

**COMHAIRLE CHONTAE DHUN NA nGALL**

Oifig Riarthóir na  
gCruinnithe  
Áras na Chontae  
Leifear

05 Aibreán, 2007

**FOGRA CRUINNITHE**

Beidh Cruinniú Comhairle Chontae Dhún na nGall a bhí ar athró ó 26 Márta ag dul ar aghaidh Dé Luain 16 Aibreán 2007 ag **10.00 ag Arás an Chontae, Leifear**

**DO GACH BHALL DEN CHOMHAIRLE**

**A Chara**

Iarrtar ort bheith i lathair ag an gcruinniú seo den Chomhairle. Tá Clar an Cruinnithe le seo.

Beidh Clar Orduithe an Bhainisteora Contae le feiceal ag an gcruinniú.

**Mise, le meas**

**A. MacSuibhne**

**Riarthóir Cruinniú (RUNAI CHONTAE)**

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**DONEGAL COUNTY COUNCIL**

Office of Meetings Administrator  
County House  
Lifford

05<sup>th</sup> April 2007

**NOTICE OF MEETING**

The Meeting of Donegal County Council, adjourned from 26<sup>th</sup> March 2007, will be held on Monday 16<sup>th</sup> April 2007 at 10.00am, 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 viewing at the meeting.

**Yours sincerely**

**E. Sweeney**

**Meetings Administrator (County Secretary)**

(PLEASE NOTE THAT ALL ITEMS RETAIN THEIR ORIGINAL  
ITEM NUMBERS SO AS TO CORRESPOND WITH REPORTS  
ALREADY ISSUED FOR THE MARCH MEETING)

## AGENDA

1. **Confirmation of Minutes**
  - (a) Confirmation of Minutes of Statutory Budget Meeting held on 12<sup>th</sup> January, 2007.  
Confirmation of Minutes of Adjourned Budget Meeting held on 16<sup>th</sup> January, 2007.
  
9. **Roads Programme including Marine**
  - (a) To adopt the “Road Traffic (Special Speed Limits-County of Donegal) (Amendment) Bye-Laws 2007.”  
*(Completion of item)*
  
11. **Community, Culture & Corporate Programme**
  - (d) To appoint members to An Coiste Logainmneacha/Placenames Committee.
  
13. **Mayor’s Business (Continued)**

## MOTIONS

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

### LETTERKENNY ELECTORAL AREA

#### **Roads & Transportation**

15. Clr. Harte  
“That this Council rename the Business Park Road, Letterkenny “The Flight of the Earls Road” in recognition of the 400<sup>th</sup> Anniversary.” (C)
16. Clr. Crawford  
“That this Council review its system of road restoration after water supply network repairs.” (C)

#### **Community, Culture & Enterprise**

17. Clr. Larkin  
“That this Council discuss the running and costs involved in manning the Regional Arts Centre.” (C)

### DONEGAL ELECTORAL AREA

#### **Roads & Transportation**

18. Clr. McEniff  
“That the Council name the re-constructed bridge in Donegal Town the Peter Kennedy Bridge.” (L)

### MILFORD ELECTORAL AREA

#### **Roads & Transportation**

19. Clr. McGarvey  
“That this Council as a matter of urgency survey the Letterkenny to Milford road and make a special application

for funding to provide a road to meet the requirement for the volume of traffic using this road.” (L)

20. Clr. Blaney  
“That this Council discuss the consequences of the new Health & Safety Regulations that were signed up recently by members of the Roads & Transportation Section of Donegal County Council?” (C)

**Planning & Economic Development**

21. Clr. McBride  
“That this Council deliver on a commitment to fund the shortfall on the cost of the Economic Impact Report for Downings Harbour development.” (L)

STRANORLAR ELECTORAL AREA

**Corporate Services**

22. Clr. Reid  
“That any Councillor who does not take up all or part of their conference allocation fund be allowed to use their monies for their members development allocation fund.” (C)

**Planning & Economic Development**

23. Clr. Bonner  
“That this Council sell their one acre site at Donegal Road, Ballybofey and purchase 10 acres at Drumboe Avenue, Stranorlar for a park/playground for the Twin Towns.” (L)

**Community, Cultural & Corporate**

24. Clr. McGowan  
“That this Council prioritise Lough Mourne as a tourism project for benign watersports, walks and other tourism related facilities in conjunction with Failte Ireland North West and that a report be given on all proposals under consideration.” (L)

## GLENTIES ELECTORAL AREA

### **Roads & Transportation**

25. Clr. Slowey  
“That this Council commission a study into the deplorable condition of the Ardara/Ardaghy road with a view to having it upgraded over the next few years.” (L)

### **Planning & Economic Development**

26. Clr. Alcorn  
“Now that the Planning Office have been allocated extra staffing I am asking Donegal County Council to have planning applications for County Council S.I. houses dealt with during the same time frame as all other planning applications.” (C)

### **Community, Culture & Enterprise**

27. Clr. Pearse Doherty  
“That Donegal County Council raises its concerns with the Northern Regional Fisheries Board as to the procedure it employed to agree a management plan for the Gweebarra River and that this Council has concerns in funding such a plan (as was suggested in the 2007 Budget Book) that has excluded local angling clubs that have fished this river for decades from the consultation process. This Council, furthermore, calls on all interested parties and stakeholders to enter into discussions in order to avert any further dispute.” (L)

## INISHOWEN ELECTORAL AREA

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

28. Clr. MacLochlainn  
“That Donegal County Council scrap plans to build a sewerage treatment plant at Carnagarve, Merville, Co. Donegal and immediately embark upon a renewed consultation process to select a new site for the Merville/Greencastle Sewerage Scheme.” (L)

29. Clr. McGuinness  
“That this Council discuss the water charge increase and the effect this will have on the economy of the county particularly on the farming, fish processing and tourism industry.” (L)

**Planning & Economic Development**

30. Clr. Conaghan  
“That this Council commence an immediate review of the County Development Plan to address some of the difficulties being encountered e.g. Policy UB1, Design Guide and the new National Regulations.” (C)

**Roads & Transportation**

31. Clr. McGonagle  
“That money be provided in 2008 for major works on the Glentogher Road, Carndonagh?” (L)

QUESTIONS

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

**LETTERKENNY ELECTORAL AREA**

**Planning & Economic Development**

32. Clr. Larkin  
“What progress has been made on my motion to open up the Planning Service to the general public, agents and especially Councillors?” (C)
33. Clr. Larkin  
“How does the Council plan to deal with planning enforcement in our Town Council areas?” (C)

### **Roads & Transportation**

34. Clr. Crawford  
“What progress has been made in relation to unfinished works at Ard na Meala, St. Johnston?” (L)
35. Clr. Crawford  
“When is it envisaged to begin improvement and environmental works at the roundabout-Lifford?” (L)

### DONEGAL ELECTORAL AREA

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

36. Clr. Pringle  
“What progress has been made on Killybegs Sewer Scheme since our last meeting, particularly on the Phasing Report and decoupling from Bundoran?” (L)
37. Clr. McEniff  
“Can the Council explain why Mr. Thomas Carr has not received any payment from the Water Section for works he has done on their behalf?” (L)

### **Corporate Services**

38. Clr. Pringle  
“What court proceedings have been carried out by Donegal County Council since 2005 and what proceedings have been issued against Donegal County Council in the same time? (except non-payment of Council charges) (C)

## MILFORD ELECTORAL AREA

### *Water, Environment & Emergency Services*

39. Clr. McGarvey  
“When will this Council provide the required extension to Milford reservoir?”(L)

40. Clr. McBride  
“Can this Council enter into discussions with developers in and around Milford Town with the view to a Public Private Partnership for the construction of a new reservoir for the town which would also be of benefit to surrounding areas such as Ramelton, Fanad and Glenvar?” (L)

### *Community, Culture & Enterprise*

41. Clr. Blaney  
“What is the up to date position on the Rathmullan-Buncrana Car Ferry and is it being extended to accommodate the Flight of the Earls celebrations this year?” (L)

### *Housing*

42. Clr. McGarvey  
“When will this Council address the issue of single men seeking housing and is it now necessary to consider some alternative as they are given very low priority at present and have no chance of being considered?” (C)

### *Planning & Economic Development*

43. Clr. McBride  
“When can we expect the EIS to commence in Milford Town?” (L)

### *Finance*

44. Clr. Blaney  
“Is this Council purchasing goods outside this state such as stationary, road material, protective clothing & footwear, etc. and, if so, why?” (C)

## STRANORLAR ELECTORAL AREA

### **Housing**

45. Clr. Reid  
“Has the Council made any progress in acquiring a land bank in Ballybofey/Stranorlar?” (L)

### **Planning & Economic Development**

46. Clr. Reid  
“In view of the disposal of Finn Park has the Council any plans to consider a new plan for Ballybofey Town Centre?”(L)
47. Clr. A. Bonner  
“Will this Council ensure that sufficient lands are zoned to cater for industrial/enterprise park development for the Twin Towns, as the position to date has been a total failure?” (L)
48. Clr. McGowan  
“Will the Council give a report/outline on the North West Regional Sports Centre at the Finn Valley centre lands in Stranorlar showing the proposals for swimming pool, Finn Harps Stadium, training pitches for football, Finn Valley Athletic, GAA, BASICC Community Enterprise Centre etc. given an overall layout of same?” (L)

### **Community, Culture & Enterprise**

49. Clr. A. Bonner  
“Will this Council secure funding from Community & Enterprise or Development Contribution Scheme to carry out a feasibility study on the possibility of promoting non-motorised water sports on Lough Mourne?” (L)

### **Roads & Transportation**

50. Clr. McGowan  
“Can a full report be given as to what proposals the Council has for Castlefin Bridge following the two structural assessment carried out in 2004 and 2006?” (L)

## GLENTIES ELECTORAL AREA

### Corporate Services

51. Clr. Slowey  
“What actions are this County Council going to take to meet the minimum requirement of 3% for the employment of people with a disability?” (C)

### Community, Culture & Enterprise

52. Clr. Slowey  
“When will the people of Glenties have their library restored to the town?” (L)

### Water, Environment & Emergency Services

53. Clr. Pearse Doherty  
“What is the current and planned situation in relation to development of new fire stations at Ballyshannon & Bundoran?” (L)
54. Clr. Pearse Doherty  
“What is the latest progress in relation to the Gweedore Sewerage Scheme?” (L)
55. Clr. Alcorn  
“Could I have an update on the new Burtonport Sewerage Scheme and details of what work has been carried out by Donegal County Council on this application since clarification was sought by the Department of the Environment some 7 months ago?” (L)
56. Clr. O’Domhnaill  
“What progress is being made to progress the provision of a new sewerage scheme in Gortahork?” (L)

### **Roads & Transportation**

57. Clr. Alcorn  
“What was the overall cost incurred by Donegal County Council in sanding roads after oil spillages for year ending 23/12/2006?” (C)

### **Housing**

58. Clr. O’Domhnaill  
“What progress is being made to allow single applicants to be considered for a Specific Instance cottage built on their own land?” (C)

## **INIISHOWEN ELECTORAL AREA**

### **Roads & Transportation**

59. Clr. MacLochlainn  
“What progress has been made to date on implementing the motion passed last year, that Donegal County Council would liaise with the School Boards of Management and Parents Committees across the county to erect bus shelters at agreed locations funded by advertisements from private businesses as is the case in the six counties?” (C)
60. Clr. McGuinness  
“Has the Council put in place the necessary funding to progress the Greencastle Harbour Development?” (L)
61. Clr. McGonagle  
“When will the footpath at Straid Road, Clonmany be started?” (L)
62. Clr. McGonagle  
“When will work begin at Barrack Hill, Carndonagh?” (L)

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

63. Clr. MacLochlainn  
“What timeframe is envisaged before the delivery of a Civic Amenity Site for Buncrana?” (L)

64. Clr. McGuinness  
“What progress has been made on my motion adopted at the September 2006 meeting to introduce bylaws and plans for Culdaff beach and environs?” (L)

65. Clr. Conaghan  
“What is the latest position on a new sewerage scheme for Carrigans and when is work likely to start?” (L)

### **Planning & Economic Development**

66. Clr. Conaghan  
“Is the Planning Office adhering to the Killea Local Area Plan given that a number of multiple developments have been applied for in the area?” (L)

### **MOTIONS FROM OTHER COUNCILS**

67. LIMERICK COUNTY COUNCIL  
“At the January Monthly Meeting of Limerick County Council, reference was made to the inadequacy of services to cater for the needs of young adults suffering from Cystic Fibrosis, despite the fact that €7 million has been allocated for Cystic Fibrosis between 2005 and the beginning of 2007. it was unanimously agreed to write to the Taoiseach, the Tanaiste and the Minister for Health and Children urging that the funding provided would be spent effectively and speedily for the benefit of this age group.”

68. COUNTY CARLOW VOCATIONAL EDUCATION COMMITTEE  
“Against the background of high death rates amongst young people in road accidents in Ireland, we, the members of County Carlow Vocational Educational Committee call on the Minister for Finance to amend the current 21% rate of VAT charged on personal protective equipment for road users to Zero Rated and include in Annex H of the Sixth

VAT Directive 77/388/EEC lifesaving equipment such as helmets, boots, jackets, trousers, gloves, reflective helmets and child car safety seats.”

Points to Note

- Life saving safety equipment such as a helmet and child safety seat are required by law.
- The six basic pieces of equipment for a juvenile using a motorcycle, moped or scooter, cost as follows:-
  - Helmet € 79.00
  - Boots €160.00
  - Jacket €150.00
  - Trousers € 85.00
  - Gloves € 40.00
  - Reflective Belt € 22.00

Total €36 (inc. €12.56 VAT)

All the gear mentioned above has armour plating at elbows and knees, finger supports, reinforced protective panels, settle toe-caps and no perforative soles. The helmets have to abide by stringent international standards. Lowest cost price used.

- Child Car Safety Seats cost from €49.00 (including €8.67 VAT) to €19.99 (including €20.82 VAT) – Argos and Ken Black’s Stores.
- Lifesaving Safety Equipment in the U.K. is currently zero VAT rate
- The recently published European Road Safety Action Programme (Feb 06) highlights the need for legislation to increase safety for motorcycle riders and “to give consideration to additional measures.”

69.

ASSOCIATION OF COUNTY AND CITY COUNCILS

“That the Association of County and City Councils calls on the Minister for the Environment to update the dog control legislation of 1998 so that an OUTRIGHT BAN can be applied to certain dangerous breeds such as pit-bull terriers.”

70. LIMERICK COUNTY COUNCIL  
“That Limerick County Council calls on the Minister for the Environment, Heritage and Local Government and the Minister for Social, Community & Family Affairs to put a grant/voucher system in place for pensioners to assist them in the cleaning of their chimneys on a twice yearly basis.”
71. SOUTH TIPPERARY COUNTY COUNCIL  
“That South Tipperary County Council bring to the attention of the Minister for the Environment, Heritage and Local Government the difficulty in getting the ESB to provide and maintain the public lighting network throughout South Tipperary and to identify what, if any, procedure can be applied to rectify this situation.”

MINUTES OF ADJOURNED MEETING OF DONEGAL  
COUNTY COUNCIL HELD ON 16<sup>TH</sup> APRIL, 2007 IN THE  
COUNCIL CHAMBER, COUNTY HOUSE, LIFFORD

C/168/07     MEMBERS PRESENT

Clrs. E. Bonner, Mayor, D. Alcorn, L. Blaney, A. Bonner, J. Boyle, C. Brogan, B. Byrne, F. Conaghan, G. Crawford, Pdraig Doherty, R. Donaghey, J. Harte, J. Kennedy, D. Larkin, N. McBride, T. McDaid, M. McDonald, S. Mc Eniff, I. McGarvey, D. McGonagle, P. Mc Gowan, B. McGuinness, P. MacLochlainn, T. Pringle, J.J. Reid and T. Slowey.

C/169/07     APOLOGIES

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

C/170/07     OFFICIALS IN ATTENDANCE

Mr. Michael McLoone County Manager, Mr. Liam Kelly, Assistant County Manager/Director Housing, Mr. John McLaughlin, Director Roads & Transportation, Mr. Sean Sheridan, Director Corporate, Mr. Francie Coyle, Director Planning & Economic Development, Mr. Peadar Mac Rory, A/Director, Water, Environment, Emergency Services, Mr. Aidan Mc Nicholas, Head of Finance, Mr. Gary Martin, S.E.O., Ms Helena O' Toole, Senior Planner, Mr Eunan Quinn, Senior Planner, Mr. John Mc Elwaine, Executive Engineer, Mr. Eunan Sweeney, Meetings Administrator, Ms. Anne Marie Crawford, Staff Officer.

C/171/07     CONFIRMATION OF MINUTES OF STATUTORY  
BUDGET MEETING HELD ON 12<sup>TH</sup> JANUARY, 2007.

On the proposal of Clr.Crawford , seconded by Clr. Conaghan, the Minutes of Statutory Budget Meeting held on 12<sup>th</sup> January, 2007 were adopted..

C/172/07 CONFIRMATION OF MINUTES OF ADJOURNED STATUTORY BUDGET MEETING HELD ON 16<sup>TH</sup> JANUARY, 2007.

On the proposal of Clr. Conaghan, seconded by Clr. Crawford the Minutes of the Adjourned Statutory Budget Meeting held on 12<sup>th</sup> January, 2007 were adopted, subject to Minute C/16/07 being amended to include the following in the motion after the words *miscellaneous expenditure in Programme Group 8*:

“ and whilst recognising that fixing of commercial water charges is an executive function and, therefore, a matter for the County Manager to decide, it is recommended that the County Manager give consideration to introducing the proposed 18 % increase in commercial water charges over a two year period with the consequent shortfall in revenue funded from the additional accounts.”

C/173/07 TO ADOPT ROAD TRAFFIC (SPECIAL SPEED LIMITS-COUNTY OF DONEGAL) (AMENDMENT) BYE-LAWS 2007 (CONTINUED FROM MEETING ON 26<sup>TH</sup> MARCH, 2007)

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

On the proposal of Clr. Conaghan, seconded by Clr. Mc Eniff, it was resolved to impose a 50kph speed limit at Nurses Lane, Tooban between its junction with the Burnfoot Road (R238) and its junction with the Inch Island Road.

On the proposal of Clr. Mc Guinness, seconded by Clr. Mc Donald, it was resolved to increase the existing speed limit on the R238 at Redcastle and adjacent roads to 60kph with a 50kph limit agreed inside the 60kph zone at both ends.

In response to a query from Clr. Mc Guinness, the Director of Roads and Transportation confirmed that the Muff to Redcastle Road could not be upgraded to 100kph as it did not qualify under the rules issued by the Department of Transport.

On the proposal of Clr. Conaghan, seconded by Clr. Mc Gowan, it was resolved to adopt the proposed Road

Traffic(Special Speed Limits – County of Donegal)  
(Amendment ) Bye- Laws 2007 subject to the above  
amendments.

C/174/07

TO APPOINT MEMBERS TO AN COISTE  
LOGAINMNEACHA/PLACENAMES COMMITTEE

Members continued consideration of the reports circulated at  
the Meeting of Donegal County Council held on the 26<sup>th</sup>  
March, 2007 and the Adjourned Meeting in relation to the  
above.

On the proposal of Clr. Byrne, seconded by Clr. Alcorn, it  
was resolved that Mr. James Mc Brearty, Bogagh, Carrick be  
selected as the Community Representative on the Coiste  
Logainmneacha/Placenames Committee..

On the proposal of Clr. Alcorn, seconded by Clr. Mc Eniff, it  
was resolved that the following appointments be made to the  
Placenames Committee:-

<b>Organisation / Sector</b>	<b>Nominee</b>
Glenties EA	<u>Clr. Brian Ó Domhnaill</u>
Milford EA	<u>Clr. Noel McBride</u>
Letterkenny EA	<u>Clr. Dessie Larkin</u>
Inishowen EA	<u>Clr. Marian McDonald</u>
Donegal EA	<b>Clr. Thomas Pringle</b>
Stranorlar EA	<u>Clr. Patrick McGowan</u>
Letterkenny Town Council	<u>Clr. Jean Crossan</u> Woodlands, Letterkenny, Co. Donegal
Buncrana Town Council	<u>Clr. Joseph Doherty</u> Rockfield Terrace, Buncrana, Co. Donegal
Bundoran Town Council	<u>Clr. Philip McGlynn</u> Lisadell Ave., Westend, Bundoran, Co. Donegal
Ballyshannon Town Council	<u>Clr. Eunan Doyle</u> Belleek Road, Ballyshannon, Co. Donegal
Donegal Historical Society	<u>Vincent Ó Dómhnaill</u> Drimnakillen, Inver, Co. Donegal
	<u>Máire Bn Uí Chonluain</u> Fernbank, Magherannan, Letterkenny, Co. Donegal
	<u>Niall Mac Fhionnghaile</u> Mín a'Lábain, Leitir Ceanainn, Co. Dhún na nGall

An Post	<u>Mr. Ed Margey</u> An Post, 55 Main Street, Letterkenny, Co. Donegal
HSE (Ambulance Service)	<u>Mr. Pauric Sheerin</u> Ambulance Service HQ, 1 Parkview, Ballyshannon, Co. Donegal
An Garda Síochána	<u>Garda Joseph Lynch</u> Letterkenny Garda Station, Co. Donegal
An Roinn Gnóthaí Pobail, Tuaithe & Gaeltachta	<u>Mr. Diarmaid Ó Mórdha</u> Páirc Ghnó Ghaoth Dobhair, Na Doirí Beaga, Leitir Ceanainn, Co. Dhún na nGall
Irish Architects Association	<u>Mr. John Masterson</u> MH Associates, Convent Road, Letterkenny, Co. Donegal
Community Representative	<b>Mr. James Mc Brearty,</b> Bogagh, Carrick, Co Donegal
<b>TOTAL</b>	<b>19</b>

C/175/07

#### MAYOR'S BUSINESS CONTINUED

- The Mayor congratulated the Donegal Senior Football Team on reaching the Final of the National League Competition.
- Congratulations were also extended to the St Eunans Team on reaching the All Ireland B Final.
- Clr. Bonner extended his congratulations to all of those involved in the Flight of the Earls launch at the European Parliament and affirmed that the event had been an outstanding success.

#### MOTIONS AND QUESTIONS

Clrs. Mac Lochlainn and Harte both requested that their respective motions be dealt with at this juncture, as they had to leave the meeting to attend to other appointments.

Clr. Mc Garvey proposed, seconded by Clr. Mc Daid, that Clr. Mac Lochlainn's be brought forward for consideration.

It was agreed to consider Clr. Harte's Motion (No. 15 on agenda) followed Clr. Mac Lochlainn's.

C/176/07 RENAMING OF LETTERKENNY BUSINESS PARK ROAD

The following motion was proposed by Clr. Harte, seconded by Clr. Slowey: -

“That this Council rename the Business Park Road, Letterkenny, “The Flight of the Earls Road” in recognition of the 400<sup>th</sup> Anniversary.”

Members were informed that: -

If the Council adopt this Motion, it will be forwarded to the Placenames Committee for consideration

Clr. Harte advised that the spelling should be in Irish and be formally endorsed by the Placenames Committee.

A number of members indicated that they were unhappy with this proposal and advocated that there should be no change in the title given the amount of EU and public funding invested in the road. It was suggested that a Public Art Competition for schools in the county would perhaps be a more fitting commemorative gesture.

Clr. Mc Guinness proposed that the motion be varied to read as follows and Clr. Harte agreed and seconded the proposal:-

“That this Council rename the Business Park Road, Letterkenny, “ The Flight of the Earls, Business Park Road”

A show of hands was taken on the motion, as varied, with 7 voting for and 15 against.

The Mayor declared the motion defeated.

C/177/07 SCRAPPING OF PLANS TO BUILD A SEWERAGE TREATMENT PLANT AT CARNAGARVE , MOVILLE

Clr. Mac Lochlainn requested that the following motion in his name be withdrawn given that there was now insufficient time to deal with the matter: -

“ That Donegal County Council scrap plans to build a sewerage treatment plant at Carnagarve, Moville, Co Donegal and immediately embark upon a renewed consultation process to select a new site for Moville/Greencastle Scheme.”

C/178/07 REVIEW OF ROAD RESTORATION SYSTEM AFTER WATER SUPPLY NETWORK REPAIRS

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

“That this Council review its system of road restoration after water supply network repairs”

Members were informed that: -

“Detailed technical specifications for road re-instatement have been agreed with the roads service. Concerns about specific cases can be considered by the respective area managers of water & environment and roads services.”

Clr. Crawford requested clarification on the Councils road restoration policy and enquired as to which department was ultimately responsible for such works.

He advised that road restoration was not being carried out in a satisfactory manner and cited a number of instances, relating to both water bursts and restoration works where the Council had been negligent in carrying out repairs.

Members noted that this was due to a lack of co-ordination among services and lamented the fact that the consumer was not getting the best possible service.

Concern was also expressed that such lack of co-ordination was also a feature of many other council services.

They also advised that health and safety issues should not impact on the level and quality of service provided.

Mr. Peadar Mac Rory, A/Director of Water, Environment and Emergency Services stated that there were detailed technical specifications for the reinstatement of roads and confirmed that he would make these available to Clr. Crawford.

The County Managers informing members of the many cross section initiatives being undertaken particularly the E-Direct Contact Management System.

He would, he advised, carry out a systems review and asked members to provide him with details of specific instances of these systems failures..

C/179/07 MANAGEMENT OF REGIONAL ARTS CENTRE  
Motion in the name of Clr. Larkin, supported by Clr. Brogan: -

“That this Council discuss the running and costs involved in manning the Regional Arts Centre.”

The motion was formally proposed by Clr. Larkin and seconded by Clr. Brogan.

Members were informed that: -

“A report on the above is in preparation for consideration at the April Strategic Policy Committee meeting. The report will then be forwarded to the CPG and Letterkenny Town Council.”

Clrs Larkin and Brogan advised that the governance of the centre should be carried out by a dedicated Management Company and highlighted the ongoing success of the Letterkenny Theatre Management Company.

The County Manager affirmed that the balance of opinion was that the centre should stay as part of the Cultural Services Directorate but that consensus had to be reached internally. In response to this matter, and Clr. Mc Gowan’s query on the status of the Balor Theatre, he advised that a report was being prepared in which members would be updated on the linkages between the Regional Arts Centre, other County Wide Centres and the Cross Border Arts Programme

C/180/07 RENAMING OF RE-CONSTRUCTED BRIDGE IN DONEGAL TOWN.

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

“That the Council name the re-constructed bridge in Donegal Town the “Peter Kennedy Bridge.”

Members were informed that: -

“If the Council adopt this Motion, it will be forwarded to the Placenames Committee for consideration.”

It was also agreed that a plaque would be erected on the bridge commemorating the late Clr. Kennedy, and that an unveiling ceremony would be held.

C/181/07 LETTERKENNY TO MILFORD ROAD – APPLICATION FOR FUNDING

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

“That this Council as a matter of urgency survey the Letterkenny to Milford road and make a special application for funding to provide a road to meet the requirement for the volume of traffic using this road.”

Members were informed that: -

“In the Milford Electoral Area, this route received an allocation from the EU Co-Financed programme in 2006 at Blacks Glen near Ramelton. The Letterkenny - Ramelton - Milford route has been prioritised by the MEA Members at number 4 and the allocation for 2007 did not extend this far, i.e., only priority 1 to 3 funded.

Over the past few years, the Letterkenny Electoral Area has prioritised a significant amount of monies on the stretch between Letterkenny and Ramelton.

In the past, the Department has indicated that they do not have special funding and that it is a matter for the Council to prioritise projects within the monies typically being made available under EU-Co Financed Funds. This route has heavy traffic and congestion. It is hoped that the NRA will provide funding for the stretch between the Port Bridge Roundabout and the Creamery Roundabout.”

Members of the Milford Electoral Area highlighted the necessity of making a special application for funding to complete the Letterkenny- Milford Road and the obvious need for the erection of a second bridge across the Swilly.

Clr. Blaney noted that the road in question had been allocated EU funding the previous year even though it had been ranked as fourth priority. He asked the Director of Services, Mr John Mc Laughlin to investigate the matter further.

C/182/07 ADJOURNMENT OF MEETING.

Members were reminded that a Special Meeting of Donegal County Council was scheduled to take place at 1.45pm followed by the General Purposes Committee Meeting at 2.00pm

On the proposal of Clr. Alcorn, seconded by Clr. Larkin, it was resolved to adjourn the meeting and complete the remainder of the business after the General Purposes Committee Meeting.

C/183/07 NEW HEALTH AND SAFETY REGULATIONS

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

“That this Council discuss the consequences of the new Health & Safety Regulations that were signed up recently by members of the Roads & Transportation Section of Donegal County Council?”

Members were informed that: -

“It is understood that this motion refers to the Improvement Plan regarding DBM and unfinished surfaces which the Council developed in response to HSA direction last year. As mentioned in the Budget 2007 Book, the Council worked closely with the Health & Safety Authority on this matter. The Plan was developed since last August and the Improvement Plan has received approval in early January 2007 after three submissions.

Health and Safety is a very important issue and requires the full support and cooperation of the entire organisation, management, staff, elected members, contractors, suppliers, etc. A copy of the Improvement Plan can be made available to each of the members if necessary.

The Plan requires proper planning, design, procurement, construction, management, control and monitoring of pavement projects. Some of the guiding principles in the Plan relate to previous circulars issued by both the DOE and the NRA regarding surface dressing of DBM outside 50kph speed limits. It is understood that these circulars are currently being reviewed and that new guidance may issue shortly and in turn our Plan will accordingly change to match the new circulars. The principal issue surrounds the acceptable speed to travel over unsurfaced DBM and how this can be controlled. Control measures such as narrowing lanes with cones, closing roads until paving is completed and designating detours or using follow-me trucks need to be considered in a hierarchical manner for each job.

Implementation of the Plan requires training (which has begun) and the systematic working through of the details which is starting and it will take some time to work through the effects of the improved procedures on the overall work programme. The work will need to be done on a prioritised basis with top priority being given to the actual Roadworks Programme.

As mentioned above, health and safety is important and the current legislation in the form of the 2005 Act and the 2006 Construction Regulations places strict duties and responsibilities on the Council and its staff which must be taken into account when performing the Roads Work programme.

Members will be aware from the Budget 2007 discussions and the actual Budget Book that the Roads Service had identified the need for additional engineering and technical staff in Area Offices to manage the ever increasing workload, but that due to budget constraints these additional staff could not be funded this year. As we work through the year, we will continue to keep the matter monitored and examine the options available to us to prioritise and manage the work programme. One fundamental change that we have already made is to have all National Road pavement overlay projects designed and the contract documents prepared in the NRDO. This was not the case in previous years. In addition, a new post at SEE level for a Health and Safety Engineer and a further post at EE level for Road Design was approved as part of Budget 2007 and arrangements are being made to complete the filing of these posts.”

Clr. Blaney asked that the public be fully updated on the difficulties being experienced by Donegal County Council in complying with current health and safety legislation.

Mr. John Mc Laughlin, Director of Roads and Transportation affirmed the necessity of fully complying with the legislation and advocated the need to put a central plan in place.

C/184/07 ECONOMIC IMPACT REPORT FOR DOWNINGS HARBOUR DEVELOPMENT

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

“That this Council deliver on a commitment to fund the shortfall on the cost of the Economic Impact Report for Downings Harbour development.”

Members were informed that: -

“It is understood that the Council Marine Section had no involvement in the production of this report and that a Local Group decided to get the report done on their own. Additionally, it is understood that the Group has been looking for public funding from whatever source to pay off the bill since. The Council has no provision in its budget for payment towards this report.”

Clr. Mc Bride advised that €7,500 was now required to fund the shortfall on the cost of the Economic Impact Report for Downings Harbour.

The County Manager agreed that if Udaras na Gaeltachta and the local Harbour Group would pay their share of the costs, then he would negotiate with Peter Quinn in relation to the balance outstanding so that the Economic Impact Report could be released.

C/185/07 REVIEW OF THE COUNTY DEVELOPMENT PLAN

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

“That this Council commence an immediate review of the County Development Plan to address some of the difficulties being encountered e.g. Policy UB1, Design Guide and the new National Regulations.”

Members were informed that: -

“The Planning Office has already commenced preparatory work which will inform a report to Members on the working of the new County Development Plan. Deliberations on the report will be accommodated at a Review Workshop to be arranged by CPU in April. This background research work includes information gathering for those elements of the Plan which have given rise to debate in order to identify any necessary action.

The Planning team has already taken the lead in identifying the requirements of each Directorate to accommodate or address development pressures within the UGRH settlements (Policy UB1). Significant progress has been made with the preparation of a template to identify infrastructure needs. The information so collated will inform both pre-planning discussions and the consideration of current planning applications. Where no infrastructure provision is in any work programme this template should help direct the efforts of developers to devise and cost solutions to any infrastructural deficits.

The Planning Directorate is awaiting some further information to complete the templates but in advance of this has already commenced meetings with agents in one settlement (Tievebane) where a number of early applications was submitted and processed before infrastructure research was concluded. Many of the settlements are relatively small and will not, over the Plan period, merit social infrastructure provision other than open space and potentially childcare provision. However, the longer term need for development of such social facilities will be monitored.

Implementation of the design guide continues to result in discussion and it will take a period of time to establish a smoother process since many of the applications received in recent months had been prepared and designs conceived before agents had an opportunity to fully consider same. It is important to note that the Department's own Guidelines on Sustainable Rural Housing emphasise the significance of

design and the need to set and encourage high standards of housing design within rural areas. The Guidelines also extol the benefits of design guidance and state that "planning authorities who do not have such a design guide should put one in place as soon as practicable and should refer potential applicants to such guidance at as early a stage as possible" (3.3.3)

In practical terms, the recent workshops with agents on the Design Guide clarified the importance of applying the principles in the guide having regard to the context provided by each individual site. This facilitates a degree of flexibility, which was welcomed by those present as a positive approach. This would seem to augur well for general utilisation of the guide by both agents and planners. Managers on the Development Management side are monitoring this going forward and Members will be informed of progress at the April workshop. Nothing incorporated in the Planning and Development Regulations 2006 will require amendment to the County Development Plan.”

It was agreed that a workshop to discuss a review of the County Development Plan would be held at 10.00am on Thursday 10<sup>th</sup> May, 2007 in the Council Chamber, County House, Lifford.

C/186/07

REQUEST THAT UNUSED CONFERENCE ALLOCATIONS BE CHANNELED INTO THE MEMBERS DEVELOPMENT ALLOCATION FUND.

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

“That any Councillor who does not take up all or part of their conference allocation fund be allowed to use their monies for their members development allocation fund.”

Members were informed that: -

“The Local Government Act 2001, Section 142 (5), and regulations made and directions given by the Minister for the Environment, Heritage & Local Government thereunder,

govern the payment of allowances and expenses to local authority members in relation to attendance at conferences, seminars et al.

The following provisions apply to an authorisation for the purpose of section 142(5) of the Act. –

- (a) The resolution in relation to an authorisation shall specify by name the member or members of the local authority, which it is proposed to authorise and these shall be recorded in the minutes of the meeting at which the authorisation was given.
- (b) Before a decision is taken to give an authorisation, the Manager shall inform the members of the estimated total cost which is likely to result from the proposed attendance at or participation in the matter to which the proposed authorisation relates and the members shall have regard to this and to the provision made for such purposes in the annual estimate of expenses, for the purposes of section 142(5) of the Act.
- (c) In deciding the number of persons to be authorised, the members shall have regard to the need to minimise the costs which are likely to result from attending or participating in the matter to which the proposed authorisation relates and to ensure that the number authorised does not exceed a reasonable proportion of the total numbers of members of the authority.

The Council may decide at budget time to reduce the provision for Members Expenses, including Conferences, and increase the provision for the Members Development Fund; however, there is no basis for individual members assigning part of their individual allowance for attendance at conferences to other purposes.”

Mr. Eunan Sweeney, Meetings Administrator informed members that it was not possible, on an ad-hoc basis, to allocate budgets for conferences to anything other than conferences.

Clr. Reid disagreed with the advice and suggested it could be implemented.

The County Manager advised that the Council could resolve to reduce the Conferences Budget and make a corresponding increase in the Members Development Fund.

C/187/07 SUSPENSION OF STANDING ORDERS

As it was now 5.43pm it was resolved on the proposal of Clr. Mc Gowan, seconded by Clr. Alcorn, to suspend the relevant Standing Orders so as to continue with the meeting until all business on the agenda had been dealt with.

C/188/07 PURCHASE OF A PARK/PLAYGROUND FOR THE TWIN TOWNS

The following motion submitted by Clr. A. Bonner was not moved: -

“That this Council sell their one acre site at Donegal Road, Ballybofey and purchase 10 acres Drumboe Avenue, Stranorlar for a park/playground for the Twin Towns.”

C/189/07 PRIORITISATION OF LOUGH MOURNE AS AS TOURISM PROJECT

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

“That this Council prioritise Lough Mourne as a tourism project for benign watersports, walks and other tourism related facilities in conjunction with Failte Ireland North West and that a report be given on all proposals under consideration.”

Members were informed that: -

“Community & Enterprise Division are seeking to carry out a scoping study into developing this resource into a local and county water based tourism amenity. Working with Water, Environment & Emergency Services Directorate and in conjunction with plans to expand this facility a proposal will be prepared and presented in the coming months to progress this proposal.”

Clr. Mc Gowan stated that he was unhappy with the reply and requested that a report be brought to the next General Purposes Committee Meeting on the tourism proposals currently under consideration by Failte Ireland North West for the Finn Valley Area.

C/190/07 UPGRADING OF ARDARA/ARDAGHY ROAD

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

“That this Council commission a study into the deplorable condition of the Ardara/Ardaghy road with a view to having it upgraded over the next few years.”

Members were informed that: -

“Sections of this route have been repaired over the last number of years and sections have yet to be repaired. This route can be considered for the EU Co-Financed Programme 2008 and prioritised. It can also be considered for the new restoration programme which should be developed later in 2007.”

C/191/07 EXPEDITION OF PLANNING APPLICATIONS FOR COUNTY COUNCIL SI HOUSES

On the proposal of Clr.Alcorn, seconded by Clr. Crawford the following motion was adopted: -

“Now that the Planning Office have been allocated extra staffing I am asking Donegal County Council to have planning applications for County Council S.I. houses dealt with during the same time frame as all other planning applications.”

Members were informed that: -

“In the last two years, twelve SI applications were submitted in the Glenties area. During 2005, the vast majority were responded to in 1 - 2 months. However, in 2006 the combination of increased workloads and staff resource difficulties impacted on the progression of the proposals. The

Planning Office is currently expediting the two applications which were subject to more lengthy delay.

Three new proposals have recently been submitted in March 07 and Planning Service commits to concluding these within the same timeframe as other applications. This approach will be adopted with all future SI applications and the additional staff resource will support the administration of this procedure.”

Clr. Alcorn welcomed the reply and asked the Director of Housing, Mr. Liam Kelly to investigate the possibility of expediting the completion of SI Houses.

C/192/07 MANAGEMENT PLAN FOR THE GWEEBARA RIVER  
The following motion submitted by Clr. Pearse Doherty was not moved:-

“That Donegal County Council raises its concerns with the Northern Regional Fisheries Board as to the procedure it employed to agree a management plan for the Gweebarra River and that this Council has concerns in funding such a plan (as was suggested in the 2007 Budget Book) that has excluded local angling clubs that have fished this river for decades from the consultation process. This Council, furthermore, calls on all interested parties and stakeholders to enter into discussions in order to avert any further dispute.”

C/193/07 WATER CHARGES INCREASES  
On the proposal of Clr. Mc Guinness , seconded by Clr. Slowey the following motion was adopted: -

“That this Council discuss the water charge increase and the effect this will have on the economy of the county particularly on the farming, fish processing and tourism industry.”

Members were informed that: -

“The following is an extract from a submission by the County & City Managers’ Association to the Department of

## Environment Heritage and Local Government with regard to Water Pricing:

### 1. Water Pricing Policy - Theory

In recent decades the EU has made increased use of fiscal instruments in the environmental policy arena. Economic instruments in environmental policy are generally governed by the principle of full cost recovery, and have been applied in a wide range of policy areas – relevant examples here include energy taxes, or specifically in the Irish case, the ‘plastic bag’ tax.

The governing principle behind the Water Pricing Policy is Article 9 of the Water Framework Directive (WFD) and particularly the opening sentence:

“Member States shall take account of the principle of recovery of the costs of water services, including environmental and resource costs, ...and in accordance in particular with the polluter pays principle.”

**Full Cost Recovery:** This article obliges governments to ensure pricing regimes take account of the principle of full cost recovery of the costs for water services and specifically that they include environmental and resource costs.

**The Polluter Pays:** The article further specifies that by 2010 Member States have to ensure their water pricing policies incentivise efficient water use such that the ‘polluter pays’ principle is applied, i.e. that “an adequate contribution for the different water uses to the recovery of the cost of water services”; and that “water uses are at least broken down into industry, households, and agriculture, which is crucial for the effectiveness and transparency of the pricing regime...” (European Environmental Bureau, Handbook on EU Water Policy, 2001: 40).

### 2. Irish Water Pricing Policy

Ireland is the only EU country which does not charge householders or domestic consumers for water. Domestic water charges existed prior to 1983 in most local authorities but these user charges were abolished in 1996. To replace the loss of income to local authorities, the Government undertook to fund the cost of provision and usage of domestic water through the Local Government Fund.

In line with international best practice and EU policy, Ireland has been moving steadily towards making the full cost of water and waste water services transparent and securing full cost recovery from non-domestic customers. In autumn 1998, the Government adopted a water services pricing policy framework requiring:

- Recovery of ‘average operational’ and ‘marginal capital costs’ of Water Services from all Non-Domestic (ND) users;
- Metering of all such users by 2006;
- The maintenance of the status quo on not charging for provision of domestic water services and the meeting of these costs through the Local Government Fund in the case of operational costs, and through the Department’s Capital Programme in the case of infrastructural costs.

This framework represented significant progress towards the development of a more sustainable approach to water services management by fully internalizing the costs of water usage and wastewater generation and by making the cost of water services more transparent to the user. Implementation of the Water Services Pricing Policy has been advanced incrementally and articulated via detailed Circulars issued by the DoEHLG to Local Authorities to clarify Water Pricing Policy requirements and issues (L4/00, L16/00, L11/01, L14/01, L6/02, L7/02, L10/02, consolidated Circular L16/02, and more recently, Circular L7/06).

**3.2 Implementing National Policy: Local Implications**  
Local authorities remain committed to achieving EU objectives and implementing national policy under the Water Pricing Policy.

Under the policy, local authorities are required:

- To ensure that ND Users pay for operational costs subject to water pricing being made fully transparent;
- To ensure that any cross-subsidies between the domestic and non-domestic sectors are eliminated;
- To ensure that water metering is rolled out to all ND User consumers by the end of 2006;
- To ensure removal of ND User costs for water services from rates;
- To recover the full cost of water and wastewater services from the Non Domestic consumers.

Donegal County Council is engaged in a project for the installation of water meters on all non-domestic consumers with a view to charging these consumers from 2008 onwards on the basis of water consumed. [Only consumers who were already metered prior to this project will be charged in 2007 on a volumetric basis and all others will be charged the fixed rate]. The rates approved for 2007 - as recently notified to members - are as follows:

Water Service Charges Donegal County Council  
(excluding Town of Bundoran)

A. Volumetric Charge

(1) Mixed supplies (partly domestic and non domestic): Up to 49,500 gallons, or 225,000 litres, per annum - free of charge Over 49,500 gallons – charges as for non-domestic set out at 2 below.

(2) Non-domestic supplies:

Every 1,000 Litres - €1.18· Every 1,000 Gallons - €5.36(Save in the case of field supplies for Agriculture use i.e. field trough):

Subject to a minimum charge per annum of €236.00 – equivalent to 200,000 litres or 44,000 gallons per year.

NB: Donegal County Council can enter into significant User Agreements with large consumers for charges which differ from the above rates.

B. Standing Charge ·

€100.00 per annum per meter shall be applied for each connection.

Exception: Agricultural Customers with multiple connections in the same farm holdings - annual standing charge applied will be €180 per annum.

C. Water Supplied other than by measure

1. Mixed supply €236.00 per annum per connection\*

2. Agricultural use (i.e. Drinking trough) - €236.00 per annum per connection\*

3. All other non domestic supplies €336.00 per annum per connection\*\*

Agricultural Customers who have multiple connections in the same farm holding, the fixed charge will be €236.00 per annum.”

Clr. Mc Guinness stated that this was nothing more than a stealth tax and served only to single out particular sections of the business community. Members called for alternative sources of income to be sourced and outlined the need to promote further initiatives in terms of additional grants for rainwater collection systems and well drilling.

In response to a number of queries the A/Director of Water, Environment and Emergency Services Mr. Peadar Mac Rory confirmed that it would not be possible to exclude schools and churches from the collection process.

The County Manager advised that the matter would have to be debated further with consideration given to the following issues: -

- The Metering Process
- Identification of the full cost of recovery from the non-domestic sector.
- Projection of the full costs in 2008
- Examination of the unit costs
- Regional Competitiveness

It was intended, he stated to have the matter discussed at the next Water and Environment SPC, with further deliberation by the Corporate Policy Group, after which an update would be provided to members at the next appropriate General Purposes Committee Meeting.

C/194/07

MAJOR WORKS ON THE GLENTOGHER ROAD, CARNDONAGH

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

“That money be provided in 2008 for major works on the Glentogher Road, Carndonagh?”

Members were informed that: -

“This can be considered as part of the 2008 EU Co-Financed list which will be presented to the local Elected Members this summer for prioritisation.”

Clr. Mc Gonagle requested that a proposal be submitted to the Department of the Environment, Heritage and Local Government, requesting additional EU monies to upgrade the County's regional roads on a par with current infrastructure development taking place in Northern Ireland. He advised that the possibility of obtaining Interegg 111A funding should be investigated.

REPLIES TO MEMBERS QUESTIONS.

The following written replies to members questions were circulated at the meeting:-

C/195/07

OPENING UP OF PLANNING SERVICE TO THE  
GENERAL PUBLIC AGENTS AND ESPECIALLY  
COUNCILLORS

The following question was submitted by Clr. Larkin

“What progress has been made on my motion to open up the Planning Service to the general public, agents and especially Councillors?”

Clr. Larkin was informed that: -

“From 31 March an additional phone period is being made available to agents each week to enable them to discuss current planning applications. The agents were advised of this proposal at the recent workshops to address the Co Development Plan and the new Planning and Development Regulations which come into effect on 31.03.07. Times for each office will be posted on the web.

The rationale behind the additional exclusive access is that it should facilitate speedier resolution of problems arising with current applications by providing time for the agent to focus on solutions and discuss these directly with the planner.

Where an applicant has no agent they will be allowed to avail of this additional slot to access planning staff.

This process should overcome the demand from agents for Members to intervene in order to achieve a hearing for the agent. It should hopefully free up time for both planners and Members to deal more effectively with any business Members themselves wish to raise which is sometimes subjugated in dealing with agents' queries.

The Senior Planner (Denis Kelly) is undertaking a review of the access arrangements for Members and has already commenced discussions across the Parties including taking the views of the Party whips. Proposals will be brought forward in a few weeks after a month or so to monitor the success or otherwise of the new agent access service to establish if it is freeing up more time for both Members and Planners. If any individual member is having access difficulties at present they should contact Denis Kelly or Helena O Toole Senior Planners.”

C/196/07 PLANNING ENFORCEMENT IN TOWN COUNCIL AREAS

The following question was submitted by Clr. Larkin.

“How does the Council plan to deal with planning enforcement in our Town Council areas?”

Clr. Larkin was informed that: -

“The Council has recently concluded recruitment procedures for a replacement technician and the new officer commenced work on 5 March 2007. Additional administration resources have also recently been placed in the Letterkenny office and the other EAs. On completion of necessary training, the Council will step up the rate of inspections on notified complaints and allegations of unauthorised development. It should be noted, however, that enforcement is a legal process which in some cases may be resolved by negotiation but, should this fail, is pursued through the courts. Consequently, the process requires a high degree of professionalism in the level of evidence with the accuracy of documentation and verification of facts. Both the investigation and its associated paperwork can be very time consuming. In many cases legal clearance and/or advice is a necessary and integral part of the pursuit of proceedings and such actions can take time. Prompt action to seek early compliance can help achieve a speedy resolution and in the past it has proved effective when this prompt action is notified and pursued in a cross directorate fashion with the cooperation of Council staff on the ground. Continuation of this corporate action remains essential to deal with unauthorised development and to

minimise unacceptable and unsatisfactory development across the County including within Town Council areas.”

C/197/07 UNFINISHED WORKS AT ARD NA MEALA, ST. JOHNSTON

The following question was submitted by Clr. Crawford.

“What progress has been made in relation to unfinished works at Ard na Meala, St. Johnston?”

Clr. Crawford was informed that: -

“The Contractor developing the Ard na Meala Housing estate has apparently suffered financial difficulties and the estate has not been completed. Council Housing have purchased four of the houses. The failure to complete the development is a matter for Planning and this will be followed up.”

C/198/07 IMPROVEMENT AND ENVIRONMENTAL WORKS AT THE ROUNDABOUT- LIFFORD

The following question was submitted by Clr. Crawford.

“When is it envisaged to begin improvement and environmental works at the roundabout- Lifford?”

Clr. Crawford was informed that: -

“The project to improve the Lifford roundabout will be advanced jointly between Roads and C&E. The first step is to agree the concept and prepare the actual design for the road work and the landscape enhancement. Currently, it appears that the layout of the central island will be altered and we will need to involve the NRA on this and contact has been initiated in this regard.

It is hoped that the design can be done by mid summer with the construction following.”

C/199/07 PROGRESS ON KILLYBEGS SEWER SCHEME.

The following question was submitted by Clr. Pringle.

“What progress has been made on Killybegs Sewer Scheme since our last meeting, particularly on the Phasing Report and decoupling from Bundoran?”

Clr. Pringle was informed that: -

“In letter from the Department dated 13 March 2007 it was confirmed that with respect to Killybegs Sewerage Scheme the Department 'has no objection to separating the town network and outfall works from the Killybegs/ Bundoran DBO bundle and the work being procured under a conventional contract.' The Department further confirmed that 'Donegal County Council may now proceed with the urgent preparation of the contract documents for this work, which should, in due course, be submitted to the Department for approval.

The work that is therefore being de-coupled from the DBO Group B contract is the construction of the Killybegs Main Pumping Station, the Killybegs industrial rising mains, and the outfall at Killybegs. However, the wastewater treatment works for both towns will still be advanced under the DBO Group B contract. Liaison with the Department on Water Charging issues on both schemes will continue in parallel with the preparation of contract documents. It should also be noted that once the Department have approved the contract documents and budget for the Killybegs conventional contract, the contract will satisfy the criteria for 'devolved procedures' set out in Department circular L7/06.”

C/200/07

NON PAYMENT FOR WORK DONE FOR WATER SECTION

The following question was submitted by Clr. McEniff.

“Can the Council explain why Mr Thomas Carr has not received any payment from the Water Services Section for works he has done on their behalf?”

Clr. McEniff was informed that: -

“The question relates to the construction of a reservoir which was undertaken as part of Glencoagh No.2 GWSS. The Council is currently finalising the taking in charge of the scheme and transfer of ownership of assets to the Council It

is hoped to be able conclude the matter in the coming weeks and make the final payment to Mr Carr.”

C/201/ 07 COURT PROCEEDINGS CARRIED OUT AND ISSUED AGAINST DONEGAL COUNTY COUNCIL SINCE 2005

The following question was submitted by Clr. Pringle.

“What court proceedings have been carried out by Donegal County Council since 2005 and what proceedings have been issued against Donegal County Council in the same time? (except non-payment of Council charges)”

Clr. Pringle was informed that: -

“The Council Solicitor has been requested to provide the information sought and it will be furnished to the Councillor as soon as it is received.”

C/202/07 EXTENSION TO MILFORD RESEVOIR

The following question was submitted by Clr. McGarvey.

“When will this Council provide the required extension to Milford resevoir?”

Clr. McGarvey was informed that: -

“Infrastructural Works for Milford Water Supply including a new reservoir have been recommended by the consultants in connection with Fanad Regional Water Supply Scheme, which is the adjacent regional scheme. Application for funding for this reservoir was made to the Department in Dublin under Fanad Stage 2 Advance Works - Glenvar, and this was rejected. The Council did however include the construction of the reservoir in the Rural Water Small Schemes Programme and the recent block grant approval from the Department in Ballina will allow the project to proceed to tender shortly as the tender documents are substantially complete. Construction is expected to commence in 2007.”

C/203/07 PUBLIC PRIVATE PARTNERSHIP FOR THE CONSTRUCTION OF A NEW RESEVOIR, MILFORD

The following question was submitted by Clr. McBride.

“Can this Council enter into discussions with developers in and around Milford Town with the view to a Public Private Partnership for the construction of a new reservoir for the town which would also be of benefit to surrounding areas such as Ramelton, Fanad and Glenvar?”

Clr. McBride was informed that: -

“Infrastructural Works for Milford Water Supply including a new reservoir have been recommended by the consultants in connection with Fanad Regional Water Supply Scheme which is the adjacent regional scheme. Application for funding for this reservoir was made to the Department in Dublin under Fanad Stage 2 Advance Works - Glenvar, and this was rejected. The Council did however include the construction of the reservoir in the Rural Water Small Schemes Programme and the recent block grant approval from the Department in Ballina will allow the project to proceed to tender shortly as the tender documents are substantially complete. Construction is expected to commence in 2007.

It should be noted however that although the provision of a reservoir will assist the Area in managing water demands in the area more effectively, the existing raw water source is limited in capacity and a longer term solution is required. The Council is open to proposals from developers in connection with the provision of infrastructure that will provide capacity for further development, but any proposal must in the first instance come from the developers themselves.”

C/204/07

UP TO DATE POSITION ON THE RATHMULLAN-BUNCRANA CAR FERRY

The following question was submitted by Clr. Blaney.

“What is the up to date position on the Rathmullan-Buncrana Car Ferry and is it being extended to accommodate the Flight of the Earls celebrations this year?”

Clr. Blaney was informed that: -

“Further negotiations with the service provider have concluded a provisional agreement for the running of the Rathmullan/Buncrana car ferry service for the 2007 season. This provisional arrangement will see the service running from 15th June through to 9th September with the option, subject to demand and weather conditions prevailing, of the service running for one week either side of the indicated dates. This would effectively include the period for The Flight of The Earls commemoration as such demand dictates (the programme of events for The Flight of The Earls would suggest that there will be substantial visitor numbers in the area) and subject to weather permitting the service will run during the week ending 16th September 2007.”

C/205/07

HOUSING AVAILABILITY TO SINGLE MEN

The following question was submitted by Clr. McGarvey.

“When will this Council address the issue of single men seeking housing and is it now necessary to consider some alternative as they are given very low priority at present and have no chance of being considered?”

Clr. McGarvey was informed that: -

“The Council’s policy on singles was considered by the Housing Strategic Policy Committee in October, 2005 and again in February, 2006 in the context of the changing composition of the waiting list which showed that one person households made up over 42% of same. This was also considered in the context of the Council’s responsibilities of not only meeting the needs of persons on the waiting list but also those who are in receipt of rent supplement for more than 18 months under the Rental Accommodation Scheme – RAS. The committee acknowledged that given the significant change in the make up of the list, this had significant implications in the type of units to be provided and the persons to whom they would be allocated, for example, the Council, when it decided to provide a number of units in a particular town, this would not necessarily mean that they would be family type units which would be provided as in many cases, the need would be made up by single applicants and as such apartment type units would be provided. The Committee further felt that

opposed to simply accepting the fact that all single or one person households had to be housed, that certain criteria should apply and it was agreed at that time that this would be explored further prior to bringing a complete set of recommendations to the Corporate Policy Group and the full Council. It was considered that social housing should only be provided where there is a long-term housing need and the nature of that need had to be clearly demonstrated. As such, the Council should only be providing social housing where such a long-term housing need existed and the nature thereof had been clearly demonstrated. In this regard it was felt that in most cases, single persons long-term housing need may not be clearly obvious, particularly in the early years and it was suggested that an age of 35 would be an appropriate age at which stage such long-term need could be established. While there could obviously be certain exceptions, the general approach would be that unless an applicant could clearly demonstrate that they had a long-term housing need and the nature of such need was clearly established, the Council would not accept applications from single persons under the age of 35. A single person in receipt of long-term disability benefit would obviously be a case where the long-term housing need and the type thereof would be established at an earlier stage. The matter was subsequently considered by the full Council where it was decided to refer the matter for discussion to a series of Electoral Area Workshops during 2006 prior to taking a final decision. In the interim, the Department of the Environment, Heritage & Local Government published a draft policy to address housing need under two separate headings – (a) short-term, (b) long-term. Under that paper, it is intended that the need for housing by applicants with short-term need would be catered for on a quite different basis to those who have proved to have a long-term need. This thinking is generally in line with the proposals which were considered by the Council earlier in the year. The matter was subsequently discussed by the Housing Strategic Policy Committee at its latest meeting on the 2nd March, 2007 where there was again broad agreement that only applicants who demonstrated a long-term housing need should be provided social housing and that such a long-term need would not be clearly established by persons under the age of 35 in the majority of cases. There are of course many persons under the age of 35 who are in receipt of rent

supplement and it is likely that the Rental Accommodation Scheme will be targeted towards meeting the needs of persons in this category having regard to their “short-term need”. Units supplied under the scheme would continue to be available to the Council for the ever changing clientele receiving rent supplement. The Committee decided that prior to the implementation of such a policy, the matter should be considered in a wider context having regard to all of the options available to one person households to meet their needs and it was agreed that the matter would be again reviewed at its next meeting in June, 2007.”

C/206/07

COMMENCEMENT OF EIS IN MILFORD TOWN

The following question was submitted by Clr. McBride.

“When can we expect the EIS to commence in Milford Town?”

Clr. McBride was informed that: -

“Detailed negotiations are ongoing with the landowners in connection with acquisition of land for carparking in the Town. Further meetings are envisaged with the landowners to discuss the planning aspects of the proposals and to consider any concerns they may have. As soon as the negotiations are successfully completed the Members will be briefed on the up to date position and timescale for the project will then be discussed.”

C/207/07

PURCHASE OF GOODS BY THE COUNCIL OUTSIDE THIS STATE

The following question was submitted by Clr. Blaney.

“Is this Council purchasing goods outside this state such as stationary, road material, protective clothing & footwear, etc and, if so, why?”

Clr. Blaney was informed that: -

“Yes the Council is and has been purchasing such goods/materials from outside the state. The reason for this is to comply with National and European procurement directives where we are required to seek the best value for

money. European procurement rules do not allow for the restriction of procurement to local or national companies following the establishment of the "Single Market" in the E.U. member states.”

C/208/07 ACQUISITION OF A LAND BANK IN  
BALLYBOFEY/STRANORLAR

The following question was submitted by Clr. Reid.

“Has the Council made any progress in acquiring a land bank in Ballybofey/Stranorlar?”

Clr. Reid was informed that: -

“I refer to replies made on this matter for the November 06 and January 07 Council Meetings. The Council is continually seeking suitable landbank in towns and villages throughout the County where an identified housing need exists. In the case of Ballybofey/Stranorlar, since January 07 four number potential sites were examined and consultations took place with the local area planners on the development potential regarding social housing. An offer in line with the guide sale price was made on one of the sites, the site was subsequently withdrawn from the market. An independent valuation is being obtained on another site with a view to making an offer to purchase. Regarding the remaining two sites consultations are ongoing with planning on the potential for development of social housing at these locations. A number of other potential sites have been identified and will be subject to more detailed examination in the coming weeks. An Advertisement seeking submissions for turnkey developments in various towns including the twin towns has also been placed. The housing service is also of course, continuing to use all means at its disposal including Part V, Rental Accommodation Scheme, Shared ownership scheme etc. to provide suitable housing solutions for applicants requiring housing assistance on both a short and long term basis.”

C/209/07 NEW PLANS FOR BALLYBOFEY TOWN CENTRE

The following question was submitted by Clr. Reid.

“In view of the disposal of Finn Park has the Council any plans to consider a new plan for Ballybofey Town Centre.”

Clr. Reid was informed that: -

“The Ballybofey / Stranolar Local Area Plan published by the County Council in 2005, included policies for 2 Opportunity Sites in Ballybofey Town Centre. Opportunity Site 1, deals specifically with Finn Harps Football Ground. It recognises the strategic location of the site, in the context of Ballybofey Town Centre, and the ease of access to the proposed by pass link road. The Local Area Plan at pages 36 to 37 goes on to outline a number of concepts, which could form the basis of a Masterplan for the area. There is a requirement for a Masterplan to be prepared by developers, in conjunction with the Planning Authority, at pre application stage to cover the whole site. There is therefore ,no need to consider a new Plan for the area as the format and terms of reference for the way forward on this site have been clearly identified and adopted by the members in the Plan.”

C/210/07 INDUSTRIAL/ ENTERPRISE PARK DEVELOPMENT FOR THE TWIN TOWNS

The following question was submitted by Clr. A. Bonner.

“Will this Council ensure that sufficient lands are zoned to cater for industrial/enterprise park development for the twin Towns, as the position to date has been a total failure?”

Clr. Bonner was informed that: -

“The Ballybofey and Stranolar Local Area Plan which was adopted by the County Council, in 2005, zoned a total of 98.32 hectares (242.97 acres), of land for specific industrial purposes, with in addition 2 Opportunity Sites in the Town Centre, comprising a total of 3.81 hectares (9.43 acres). It is considered therefore, that there is sufficient land zoned in the Plan Area, for job creation opportunities. It is acknowledged however, that difficulties have arisen over the past 2 years, regarding access to such lands, from the National Primary routes the N13 / N15 which run through the twin towns. The

Planning Directorate have pursued a positive approach to the implementation of a large area of land, on the eastern side of Area EE2, at Mullindrait, with a local landowner, through a design brief / master plan format. It is anticipated that through this initiative the majority of this extensive area of of EE2, east of the proposed by pass route comprising 52.64 hectares (117acres) can be opened up for development. Also the western portion of EE2, 16.16 hectares (52.64 acres) which is apparently for sale at the present time, may also be opened up, following investigation of appropriate access arrangements. Elsewhere in the Plan area, other land may be rezoned for industrial / job creating purpose, without the recurrent access problems, when the Plan is reviewed, through the Variation process.”

C/211/07 REPORT ON THE NORTH WEST REGIONAL SPORTS CENTRE AT THE FINN VALLEY CENTRE LANDS IN STRANORLAR

The following question was submitted by Clr. McGowan.

“Will the Council give a report/outline on the North West Regional Sports Centre at the Finn Valley centre lands in Stranorlar showing the proposals for swimming pool, Finn Harps Stadium, training pitches for football, Finn Athletic, GAA, BASICC Community Enterprise Centre etc. given an overall layout of same?”

Clr. McGowan was informed that: -

“The Council purchased land, known as Brogan’s land, in Stranorlar a few years ago for a variety of purposes including Sport and Recreation. Planning permission has been granted on the land for the new Finn Harps Stadium and negotiations are ongoing in connection with exchange of land to facilitate the overall development of the Regional Sports Centre. The Council wishes to see the area developed in partnership with local stakeholders with a view to having a suite of facilities available including the stadium, an all weather pitch (to be developed by the Council), new leisure centre, training pitches, and changing facilities etc. The council have commenced the Part 8 planning process for the Leisure Centre, which will consist of the Construction of 25m 5 lane main swimming pool, childrens learner/ leisure

pool, flexible changing/ showering facilities, sauna and steam rooms, offices, and social areas.

The land requirement for the BASICC Community Enterprise Centre is for a one Acre serviced site within the Brogans masterplan area. this will provide for the footprint of the proposed structure and associated carparking facilities. When the proposals are further advanced a detailed masterplan will be prepared.”

C/212/07 FEASABILITY STUDY ON THE POSSIBILITY OF PROMOTING NON-MOTORISED WATER SPORTS ON LOUGH MOURNE

The following question was submitted by Clr. A. Bonner.

“Will this Council secure funding from Community & Enterprise or Development Contribution Scheme to carry out a feasibility study on the possibility of promoting non-motorised sports on Lough Mourne?!”

Clr. Bonner was informed that: -

“Community & Enterprise Division will be seeking to secure the approval of the Stranorlar Electoral Area Committe to make provision for such a study under this years Tourism Development Fund allocation.”

C/213/07 CASTLEFIN BRIDGE

The following question was submitted by Clr. McGowan.

“Can a full report be given as to what proposals the Council has for Castlefin Bridge following the two structural assessments carried out in 2004 and 2006?”

Clr. McGowan was informed that: -

“A number of options are available for Castlefin Bridge which is a protected structure including the strengthening and widening of the existing bridge or the construction of a new bridge and approach roads alongside the existing bridge. As agreed at the Council meeting of 31st March 2006, Donegal County Council officially applied for special funding from the Department of the Environment Heritage & Local Government outside the usual Non National Road

Allocations. The Department responded that no such special funding was available, but the project could be prioritised by Donegal County Council along with other Non National Roads projects as part of the councils normal EU Co-financed funding applications.

In October 2006 Stranorlar Electoral Area Committee agreed that the preferred option was for a new bridge and approach roads at an estimated construction cost of €2.5 million (exc. land acquisition, design and site supervision costs)

The Stranorlar Electoral Area Committee also requested that the project be considered as part of the 2007 budget.

Therefore this Bridge can be prioritised in the Council's 2007 EU Co-Financed funding applications if agreed by the Elected Members of the Council."

C/214/07

MINIMUM REQUIREMENT OF 3% FOR THE  
EMPLOYMENT OF PEOPLE WITH DISABILITY

The following question was submitted by Clr. Slowey.

"What actions are Donegal County Council going to take to meet the minimum requirement of 3% for the employment of people with disability?"

Clr. Slowey was informed that: -

"The Disability Act 2005 defines disability as:

"Disability, in relation to a person, means a substantial restriction in the capacity of the person to carry on a profession, business or occupation in the State or to participate in social or cultural life in the State by reason of an enduring physical, sensory, mental health or intellectual impairment".

In accordance with this definition and to fulfil its monitoring obligations under the Disability Act, Donegal County Council recently updated its data on employees with disabilities. In 2006, the Council employed a total of 36 people with disabilities. This represents 3.14% of the total workforce of Donegal County Council. This is in contrast to 2005, during which the Council reported sixteen people with disabilities being employed, representing 1.35% of the workforce.

Whilst the employment target is currently set at 3% for public bodies, Donegal County Council recognises the

potential to achieve more than meeting a nationally determined quota. In an attempt to explore potential areas for further development and improvement within Donegal County Council's policies and procedures for the employment of people with disabilities, within recent weeks representatives from Donegal County Council have been holding ongoing discussions with representatives from disability groups.

These discussions have highlighted some issues that will need to be addressed to make such an approach effective, including:

- Raising awareness and understanding of disability equality issues
- Overcoming concern and wariness of employing people with perhaps a long term health problem
- Developing policy and support that fosters a more inclusive approach to recruitment and retention
- Information systems and resources that enable access to Council jobs, careers, and recruitment and selection processes
- Management and recruitment development to ensure a proactive approach
- Community development and awareness of Donegal County Council employment opportunities and commitment
- Avoiding a tokenistic approach to the employment of people with disabilities.

Initial discussions have also begun to explore potential areas for development and improvement within the Council's existing policy and practice under the following headings:

1. Implementation of a campaign that promotes a demonstrable commitment and positive approach to disabled people locally and nationally, for example,
  - Ø Develop a Statement of the Council's commitment to people with disabilities, setting out our commitment to make reasonable adjustments and flexibility in approach
  - Ø Articulate a plain language understanding of the social model of disability
  - Ø Targeted jobs outreach to engage specific groups, communities and individuals
  - Ø Develop links through service provision such as community resource centres, HSE and the voluntary sector
2. Development of our existing data to explain current performance and areas requiring improvement through

Ø Monitoring disabled people's participation at application, shortlist and interview/selection stages

Ø Monitoring disabled people's participation in training and development, promotion and retention

3. Establishment and development of recruitment support that removes barriers and promotes opportunities for jobs and careers, for example,

Ø Provision of an accessible service, in terms of information formats, phone and website access, and promotion of this availability in a targeted and general way

Ø Develop relationships with local disability organizations to feed information networks and links with local disabled people

Ø Ensure training and development in recruitment and selection and disabled people's employment issues is implemented to engage recruiters and key decision makers

4. Formalise a commitment to the employment of people with disabilities by

Ø Ensuring a more proactive approach to the employment of people with disabilities by improving the matching of roles to potential disabled employees

Ø Integrating the scheme within this wider strategy for employing people with disabilities to ensure it is viewed as an employment equality initiative rather than a service provision

Ø Ensuring the scheme is widely promoted throughout the organization

Whilst these are, at present, preliminary suggestions, it is envisaged that a clear policy and accompanying procedures/guidelines on the employment of people with disabilities will be developed and implemented at an early date. The option of holding special recruitment competitions specifically aimed at people with a disability is currently being progressed and the Council proposes to be in a position to deliver on this commitment before the end of the current year.

It should also be noted that many employees do not wish to be labelled as "disabled" and the Council as their employer respects and supports their choice in this regard. For this reason, the setting of arbitrary quotas can sometimes distort the true position and fail to adequately represent the commitment of the organisation.

A recent statement issued by Donegal Co. Council in response to media coverage on this issue related to the national publication of statistics for local authorities relating to the year 2005. Donegal Co. Council responded to the media coverage in advance of updating its position in relation to 2006 as set out above. This reply now represents a comprehensive account of the current situation with regard to the employment of people with disabilities and outlines the overall approach being taken by the Council in this area.”

C/215/07

RESTORATION OF GLENTIES LIBRARY

The following question was submitted by Clr. Slowey.

“When will the people of Glenties have their library restored to the town?”

Clr. Slowey was informed that: -

“It has proved very difficult to locate a suitable temporary premises for the Glenties Library with several options explored (including the Community Centre – twice) since the OPW required the Courthouse to be vacated. The Glenties Parish Council recently themselves proposed a temporary library be located in the Community Centre. Library staff have visited the building and it has been agreed in principle that a temporary library facility could be located in a room within the Centre. Once the details are agreed between the Parish Council and the County Council, plans to set up equipment etc. can be put in place. This process is in train.”

C/216/07

DEVELOPMENT OF NEW FIRE STATIONS AT BALLYSHANNON AND BUNDORAN

The following question was submitted by Clr. Pearse Doherty.

“What is the current and planned situation in relation to development of new fire stations at Ballyshannon & Bundoram?”

Clr. Doherty was informed that: -

“The Department has requested that the council provide an economic appraisal of the proposal submitted in respect of the two fire stations. This has to be carried out in line with the Department of Finance "Guidelines for the Appraisal and Management of Capital Expenditure Proposals in the Public Sector". The council's consultants for the project have completed this appraisal and it has been returned to the department for further consideration.”

C/217/07 PROGRESS OF GWEEDORE SEWERAGE SCHEME

The following question was submitted by Clr. Pearse Doherty.

“What is the latest progress in relation to the Gweedore Sewerage Scheme?”

Clr. Doherty was informed that: -

“The CPO for the Gweedore Pumping Station Sites was published in January 2007 and 5 submissions/ objections were received by the due date for submissions/ objections. In the case of objections made and not subsequently withdrawn An Bord Pleanála will hold an Oral Hearing in connection with the CPO at a place and time of its choosing and before determining the CPO, and this is likely to take place shortly. In line with the Departments policy of grouping wastewater treatment plants for the purposes of DBO procurement, and in order to maximise the potential for a number of schemes at the same stage to proceed, the Council has suggested to the Department that the Gweedore, Dungloe, and Glenties wastewater treatment works could be grouped. No response has been received to date. Note that none of the schemes can proceed to the next stage without Department approval.”

C/218/07 UPDATE ON THE NEW BURTONPORT SEWERAGE SCHEME

The following question was submitted by Clr. Alcorn.

“Could I have an update on the new Burtonport Sewerage Scheme and details of what work has been carried out by Donegal County Council on this application since clarification was sought by the Department of the Environment some 7 months ago?”

Clr. Alcorn was informed that: -

“Some work has been carried out by the Consultants on Burtonport Sewerage Scheme but the costs are still at a level where the Council believes that the Department will not allow the scheme to progress. The Council intend to carry out further assessment over the next few months and will look at the possibility of grouping the scheme with others at the same stage to reduce costs further.”

C/219/07

PROVISION OF A NEW SEWERAGE SCHEME IN GORTAHORK

The following question was submitted by Clr. O’Domhnaill.

“What progress is being made to progress the provision of a new sewerage scheme in Gortahork?”

Clr. O’Domhnaill was informed that: -

“Water Services Schemes are generally advanced on a priority basis as agreed by the Elected Members of Donegal Council and subject to the availability of funding under an appropriate funding programme. The principal current funding programmes for sewerage schemes are The Department of Environment, Heritage, and Local Government Water Services Investment Programme 2005-2007 (Major schemes, Serviced Land Initiative, Water Conservation, Rural Towns & Villages Initiative) and the Rural Water Programme (Small Schemes Programme etc.). All of these programmes require some counterpart funding from the Councils own resources. Gortahork SS is currently not listed on any of the programmes.

In the Assessment of Needs 2006 Gortahork Sewerage Scheme is one of a number of schemes that is grouped with other schemes of a similar size for the purposes of determining feasibility and possible subsequent implementation. The bundle including Gortahork is ranked seventh on the list. Given the number of larger schemes already on the programme it is unlikely that this bundle will make it onto the programme when it is updated in 2007. In the absence of major scheme funding the only other possibility for progress is through partnerships with

developers, or through the Rural Water Small Schemes Programme, which is already over-committed. In this context it is envisaged that no design or improvement works on Gortahork Sewerage Scheme will take place for at least two years.”

C/220/07 COSTS INCURRED BY DONEGAL COUNTY COUNCIL IN SANDING ROADS AFTER OIL SPILLAGES

The following question was submitted by Clr. Alcorn.

“What was the overall cost incurred by Donegal County Council in sanding roads after oil spillages for year ending 23/12/2006?”

Clr. Alcorn was informed that: -

“The over all cost incurred by Donegal County Council in cleaning up after oil spillages in 2006 was €105,000. This does not include amounts incurred by Town Councils in their respective Areas.”

C/221/07 PROVISION OF SI HOUSES FOR SINGLE APPLICANTS

The following question was submitted by Clr. O’Domhnaill.

““What progress is being made to allow single applicants to be considered for a Specific Instance cottage built on their own land?”

Clr. O’Domhnaill was informed that: -

“The Council’s policy on singles was considered by the Housing Strategic Policy Committee in October, 2005 and again in February, 2006 in the context of the changing composition of the waiting list which showed that one person households made up over 42% of same. This was also considered in the context of the Council’s responsibilities of not only meeting the needs of persons on the waiting list but also those who are in receipt of rent supplement for more than 18 months under the Rental Accommodation Scheme – RAS. The committee acknowledged that given the significant change in the make

up of the list, this had significant implications in the type of units to be provided and the persons to whom they would be allocated, for example, the Council, when it decided to provide a number of units in a particular town, this would not necessarily mean that they would be family type units which would be provided as in many cases, the need would be made up by single applicants and as such apartment type units would be provided. The Committee further felt that opposed to simply accepting the fact that all single or one person households had to be housed, that certain criteria should apply and it was agreed at that time that this would be explored further prior to bringing a complete set of recommendations to the Corporate Policy Group and the full Council. It was considered that social housing should only be provided where there is a long-term housing need and the nature of that need had to be clearly demonstrated. As such, the Council should only be providing social housing where such a long-term housing need existed and the nature thereof had been clearly demonstrated. In this regard it was felt that in most cases, single persons long-term housing need may not be clearly obvious, particularly in the early years and it was suggested that an age of 35 would be an appropriate age at which stage such long-term need could be established. While there could obviously be certain exceptions, the general approach would be that unless an applicant could clearly demonstrate that they had a long-term housing need and the nature of such need was clearly established, the Council would not accept applications from single persons under the age of 35. A single person in receipt of long-term disability benefit would obviously be a case where the long-term housing need and the type thereof would be established at an earlier stage. The matter was subsequently considered by the full Council where it was decided to refer the matter for discussion to a series of Electoral Area Workshops during 2006 prior to taking a final decision. In the interim, the Department of the Environment, Heritage & Local Government published a draft policy to address housing need under two separate headings – (a) short-term, (b) long-term. Under that paper, it is intended that the need for housing by applicants with short-term need would be catered for on a quite different basis to those who have proved to have a long-term need. This thinking is generally in line with the proposals which were considered by the Council earlier

in the year. The matter was subsequently discussed by the Housing Strategic Policy Committee at its latest meeting on the 2nd March, 2007 where there was again broad agreement that only applicants who demonstrated a long-term housing need should be provided social housing and that such a long-term need would not be clearly established by persons under the age of 35 in the majority of cases. There are of course many persons under the age of 35 who are in receipt of rent supplement and it is likely that the Rental Accommodation Scheme will be targeted towards meeting the needs of persons in this category having regard to their “short-term need”. Units supplied under the scheme would continue to be available to the Council for the ever changing clientele receiving rent supplement. The Committee decided that prior to the implementation of such a policy, the matter should be considered in a wider context having regard to all of the options available to one person households to meet their needs and it was agreed that the matter would be again reviewed at its next meeting in June, 2007.”

C/222/07

ERECTION OF BUS SHELTERS

The following question was submitted by Clr. MacLochlainn.

““What progress has been made to date on implementing the motion passed last year, that Donegal County Council would liaise with the School Boards of Management and Parents Committees across the county to erect bus shelters at agreed locations funded by advertisements from private businesses as is the case in the six counties?”

Clr. MacLochlainn was informed that: -

“We are currently examining the model used by Derry City Council where a private firm sponsors bus shelters in exchange for advertising rights on the shelters. It is understood that this method is more successful on the busier roads but on lesser travelled roads it might be more difficult. We would hope to have a fuller review completed in April and expect that a discussion document would be presented through the SPC process.”

C/223/07 FUNDING FOR GREENCASTLE FUNDING DEVELOPMENT

The following question was submitted by Clr. McGuinness.

“Has the Council put in place the necessary funding to progress the Greencastle Harbour Development?”

Clr. McGuinness was informed that: -

“Item 9 (e) on the Council Meeting agenda deals with this counter funding issue for Greencastle Harbour Development.”

C/224/07 WORKS ON FOOTPATH IN CLONMANY

The following question was submitted by Clr. McGonagle.

““When will the footpath at Straid Road, Clonmany be started?”

Clr. McGonagle was informed that: -

“It is intended that funding proposals for this work will be presented to the Electoral Area Committee for approval under the 2007 development charges. It is expected that these works will be presented for consideration at the July 2007 Electoral Area meeting. If approved these works are likely to begin in September or October 2007.”

C/225/07 WORKS AT BARRACK HILL, CARNDONAGH

The following question was submitted by Clr. McGonagle,

“When will work begin at Barrack Hill, Carndonagh?”

Clr. McGonagle was informed that: -

“An assessment of all community groups' proposals was carried out and three groups have been selected initially for an allocation of a site at Barrack Hill (subject to the approval of the Members of Donegal County Council and to the signing of a legally binding lease agreement).

- A part VIII planning report is presented for the Members approval at today's Council Meeting.

- Approval of €66,500 was received from Peace II to support the development of a community park at Barrack Hill. Consultation is on going with staff from the C&E Directorate and the Public Arts Manager with regard to funding / proposals for the community park.

Next Steps:

- The Project Engineer, Administrative Officer and the Area Manager Planning are to meet with the architects' from the three groups, who have been provisionally allocated sites at Barrack Hill, to discuss proposed layouts, designs etc in order to assist the groups in preparing their planning & funding applications.
- Disposal notices to be prepared for the Council's consideration.
- Progress report, setting out the next steps in the project and the associated funding requirements / options to be prepared for an Inishowen EA Workshop in May.”

C/226/07

CIVIC AMENITY SITE FOR BUNCRANA

The following question was submitted by Clr. MacLochlainn.

““What timeframe is envisaged before the delivery of a Civic Amenity Site for Buncrana?”

Clr. MacLochlainn was informed that: -

“The Donegal County Council Waste Management sets a strategic objective to develop a Civic Amenity Site at Buncrana. Three new sites are being developed in 2007 and the Carndonagh site is to be upgraded. The council will consider the costs of operating these in the context of the budget for 2008 and will decide if it is economically feasible to develop more than one in each Electoral Area in the immediate future.”

C/227/07

BYLAWS AND PLANS FOR CULDAFF BEACH

The following question was submitted by Clr. McGuinness.

“What progress has been made on my motion adopted at the September 2006 meeting to introduce bylaws and plans for Culdaff beach and environs?”

Clr. McGuinness was informed that: -

“A final report on the Rosstown Pilot Beach Management Project has been received by the Council. It raises significant legal and insurance liability issues regarding the function of the Council on the foreshore and over coastal waters. A cross services committee of Divisional Managers has been convened to identify ways to move this agenda forward. It is considered that the matter of regulating jet-skis, dune buggies, etc., and introducing other regulatory bye-laws, should be dealt with on a county-wide basis rather than on a beach by beach basis. This will involve extensive public consultation in advance of drafting bye-laws. Options for controlling beach activities other than enforcement of bye-laws need to be considered given the likely financial and human resource implications. At present the funding to resource this investigative work in 2007 are being explored.”

C/228/07 UPDATE ON NEW SEWERAGE SCHEME FOR CARRIGANS

The following question was submitted by Clr. Conaghan.

“What is the latest position on a new sewerage scheme for Carrigans and when is work likely to start?”

Clr. Conaghan was informed that: -

“A solution has been identified for the Carrigans scheme which involves transferring the load to St. Johnston. The St Johnston scheme is currently being tendered and will start in 2007. Tender documents for the provision of the transfer infrastructure to service Carrigans will be progressed in 2007 in parallel with the St Johnston scheme, and work will commence on Carrigans as soon as funding/ special development charges from developers has been identified.”

C/229/07 KILLEA LOCAL AREA PLAN

The following question was submitted by Clr. Conaghan.

“Is the Planning Office adhering to the Killea Local Area Plan given that a number of multiple developments have been applied for in the area?”

Clr. Conaghan was informed that: -

“In determining any planning application, the planning authority is required to have regard to the proper planning and sustainable development of the area having regard to the relevant material considerations which includes the development plan and any local plan.

Until such time as reviewed by Members and amended (where appropriate in conjunction with consultation with a local community), the current policies in the Co Development Plan and the Killea Local Area Plan will have weight in assessing applications. Thus, for example, if a policy statement suggests an area is identified for low density housing then any development proposal must be in keeping with that statement.

In similar vein, proper planning and sustainable development includes the requirement that normal technical and environmental standards such as a safe and satisfactory access with appropriate safety features (such as for example, a footpath link) are delivered as part of an approved, sustainable development solution.”

C/230/07

#### MOTIONS FROM OTHER COUNCILS

The following motions from other councils were noted.

#### LIMERICK COUNTY COUNCIL

“At the January Monthly Meeting of Limerick County Council, reference was made to the inadequacy of services to cater for the needs of young adults suffering from Cystic Fibrosis, despite the fact that €7 million has been allocated for Cystic Fibrosis between 2005 and the beginning of 2007. it was unanimously agreed to write to the Taoiseach, the Tanaiste and the Minister for Health and Children urging that the funding provided would be spent effectively and speedily for the benefit of this age group.”



ASSOCIATION OF COUNTY AND CITY COUNCILS

“That the Association of County and City Councils calls on the Minister for the Environment to update the dog control legislation of 1998 so that an OUTRIGHT BAN can be applied to certain dangerous breeds such as pit-bull terriers.”

LIMERICK COUNTY COUNCIL

“That Limerick County Council calls on the Minister for the Environment, Heritage and Local Government and the Minister for Social, Community & Family Affairs to put a grant/voucher system in place for pensioners to assist them in the cleaning of their chimneys on a twice yearly basis.”

SOUTH TIPPERARY COUNTY COUNCIL

“That South Tipperary County Council bring to the attention of the Minister for the Environment, Heritage and Local Government the difficulty in getting the ESB to provide and maintain the public lighting network throughout South Tipperary and to identify what, if any, procedure can be applied to rectify this situation.”

This concluded the business of the meeting.