

COMHAIRLE CHONTAE DHUN NA nGALL

Oifig Riarthóir na
gCruinnithe
Aras an Chontae
LEIFEAR
25 Bealtaine 2010

Beidh Cruinniú Comhairle Chontae Dhún na nGall ar siúl Dé Luain 31 Bealtaine, 2010, ag
12.00 meán lae in Áras an Chontae, Leifear

DO GACH BHALL DEN CHOMHAIRLE

A Chara

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

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

Mise, le meas

A. MacSuibhne
Riarthóir Cruinnithe(RÚNAI CHONTAE)

DONEGAL COUNTY COUNCIL

Office of Meetings
Administrator
County House
Lifford
25th May, 2010

NOTICE OF MEETING

A Meeting of Donegal County Council will be held on Monday 31st May, 2010, at **12.00 noon in the County House, Lifford.**

TO EACH MEMBER OF DONEGAL COUNTY COUNCIL

Dear Councillor

You are summoned to attend this meeting of the Council. The Agenda is attached.

The Register of County Manager's Orders will be available for inspection at the meeting.

Yours sincerely

E. Sweeney
Meetings Administrator (County Secretary)

AGENDA

1. Confirmation of Minutes

- a) Confirmation of Minutes of Adjourned Meeting of Donegal County Council held on the 12th April, 2010.
- b) Confirmation of Minutes of Meeting of Donegal County Council held on the 26th April, 2010.

2. Material Contravention

Consideration of planning application by Laura Ross for construction of a new one and half storey dwelling and connection of sewerage to new on-site wastewater treatment plant and percolation pipework at Newtownhamilton, Carrigans, Co Donegal Ref: 09/70516.

3. Planning and Economic Development

“Consideration of Manager’s Report on the Draft Variation No. 1 to the Letterkenny and Environs Development Plan 2009-2015 and to make the Variation.”

MOTIONS

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

STRANORLAR ELECTORAL AREA

Community, Culture and Enterprise

4. Clr. McGowan

"That a detailed presentation is given to this Council on Community Facilities available in the County and what actions is the Council and the County Development Board taking to ensure that funding is Demand led and not just following existing Funding." (C)

Housing

5. Clr. Crawford

"That this Council amend its policy on Housing Adaption Grant for people with severe disability to include the following:

Emphysema

Chronic Pulmonary Disease

Chronic Respiratory Illness." (C)

Corporate

6. **Clr. Harley**
"That this Council hold area meetings on a monthly basis in this current climate." (C)

Roads and Transportation

7. **Clr. Harvey**
"That this Council call on the NRA to progress the N15 (Ballybofey to Lifford road), as to tie in with the A5 dualcarriageway." (C)

GLENTIES ELECTORAL AREA

Community, Culture and Enterprise

8. **Clr. O'Domhnaill**
"That Donegal County Council assist and support Tourism projects within the Glenties Electoral Area such as Ards Forest Park, Errigal Mountain, the islands and beaches to enhance and revive the Area for tourism." (L)

Roads and Transportation

9. **Clr. Alcorn**
"That Donegal County Council discuss our hedgecutting policy and the difficulty in having landowners keep their landholdings trimmed, in particular because of the danger in overgrowth." (C)

Water, Environment and Emergency Services

10. **Clr. Slowey**
"That Donegal County Council review its Litter policy with particular reference to enforcement." (C)

INISHOWEN ELECTORAL AREA

Roads and Transportation

11. **Clr. M. Doherty**
"That Donegal County Council re-open footpath between Moville and Greencastle at site compound for breakwater project." (L)

Planning and Economic Development

12. **Clr. Ryan**
"That this Council act on the Members Motion adopted at our meeting on 25/01/2010 that a variation, under section 13 of the Planning & Development Act 2000, be made to the wind energy Policy NRD33 in the Donegal County Development Plan 2006 - 2012." (C)

Corporate

13. Clr. MacLochlainn

"That this Council views Vehicle Registration Tax as an unjust tax and calls on the Government to make immediate plans for its abolition." (O)

14. Clr. Farren

"That the County Council staff and services be retained in Carndonagh Public Service Centre to serve the people of Inishowen." (L)

Housing

15. Clr. McGuinness

"That this Council discuss its housing policy:

- a) Call on the minister to allow us to purchase houses; and.
- b) Allow applicants for S.I. houses to apply for planning permission." (C)

LETTERKENNY ELECTORAL AREA

Roads and Transportation

16. Clr. McBride

"That this Council requests membership of the western inter-county rail committee in order to further pursue the connection of the western rail corridor and the fourth largest city in Ireland (Derry City) via Co. Donegal." (C)

17. Clr. Quinn

"That this Council urge the NRA to ensure that plans for an upgrade of the N14 Letterkenny to Lifford and Strabane Road are synchronised with the plans for the A5 Dual Carriageway from Derry to Aughnacloy, passing through Strabane." (C)

Planning and Economic Development

18. Clr. Larkin

"That this Council set up a steering group from all the relevant services to deal with the takeover of estates in the Letterkenny area as a matter of urgency." (L)

Corporate

19. Clr. Harte

"That the Council put on a Roadshow to get the views of the public on local government issues in Donegal." (O)

Water, Environment and Emergency Services

20. Clr. McGarvey

"That Donegal County Council apply a waiver on small businesses that have no water facilities on their place of business." (C)

DONEGAL ELECTORAL AREA

Water, Environment and Emergency Services

21. Clr. McEniff

"That the Council provide €38,000 plus 13.5% VAT for installation of solar panels for Ballyshannon Leisure Centre." (L)

Corporate

22. Clr. Pringle

"This Council calls on the County Manager not to sign or renew any contracts with Veolia and implement a policy of ensuring that all multinational companies that tender for projects in Donegal have a clear ethical record." (O)

23. Clr. O'Neill

"That Donegal County Council confirm and agree to hold a local reception to honour the De La Salle All-Ireland Colleges winning football team of 1980, the 30th Anniversary, as previously requested, and hold same local reception on Friday 25th June 2010 at 2pm at Donegal Town Public Services Centre." (L)

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

- a) Notice under Section 183 of the Local Government Act, 2001 to dispose by way of 50 year lease of Old Courthouse, Lifford to Lifford Association for Tourism, Commerce and Heritage Ltd (LATCH).
- b) Notice under Section 183 of the Local Government Act, 2001 to dispose of land at Fintown (S.I. 4947), Co Donegal to Mr Hugh McDevitt, Lorganlarkin, Balinamore, Fintown, Co. Donegal.
- c) Notice under Section 183 of the Local Government Act, 2001 to dispose of land at Gortnabrade, Carrigart (S.I. 5743 (S.I. 5743), Co. Donegal to Ms Annie Coll, Gortnabrade, Carrigart, Co. Donegal.

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

- (a) To approve the carrying out of works with regard to:-
- 1 No. Specific Instance Cottage at Leenan, Clonmany, Lifford, Co Donegal.
 - 1 No. Specific Instance Cottage at Balleeghan Upper, Malin, Lifford, Co Donegal.
- (b) To approve the carrying out of works with regard to the construction of a Wastewater Pumping Station in the townland of Cashel, Glencolmcille.

26. Finance

- a) To consider Report on the Outturn of Income and Expenditure for the local financial year ended 31st December, 2009.
- b) To consider Report on VAT on Council services.

27. Corporate

- a) To consider request that date for 2010 Annual General Meeting be changed from 28th June to 30th June, 2010.
- b) To consider Interim Report of Meeting of Audit Committee held on May 11, 2010.
- c) To adopt Indicative Text of Annual Report 2009.
- d) To note completed membership of An Coiste Logainmneacha.
- e) To approve HEG Scheme 2010.
- f) To approve nomination of 2 Councillors to sit on the Cross Border Rail Group.

28. Roads and Transportation

To approve the proposed 2010 Bridge Strengthening Works programme.

29. Water Environment and Emergency Services

That this Council approve, subject to the sanction of the Minister for Environment, Heritage and Local Government, the raising of a Capital Loan in the amount of €1.5 million for the purpose of completing the capital phase of the County Donegal Non-Domestic Metering Project.

30. Conferences

Authorisation of representation at a seminar, meeting or event under Section 142 (5) of Local Government Act, 2001, S.I. No 668 of 2006, Local Government (Expenses of Local Authority Members) Regulations 2006, S.I. No 37 of 2010 and Guidelines given by the Minister for the Environment, Heritage and Local Government in relation to the Local Government Act, 2001 (Section 142) Regulations 2010.

- 16th Byrne Perry Summer School, “Entwined Histories II: Ireland, France and America.” To be held from Friday 25th June to Sunday 27th June, 2010 at the Christian Brothers School, Wexford Street, Gorey.
- Training Seminar, “Wind and Solar Energy” to be held from Friday 25th June to Sunday 27th June, 2010 at the Country Arms Hotel and Leisure Club, Moorpark, Birr, Co. Offaly.
- Training Seminar, “Transformation of the Public Service, Insurance for the Public Service, Will the Croke Park Deal delvier?” to be held from Friday 4th June to Sunday 6th June, 2010 at the Carlton Hotel Tralee, Dan Spring Road, Tralee, Co. Kerry.

31. Conference Reports

- Clr. Noel McBride, together with Seamus O’ Domhnaill, and Terence Slowey – Our Towns A 20-20 Vision held Friday 5th March, 2010.
- Clr. Noel McBride, together with John Boyle and David Alcorn – 2010 Lama Conference held Friday 9th April, 2010.
- Clr. Noel McBride, together with Jimmy Harte, Patrick McGowan, and Martin Harley – Training Seminar on New EPA Guidelines held Friday 23rd April, 2010.

32. Mayors Business

33. Manager’s Report

34. Deputations/Presentations

To consider request for reception of deputation from St Johnston & Carrigans Family Resource Centre.

QUESTIONS

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

STRANORLAR ELECTORAL AREA

Roads and Transportation

35. Clr. McGowan

"Will this Council prioritise the Elatagh Bridge R252 between Ballybofey and the Glenties, Dungloe Area for any Future Gaeltacht Funding, and request the Minister and the Department for Gaeltacht to visit the Bridge and see for themselves how inadequate it is?" (L)

36. Clr. McGowan

"Can the Councils design cycling lanes on roads with sufficient width within Town and Village areas as opposed to narrowing roads with hatched areas in the middle forcing cars to drive close to footpath kerbing and that any hatching should be along the footpath and act as a Cycling lane as well as traffic calming?" (C)

37. Clr. Crawford

"When is the proposed works to improve conditions on the Ardagh - Glentown Road and the Ballindrait - Tober Road likely to be carried out?" (L)

38. Clr. Harley

"How much has been paid to the consultancy company Hyder McCarthy for works carried out on Ballybofey Stranorlar Bypass?" (L)

39. Clr. Harvey

"In relation to the new erected traffic lights in Killygordan, when will warning signs be erected on the road sides to alert the motorist that these lights are operational in the village?" (L)

40. Clr. Harvey

"What would be the most suitable speed reduction measures for the Glenfin road mainly from Cois na Fine estate to Jacksons Hotel?" (L)

Housing

41. **Clr. Crawford**

"In view of the numbers seeking accommodation when will the council properties (Houses) which are vacant in St Johnston, Porthall and Lifford be offered?" (L)

42. **Clr. Harley**

"Can I have a year by year list of staffing levels at Donegal County Council since the year 1999?" (C)

GLENTIES ELECTORAL AREA

Water, Environment and Emergency Services

43. **Clr. O'Domhnaill**

"Can this Council ensure that a Clarifier is put in place at Ardsbeg Pump house immediately to eradicate the problem of discolouration in the public water supply?" (L)

44. **Clr. Slowey**

"How many litter fines were issued by Donegal County Council in 2009 and how many were paid. In addition how many prosecutions were commenced and how many were successful. Perhaps this information might be provided for each electoral area?" (C)

45. **Clr. Slowey**

"When will power be provided to the existing toilets at the Narin Blue Flag beach?" (L)

Roads and Transportation

46. **Clr. O'Domhnaill**

"Can this council put in place a scheme and plan to upgrade, widen and resurface the back of Muckish Regional Road (R256) from Falcarragh to Caliber Bridge which is in a deplorable state?" (L)

Corporate

47. **Clr. Alcorn**

"Could I have a list of the full membership of the new Donegal County Council Islands Committee and also the proposed date of the first meeting of this Committee?" (C)

Housing

48. **Clr. Alcorn**

"Could I have a list of S.I. houses ready for tender, and confirmation as to when these houses will be tendered?" (C)

INISHOWEN ELECTORAL AREA

Water, Environment and Emergency Services

49. Clr. M. Doherty

"Has Donegal County Council forwarded information requested by An Bord Pleanala on proposed new sewerage works in Moville, Greencastle?" (L)

50. Clr. M. Doherty

"If proposed sewerage works at Moville, Greencastle was given the go ahead is funding available?" (L)

Community, Culture and Enterprise

51. Clr. Ryan

"Can this Council confirm when the proposed takeover by Donegal County Council of the IDA Business Park in Lisfannon, Bunrana will take place?" (L)

52. Clr. MacLochlainn

"What progress has been made on arranging the meeting of all local and national stakeholders to discuss how to promote Grianan of Aileach as agreed at the last council meeting?" (L)

Roads and Transportation

53. Clr. MacLochlainn

"What steps do the council propose as necessary to advance plans for a new road and bridge, to divert traffic on the main Inishowen arterial route, the R238, away from the Cockhill Bridge, Bunrana?" (L)

Housing

54. Clr. McGuinness

"What is the current position regarding Carndonagh Courthouse and what action has the Council taken to have the Courthouse reopened?" (L)

Planning and Economic Development

55. Clr. McGuinness

"What is the current status of the Development Contribution Scheme and give details of proposed spend for 2010?" (C)

LETTERKENNY ELECTORAL AREA

Roads and Transportation

56. Clr. McBride

"The €500k that was recently announced for roads in Fanad, is it a special allocation or is it coming out of the previously announced €2.5m for that area?" (L)

57. Clr. McBride

"What is the possibility of Donegal County Council purchasing 2 town centre properties that are on the market in Carrigart, which could be used for car parking and other facilities needed in the area, (namely the old health centre and former nurses cottage)?" (L)

58. Clr. Larkin

"Will this Council in partnership with Letterkenny Town Council erect the much needed street lighting on the main Ramelton Road from Tara Court to the Thorndale entrance?" (L)

59. Clr. Larkin

"When will the much needed work be carried out on the footpaths on Ballyraine road from the national school to Aldi?" (L)

60. Clr. McGarvey

"Will Donegal County Council consider buying what is known as McCafferty's corner, Milford as it will No. 1 give better vision lines, give easier access to the Main Street, and will allow parking for an additional 10 cars off the street. (L)

Planning and Economic Development

61. Clr. Quinn

"What progress have Donegal Council's planning section had in amending the County Development Plan in relation to planning applications for telecommunications mast to reflect a council motion passed months ago?" (C)

Water, Environment and Emergency Services

62. Clr. Quinn

"How are Donegal County Council progressing with plans to upgrade Rathmullan's water supply and then resurface roads in the village? (L)

Housing

63. Clr. McGarvey

"What is the up-to-date position on Derelict Buildings in Ramelton?" (L)

DONEGAL ELECTORAL AREA

Water, Environment and Emergency Services

64. Clr. McEniff

"When is it hoped to complete the Ballyshannon Sewerage Scheme?" (L)

Housing

65. Clr. Pringle

"Do Donegal County Council intend to purchase or compulsorily purchase any land for social housing in the Donegal Electoral Area or countywide in the next few years?" (C)

Finance

66. Clr. Pringle

"What land belonging to Donegal County Council will be covered by the new Land Aggregation Scheme and returned to the state through NAMA?" (C)

MINUTES OF MEETING OF DONEGAL COUNTY COUNCIL, HELD
IN THE COUNTY HOUSE, LIFFORD ON 31ST MAY, 2010

C/276/10 MEMBERS PRESENT

Clrs. B. Byrne, Mayor, D. Alcorn, L. Blaney, J. Boyle, C. Brogan, G. Crawford, M. Doherty, P. Doherty, R. Donaghey, M. Farren, M.T. Gallagher, M. Harley, J. Harte, C. Harvey, D. Larkin, P. Mac Lochlainn, F. Mc Brearty, N. McBride, C. Mc Conalogue, I. McGarvey, P. McGowan, B. McGuinness, S. O'Domhnaill, B. O'Neill, T. Pringle, M. Quinn, J. Ryan, and T. Slowey.

C/277/10 APOLOGIES

Apologies were received from Clr. Mc Eniff who was unable to attend the meeting

C/278/10 OFFICIALS IN ATTENDANCE

Mr Michael McLoone, County Manager, Mr John McLaughlin, Director of Roads and Transportation, Mr Seamus Neely, Director of Water, Environment and Emergency, Mr Michael Heaney, Director of Community Cultural and Planning, Mr Garry Martin, Acting Head of Finance, Mr Liam Ward, Acting Director of Corporate and Housing, Mr Denis Kelly, A/Senior Planner, Mr. Eunan Quinn, Senior Executive Planner, Mr. James Boyle, Senior Engineer, Mr. Charlie Kerr, Executive Engineer, Mr Eunan Sweeney, Meetings Administrator, Ms Anne Marie Crawford, Staff Officer.

C/279/10 CIVIC RECEPTION IN HONOUR OF THE
DE LA SALLE ALL – IRELAND COLLEGES WINNING
FOOTBALL TEAM OF 1980

Clr. O' Neill noted that there were specific time restrictions for the implementation of his motion and sought permission to have it brought forward on the agenda. It was agreed to vary the order of business and consider Clr. O' Neill's motion at this juncture.

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

"That Donegal County Council confirm and agree to hold a Local Reception to honour the De La Salle All-Ireland Colleges winning football team of 1980, the 30th Anniversary, as previously requested, and hold same Local

Reception on Friday 25th June 2010 at 2pm at Donegal Town Public Services Centre.”

C/280/10 ADJOURNMENT OF MEETING

On the proposal of Clr. Brogan, seconded by Clr. Larkin, it was resolved to adjourn the meeting from 12.30pm until 12.45pm.

C/281/10 MOTIONS TO DISCUSS URGENT BUSINESS

The Council considered a request signed by Clrs. M.T. Gallagher, T. Slowey, P. Doherty, P. Mc Gowan, and S. O’ Domhnaill to have the following motion discussed as Urgent Business:-

“That this Council discuss EPA Regulations and Handbook that were published in November 09, and how these regulations will implicate on the future development of the county.”

It was unanimously resolved, on the proposal of Clr. M.T. Gallagher, seconded by Clr. P. MacLochlainn, to accept the motion but to defer consideration of the motion to the day of the Adjourned Council Meeting.

A further request signed by Clrs. T. Pringle , P. Mac Lochlainn, F. Mc Brearty, C. Harvey, S. O’ Domhnaill, I. Mc Garvey, P. Doherty, M. Doherty, T. Slowey, B. Mc Guinness, J. Boyle, B. O’ Neill, M. Farren, M. Quinn and B. Byrne to have the following motion discussed as Urgent Business was put to the Council.

“ That Donegal County Council condemns the actions of the Israeli Navy in attacking the humanitarian flotilla attempting to bring aid to the people of Gaza and calls on the government to expel the Israeli Ambassador in protest”

It was unanimously resolved, on the proposal of Clr. Pringle, seconded, by Clr. P. MacLochlainn, to accept the motion, same to be considered later in the meeting.

C/282/10 CONFIRMATION OF MINUTES OF ADJOURNED MEETING OF DONEGAL COUNTY COUNCIL HELD ON THE 12TH APRIL 2010

On the proposal of Clr. Larkin , seconded by Clr.M.T.Gallagher , the Minutes of the Adjourned Meeting of Donegal County Council held on 12th April, 2010 were adopted.

C/283/10 CONFIRMATION OF MINUTES OF MEETING OF DONEGAL COUNTY COUNCIL HELD ON THE 26TH APRIL 2010

Clr. Harvey alluded to Minute C/262/10 and enquired whether the text relating to Central Heating and Dry Lining had been reincorporated back in the policy. The A/Director of Housing and Corporate advised that reference to both had been included in the documentation accompanying the application form.

Clr. M. Doherty, F. Mc Brearty and B. Mc Guinness queried the accuracy of Minute C/274/10, advising that they were of the opinion that the disposal had not been agreed and required further deliberation.

Responding to a number of queries, Mr. Eunan Sweeney Meetings Administrator stated that there was no provision at this juncture to discuss the substantative issue and that the issue before the Council was the accuracy of the minute in question.

The Meetings Administrator stated the decision to approve the disposal had been proposed and seconded with no amendment proposed or division called for. The minute, he advised, reflected in no opinion the decision on the day.

The Meetings Administrator, at the request of the Mayor, read into the record Standing Order 17 and advised that :-

“When the question that the Minutes be confirmed, in accordance with paragraph 14.4 of Schedule 10, is put from the chair, a member may object to any part thereof as not being an accurate record and, upon a Motion, any question of altering the records shall be determined by the Council by a majority vote of those members who were present at the meeting to which the Minutes relate provided that no entry (other than a record of dissent) shall be made in the Minutes (of the later meeting dealing with the confirmation).”

The Director of Community, Culture and Planning confirmed that legal advice had been sought both before and after the Council Meeting on the 26th April . This had confirmed that a valid tender process had been followed and allowed for the land to be leased to the highest bidder.

On the proposal of Clr.M.T. Gallagher, seconded by Clr.Donaghey, the Minutes of the Meeting of Donegal County Council held on 26th April, 2010 were adopted.

C/284/10

MATERIAL CONTRAVENTION OF COUNTY DEVELOPMENT PLAN 2006 - 2012, AS VARIED - CONSIDERATION OF PLANNING APPLICATION BY LAURA ROSS IN RESPECT OF NEW ONE AND HALF STOREY AND CONNECTION OF SEWERAGE TO NEW ON SITE WASTEWATER TREATMENT PLANT AND PERCOLATION PIPEWORK AT NEWTOWNHAMILTON CARRIGANS, CO DONEGAL. REF 09/70516

The motion was duly proposed by Clr Ryan, seconded by Clr. Mc Guinness.

The Meetings Administrator outlined for the benefit of new Members the procedures to be followed and the necessity of remaining in the Chamber for the duration of the item. Members, he advised, who left the Chamber and came back would be ineligible to vote.

Prior to consideration of the above item, the Meetings Administrator carried out a roll call of members present and recorded as in attendance those listed below: -

Clrs: D. Alcorn, L. Blaney, J. Boyle, B. Byrne, G. Crawford, M. Doherty, P. Doherty, R. Donaghey, M. Farren, M.T. Gallagher, M. Harley, J. Harte, C. Harvey, D. Larkin, P. Mac Lochlainn, F. Mc Brearty, N. McBride, C. Mc Conalogue, I. McGarvey, P. McGowan, B. McGuinness, S. O'Domhnaill, B. O'Neill, M. Quinn, J. Ryan, and T. Slowey. (26)

The, Director Community, Culture and Planning read into the record his own report dated 25th May, 2010 and the

report from Mr. Denis Kelly, A/ Senior Planner, dated 20th May, 2010.

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

- 1) “The subject site is located within a Rural Area outside Towns and Villages, which is designated as an area of Urban Generated Rural Housing in the Donegal County Development Plan 2006-2012 (as varied). It is a policy of the Planning Authority as set out in policies 5.8 and 5.10 of the aforementioned Plan to promote quality one-off housing for permanent occupation by applicants demonstrating a genuine housing ‘need’ along with ‘roots’ in the area, except where such development would, inter alia, ‘create undesirable ribbon development’. Having regard to the 4 no. existing dwelling houses to the west of the subject site and to the 7 no. existing dwellings to the east of the subject site, on this side of the public road, it is considered that the proposed development and the infill sites which it would create, would give rise to an unsustainable density of roadside ribbon development which would be seriously injurious to the rural fabric and visual amenity of the host environment. Accordingly it is considered that to permit the proposed development would materially contravene the aforementioned policy of the County Development Plan 2006-2012 and would thereby be contrary to the proper planning and sustainable development of the area.
- 2) The Planning Authority is not satisfied on the basis of the information submitted that the subject site can cater for the safe and effective disposal of surface water in accordance with the necessary standards. Accordingly to permit the proposed development would thereby be contrary to the proper planning and sustainable development of the area.
- 3) The proposed development will endanger public safety by reason of traffic hazard because the proposed visibility splays at the entrance to the public road are significantly below the minimum required vision lines, as specified in Section 2.3 of Appendix A of the County Development

Plan 2006-2012 (as varied). Accordingly to permit the development as proposed would be contrary to the proper planning and sustainable development of the area.”

At this juncture, Clr. Ryan advised that he wished to withdraw his proposal of the motion and it was agreed to abandon further consideration of the issue.

C/285/100 ADJOURNMENT OF MEETING

On the proposal of Clr. Donaghey, seconded by Clr. Blaney, it was resolved to adjourn the meeting for lunch until 2.30pm.

C/286/10 CONSIDERATION OF MANAGER’S REPORT ON THE DRAFT VARIATION NO 1 TO THE LETTERKENNY AND ENVIRONS DEVELOPMENT PLAN 2009 – 2015 AND TO MAKE VARIATION

On the proposal of Clr. Larkin, seconded by Clr. Crawford, it was resolved to defer consideration to later in the meeting.

C/287/10 REQUEST FOR PRESENTATION ON THE AVAILABILITY OF COMMUNITY FACILITIES IN THE COUNTY AND THEIR FUNDING STATUS

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

"That a detailed presentation is given to this Council on Community Facilities available in the County and what actions is the Council and the County Development Board taking to ensure that funding is Demand led and not just following existing Funding."

Members were informed that:-

“Audit of Arts, Sports and Community Facilities

In March 2008, the Research and Policy Unit completed an audit of Arts Sports and Community Facilities in County Donegal the purpose which was to help establish the current level of provision and to help inform future investment decisions in facilities, based on the outcome of the audit and having regard to local needs.

This audit lists known sporting, culture, community groups and facilities and youth services in the county according to their x, y, coordinates and can be view at:
<http://www.donegalcoco.ie/services/communityculturalenterprise/communityenterprise/pubs.htm>

Social and Community Facilities Capital Scheme 2007/08

The Social and Community Facilities Capital Scheme 2007, is aimed at targeted capital works carried out through local authorities, which are designed to enhance communities, address disadvantage and improve social cohesion at local level. 5 facilities have received funding (in Lifford, Carrigart, Tory, Ballyshannon and Castlefin) through this scheme in 2007/2008 at a total cost of €150,000 or €30,000 per facility.

Playgrounds 2009

The funding of playgrounds is demand led, in that, prior to their development expressions of interests are sought and priority listings are developed at Electoral Area Level by Members.

In total there are 40 playgrounds within the county with a target being reached in 2010 that there is no child that has to travel more than 10 miles (16 km) to reach a playground. In 2009, there were 3 playgrounds completed (Kilcar Playground, Stranorlar Playground, Tamney Playground) and therefore are listed as community assets at a total value of €299,968.71.

Mini Pitches

There are at present 4 mini pitches within the county and these are located at Carndonagh, Newtowncunningham, Letterkenny and Ballyshannon and their location was determined at a full Council meeting. The average cost of these pitches is €128,000 per pitch and therefore the total investment is equal to €512,000.

Walks/ Environment Management (Sliabh Liag) and Cycling Routes

In 2008 the matching funds contributed by Donegal County Council as part of Failte Irelands investment in walking routes was €500, 649.66 in 2008. This investment by Donegal County Councils in soft infrastructure can be broken down as follows:

- €7,341.86 on national coastal walks;
- €182,728.93 on Sliabh Liag Sustainable Trails.
- €181,347.93 on Sliabh Liag Visitor Management Project.
- €59, 230 .94 on Cycling Routes.

PEACE 111

The only funded capital under Peace III is for Orange Halls and this totals €236,000 and this covers St Johnston LOL Newtowncunningham LOL Killaghtee LOL Ballinakillew LOL Carricknahorna Hall

PEACE 11

Investment in facilities has mainly been done through PEACE 11 and these allocations are under four measures for the period 2002-2006 see below:

Measure 3.3	2,690,000.00
Measure 3.4	3,945,830.00
Measure 4.2 A	540,000.00
Ext. Measure 3.3	2,451,850.00
	9,627,680.00

Development Charges 2009

The total transfer of development charges to Community and Enterprise in 2009 was €447,515.46 and this covered a range of facilities including mini pitches, playgrounds, and walks including riverside, coastal and looped walks.

Community Development Fund/ Development Fund Initiative

The total allocation under this fund for 2009 was

€17,098.13 and was again used to fund a wide range of initiatives including community centres, arts centres, sports clubs, community projects etc.

The distributions of all of the above funds are based on need and are demand led. In addition appropriate structures have been established to ensure that funds are allocated to meet genuine need within the county.

Future development of community facilities will be dependent on the availability of funding and every effort will continue to be made to source funding internally and from external resources where possible.

A detailed presentation can be made to members by the Research & Policy Unit if required.”

Clr. Mc Gowan stated that he wished to accept the offer in the response of a presentation. He called for an audit of community services so as to identify the gaps in service delivery across the county. He expressed dismay that there was no reference to the Balor Theatre, coupled with what he acknowledged to be a deficit of services in the east of the county, in particular.

Clr. Larkin requested that the Department of the Environment, Heritage & Local Government be contacted in relation to the availability of Leader funding for Letterkenny, which had been excluded from previous elements of funding, as a Gateway Town. He highlighted also the necessity of seeking Clar funding for the town.

There was widespread support for the motion with Members highlighting the need for the Research and Policy Unit to identify a range of facilities for the young and elderly throughout the county.

Clr. Mc Brearty proposed, seconded by Clr. Mac Lochlainn, that Members who so wished be allowed to reallocate unused conference budget monies to their respective Development Fund allocations.

The Meetings Administrator advised that this could not be done on an ad hoc basis and that any changes in the

provision under the various headings would have to be made as part of the annual budgetary process.

He referred to the recent regulations limiting expenditure by local authorities on attendance by elected members at conferences/seminars/training/meetings and other events (domestic & foreign), and providing for the initiation of a specific Training and Development Programme.

The, Director of Community, Culture and Planning, advised that a detailed presentation on the provision of community facilities in the county would be delivered to Members through the Workshop process.

C/288/10 AMENDMENT OF THE COUNCIL'S POLICY ON HOUSING ADAPTATION GRANT FOR PEOPLE WITH SEVERE DISABILITY

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

"That this Council amend its policy on Housing Adaption Grant for people with severe disability to include the following:

Emphysema
Chronic Pulmonary Disease
Chronic Respiratory Illness."

Members were informed that:-

"A very comprehensive report on Housing Adaption Grants for Older People and People with a Disability was considered and approved by Donegal Co. Council at its meeting on 26th April, 2010. The recommendations contained therein had previously been considered by the Housing & Corporate Services SPC and the Corporate Policy Group.

The main thrust of the policy recommendations was to allow the Council to commence accepting and processing applications again with a view to meeting the needs of the greatest number of persons possible, who are elderly or have the greatest level / most complex clinical/functional care needs, while at the same time remaining within resources available.

In accordance with agreed practice and protocols, any proposal to amend policy in this area, should be submitted, for consideration, to the Strategic Policy Committee in the first instance, then to the Corporate Policy Group and if agreed presented to full Council for approval. Arrangements will be made to have this proposal referred to the next meeting of the Housing & Corporate Services SPC which is to be held on Wednesday 16th June, 2010.”

Clr. Crawford advised that statistical data for Donegal, based on the 2006 Census, clearly indicated the necessity of providing the Housing Adaptation Grant. He had, he confirmed, submitted the motion because of the difficulties being experienced by one particular applicant.

Having spoken with the Director of Service prior to the meeting, he stated that he was happy to accept the explanation given.

Clr. Crawford highlighted the need for unsuccessful applicants to be fully briefed in relation to the criteria governing their refusal,. There was room also, he added, for the Council to hire its own Occupational Therapists. He called for decisions made by the elected members to be fully implemented.

Members noted the importance of having an open and transparent process and asked that the Housing Adaptation Grant be interpreted in the same way by each of the Electoral Areas. They asked that every consideration be given to those with a disability, with some suggesting that the grant be increased for those in real need.

Concern was expressed that there could be difficulties with listing specific diseases. The plight of the visually impaired who are presently not eligible for grant assistance was highlighted. It was agreed that this anomaly should be investigated and specific policy issues concerning same addressed by the Housing Strategic Policy Committee.

The A/Director of Housing and Corporate acknowledged the contributions from the Members and advised that the policy itself was due to be reviewed by the Housing S.P.C at its next meeting. The amendments, as outlined, could be discussed at this juncture.

The present criteria had, he affirmed, been extensively considered by both the Housing and Corporate Services S.P.C and the Corporate Policy Group and every effort made to avoid the situation which happened in 2009 and resulted in the closing down of the scheme.

Clr. Crawford, in conclusion, accepted the willingness of the Director to look again at exceptional cases and acknowledged the pressures under which the housing staff were working.

C/289/10

HOLDING OF ELECTORAL AREA MEETINGS ON A MONTHLY BASIS DURING THE CURRENT CLIMATE

On the proposal of Clr. Harley, seconded by Clr. Boyle, the following motion was adopted:-

"That this Council hold area meetings on a monthly basis in this current climate."

Members were informed that:-

“Donegal County Council has previously agreed that the existing meeting schedule include for Electoral Area Committee meetings on a bi-monthly basis. The Committees have the option of holding special meetings/workshops to deal with specific priority issues on an as required basis and this arrangement seems to be working satisfactorily. Introducing monthly meetings would increase the number of committee meetings by 25 (no meetings in August) and would impinge significantly on the already pressurised meeting schedule for Elected Members and on the capacity of the executive to adequately service the meetings.”

Clr. Harley advised that he had introduced the motion on the basis that it was becoming extremely difficult to meet the demands of the local electorate. The introduction of monthly meetings, he contended, would go some way to alleviating this situation.

A number of Members highlighted that monthly meetings would not be required in all Electoral Areas and suggested that the motion be amended accordingly.

The A/Director of Corporate and Housing noted that there would be additional demands in servicing these additional meetings.

He asked that implementation of the motion be deferred to later in the year, and until the current industrial action was resolved, and it was agreed to do so.

C/290/10 A5 DUAL CARRIAGEWAY

It was resolved to consider Motions 7 and 17 together as they dealt with the same subject matter.

On the proposal of Clr. Harvey, seconded by Clr. McGowan, the following motion was adopted:-

"That this Council call on the NRA to progress the N15 (Ballybofey to Lifford road), as to tie in with the A5 dualcarriageway."

Members were informed that:-

“At the present time, the A5 link at Lifford across the Finn to Strabane is being progressed. It is intended to have consultants procured to undertake the design and associated environmental works by the end of June. It is also intended to have this bridge constructed in time for the completion of the A5 in 2016.

In the interim permission is being sought from the NRA to go to CPO on the Lifford Stranorlar scheme. It will be ready for publication of the EIS and CPO in June 2010. Indications are that approval to publish will not be given by the NRA. This scheme is now at Final Design/Planning Stage.”

On the proposal of Clr. Quinn, seconded by Clr. McGowan, the following motion was adopted:-

"That this council urge the NRA to ensure that plans for an upgrade of the N14 Letterkenny to Lifford and Strabane Road are synchronised with the plans for the A5 Dual Carriageway from Derry to Aughnacloy, passing through Strabane."

Members were informed that:-

“Work is in progress to get the A5 link across the River Finn from Lifford to Strabane ready for publication of the EIS

/CPO as soon as possible. Procurement / Design/
Environmental/ Project Appraisal issues are unavoidable and
will dictate the pace of the project.

Procurement of consultants is underway and it is expected
that we will have them on board by the end of June.
Publication of EIS/CPO is expected early 2011.

The rest of the scheme from Lifford to Manorcunningham
roundabout has been ready for publication of the EIS and
CPO since Feb 2010. Approval to publish has not been given
by the NRA. It is not likely that permission will be granted
until such times as the new A5 link has been designed.
The matter of overall funding of this complete scheme is
very important.”

Members outlined the necessity of progressing works on the
N14 and N15 whilst also moving forward with the
development of the Bunagee Link.

It was acknowledged that the progression of these projects
was essential for the overall development of the county.

The necessity of moving forward with the
Ballybofey/Stranorlar Bypass was also deemed essential,
given its role in linking all three projects.

Members called on the NRA to examine as part of the
overall funding requirement the cost of progressing the
Bunagee Link.

Concern was expressed that there was no synchronisation
within the NRA in relation to future plans for Letterkenny
and Ballybofey.

On the proposal of Clr. Pringle, seconded by Clr. Mc Bride,
it was resolved that Clr. Alcorn take the Chair in the absence
of the Mayor who had to attend to urgent business, and the
Deputy Mayor who was absent from the Chamber.

Members expressed concern that Donegal was now lagging
behind in terms of developing adequate linkage with the A5
Dual Carriageway.

At this juncture, Clr. Mc Conalogue took the chair for the
remainder of the meeting.

Clr. Mac Lochlainn advised that a delegation should meet with the Minister for Transport, Mr. Noel Dempsey, TD, Mr. Conor Murphy, Minister for Regional Development , Northern Ireland Assembly and senior members of the NRA to ensure that there was no slippage on the A5 Project.

The Director of Roads and Transportation stated that he had clearly outlined in his reply the current status of the projects in question. There was he noted no shortage of ability to deliver these projects as soon as clearance was forthcoming. He agreed to speak to the NRA in relation to the possibility of sourcing funding so as to put the Bunagee Link back on the drawing board.

A progress update on the A5 Project would be confirmed be presented to the Roads SPC in the coming weeks and all Members updated at the next Council Meeting.

On the proposal of Clr. Larkin, seconded by Clr. Brogan, it was resolved that an all party delegation meet with the NRA as soon as possible to discuss the future development of the N15 Ballybofey to Lifford, the N14 Letterkenny to Lifford and Strabane Road and the Bunagee Link.

C/291/10 DATE FOR ADJOURNED COUNCIL MEETING

On the proposal of Clr. Alcorn, seconded by Clr. Brogan, it was resolved to adjourn the remainder of the business to 10.00am on Monday 14th June, 2010.

C/292/10 CONSIDERATION OF MOTION UNDER URGENT BUSINESS

Members considered the following motion in the names of Clrs T. Pringle , P. Mac Lochlainn, F. Mc Brearty, C. Harvey, S. O' Domhnaill, I. Mc Garvey, P. Doherty, M. Doherty, T. Slowey, B. Mc Guinness, J. Boyle, B. O' Neill, M. Farren, M. Quinn and B. Byrne that had been accepted earlier in the meeting:

“ That Donegal County Council condemns the actions of the Israeli Navy in attacking the humanitarian flotilla attempting to bring aid to the people of Gaza and calls on the government to expel the Israeli Ambassador in protest.”

Members were unanimous in their condemnation of the attack and called on the Irish Government to send a clear message to the Israeli Government that such actions would not be tolerated.

On the proposal of Pringle, seconded by Clr. Mac Lochlainn, the above motion was adopted.

END