

## **MINUTES OF MEETING OF**

### **GLENTIES ELECTORAL AREA COMMITTEE**

**HELD ON 18<sup>TH</sup> SEPTEMBER 2007, IN THE PUBLIC SERVICE CENTRE, DUNGLOE**

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#### **MEMBERS PRESENT:**

Cllr Terence Slowey  
Cllr David Alcorn  
Cllr Enda Bonner  
Cllr Pádraig Doherty

#### **OFFICIALS IN ATTENDANCE:**

Brendan Mc Fadden – Area Manager, Roads & Transportation  
Virginia McLoone – Area Manager, Corporate Services  
Michael Rowsome – SSO, Corporate Services  
Paul McGill – Area Manager, Housing & Building  
John Gallagher – Area Manager, Water & Environment  
Charles Sweeney – Administrative Officer, Community Enterprise & Cultural Services  
Frank Sweeney – Area Manager, Planning & Economic Development

**GEA 142/07**

#### **CONFIRMATION OF MINUTES OF MEETING HELD ON 17<sup>th</sup> JULY 2007**

On the proposal of Cllr. Alcorn, seconded by Cllr. Doherty, the minutes of meeting of the 17<sup>th</sup> July 2007 were agreed.

<b>CORPORATE SERVICES</b>
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**GEA 143/07 DEPUTATION FROM CASHEL AND AIGHE RESIDENTS COMMITTEE**

Cllr Terence Slowey welcomed Margaret O Donnell, Mary McGill and Seamus McGill from the Cashel and Aighe Residents Committee to the meeting. The Residents Committee were circulated with a report (Appendix 1) detailing responses from the Council to topics on their agenda.

The Residents Committee (i) informed the meeting of the impact of noise levels emanating from the Bakery on the health and well being of the local community, (ii) discussed possible breaches of planning conditions for follow up by the Planning Service, and photographs of development were provided to those in attendance at the meeting, (iii) requested the assistance of Members to deal with their concerns.

The Committee thanked the deputation for their presentation. Cllr Doherty informed the Committee that he would raise their concerns at the next Udaras Meeting to ascertain if funding would be available to assist Gallaghers in their efforts to reduce noise levels at the Bakery. Members advised the Cashel and Aighe Residents Committee to request a meeting with Gallaghers Bakery and the Councils Senior Executive Chemist.

**GEA 144/07 VOTE OF SYMPATHY**

The Committee passed a vote of sympathy in respect of Jack Monaghan, son of Carmel and Sean Monaghan who died tragically on Saturday morning, and requested that a letter of condolence be issued to his parents from the Glenties Electoral Area Committee.

<b>PLANNING &amp; ECONOMIC DEVELOPMENT</b>
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**GEA 145/07 CONSIDERATION OF RECENT REFUSALS**

The Committee noted the reports circulated with the Agenda regarding refusals during the period from 3/7/07 to 31/08/07

**GEA 146/07 STATISTICS**

Members discussed the statistical report circulated with the agenda and presented by the Planning Manager. The Planning Manager undertook to provide Members with a breakdown of application type in the next statistical report.

**GEA 147/07 DEVELOPMENT CONTRIBUTION SCHEME**

In response to queries from Cllr Bonner and Cllr Doherty regarding anomalies in the imposition of water and sewer contributions, the Planning Manager advised the Committee that a workshop has been scheduled for the 1<sup>st</sup> October to review the Development Contribution Scheme.

**GEA 148/07 ANY OTHER BUSINESS**

Cllr. Alcorn expressed his satisfaction with the workings of the Planning Office and the courtesy afforded Members by Planners.

<b>ROADS &amp; TRANSPORTATION</b>
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**GEA 149/07**

**MATTERS ARISING FROM JULY 2007 MEETING**

The Committee discussed the report circulated with the agenda regarding matters arising from the July 2007 meeting.

Cllr Alcorn welcomed approval for appointment of an Assistant Engineer and hoped to see progress in dealing with Members representations.

Cllr Doherty requested proposals from the Roads Services to address safety concerns at Derrybeg Hall, and Gweedore Station Junction. Cllr Doherty also requested details regarding funding provided by An Roinn for a footpath at the Clady River Bridge.

**GEA 150/07**

**ROAD WORKS PROGRAMME 2007 – PROGRESS UPDATE**

Members discussed the Roads Progress Report circulated with the agenda and presented by the Roads Manager. Cllr Alcorn commended the Roads Service for the availability of the detailed report and acknowledged work in progress on the numerous projects ongoing throughout the electoral area.

**150.1**

**RESTORATION PROGRAMME REGIONAL LOCAL ROADS**

Cllr Alcorn highlighted the importance of the Ranafast Main Road project to the many bus Companies operating in the area and requested the Roads Service to improve the quality of the road surface from the old post office to the college.

Cllr Bonner requested a meeting with Byran Cannon Roads Engineer regarding the Drumboghill to Summy Road, and he complimented the Roads Service for completing the Glen Road, Annagry.

**150.2**

**LOCAL ROADS SURFACE DRESSING**

Cllr Bonner requested the Roads Service to revert to him with a response to the following issues in respect of the Saltpans Crossroads to Dungloe Main Street project;

(a) Why did the job not commence at the Main Street/Quay Road Junction?

(b) Why has less than half the stretch of roadway been completed notwithstanding the initial allocation reduction of €25,000?

**150.3 NATIONAL SECONDARY (N56) PAVEMENT IMPROVEMENTS**

The Roads Manager responded to Cllr Slowey's queries regarding jobs at Doohill, Kilraine and Glenties footpaths and he also informed the Committee that he would invite representatives from the NRDO to attend the next electoral meeting.

Cllr Bonner expressed frustration at inactivity on the Dungloe realignment project and requested further information from the Roads Service.

**150.4 NATIONAL SECONDARY (N56) SAFETY MEASURES**

The Roads Manager undertook to issue Members with a programme of works in respect of ongoing safety measures at Loughanure.

**150.5 STRATEGIC GAELTACHT SCHEMES**

Cllr Alcorn informed the meeting of the poor condition of the stretch of road from Leo's junction to Ranafast crossroads and asked the road service to expedite improvement works on the Crolly-Carrickfinn Scheme.

**150.6 PUBLIC LIGHTING**

Cllr Doherty requested the Roads Service to liaise with the ESB to expedite the completion of public lighting projects in the Bunbeg/Derrybeg areas

**150.7 REGIONAL ROAD SIGNAGE PROGRAMME**

In response to a query from Cllr Alcorn, the Roads Manager informed the Committee that it is anticipated that the signage programme will be completed within 6 weeks.

**150.8 TULLY BRIDGE REPLACEMENT**

The Roads Manager informed the Committee that the Council have received consent from the NWFB and NPWS but that the Fishery Board stipulated that works are prohibited from taking place between October and April. The Roads Manger undertook to issue Members with a copy of correspondence from the Fishery Board. Cllr Alcorn requested the Roads Services to erect warning signage at Tully Bridge in the event that maintenance works do not proceed this year.

**GEA 151/07**

**SPEED LIMIT SIGNAGE**

Cllr Alcorn requested the Roads Service to address speed limit signage issues at the following locations in the Dungloe Area

- Carnmore Road
- Meenmore
- Cois Locha, Gweedore Road.

**GEA152/07**

**ROADS MAINTENANCE**

The Committee highlights the following issues for the attention of the Roads Service:

- Takeover of roads in the Gweedore and Annagry areas
- Lower Carrick Road to Doctor Brogans House
- Brae at Benny Quinn's, Portnoo
- Castledoherty Bridge
- Ranamona Road, Annagry
- Bunclubeg Road, Glenties
- Ardara – Ardaghey Road
- Killult Upper Road

<b>WATER &amp; ENVIRONMENT</b>
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**GEA 153/07 MAJOR CAPITAL SCHEME PROGRAMME**

Members discussed the report circulated with the agenda detailing the status of major capital schemes in the Glenties Electoral Area.

The Committee requested the attendance of Paul Kilcoyne, Sanitary Capital at the next area meeting to address their concerns regarding the lack of progress on proposed major capital projects.

**GEA 154/07 SMALL CAPITAL SCHEMES PROGRAMME**

The Committee discussed the report circulated previously and presented by the Water Services manager.

In response to queries from Members regarding the pipe replacement phase of the Rosses Regional Network, the Water Services Manager stated that he is in regular contact with the Department of Environment regarding funding of the final phase of this priority project.

**GEA 155/07 GROUP WATER SCHEMES**

The Committee discussed the reports circulated with the agenda and the Water Services Manager responded to Members queries regarding the Shallogans, Tory Island and Rutland Island Group Water Schemes.

In response to a query from Cllr Alcorn regarding the Group Water Scheme Programme of Works, the Water Services Manager advised the Committee that he would arrange a meeting with contractors to expedite progress.

**GEA 156/07 ILLEGAL DUMPING**

The Water Services Manager informed the Committee that the Environmental Protection Agency have instructed the Council to remove all waste from unauthorised dumps on Arranmore.

The Committee were advised of the substantial costs that will be incurred by the Council in removing waste to the landfill at Ballintra.

**GEA 157/07 CIVIC AMENITY SITE - DUNGLOE**

The Water Services Manager informed Members that work has commenced on this project and that the contract is for a 22 week period.

**GEA 158/07 OLD ICE PLANT – BURTONPORT PIER**

The Water Services Manager updated the Committee in relation to proposals by BIM to transfer the Old Ice Plant to the Council.

**GEA 159/07 PIER FACILITIES**

Cllr Alcorn commended the Water Service for providing a temporary waiting room on Burtonport Pier for ferry passengers.

Cllr Doherty requested the Council to provide bins, toilets and waiting room facilities on Bunbeg and Magheragallen Piers.

The Water Services Manager informed the Committee that he intends to seek funding for Pier facilities during the Estimates process.

<b>HOUSING AND BUILDING</b>
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**GEA 160/07 PROGRESS REPORT – HOUSING CAPITAL PROGRAMME**

Members discussed the progress report on the Housing Capital Programme as at the 1<sup>st</sup> of September 2007, circulated with the agenda and presented by the Housing Manager.

The Committee requested the Housing Manager to liase with Housing Construction personnel regarding the urgent need to acquire land for the provision of housing in the Dungloe and Gweedore Areas.

Cllr Doherty stressed the importance of providing housing in the Gweedore Area to preserve the status of the Irish Language and to ensure that adequate housing is available for local housing applicants wishing to remain in the Gaeltacht.

Members welcomed progress in relation to the Lettermacaward and Dungloe Schemes.

Cllr Slowey asked the Housing Service to provide reporting details on the location preference of housing list applicants.

**GEA 161/07 SI PROGRAMME**

The Committee discussed the report circulated with the agenda and the Housing Manager undertook to revert to Members regarding queries in relation to SI 6516 and SI 30036, SI 30032 and SI 30016.

Cllr Alcorn requested the decentralisation of the SI programme to the local office to improve efficiency in delivery of the programme.

**GEA 162/07 CASUAL VACANCIES**

The Committee noted the report on casual vacancies as at the 1<sup>st</sup> September 2007, circulated with the agenda.

<b>COMMUNITY, ENTERPRISE &amp; CULTURAL SERVICES</b>
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**GEA 163/07 YOUTH COUNCIL**

The Committee agreed to receive a delegation from the Youth Council at the next electoral area meeting.

**GEA 164/07 PLAYGROUND DEVELOPMENT PROGRAMME**

Members noted the report circulated with the agenda and Cllr Doherty complimented the Administrative Officer for the success of the official opening of the Tory Island Playground.

**GEA 165/07 COUNTY STRATEGY / C & E PROJECTS**

The Committee noted the reports circulated with the agenda detailing work in progress on Community & Enterprise projects.

**GEA 166/07 CULTURAL SERVICES**

The Committee discussed the report circulated with the agenda and the Administrative Officer responded to Cllr Slowey regarding Public Arts Projects and to Cllr Doherty regarding the status of the Aislann Gaoth Dobhair development.

**THIS CONCLUDED THE BUSINESS OF THE MEETING**

## **APPENDIX 1**

### **REPLIES TO TOPICS RAISED BY CASHEL/AIGHE REISIDENTS COMMITTEE**

**Re.: Gallaghers Bakery, Ardara-** Issues to be discussed at Glenties Electoral area meeting  
19/9/07

**(1) Continued Noise Pollution: Why has issue not been resolved after over nine months? Why did the Council decide not to implement the Court order?**

The Order, referred to above, was a Section 107 Notice under the EPA act 1992, issued on 17<sup>th</sup> November 2006. The notice has been complied with by the company, since all work requested in the schedules therein has been completed. No further action is required, either by the company or the Donegal County Council, although the company are seeking to implement a continuous improvement programme aimed at reducing the noise levels even further. Hence, Gallagher's Bakery recently engaged another acoustics consultant to do a survey in the area and he will return with a plan of action next week. It is believed that this consultant has identified an area where improvements can be made.

**(2) Date on which noise monitoring equipment put in place. Number of weeks equipment was left in place. Weekly readings, duration etc.**

It is Donegal Co. Council's policy not to leave Noise monitoring equipment in place, unattended, due to the possibility of damage or interference. Noise monitoring has been carried out by DCC staff from 2001 to the present, comprising surveys and spot checks on a regular basis. A summary log of all monitoring, noise complaints and actions taken by Council staff to address these complaints, is appended. Noise surveys were carried out by a consultant, F.R. Mark & Associates, employed by the company, on the 1<sup>st</sup> and 2<sup>nd</sup> March 2007. A joint noise survey was carried out by the DCC staff and this consultant on the 17<sup>th</sup> April 2007. The company also take noise readings at various times and keep a record of all monitoring.

Improvements have been made over the years, resulting in a reduction in noise emission levels in the area. This has come about as a result of the actions listed below;

**Action taken to date includes :**

- Work was completed on the freezer plants two weeks ago. Ducting was installed which splits and spreads the noise and reduces levels. The cost was €18,000.
- New air conditioning installed 3 weeks ago, with no extraction fans, thus reducing noise. Instead there is a fine mist of water in the air.
- The second plant is turned off at night, while previously this was operating day and night.
- Acoustic louvers are fitted on fan openings, low rev. and off at 7PM
- All generators and machinery is housed or insulated with rockwool to ensure noise levels are kept below guidelines. A large amount of rockwool arrived at the bakery site on 27/8/07 and Mr Gallagher plans to use it to further insulate the freezer rooms.

- A Bakery staff member takes regular noise readings and keeps a record of these readings. The records are available for inspection by DCC staff at any time from 9AM to 6PM.
- A site has been identified on Coillte property at Meenapecky to be used for relocating the freezer lorries. Planning permission has been sought but proposed conditions are restricting advancement at this time. Further discussions will take place.
- All lorry freezer units have been replaced with low noise level truck freezer units and regular maintenance takes place on freezer motors, fans and machinery.
- All sirens on the flour silos have been replaced with Lights.
- Bearings were replaced on a number of blowers as screeching noises were identified and the area in which these were located under the silo was lagged with rock wool.
- Electric tail lifts are used and a back up tail lift has also been purchased.
- All freezer lorries are plugged into electricity while on site and do not run on engines. Notices are erected instructing lorry drivers to plug in units. Supervisors are continually educating new drivers to ensure that they plug in units and do not create noise. With such a variation of lorries and drivers, it is difficult to keep everyone informed but every effort is made to ensure noise levels are kept to a minimum. A notice is erected instructing drivers not to go beyond a certain point.
- During noise surveys, the Bakery have turned off all machinery and equipment and turned on one piece at a time in an effort to identify the location of offending equipment. Noise levels have also been taken with all plant and machinery in operation.
- Mr Gallagher met with residents in the area in an effort to identify problems.

Noise levels are now below the recommended guideline levels for daytime (45dBA) and night time(55dBA). During the day the noise level of 55dBA is not noticeable, but at night in the rural area 45dBA can be heard. Mr Gallagher has stated that he plans to continue with efforts to reduce noise emissions further and has employed a new consultant to obtain a fresh perspective in this regard. This consultant was first employed to do a noise survey on the 7<sup>th</sup> August 2007.

Shirley Mc Menamin
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**Senior Executive Technician**

- (3) 06/31419 : Carpenters Workshop – Condition No. 5 restricts operating hours to 8am to 6 pm only.

It was a condition of this permission that the hours of operation be restricted to between 8am – 6pm. It is evident from latest site inspection of the bakery that workshop has not been completed and is not in use. Therefore there is no breach in the operating hours of the same.

- (4) **05/30909: Pallet store: Condition 2. The extension is not being used as a pallet store, and housing machinery, also two vents for fans which should not be there.**

Permission was granted for the erection of an extension to bakery to provide extra storage for pallets under 05/30909. There is no breach or contravention in this permitted use. There

are 2 no. vents which have been constructed along the external façade of the pallet store which are not covered by the permission.

The provision of these vents are considered exempt development. Section 4 of the Planning & Development Act sets out various development which are considered exempted development. Section 4 (1) (h) states that '*development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures*' are exempted development. It is the opinion of the Planning Authority that the provision of the 2 no. vents do not materially affect the external appearance of the existing building. Noise readings taken by Donegal Co. Council Laboratory Staff on 27<sup>th</sup> August 2007 were within guidelines.

**(5) 99/2769 : Extension to provide extra storage and loading bays**

Permission was granted for the extension of the bakery to provide extra storage and loading bays under 99/2769. It was a condition of permission that '*No other development, whether or not "exempted development" shall be carried out within the site without prior written agreement of the Planning Authority*'. The Planning Authority are of the opinion that all subsequent developments associated with the bakery have been dealt with through the planning process.

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**Frank Sweeney**  
**Area Manager**  
**Planning & Economic Development**