Material Alteration No. 3

On the proposal of Clr. MacLochlainn, seconded by Clr. Donaghey, it was resolved to materially alter the Draft Buncrana and Environs Development Plan 2007 and amend the plan boundary so as to extend the plan boundary and to zone the land as "Established Development."

Material Alteration No. 4

On the proposal of Clr. Donaghey, seconded by Clr. Conaghan, it was resolved not to accept the recommendation of the County Manager but to materially alter the Draft Buncrana and Environs Development Plan 2007 so as to extend the plan boundary and zone the land as “Primarily Residential”

Material Alteration No. 5

On the proposal of Clr. McGuinness, seconded by Clr. MacLochlainn, it was resolved to materially alter the Draft Buncrana and Environs Development Plan 2007 and amend the plan from “Primarily Residential – LDR” to “Local Environment”.

Material Alteration No. 6

On the proposal of Clr. McGuinness, seconded by Clr. Donaghey, it was resolved to materially alter the Draft Buncrana and Environs Development Plan 2007 and amend the plan so as to rezone from “General Employment” to “Primarily Residential.”

Material Alteration No. 7

On the proposal of Clr. MacLochlainn, seconded by Clr. Donaghey, it was resolved to accept the recommendations of the County Manager and appropriately modify Material Alteration No. 7 so as to rezone the lands from “General Employment” to “Primarily Residential”.

Material Alteration No. 8

On the proposal of Clr. Donaghey, seconded by Clr. Conaghan, it was resolved to materially alter the Draft Buncrana and Environs Development 2007 so as to rezone from “Opportunity Site 5” to “Primarily Residential.”

Material Alteration No. 9

On the proposal of Clr. Donaghey, seconded by Clr. McGuinness, it was resolved to materially alter the Draft Buncrana and Environs Development Plan 2007 so as to rezone from “Utilities” to “Recreation, Amenity and Open Space”.

Material Alteration No. 10

On the proposal of Clr. Donaghey, seconded by Clr. McGonagle, it was resolved to materially alter the Draft Buncrana and Environs Development Plan 2007 so as to rezone from “Community” to “Established Development”.

Material Alteration No. 11

On the proposal of Clr. Donaghey, seconded by Clr. McGonagle, it was resolved to materially alter the Draft Buncrana and Environs Development Plan 2007 from “Local Environment” to “ Primarily Residential.”

Material Alteration No. 12

On the proposal of Clr. Donaghey, seconded by Clr. Conaghan, it was resolved to materially alter the Draft Buncrana and Environs Development Plan 2007 from “Local Environment” to “Strategic Residential Reserve.”

Material Alteration No. 13

On the proposal of Clr. MacLochlainn, seconded by Clr. Donaghey, it was resolved not to accept the County Manager’s recommendation and in lieu to rezone the lands from “Community” to “Primarily Residential.”

Material Alteration No. 14

On the proposal of Clr. McGuinness, seconded by Clr. MacLochlainn, it was resolved not to accept the County Manager’s recommendation and, in lieu, to proceed with the Material Alteration as published, thus amending the Draft Buncrana and Environs Development Plan by extending the plan boundary and zoning the entirety of the lands as “ Primarily Residential.”

Material Alteration No. 15

On the proposal of Clr. McGuinness, seconded by Clr. MacLochlainn, it was resolved to materially alter the Draft Buncrana and Environs Development Plan 2007 and amend the plan so as to include additional lands within the plan boundary and to zone the lands as “local environment.”

Material Alteration No. 16

On the proposal of Clr. McGuinness, seconded by Clr. MacLochlainn, it was resolved to materially alter the Draft

Buncrana and Environs Development Plan 2007 and amend the draft plan so as to rezone from “ Primarily Residential” to “Opportunity Site 6.”

Material Alteration No. 17

On the proposal of Clr. MacLochlainn, seconded by Clr. McGuinness, it was resolved to materially alter the Draft Buncrana and Environs Development Plan 2007 and amend the draft plan so as to rezone from “Recreation, Amenity and Open Space” to “Primarily Residential.”

Material Alteration No. 18

On the proposal of Clr. MacLochlainn, seconded by Clr. Donaghey, it was resolved to materially alter the Draft Buncrana and Environs Development Plan 2007 and amend the draft plan from part “Local Environment” and part “Recreation, Amenity and Open Space” to “Primarily Residential.”

Material Alteration No. 19

On the proposal of Clr. Donaghey, seconded by Clr. Conaghan, it was resolved to materially alter the Draft Buncrana and Environs Development Plan 2007 and amend the draft plan by rezoning from “Local Environment” to “Opportunity Site 7.”

Material Alteration No. 20

On the proposal of Clr. Donaghey, seconded by Clr. MacLochlainn, it was resolved to materially alter the Draft Buncrana and Environs Development Plan 2007 and amend the draft plan by rezoning from “Recreation, Amenity and Open Space” to “Primarily Residential.”

Material Alteration No. 21

On the proposal of Clr. MacLochlainn, seconded by Clr. McGuinness, it was resolved not to accept the County Manager’s recommendation and in lieu to proceed with the material alteration as published thus amending the Draft Buncrana and Environs Development Plan 2007 by rezoning from “Strategic Residential Reserve” to “Primarily Residential.”

Material Alteration No. 22

On the proposal of Clr. MacLochlainn, seconded by Clr. Donaghey, it was resolved to materially alter the Draft Buncrana and Environs Development Plan 2007 and amend the draft plan by rezoning from “Biodiversity Protection Area” to “Established Development.”

Material Alteration No. 23

On the proposal of Clr. Donaghey, seconded by Clr. McGuinness, it was resolved to materially alter the Draft Buncrana and Environs Development Plan 2007 and amend the draft plan by rezoning from “Biodiversity Protection Area” to “Local Environment.”

Material Alteration No. 24

On the proposal of Clr. Donaghey, seconded by Clr. McGuinness, it was resolved not to accept the County Manager’s recommendation but in lieu to modify with the material alteration to amend the Draft Buncrana and Environs Development Plan 2007 by rezoning from “Opportunity Site 1” and Biodiversity Protection Area, to “Local Environment”, as per map attached as Appendix 1 to report circulated at meeting.

Material Alteration No. 25

On the proposal of Clr. Donaghey, seconded by Clr. MacLochlainn, it was resolved to materially alter the Draft Buncrana and Environs Development Plan 2007 and amend the draft plan by rezoning from “Biodiversity Protection Area” to “Opportunity Site 1”

Material Alteration No. 26

On the proposal of Clr. Donaghey, seconded by Clr. MacLochlainn, it was resolved not to accept the County Manager’s recommendation but in lieu materially alter the Draft Buncrana and Environs Development Plan 2007 and zone part of the land from “Biodiversity Protection Area” to “Biodiversity Protection Area A” and part of the lands from Biodiversity Protection Area” to “Local Environment”, as per map attached to report circulated at meeting.

Material Alteration No. 27

On the proposal of Clr. MacLochlainn, seconded by Clr. Donaghey, it was resolved to materially alter the Draft Buncrana and Environs Development Plan 2007 and amend the draft plan by rezoning from “Biodiversity Protection Area” to “Biodiversity Protection Area B.”

Material Alteration No. 28

On the proposal of Clr. MacLochlainn, seconded by Clr. Donaghey, it was resolved to materially alter the Draft Buncrana and Environs Development Plan 2007 and amend the draft plan so that “Opportunity Site 5, Fruit of the Loom Ballymacarry” page 30 of the core document of the draft plan reads as follows:-

“The site is accessed from and dissected by an arterial road off the R238 (Derry Road). The site is 23 hectares in size and at present comprises the former Fruit of the Loom factory, a comparison goods outlet and undeveloped lands. Adjacent uses are general employment and residential. The site benefits from key access on the southern side of the town to the Letterkenny-Derry economic corridor and also benefits from proximity to the inner relief road.

Development of this “edge of centre” site may be appropriate for a mix of uses within the overall site such as employment generating developments, business, residential, retail. Any application for development of this site that incorporates a retail element shall be subject to the retail policies set out at Chapter 5 of the core document within which the sequential approach is paramount in the consideration of a retail proposal. Development of this site should have regard to the existing adjacent road network and the residential amenities of adjoining properties. In the event that a proposal is forthcoming for part of the overall site, the development proposal shall consist of a Framework/Masterplan for the entirety of the site.”

Material Alteration No. 29

On the proposal of Clr. Donaghey, seconded by Clr. MacLochlainn, it was resolved to materially alter the Draft Buncrana and Environs Development Plan 2007 and amend the draft plan so that “Opportunity Site 4, Swilly Hotel & Pier”, page 29 of the core document reads as follows:-

“The site encompasses Buncrana pier (from which the Rathmullan Ferry departs), Swilly Hotel and area. It is a locally prominent site and forms a vista from various parts of the town and surrounding hinterland. The location which is easily accessible is close to the town centre and existing public amenity areas and would lend itself to residential, leisure, tourism, marine and mixed development. Any development must be of a high architectural and environmental quality having regard to the coastal, prominent location abutting a SAC and NHA. Any proposed development at this location shall consider traffic movements that may be associated with the proposed development in the context of the existing traffic movements and flows associated with the ferry service. Any proposal shall be of a massing and scale that respects the sensitive location and the scale and massing of any surrounding properties.”

Material Alteration No. 30

On the proposal of Clr. Donaghey, seconded by Clr. MacLochlainn, it was resolved to materially alter the Draft Buncrana and Environs Development Plan 2007 and amend the draft plan so that Policy “E7:Opportunity Sites”, page 28 of the core document reads as follows:-

“Five Opportunity sites have been identified within the plan area that offer a unique development opportunity by reason of their strategic location, scale, nature, character or current use. The planning framework set out for each “Opportunity site” on the following pages shall form a guide to the type of development that may be appropriate at each location. Any specific development proposals that are not referred to in the planning frameworks, shall be considered on their own merits subject to the constraints identified in the planning frameworks and subject to the proper planning and sustainable development of the area.”

Material Alteration No. 31

On the proposal of Clr. Donaghey, seconded by Clr. McGonagle, it was resolved to materially alter the Draft Buncrana and Environs Development Plan 2007 and amend the draft plan so that “Opportunity Site 3”, page 29 of the core document reads as follows:-

“This site is a brownfield site which consists of the former Fruit of the Loom dying plant and is now therefore an existing disused industrial building of substantial size. Previously zoned “industrial” in the Buncrana Development Plan 2002, the site was subject of an adopted variation (No. 2, 2007) to the Buncrana Development Plan 2002, zoned, “Primarily Commercial, Retail and Residential Use.” This site is coastal, and lodged between low-density residential lands to the north and east and a large public amenity area to the south. The coastal side of the site forms part of a coastal walk from Buncrana pier (opportunity site 4) through Ned’s Point (opportunity site 1), and further north along the coast. This site would lend itself to a mixed-use development of high architectural design that should harness the amenity, coastal and tourism elements at this prime location. Any proposed development shall be required to ensure the protection of the amenity shore walk and the SAC and NHA that is situated to the west of the site. Any proposal shall be of a massing and scale that respects the sensitive location and the scale and massing of any surrounding properties.”

Material Alteration No. 32

On the proposal of Clr. Donaghey, seconded by Clr. Conaghan, it was resolved to materially alter the Draft Buncrana and Environs Development Plan 2007 and amend the draft plan so that “Policy C3:- Provision of educational facilities”, page 66 of the core document reads as follows:- “The Councils shall encourage the appropriate provision of new primary and post primary educational facilities and extension of existing educational facilities where feasible during the plan period. In this regard, new educational facilities on lands that are not zoned “Community” will be considered on their own merits having regard (i) The impact on the delivery of the overall zoning (ii) The impact of loss of lands from the particular zone set against the remaining land supply (iii) The appropriateness in terms of adjoining properties (iv) The need for the facility at the particular location and (v) the proper planning & sustainable development of the area.”

Material Alteration No. 33

On the proposal of Clr. MacLochlainn, seconded by Clr. Donaghey, it was resolved to materially alter the Draft

Buncrana and Environs Development Plan 2007 and amend the draft plan so that the zoning objective on the land use zoning map and at page 21 of the core document, in relation to “Local Environment” reads as follows:-

“To provide for a spatial development pattern that is reflective of a dispersed rural settlement pattern and that is related in form and scale to the level of existing physical and social infrastructure in the area and that can be integrated and absorbed into the landscape.”

Material Alteration No. 34

On the proposal of Clr. Donaghey, seconded by Clr. MacLochlainn, it was resolved to materially alter the Draft Buncrana and Environs Development Plan 2007 and amend the draft plan so as to amend Policy BNH11, page 61 of the core document so that it reads as follows:-

“BNH11: Development within “local environment” zoning. Proposals for development within the lands zoned, as “local environment” will only be permitted if it can be demonstrated that:-

- (a) The development is reflective of a dispersed rural settlement pattern in a manner in line with the proper planning and sustainable development of the area.
- (b) The development is related in form and scale to the level of existing physical and social infrastructure in the area.
- (c) The development can be integrated and absorbed into the landscape.”
- (d) The development is of a high standard of architectural quality in both design and layout.
- (e) The areas zoned “local environment” are areas that are of a rural nature at present and/or are generally on the fringe of the town and/or consist of a dispersed small scale development pattern within and/or are of a landscape quality that is not appropriate for widespread and large scale development.”

Material Alteration No. 35

On the proposal of Clr. Donaghey, seconded by Clr. MacLochlainn, it was resolved to materially alter the Draft Buncrana and Environs Development Plan 2007 and amend the draft plan so as to amend policy H5, page 47 of the core document, so that it reads as follows:-

“Residential development will be considered on lands zoned “local environment” where it is demonstrated that policy BNH11 can be compiled with.”

Material Alteration No. 36

On the proposal of Clr. Donaghey, seconded by Clr. MacLochlainn, it was resolved to materially alter the Draft Buncrana and Environs Development Plan 2007 and amend the text at page 45 of the core document of the draft plan

FROM:

“H2 Housing zoning: “Strategic Residential Reserve”
Proposals for housing development on lands zoned “strategic residential reserve” shall be considered in addition to the land provision under policy H1, where the following conditions can be demonstrated and subject to compliance with other relevant policies in this plan:

- (a) The extent of lands zoned as “residential” under policy H1, has been exhausted or
- (b) There are insufficient lands zoned “residential” under policy H1 that can serve the housing needs of the town or
- (c) The land zoned for residential development are overtly constrained by ownership or infrastructure to facilitate development and
- (d) The development will contribute to the consolidation of existing established residential development and will contribute to the provision of services, infrastructure and facilities including better links with the existing town centre.”

TO:

“H2: Housing zonings: “Strategic Residential Reserve”
Proposals for housing development on lands zoned “strategic residential reserve” shall be considered in addition to the land provision under policy H1, where the following conditions can be demonstrated and subject to compliance with other relevant policies in this plan:

- (a) The extent of lands zoned as “residential” under policy H1, has been exhausted or
- (b) There are insufficient lands zoned “residential” under policy H1 that can serve the housing needs of the town or

- (c) The land zoned for residential development are overtly constrained by ownership or infrastructure to facilitate development or
- (d) The development will contribute to the consolidation of existing established residential development and will contribute to the provision of services, infrastructure and facilities including better links with the existing town centre.”

Material Alteration No. 37

On the proposal of Clr. Donaghey, seconded by Clr. MacLochlainn, it was resolved to materially alter the Draft Buncrana and Environs Development Plan 2007 and amend the draft plan by omitting the following text in its entirety from Policy H10: Housing Densities, page 48 of the core document;

“Where specified on the land use zoning map housing density shall be required to be “Low Density Residential” (LDR), in the region of 15 units per hectare with a view to establishing quality residential environments on lands that merit consideration for lower density development on the basis of location, surrounding development, biodiversity, landscape character, environmental considerations.”

Material Alteration No. 38

On the proposal of Clr. Donaghey, seconded by Clr. MacLochlainn, it was resolved to materially alter the Draft Buncrana and Environs Development Plan 2007 and amend the draft plan so as to insert the following text after “Opportunity site 5”, page 30 of the core document so as to state:

“Opportunity Site 6:- Rockytown

“The lands are located in close proximity to the “town centre and within surrounding high density residential development. The lands represent a unique development opportunity to provide for a mix of development that may have potential to contribute to the social and community infrastructure that serve the area. Given the location of the lands within a high density urban environment, any proposals for the site shall make provision for active recreational enjoyment by the wider community including planting of indigenous tree species.”

Material Alteration No. 39

On the proposal of Clr. Donaghey, seconded by Clr. MacLochlainn, it was resolved to materially alter the Draft Buncrana and Environs Development Plan 2007 and amend the title of zoning objective in respect of “Biodiversity Protection Area” on both the land use zoning map and on page 22 of the core document of the draft plan so as to be entitled “Biodiversity Protection Area A” and to revise the zoning objective on both the land use zoning map and on page 22 of the core document of the draft plan as follows:

“Biodiversity Protection Area A: To conserve and protect the identified lands from any new development except in exceptional circumstances and subject to demonstration of compliance with criteria under policy BNH18.”

Material Alteration No. 40

On the proposal of Clr. Donaghey, seconded by Clr. MacLochlainn, it was resolved to materially alter the Draft Buncrana and Environs Development Plan 2007 and amend the draft plan by inserting an additional zoning objective both on the land use zoning map and on page 22 of the core document of the draft plan as follows:

“Biodiversity Protection Area B: To conserve and protect the identified land from any new development.”

Material Alteration No. 41

On the proposal of Clr. Donaghey, seconded by Clr. MacLochlainn, it was resolved to materially alter the Draft Buncrana and Environs Development Plan 2007 and amend the draft plan by inserting a new policy at page 64 of the core document of the draft plan, as follows:

“BNH18: Biodiversity Protection Area A & B- It is the policy of the Councils to protect the biodiversity value of the lands identified as “Biodiversity Protection Area A &B” as follows:

Biodiversity Protection Area A: To conserve and protect the identified lands from any new development except in exceptional circumstances as follows:

- (a) Where the proposal is for a single one off house only and
- (b) Where the proposal does not adjoin or abut the boundary of an existing or permitted building but rather where it can be demonstrated that the proposal will not result in the consecutive loss of woodland and/or habitat and
- (c) Where it can be demonstrated that the proposal will result in a pocket of built form within the existing woodland and
- (d) Where it can be demonstrated that buffer/greenbelt areas of woodland provide for separation and dilution of the impact of the proposed built form and existing/permitted development and
- (e) Where a local and site specific biodiversity/habitats assessment is submitted as part of the planning application that will include mitigation measures to reduce the impact on biodiversity and
- (f) Where the site layout provides for integration of the existing biodiversity/habitat within the proposal together with proposals for the planting of indigenous and appropriate tree species.
- (g) Where the house type is such as to be subsumed within the surrounding woodland area and therein that the proposal is not substantially visible from the public road or from public viewing points.

Biodiversity Protection Area B: To conserve and protect the identified lands from any new development.”

Material Alteration No. 42

On the proposal of Clr. Donaghey, seconded by Clr. MacLochlainn, it was resolved to materially alter the Draft Buncrana and Environs Development Plan 2007 and amend the draft plan by inserting additional opportunity site text at page 31 of the draft plan, so as to state:

“Opportunity Site 7: Cockhill Road

This unique site is located on the “edge of town centre” and is to the east of Opportunity Site 2. This site is complex given its potential for development due to the proximity to the town centre set against the need to provide adequate protection to the historic access to Buncrana Castle

(Protected Structure) and therein to the overall context and setting of the protected structure, and also the need to provide protection to the views and character to be had from the public walkways that exist and that are delineated as proposed in this plan. Therefore any future proposal on this site shall ensure the development proposal provides for the integration and protection of the context and setting of the protected structure, and the integration of existing and proposed walkways in such a manner so as to harness these historical, cultural and environmental resources that will assist in providing a quality edge of town centre development.”

Material Alteration No. 43

On the proposal of Clr. Donaghey, seconded by Clr. MacLochlainn, it was resolved to materially alter the Draft Buncrana and Environs Development Plan 2007 and amend the draft plan so as to amend the first paragraph of H10: Housing Densities, page 48 of the core document

FROM:

“Unless otherwise indicated on the land use zoning map, housing densities shall generally be in line with the density of any surrounding existing housing development. As a guide, densities of 20 units per hectare will be appropriate in suburban/greenfield sites whilst higher densities of up to 40 units per hectare shall be sought for brownfield sites and sites in proximity to the town centre”

TO:

“Housing densities shall generally be in line with the density of any surrounding existing housing development. As a guide, densities of 20 units per hectare will be appropriate in suburban/greenfield sites whilst higher densities in the region of 40 units per hectare shall be sought for brownfield sites and sites in proximity to the town centre.”

Material Alteration No. 44

On the proposal of Clr. Donaghey, seconded by Clr. MacLochlainn, it was resolved to materially alter the Draft Buncrana and Environs Development Plan 2007 and amend Appendix A of the draft plan “Development Guidelines and

Technical Standards” at page 1, section 1.2 paragraph 1 so as to state:-

“The standards for construction set out in the DOEHLG publication, Recommendations for site development works for housing areas 1998 or any subsequent amended version of this document adopted by the Councils, shall apply to all new housing estate development.”

On the proposal of Clr. Mac Lochlainn, seconded by Clr. Donaghey, it was resolved to make the Buncrana & Environs Development Plan 2008- 2014 in line with the contents of the document entitled “Draft Buncrana and Environs Development Plan 2007” and in conjunction with the recommendations in relation to the Material Alterations set out in Section 3 of this report, together with associated amendments made during the meeting, and to publish the new plan entitled “Buncrana & Environs Development Plan 2008- 2014” including the publication of a notice in accordance with the provisions of Section 12 of the Planning and Development Act 2000- 2006 together with Information on Decision in accordance with Article 7 of the Planning and Development (Strategic Environmental Assessment) Regulations 2004.

Mr. Francie Coyle, Director of Planning and Economic Development thanked all who had been involved in the preparation of the plan for their ongoing commitment and dedication to the process.

C/151/08 CONSIDERATION OF MANAGER’S REPORT ON PRE-DRAFT CONSULTATION IN RESPECT OF REVIEW OF LETTERKENNY AND ENVIRONS DEVELOPMENT PLAN 2003-2009(AS VARIED)

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

Mr. Francie Coyle, Director Planning and Economic Development advised that the purpose of the pre-draft plan Manager’s Report was to identify and examine the issues raised by the submissions during the pre-draft public consultation process. These, he stated, would guide the future policies and objectives of the Letterkenny and Environs Development Plan 2009-2015.

Members welcomed the report and the excellent work carried out by the staff in the Central Planning Unit.

The importance of incorporating the Strategic Reserve Model within the plan was acknowledged, together with the need to provide high quality low-density housing. The need for a specific transportation policy was also highlighted. Members also outlined the necessity of complying with the Regional Planning Guidelines.

The necessity of having road and lighting infrastructure prior to the occupancy of estates etc. was deemed to be a priority. Members outlined the necessity of complying with the Regional Planning Guidelines

On the proposal of Clr. Larkin, seconded by Clr. Brogan, it was resolved to proceed with the preparation of the Draft Letterkenny & Environs Development Plan subject to the recommendations set out in Section A of the Manager's Report.

C/152/08 TO AGREE PUBLICATION OF THE PROPOSED DRAFT AMENDMENT TO LIFFORD LOCAL AREA PLAN 2007-2013

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

Amendment 1(a)

On the proposal of Clr. Crawford, seconded by Clr. Mc Daid, it was resolved to amend the Lifford Local Area Plan 2007-2013 and rezone lands from "Agricultural" to "Residential" (with a 10 metre development free buffer, zoned "Agricultural" alongside the proposed N14 Realignment Corridor) *Vide Appendix 1 hereto.*

Amendment 1(b)

On the proposal of Clr. Mc Daid, seconded by Clr. Crawford, it was resolved to amend the Lifford Local Area Plan 2007-2013 and rezone lands from "Agricultural" to "Residential" (with a 10 metre development free buffer, zoned "Agricultural" alongside the proposed N14 Realignment Corridor) *Vide Appendix 1 hereto.*

Amendment 1(c)

On the proposal of Clr. Crawford, seconded by Clr. Mc Daid, it was resolved to amend the Lifford Local Area Plan 2007-2013 and relocate lands that were zoned as “ Public Utilities” to the site identified on Map 2 (proposed amendment (1c) and to rezone those underlying lands as both an “Amenity Area “ and an area of Sporting Excellence”. Lands zoned as “Public Utilities” may accommodate a proposed new Waste Water Treatment Plant. *Vide Appendix 1 hereto.*

Amendment 1 (d)

On the proposal of Clr. Larkin, seconded by Clr. Crawford, it was resolved to rezone identified lands from ‘Amenity’ to ‘Opportunity Site’. In addition, to identify a 10 metre development free buffer, zoned ‘Amenity’ alongside the proposed N14 Realignment Corridor.

To indicate that no direct access will be considered onto the National Primary Route from these lands. This amendment to represent a total of 2.101 Hectares of land zoned as ‘Opportunity Site’, as identified in Map No. 3
Vide Appendix 1 hereto.

Concern was expressed that amendments were being made to the Draft Lifford Local Area Plan so soon after its adoption. It was noted that a number of sporting clubs had received capital grants on the basis of the original zoning. It was agreed to publish the draft amendments to the Lifford Local Area Plan 2007 – 2013.

C/153/08

TO AGREE PUBLICATION OF THE PROPOSED DRAFT AMENDMENT TO NEWTOWNCUNNINGHAM LOCAL AREA PLAN 2007-2013

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

Clr. Conaghan stated that he was concerned that there was not sufficient acreage for the development of a secondary school facility and noted that the lands might be more suitable for the development of crèche, playschool facilities. On the proposal of Clr. Conaghan, seconded by Clr. Donaghey, it was resolved to rezone lands from “Community/ Education” to “ High Density Residential”

On the proposal of Clr. Conaghan, seconded by Clr. Mc Guinness it was resolved to amend text within the Plan, Section 5.3 – Land Use Zoning Objectives, page 28

FROM:

“Recreation/Amenity & Leisure, to reserve these lands for recreation/amenity and leisure use, including ancillary infrastructure.”

TO:

“Recreation/Amenity/Leisure & Education, to reserve these lands for recreation/amenity/leisure and educational use, including ancillary infrastructure.”

To amend policy RA 2, page 23

FROM

“To reserve lands south of the town for recreational/leisure facilities”,

TO:

“To reserve lands south of the town for recreational/leisure and educational facilities.”

In addition, to change the legend of the Land Use Zoning Map, to Recreation/Amenity/Leisure & Education.”

Vide Appendix 2 hereto.

It was agreed to publish the draft amendments to the Newtowncunningham Local Area Plan 2007- 2013

C/154/08

APPLICATION FOR FUNDING UNDER THE PEACE 111 PROGRAMME (2007-2013): MEASURE 2.1 CREATING SHARED PUBLIC SPACES IN RESPECT OF THE FOLLOWING PROJECTS: 1
PETTIGO/TULLYHOMMON- THE MODEL ECO VILLAGE PROGRAMME 2. LIFFORD/STRABANE REGENERATION PROGRAMME

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

On the proposal of Clr. Kennedy, seconded by Clr Crawford, it was resolved to approve the application for funding under the Peace 111 Programme (2007-2013): Measure 2.1

Creating Shared Public Spaces in respect of Pettigo/Tullyhommon.

On the proposal of Clr. Crawford, seconded by Clr Larkin, it was resolved to approve the application for funding under the Peace 111 Programme (2007-2013): Measure 2.1 Creating Shared Public Spaces in respect of the Lifford/Strabane Regeneration Programme.

C/155/08 TO AGREE DATE FOR ANNUAL GENERAL MEETING
On the proposal of Clr. Conaghan, seconded by Clr. Brogan it was resolved to hold the 2008 Annual General Meeting Donegal County Council on Monday 23rd June, 2008 at 11.00am in the Council Chamber, County House, Lifford.

C/156/08 PAYMENT OF TRAVELLING/SUBSISTENCE EXPENSES TO COMMITTEE MEMBERS WHO ARE NOT LOCAL AUTHORITY MEMBERS
On the proposal of Clr. Brogan, seconded by Clr. E. Bonner, it was resolved in accordance with the directions given by the Minister under Article 16 of the Local Government (Expenses of Local Authority Members) Regulations 2006, that Donegal County Council resolve to pay travelling and /or subsistence in respect of attendance by persons to whom this article applies at meetings of committees or joint committees of which they are members and while such resolution is in force such attendance shall for the purposes of this article , be deemed to be a matter to which this Part applies, and that this resolution is deemed to be effective from 1st January, 2007.

C/157/08 AMENDMENT TO STANDING ORDER NO. 87
Members considered the report, circulated with the agenda, in relation to the above.
On the proposal of Clr. Brogan, seconded by Clr. Larkin, it was resolved to amend Standing Order No. 87 to read as follows:

“The strategic policy committees shall be appointed as soon as possible after a local election and the members shall hold office for the period of the life of the Council appointing them. Three shall constitute a quorum of whom two shall be elected members and one sectoral/community; however, if following the expiry of 30 minutes after the scheduled time of commencement of the meeting there is no sectoral/community member in attendance, the meeting may

proceed provided always there is a minimum of three elected members in attendance”

C/158/08 TO APPROVE RAISING OF LOAN OF €7,330,000 TO FUND 1. COST OF NON DOMESTIC METERING PROJECT AND 2. NON DOMESTIC MARGINAL CAPITAL COST.

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

On the proposal of Clr. Conaghan, seconded by Clr. Larkin, the raising of a loan was approved, to fund:

- a) The cost of the Non-Domestic Metering Project (€1,195,000) and
- b) The Non-Domestic Marginal Capital costs of the following projects:
 - Carndonagh Sewerage Scheme (€400,000),
 - Ballyshannon Sewerage Scheme (€300,000),
 - Rosstownlough Sewerage Scheme (€500,000),
 - Donegal Bay DBO Group A (€2,500,000),
 - Lagan Desert Phase 3 (€200,000),
 - Malin Sewerage Scheme (€180,000),
 - Desertegney WSS Stage 1 (€55,000),
 - Lough Mourne/Letterkenny Phase 1 Advance Wks (€100,000),
 - Killybegs Sewerage Scheme Contract 2 Network (€1,700,000),
 - Glenties Sewerage Scheme (€100,000)
 - Dungloe Sewerage Scheme (€100,000)

On the proposal of Clr. Conaghan, seconded by Clr. Brogan, it was resolved to hold a Workshop to discuss the issue of funding.

C/159/08 SECTION 85 WITH MAYO COUNTY COUNCIL

It was agreed to defer consideration of this item until later in the meeting.

C/160/08 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. Conaghan, seconded by Clr. Slowey, 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.
-
- (i) Rattoo Heritage Society Conference to be held on 02nd-6th April at Golf Hotel, Ballybunion, County Kerry.
 - (j) Kadenza Consultancies “Effective Communications for Councillors to be held on 04th-06th April, 2008 at The Silver Tassie Hotel, Milford Road, Letterkenny.
 - (k) Wexford Borough Council Conference “Better Local Government – Is it Working?” to be held on 3rd-05th April, 2008 at The Talbot Hotel, Wexford.
 - (l) 24th Annual Environmental Conference to be held on 17th-18th April 2008 at The Carrigaline Court Hotel, Carrigaline, County Cork.
 - (m) Enniscorthy Town Council Conference “1916 Revolution or Betrayal” to be held on 19th April, 2008 at The Riverside Park Hotel, Enniscorthy, County Wexford.
 - (n) Chambers Ireland “Local Economic & Social Development Conference” to be held on 21st April, 2008 at The Marriott Hotel, Henry Street, Limerick.
 - (o) Confederation of European Councillors Conference “Developments in the Planning Systems, North & South” to be held on 24th April, 2008 at The Killyhevlin Hotel, Enniskillen, County Fermanagh.

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

- (h) National Association of Councillors “Regeneration & Housing Conference” to be held on 11th-13th April, 2008 at The Crown Spa Hotel, Scarborough.

C/161/08

ADJOURNMENT OF MEETING

On the proposal of Clr. Alcorn, seconded by Clr. Brogan, it was resolved to adjourn the meeting to 11.00am on 14th April, 2008 to complete the remaining business.