

**COMHAIRLE CHONTAE DHUN NA nGALL**

Oifig Riarthóir na  
gCruinnithe  
Aras an Chontae  
LEIFEAR  
19 Eanáir 2010

Beidh Cruinniú Comhairle Chontae Dhún na nGall ar siúl Dé Luain 25 Eanáir, 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)**

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**DONEGAL COUNTY COUNCIL**

Office of Meetings Administrator  
County House  
Lifford  
19<sup>th</sup> January, 2010

**NOTICE OF MEETING**

A Meeting of Donegal County Council will be held on Monday 25<sup>th</sup> January, 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 Meeting of Donegal County Council held on the 30<sup>th</sup> November, 2009.
- b) Confirmation of Minutes of Adjourned Council Meeting of Donegal County Council held on the 15<sup>th</sup> December, 2009.
- c) Confirmation of Minutes of Annual Budget Meeting of Donegal County Council held on 22<sup>nd</sup> December, 2009.

## MOTIONS

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

## LETTERKENNY ELECTORAL AREA

### Water and Environment and Emergency Services

#### 2. Clr. McGarvey

"To ask Donegal County Council to takeover Group Water Schemes in the county." (C)

### Roads & Transportation Services

#### 3. Clr. McBride

"That this Council seek extra funding for the upgrade of Roads in the Letterkenny/Milford EA and in particular on the Fanad side of the new Harry Blaney bridge across Mulroy Bay." (L)

### Planning and Economic Development

#### 4. Clr. Larkin

"That this council amend our County Development Plan at the earliest opportunity, to make it compulsory for all new building applications to have a radon gas test/assessment done on their site at planning application stage." (C)

### Community, Enterprise and Cultural Services

#### 5. Clr. Quinn

"In view of the fact that 1 in 4 of the unemployed in Donegal are under 25, that Donegal County Council co-ordinate a meeting of all the relevant agencies to address this major problem." (O)

## DONEGAL ELECTORAL AREA

### Corporate Services

#### 6. Clr. Pringle

"That the County Manager immediately address the staffing levels in the Donegal EA Housing Office to ensure a proper service." (L)

**Water and Environment and Emergency Services**

7. **Clr. O'Neill**

"That Donegal County Council discuss the need to reduce or indeed abolish water charges on community, voluntary, and churches in this county." (C)

**STRANORLAR ELECTORAL AREA**

**Corporate Services**

8. **Clr. McBrearty**

"That this Council request from Government that the pensioners and social welfare recipients" of Donegal be given an extra weeks benefit ASAP, in order to help them cope with their crippling fuel and electricity bills and the suffering they have had to endure over the Christmas and New Year period due to the severe snow and freezing weather conditions that the County has had to suffer." (O)

**Water and Environment and Emergency Services**

9. **Clr. Harvey**

"That this Council provide a briefing report outlining the reasons why 25 houses in the Leitirbrick area of Glenfin do not have mains water supply and give a commitment that they will endeavour to connect this part of Glenfin to the Council water supply as soon as possible." (L)

10. **Clr. Harley**

"That this Council sort out the existing problems in regard to the Stranorlar Leisure Centre, in moving the Project forward to the next level." (L)

11. **Clr. Crawford**

"That this Council debate the watermain pipe network in the Lifford, Ballindrait area." (L)

**Planning and Economic Development**

12. **Clr. McGowan**

"That this Council give a detailed report on any issues relating to the Stranorlar Area that arise in the Review of the Regional Planning Guidelines and outline where Ballybofey/Stranorlar are in terms of development." (L)

## GLENTIES ELECTORAL AREA

### *Corporate Services*

13. Clr. Alcorn

"That Donegal County Council discuss the possibility of setting up of our own call centre managed by our own staff over the yearly Christmas Holidays to replace the call centre located outside the County over the last few years and for which we have received a lot of complaints." (O)

### *Roads & Transportation Services*

14. Clr. M.T. Gallagher

"That this Council include the back of Errigal Road and Rannafast main road in all future gritting programmes." (L)

## INISHOWEN ELECTORAL AREA

### *Roads & Transportation Services*

15. Clr. Farren

"That funding be made available by Government to complete works at Greencastle Harbour from the 2010 Piers and Harbour Budget." (L)

### *Planning and Economic Development*

16. Clr. MacLochlainn

"That Donegal County Council amends or varies the County Development Plan to permit a more flexible approach to applications for wind farms on land designated as "Especially High Scenic Amenities" and encourages and facilitates the promotion of community owned and not for profit wind farms within the county to give more financial benefit to local communities from this natural resource, referred to as "Donegal's Gold". (C)

17. Clr. McConalogue

"That this Council discuss the County's current planning regulations in relation to wind and renewable energy and resolve on how best to address any regulations members believe require amendment in order to encourage appropriate development of the wind and renewable energy potential of our county." (O)

### *Water and Environment and Emergency Services*

18. Clr. M. Doherty

"That Donegal County Council Water and Environment management sit down with supervisors and overseers within the

Department and put together proposals to upgrade the present mains network in East Inishowen." (L)

**Corporate Services**

19. **Clr. Donaghey**

"That the Minister for Environment Heritage and Local Government be requested to review and revise current arrangements for the funding and operation of the Coroner's Service." (O)

20. **Clr. McGuinness**

"That this Council discuss the reorganisation of our Public Service Centres and the implications of this for the delivery of services." (C)

**Finance**

21. **Clr. Ryan**

"That this Council discuss the tendering process involved in awarding contracts for Donegal County Council." (C)

22. **Appointment of four persons to County Donegal VEC**

To appoint four persons (two men and two women) to County Donegal Vocational Education Committee pursuant to Vocational Education (Amendment) Act, 2001. (Minute of Consultation Meeting held on 13th January, 2010, enclosed).

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

- a) Notice under Section 183 of the Local Government Act, 2001 to dispose of land by way of lease at Pound Street, Stranorlar, Co Donegal to Stranorlar Town Action Group (S.T.A.G.).

24. **Finance**

- a) To approve agreement to provide for inter-authority borrowing/lending between Donegal County Council, Letterkenny, Buncrana, Bundoran and Ballyshannon Town Councils for period up to 31<sup>st</sup> December, 2010.
- b) To approve date for Special Council Meeting to consider the 2010-2012 Capital Programme.

## **25. Corporate**

- a) To consider authorisation of Council representation at the St. Patrick's Day celebrations in the U.S.A.
- b) To review progress on the re-establishment and the filling of the following committees:-
  - Strategic Policy Committees
  - Placenames Committee
  - Islands Committee

## **26. Endorsement of Minutes**

- (a)(i) Endorsement of the Confirmed Minutes of Meeting of Donegal Placenames Committee held on 7<sup>th</sup> April, 2009.
- (a)(ii) Endorsement of the Confirmed Minutes of Meeting of Inishowen Electoral Area Committee held on 15<sup>th</sup> September, 2009.
- (a)(iii) Endorsement of the Confirmed Minutes of Meeting of Stranorlar Electoral Area Committee held on 15<sup>th</sup> September, 2009.
- (a)(iv) Endorsement of the Confirmed Minutes of Meeting of Donegal Electoral Area Committee held on 15<sup>th</sup> September, 2009.
- (a)(v) Endorsement of the Confirmed Minutes of Special Meeting of Donegal Electoral Area Committee held on 23<sup>rd</sup> October, 2009.
- (b)(i) To note the Confirmed Minutes of Meeting of Corporate Policy Group held on 19<sup>th</sup> October, 2009.
- (b)(ii) To note the Confirmed Minutes of Meeting of Corporate Policy Group held on 17<sup>th</sup> July, 2009.

## **27. Conferences**

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

- a) **HOME**
  - Freedom of Information Conference- Data Protection and Legal Proceedings to be held on Wednesday 27<sup>th</sup> January, 2010 (Half Day) at the Public Affairs Ireland, 25 Mountjoy Square East, Dublin 1.
  - Tourism in the 21<sup>st</sup> Century - "A Challenge for All-Northern Tourism Conference" to be held Friday 29<sup>th</sup> and

Saturday 30<sup>th</sup> January, 2010 at the Dunadry Hotel, Muckamore, Dunadry, County Antrim.

- Planning Seminar for Councillors to be held from Friday 29<sup>th</sup> January to Saturday 30<sup>th</sup> January, 2010 at the Patrick Punch Hotel, Limerick.
- Mid-West Regional Authority 16<sup>th</sup> Annual Conference “Environmental Designations - “Barriers or Opportunities” to be held Thursday 4<sup>th</sup> and Friday 5<sup>th</sup> February, 2010 at the Greenhills Hotel, Ennis Road, Limerick.
- A.M.A.I. Spring Seminar 2010 to be held Friday 12<sup>th</sup> and Saturday 13<sup>th</sup> February, 2010 at the Sligo Park Hotel, Sligo.
- Kadenza Consultancies Ltd, Alcohol and Drug Abuse and Health & Safety to be held from Friday 26<sup>th</sup> to Sunday 28<sup>th</sup> February, 2010 at the Raheen House Hotel, Raheen Road, Clonmel, Co Tipperary.
- Kadenza Consultancies Ltd, Media 2010 Training & Communications for Councillors to be held from Friday 5<sup>th</sup> to Sunday 7<sup>th</sup> February, 2010 at the Clonea Strand Hotel, Clonea, Dungarvan, Co. Waterford.
- Managing Stress and Promoting Positive Mental Health to be held from Tuesday 16<sup>th</sup> to Thursday 18<sup>th</sup> February, 2010 at the Kingsvalley Hotel, Merlin Park, Dublin Road, Galway City.
- Change Management in Local Government to be held from Friday 19<sup>th</sup> to Sunday 21<sup>st</sup> February, 2010 at the Westport Plaza Hotel, Spa and Leisure Resort, Castlebar Street, Westport, Co Mayo.
- 21<sup>st</sup> Colmcille Winter School, to be held from Friday 26<sup>th</sup> to Sunday 28<sup>th</sup> February, 2010 at the Colmcille Heritage Centre, Church Hill, Letterkenny.

## **28. Conference Reports**

- Clr. Rena Donaghey – Planning and Development Amendment Bill held from Friday 18<sup>th</sup> to Sunday 20<sup>th</sup> September, 2009.
- Clr. Mickey Doherty together with Clr. Ryan, and Clr. Harley – I.P.A. Training Seminar held Wednesday 14<sup>th</sup> October, 2009.

- Clr. Mickey Doherty, together with Clr. John Ryan – L.A.M.A. Conference held Friday 6<sup>th</sup> and Saturday 7<sup>th</sup> November, 2009.
- Clr. Mickey Doherty, together with Clr. John Ryan, and Clr. Noel McBride, – Local Government Ethics in Public Life held from Friday 13<sup>th</sup> to Sunday 15<sup>th</sup> November, 2009.
- Clr. Thomas Pringle – District Policing Partnership held Tuesday 17<sup>th</sup> November, 2009.
- Clr. Dessie Larkin, together with Clr. O’Neill, Clr. Alcorn, Clr. Brogan, and Clr. Byrne, held from Thursday 26<sup>th</sup> to Sunday 29<sup>th</sup> November, 2009.
- Clr. Barry O’Neill – Clare Tourism Conference held from Thursday 26<sup>th</sup> to Saturday 28<sup>th</sup> November, 2009.
- Clr. Barry O’Neill – Constituents on the Net held from Friday 4<sup>th</sup> to Sunday 6<sup>th</sup> December, 2009.
- Clr. Barry O’Neill – Alternative Energy Improving your Carbon Footprint held from Friday 11<sup>th</sup> to Sunday 13<sup>th</sup> December, 2009.
- Clr. Dessie Larkin – Alternative Energy Improving your Carbon Footprint held from Friday 11<sup>th</sup> to Sunday 13<sup>th</sup> December, 2009.

**29. Deputations/Presentations**

To consider request for reception of deputation from “Contact Youth Counselling”.

**30. Mayor’s Business**

**31. Manager’s Report**

**QUESTIONS**

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

**LETTERKENNY ELECTORAL AREA**

**Housing and Building**

**32. Clr. McGarvey**

"How much rent has been paid by this Council for 2008 and 2009 for rented property and to whom?" (C)

**Water and Environment and Emergency Services**

33. Clr. McGarvey

What is the present position on the proposed sewerage schemes for Rathmullan, Ramelton and Milford?" (L)

34. Clr. McBride

"Can this Council put a structure in place whereby Group Water Schemes can be taken over once completed?" (C)

**Planning and Economic Development**

35. Clr. McBride

"Have all contract requirements and documents been put in place to allow the Milford Environmental Improvement Scheme to commence and what is the commencement date?" (L)

**Roads & Transportation Services**

36. Clr. Larkin

"May I have an update on my request to improve all the right turning movements on the road from the Ballymacool Town Park to Jameson's Junction?" (L)

37. Clr. Quinn

"What is the up to date position regarding the lighting in the estates at Glenn Eadan and Killylastin?" (L)

**Community, Enterprise and Cultural Services**

38. Clr. Larkin

"May I have an update on where the proposals are for playgrounds selected in the Letterkenny area?" (L)

39. Clr. Quinn

"Will Donegal County Council seek additional funding from the Department of Tourism to open up the Fanad area from the Blaney Bridge for Tourism?" (L)

**DONEGAL ELECTORAL AREA**

**Planning and Economic Development**

40. Clr. Pringle

"When will the Killybegs Environmental Improvement Scheme be completed specifically the new street lighting?" (L)

**Roads & Transportation Services**

41. Clr. O'Neill

"Can the Roads Department prioritise the proposed works of developing a car park at Upper Erne Dale in Ballyshannon?" (L)

**Water and Environment and Emergency Services**

42. Clr. Pringle

"When will the Killybegs Sewerage Scheme commence?" (L)

43. Clr. O'Neill

"Can I be furnished with the costings for the Laghey Sewerage Scheme currently in progress and a detailed explanation as to why only 50% of the town is to be now serviced by the Scheme?" (L)

44. Clr. Boyle

"What is the total cost of Laing O'Rourke contract to Donegal County Council and what is the duration of the contract and what is the annual net cost to Donegal County Council?" (C)

**Finance**

45. Clr. Boyle

"How much is owed to Donegal County Council by Government Departments for work and projects already completed?" (C)

**STRANORLAR ELECTORAL AREA**

**Water and Environment and Emergency Services**

46. Clr. McBrearty

"What will the Council's position be concerning leaks caused by the severe freezing weather conditions, if farmers and the business community who are on water meter's are hit with huge water bills due to no fault of their own?" (C)

**Planning and Economic Development**

47. Clr. McGowan

"Can this Council outline what exactly the plans are for undertaking a Area Plan for Convoy and to clarify the decision agreed last year in relation to Convoy and other border Villages?" (C)

**Corporate Services**

48. Clr. McGowan

"Can this Council give a report on the lack of broadband in some areas of the County and give an update on current schemes and what coverage there is?" (C)

### **Roads & Transportation Services**

49. Clr. McBrearty

"I request that the Council provide me with a list of roads in Donegal South West that the public make complaints about, starting with the most complained about to the least complained about due to the condition they are in and that the list be provided broken up into the 3 electoral areas of Donegal South West?" (L)

50. Clr. Harvey

"Does this Council have any role in the provision of lighting in the Knockrawer area of Castlefin (from CPI Centre down as far as the entrance to the football pitch?" (L)

51. Clr. Harvey

"What is the present position in relation to the footpath provision at Trusk Road in Ballybofey?" (L)

### **Housing and Building**

52. Clr. Harley

"Can this Council supply me with a list of all buildings rented by this Council and how much these buildings are costing this council in the County?" (C)

53. Clr. Crawford

"What proposals does this Council have to meet the housing needs of applicants in area such as Lifford, Raphoe, St Johnston and Ballindrait?" (L)

54. Clr. Crawford

"How many casual vacancies (housing) exist in the Stranorlar area and what is the reason for delay in letting same?" (L)

## **GLENTIES ELECTORAL AREA**

### **Finance**

55. Clr. Slowey

"How much was spent in 2009 on consultancy by this Local Authority and give a detailed breakdown of consultancy associated with both the Capital and Revenue Budget?" (C)

56. Clr. Slowey

"How much money is owed to this County Council by Government at the end of 2009 and give a detailed breakdown by project?" (C)

### **Housing and Building**

57. Clr. Alcorn

"How many applications have been received by this Council for Older People Grants (under the three headings) since a decision was taken at the October 2009 County Council Meeting to accept new applications and regarding new applications does Donegal County Council feel we will have sufficient resources to fund these Grants in 2010?" (C)

58. Clr. M.T. Gallagher

"What is the up to date situation on Leitirmacaward Housing Scheme?" (L)

### **Roads and Transportation**

59. Clr. Alcorn

"Can Donegal County Council erect a large Direction Sign on the N56 Glenties-Ardara Road at the Junction at Kilraine showing the regional road to Frosses?" (L)

### **Water and Environment and Emergency Services**

60. Clr. M.T. Gallagher

"Has there been any communication from the Department regarding the Dungloe and Glenties Sewerage Scheme over the past 6 months?" (L)

## **INISHOWEN ELECTORAL AREA**

### **Community, Enterprise and Cultural Services**

61. Clr. MacLochlainn

"Have Donegal County Council received confirmation that Grianan of Aileach will be included in the OPW's "Heritage Sites of Ireland" map for 2010?" (L)

62. Clr. MacLochlainn

"When will Donegal County Council give the necessary permissions to the Cooley Cross Heritage Development Committee for their planned endeavours at that important local heritage location to continue and will Donegal County Council provide some financial assistance to the committee?" (L)

63. Clr. Donaghey

"What is the current update on the Bunrana Marine Discovery Centre?" (L)

### **Roads and Transportation**

64. Clr. M. Doherty

"Where do we stand with regard to funding for the completion of an extremely dangerous unfinished breakwater project in Greencastle?" (L)

65. Clr. M. Doherty

"Is Donegal County Council in any position to put the proposed much needed "Salt Barn" in place in Carndonagh?" (L)

66. Clr. McConalogue

"Will the County Council agree a list of collection points where gritting material can be made available to local communities to collect and spread on local and back roads during freezing weather periods?" (C)

### **Water and Environment and Emergency Services**

67. Clr. McConalogue

"Will the County Council take measures to improve and enhance the sewerage treatment plant in Gleneely (Dristeran) this year?" (L)

### **Housing and Building**

68. Clr. McGuinness

"How many meetings have taken place between Donegal County Council and the Health Service Executive regarding the Housing Disabled Grants and other areas of common interests?" (C)

### **Corporate Services**

69. Clr. McGuinness

"Will the Council enquire from the Department of Transport as to when building work will commence on Malin Head Coast Guard Station as promised 12 months ago?" (O)

70. Clr. Ryan

"When and why was the age old requirement to have a peace-commissioner sign certain Council documents for members of the public removed?" (O)

### **Finance**

71. Clr. Ryan

"What is the cost of consultants engaged by Donegal County Council over the last 5 years giving a breakdown for each department?" (C)

**MINUTES OF MEETING OF DONEGAL COUNTY COUNCIL, HELD  
IN THE COUNTY HOUSE, LIFFORD ON 25<sup>th</sup> JANUARY, 2010**

C/19/10      MEMBERS PRESENT

Clrs. B. Byrne, Mayor, D. Alcorn, L. Blaney, J. Boyle, C. Brogan, G. Crawford, M. Doherty, Padraig 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, S. McEniff, I. McGarvey, P. McGowan, B. McGuinness, S. O'Domhnaill, B. O'Neill, T. Pringle, M. Quinn, J. Ryan, and T. Slowey.

C/20/10      ADJOURNMENT OF MEETING

It was resolved on the proposal of Clr. Crawford, seconded by Clr. Mc Eniff to finish the meeting at 4.20pm and adjourn any remaining business to 10.00am on Monday 8<sup>th</sup> February, 2010, in light of the current industrial action by Trade Unions.

C/21/10      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 Francie Coyle, Director Planning and Economic Development, Mr Michael Heaney, Director of Community Cultural and Enterprise, Mr Garry Martin, Acting Head of Finance, Mr Liam Ward, Acting Director of Corporate and Housing, Mr. Peadar MacRory, Senior Engineer, Mr Eunan Sweeney, Meetings Administrator, Ms Annemarie Crawford, Staff Officer.

C/22/10      CONFIRMATION OF MINUTES OF DONEGAL  
COUNTY COUNCIL HELD ON 30<sup>TH</sup> NOVEMBER 2009.

On the proposal of Clr. McEniff, seconded by Clr. Pringle, the Minutes of the Meeting of Donegal County Council held on 30<sup>th</sup> November, 2009 were adopted.

C/23/10 CONFIRMATION OF MINUTES OF ADJOURNED MEETING OF DONEGAL COUNTY COUNCIL HELD ON 15<sup>TH</sup> DECEMBER 2009.  
On the proposal of Clr. Alcorn, seconded by Clr. Slowey, the Minutes of the Adjourned Meeting of Donegal County Council held on 15<sup>th</sup> December, 2009 were adopted.

C/24/10 CONFIRMATION OF MINUTES OF ANNUAL BUDGET MEETING OF DONEGAL COUNTY COUNCIL HELD ON 22<sup>ND</sup> DECEMBER 2009.  
On the proposal of Clr. McEniff, seconded by Clr. Alcorn, the Minutes of the Annual Budget Meeting of Donegal County Council held on 22<sup>nd</sup> December, 2009 were adopted.

C/25/10 VARIATION IN THE ORDER OF BUSINESS  
It was proposed by Clr. Byrne, seconded by Clr. Mc Eniff, and resolved to vary the order of business so as to allow for consideration of the County Manager's Report prior to the agreed 4.20pm deadline, for adjournment of the meeting.

C/26/10 STAFFING LEVELS IN THE DONEGAL ELECTORAL AREA HOUSING OFFICE  
On the proposal of Clr. Pringle, seconded by Clr. Byrne, the following motion was adopted:-

"That the County Manager immediately address the staffing levels in the Donegal EA Housing Office to ensure a proper service."

Members were informed that:-

"The Elected Members will be aware that all staffing issues are a matter for the executive of the Council.  
Notwithstanding the above, the matter of staffing in all Public Service Centres is being addressed in the context of the review being carried out by the County Manager, which must now be progressed within the parameters of the current Industrial Relations framework.

An interim assignment has been made to the Housing Section in Donegal Town with a view to assisting in clearing the backlog of work which has accumulated. The initial focus will be on processing of grant applications on hand

and new applications for housing assistance. As this is an interim arrangement, the matter is being monitored on an ongoing basis with a view to responding to emergency matters which arise and require urgent attention.”

Clr. Pringle outlined the urgency of addressing the matter and asked that a permanent solution be put in place sooner rather than later.

C/27/10 AN EXTRA WEEKS BENEFIT TO PENSIONERS AND SOCIAL WELFARE RECIPIENTS FOR CRIPPLING FUEL BILLS

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

"That this Council request from Government that the pensioners and social welfare recipients' of Donegal be given an extra weeks benefit ASAP, in order to help them cope with their crippling fuel and electricity bills and the suffering they have had to endure over the Christmas and New Year period due to the severe snow and freezing weather conditions that the county has had to suffer."

It was acknowledged by all that the recent arctic weather conditions had created severe economic difficulties for many elderly citizens and social welfare recipients.

Clr. Mc Brearty asked that correspondence be forwarded to the Department of Social and Family Affairs informing them of the content of his motion. He called on Donegal County Council to put pressure on the Tánaiste to examine the matter and bring the issue to the attention of her Cabinet colleagues.

C/28/10 LIFFORD/BALLINDRAIT WATERMAIN PIPE NETWORK

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

"That this Council debate the watermain pipe network in the Lifford Ballindrait area."

Members were informed that:-

“There are two pipelines in particular in this area that give rise to frequent problems and that the area staff have recommended should be replaced.

A 2.9 kilometre length of watermain from the Argerly reservoir to Rossgier junction has burst ten times last year. It is a seven-inch diameter trunk main and burst repairs involve interruption to the water supply in a wide area of Ballindrait, Rossgier, Cavan Hill and Lifford. Replacement of this main would cost in the region of €400,000.

Another smaller four-inch diameter watermain from Rossgier Junction to Porthall burst eight times last year along a 3.9 kilometre length. This would cost €300,000 to replace.

Every effort is made to locate and repair bursts without delay. Repairs are usually completed within one day. Whenever possible alternative water supply arrangements are made to deliver water from the adjacent supplies to minimize the area impacted by these bursts. Pressure reduction measures were taken in October last to reduce the risk of bursts in the system. Those pressure reduction measures have had to be temporarily set aside due to the disruption to the whole supply area caused by wastage and leakage following the onset of the recent extreme winter weather conditions.

The mechanism to source funding for pipeline replacement is under stage three of the Water Conservation programme. To date the Council has had only very limited approvals under that heading. The announcement of the new Water Service Investment Programme is awaited in this connection.”

The Mayor welcomed members of the public from the Tober/Ballindrait area of Lifford, who had been adversely affected by the recent water shortages, who were in the public gallery.

Clr. Crawford highlighted specifically the ongoing water shortage problems faced by people in the Lifford, St Johnston Area, many of which were compounded by the recent cold weather spell. He asked that Donegal County Council make a priority application to the Department of the Environment Heritage and Local Government as soon as

possible to help alleviate the suffering of the people in this area.

Noting that the Minister for the Environment had just announced an Emergency Funding Package, he asked that every effort be made to secure funding from this source for the immediate replacement of the ageing pipe network.

Clr. Mc Brearty suggested that many of the problems were due to the lack of accountability by central government and he called on the Tánaiste and the Minister for the Environment, Heritage and Local Government to progress the funding issue .

The Director of Water, Environment and Emergency Services advised that his department were acutely aware of the problems and had been continuously monitoring and striving to maintain services in the area.

He agreed to follow-up Members requests and frame a response as soon as possible.

C/29/10

NO MAINS WATER TO 25 HOUSES IN LEITIRBRICK

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

"That this Council provide a briefing report outlining the reasons why 25 houses in the Leitirbrick area of Glenfin do not have mains water supply and give a commitment that they will endeavour to connect this part of Glenfin to the Council water supply as soon as possible."

Members were informed that:-

“Letterbrick is approximately 3.5km from the Lough Mourne Public Water Supply distribution network and 8.5km from the Fintown Public Water Supply distribution Network. The feasibility of connecting the Fintown Water Supply to the Lough Mourne supply including Letterbrick and other unserviced areas in between was examined in 2007. The results of that study indicated that as well as extending the Lough Mourne network, improvements at the Lough Mourne headworks and substantial upgrading of pipelines between Ballybofey and Corlecky is required. This scale of improvements can only be effected through the progression of the Lough Mourne Letterkenny Major Capital Water Supply Scheme and while the Lough Mourne scheme

is progressing it is unlikely that Letterbrick will benefit in the short term. It is assumed that the houses in question have individual private water supplies and those that don't may be able to avail of well grants if specific criteria are met."

Clr. Harvey highlighted the seriousness of the situation and requested that all funding options be explored. She asked that she be provided with a copy of the feasibility study undertaken in 2007.

Responding to queries the Director Water, Environment and Emergency Services advised that the only means of extending water to this area was through the Rural Water Programme. There had, he noted, been very little money provided under this programme and no new schemes commenced in 2009. The biggest obstacle, he confirmed, was the upsizing of the mains.

C/30/10

PROGRESSION OF THE STRANORLAR LEISURE CENTRE PROJECT

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

"That this Council sort out the existing problems in regard to the Stranorlar Leisure Centre, in moving the Project forward to the next level."

Members were informed that:-

"The current position with Ballybofey Stranorlar Leisure centre is as follows:- The shortlisting procedure for works contractors for the Leisure Centre project has commenced with an advertisement being dispatched via the E-tenders website to the Official Journal of European Union on 15 January 2010. The source of local matching funding requirements for the project must however be established prior to proceeding to invite final tenders from the shortlisted contractors. Final proposals for the Management company (which shall have regard to the method chosen to raise the local contribution requirement) will be advanced in the coming months in consultation with the Local Electoral Area Committee. Completion of the CPO procedure will continue in parallel."

Concern was expressed at the lack of progress on the matter given the significance of the project for the local economy in the Ballybofey/Stranorlar area. Clr. Mc Gowan requested that County Manager, together with appropriate staff, meet members and the local committee to address the outstanding issues in advance of the capital budget meeting.

Clr. Harley asked that monies owed as a result of the CPO process be paid as soon as possible.

The County Manager confirmed that he had committed to meeting the local elected members and interested parties in advance of the Capital Budget Meeting on 1<sup>st</sup> March 2010 and that an update would be provided at that meeting.

C/31/10

REVIEW OF THE REGIONAL PLANNING  
GUIDELINES AND DEVELOPMENT OF THE  
BALLYBOFEY/STRANORLAR AREA

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

"That this Council give a detailed report on any issues relating to the Stranorlar Area that arise in the Review of the Regional Planning Guidelines and outline where Ballybofey/Stranorlar are in terms of development."

Members were informed that:-

“Members of the Border Regional Authority (BRA) have considered a pre-draft of the Regional Planning Guidelines (RPG's) in December past. They propose to consider the final draft on Wednesday 27th January 2010, with the intention of publishing the draft Border RPG's in February. The BRA is made up of constituent members of each County Council within the region, Donegal County Council has seven representatives appointed to the Authority. The Planning and Economic Strategic Policy Committee which met on Tuesday 7th April 2009, received a presentation on the process and the comments of the committee were subsequently submitted to the Authority.

The RPG's will set a strategic context for spatial planning for each Planning Authority in the region. Following a balanced

model for development, a core strategy is being devised for the region. The key aim of the strategy is to strengthen the critical mass of the regions key urban settlements by prioritising population growth and housing requirements. Emerging from the core strategy, will be a settlement hierarchy for each County. With the review of the Donegal County Development Plan commencing in July, a settlement hierarchy will be developed for the County which will include both urban and rural areas. Within this context the position of Ballybofey Stranorlar and other larger settlements in the County will be considered”.

Clr. Mc Gowan stated that he was disappointed with the reply and having been presented with a synopsis rather than a detailed report.

The Director, Planning and Economic Development advised that since the Draft Guidelines would not be published until the 27<sup>th</sup> January 2010, he, as Director, could not address issues in the report that he had not yet seen. He pointed out that the Draft would be the subject of consultation with relevant stakeholders.

The County Manager advised that the Council should await the Draft Guidelines and the members could be presented with the best advice available on how the guidelines would impact on Ballybofey/Stranorlar and the rest of the county. Clr. Crawford expressed concern that the Border Regional Authority seemed unaware that Donegal County Council had put controls in place in relation to once off housing and, also at comments of the Minister for the Environment, Heritage and Local Government about how development in rural areas would be affected by water shortages.

Members advised that any future plan for the area should take cognisance of the educational needs of the population and arrange for lands to be zoned accordingly.

It was agreed that the Draft Regional Planning Guidelines when available would be considered by the Planning Strategic Policy Committee and then by the Council.

It was agreed at this juncture to vary the order of business to take Clr. Larkins motion as he had to attend to another appointment.

C/32/10

AMENDMENT OF THE COUNTY DEVELOPMENT PLAN TO MAKE IT COMPLUSORY TO TEST FOR RADON GAS AS PART OF THE PLANNING PROCESS

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

"That this Council amend our county development plan at the earliest opportunity, to make it compulsory for all new building applications to have a radon gas test/assessment done on there site at planning application stage."

Members were informed that:-

“The County Donegal Development Plan is essentially a strategic, spatially related document, which outlines the land use policies and objectives for the County. The issue of Radon gas is dealt with in the Building Regulations 1997, Technical Guidance Document C- site preparation and resistance to moisture- published by the DOEHLG. The guidance specifies that all homes built since July 1st 1998, must be fitted with with a standby radon sump which can be activated at a later stage, to reduce any high radon concentrations subsequently found. For homes built in high radon areas , the installation of a radon barrier as well as the sump is required. The obligation is on individual householders to take measurements of radon, as advised by the Radiological Protection Institute of Ireland. It would therefore not be appropriate to amend the County Development Plan, as the issue is dealt with under the Building Code.”

Clr. Larkin advised that he was unhappy with the reply as it did not satisfactorily address the problems highlighted by his motion.

There were many way, he suggested, in which the problem could be addressed namely:-

- Sending out explanatory leaflets with planning application forms.

- Sourcing additional information from the Radiological Protection Institute of Ireland.
- Contacting the Minister for the Environment in relation to ongoing issues with Radon Gas.
- Possibility of making information available under the site assessment process.

Clr. Harte stated that it would be helpful to progress the matter with the R.P.I.I. and suggested that contact should be made with Dr. Jack Madden, Radiological Protection Institute of Ireland, 3 Clonskeagh Road, Dublin 14.

Clr. Pringle urged caution as Donegal County Council did not have the competency to take overall responsibility for the matter, which was best left to experts in that field.

Clr. Mc Guinness suggested that this, be also considered in the context of the list of site assessors being prepared by the Council.

The Director of Planning and Development, agreed to relay Members comments to the Planning S.P.C and contact the R.P.I.I. with regard to the sourcing of additional information.

C/33/10

REQUEST THAT DONEGAL COUNTY COUNCIL TAKEOVER GROUP WATER SCHEMES IN THE COUNTY

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

"To ask Donegal County Council to takeover Group Water Schemes in the county."

Members were informed that:-

“Takeover and Taking in Charge of Group Schemes is governed by the Water Services Act 2007, Sections 91 and 95, and by the Local Government (Sanitary Services) Act 1962, Section 6. Section 95 of the WS Act deals with taking in charge or acquisition by agreement with the group. Section 91 deals with temporary takeover with or without agreement. The 1962 Act has not yet been revoked. In this report the terms “taking in charge” and “takeover” are intended to have the same meaning.

A formal application to have a group scheme taken over must be submitted to the Local Authority by the Group and the Local Authority must agree for the Take-over to proceed. The signature of each member of the Group Scheme was necessary under the 1962 Act. The WS Act allows for taking in charge or acquisition provided no fewer than two thirds members agree. Council policy requires that the schemes to be taken over must be in good order, there must be no outstanding debt nor legal issues such as ownership of lands, rights of way or wayleaves for pipelines. Furthermore it is incumbent on the Council to ensure that adequate resources are provided for the ongoing operation and maintenance of schemes to be taken over, in terms of staff and other resources.

The Rural Water Strategic Plan, Stage 1, adopted in 2000, indicated that there were 212 GWSS taken over by the Council and 293 not taken over at that time. Since then, many new schemes have been constructed. Currently, Council records indicate that there are over 1,100 group schemes in the county, of which 830 are not taken over. From 1997 to 2001 Donegal County Council had a programme of upgrade and takeover of private group schemes, based on lists prioritised by the Council. 350 schemes in the county were listed for upgrade and takeover. Pipelines, reservoirs, pumping plant and other infrastructure were to be upgraded, outstanding financial issues and legal issues regarding wayleaves and ownership were to be resolved in advance of the takeover. These upgrade works were funded under the Rural Water Programme. 67 schemes were taken over during that period.

The allocation of funding from the Rural Water Programme in February 2002, under the heading "Takeover" specified that overriding priority be given to quality deficient schemes. The targeting of schemes served by private sources with water quality deficiencies, to the exclusion of water distribution network upgrades, has been emphasised more strongly over the following years. Thirty schemes in Donegal fell within the target group. Project works are ongoing on that programme and those schemes are being taken over.

The Department of Environment wrote to the Council in December 2009 requesting our estimates for the Rural Water Programme 2010. On this occasion they have included a heading: “Water Conservation and Upgrading of Group Water Schemes”. This is the first indication since 2002 of monies for upgrade of distribution networks. The Council has sought €180,000 under this heading. It remains to be seen what allocation comes and how the works will be scheduled.

The Water Services Act 2007, Sections 78 to 90, dealing with supervision of group schemes and water service licences have been excluded from the Commencement Order (SI 846 of 2007). When commenced these sections will place obligations on Donegal County Council, as a Water Service Authority, to licence and monitor private Water Service Providers. It can be expected that the demand from private group schemes to be taken over will increase in response to this new regime. There would be a need for significant resources to be channelled into the Upgrade and Takeover programme to meet such a demand.”

Clr. Mc Garvey noted that progress in taking over Group Water Schemes was slow and warranted an immediate review. Members were agreed that Schemes when satisfactorily completed should be taken over.

It was acknowledged that excellent work had been carried out by the various Group Scheme Committees.

The Director Water, Environment and Emergency Services alluded to the proactive working relationship between Group Schemes Staff and the Group Schemes Sector. He agreed to bring members views to the County Committee for Rural Water Monitoring and the W.E.E Strategic Policy Committee with the aim of presenting a specific report on the costs and benefits of takeover to the Council Members at a future meeting.

C/34/10

#### ADJOURNMENT OF THE MEETING

On the proposal of Clr. Byrne, seconded by Clr. Brogan it was resolved to adjourn the meeting until 3.10pm for lunch.

C/35/10

## COUNTY MANAGERS REPORT

It was agreed at this juncture to proceed with the County Manger's Report, as agreed at the onset of the meeting. The County Manager outlined the main aspects of his report, circulated prior to the meeting.

### Reorganisation of Council Services/Implications of Public Service Unions Campaign Strategy of Industrial Action on Reorganisation Plans.

Responding to a range of queries the County Manager advised Members of the following:-

- There was provision in the Revenue Budget for the charging of staffing costs and that there was still €200,000 available from the Capital Programme.
- Any proposed changes to the Planning Service were on hold due to the Public Service Unions Campaign Strategy of Industrial Action.
- Proposals relating to the Milford Public Service Centre to be reviewed in meeting with Unions.
- Whilst there were implications for the general public and the Members as regards changes in practice, no reorganisation would take place without the endorsement of the Council.
- With regard to the Planning Service in Dungloe every effort would be made to look at the level of demand and the extent to which staffing resources provided for in the Budget could maintain the levels of service required.

It was acknowledged that there would be many difficulties in the foreseeable future and that many of the budgetary constraints outlined had been created by a clear lack of funding from central government.

Thanking Members for their comments the County Manager noted that the partnership process had worked well for Donegal County Council and that there had been throughout a strong culture of co-operation. He advised that he would continue to maintain such positive relations.

### LAMA Awards

Mr. John Mc Laughlin, Director of Roads and Transportation confirmed that the Harry Blaney Bridge had been nominated for two awards at the National Zurich LAMA Awards to be announced on Saturday 30<sup>th</sup> January, 2010. He noted that it would be appropriate for both the Mayor and the County Manager to attend. There were, he advised, some places still available to Donegal County Council.

Having considered the cost of attendance, it was resolved on the proposal of Clr. Brogan, seconded by Clr. Crawford, that the following Councillors be authorised to attend, if they so wished:-

- Clr. L. Blaney
- Clr. I. Mc Garvey
- Clr. N. Mc Bride..

### Votes of Sympathy

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

Pat Peoples, Water & Environment, Milford on the death of his mother Margaret Peggy Peoples.

John Mc Kinney, Housing, Carndonagh on the death of his mother Frances Mc Kinney.

The family of the late Charlie Duffy (retired Firefighter/Driver, Gweedore Fire Brigade.

Kathleen Gallagher, Corporate Services, Donegal on the death of her mother Eimear Gallagher.

Eileen Harkin, Water & Environment, Lifford, on the death of her mother Annie Harkin.

The family of the late Malachy Flanagan (former Rents Inspector).

Jim Hyland, Water & Environment, Letterkenny on the death of his mother Mary Hyland.

Clr. Seamus O' Domhnaill on the death of his father Hughie O' Donnell.

Former Councillor Seamus Rodgers on the death of his brother Joe Rodgers.

The family of the late Tony Gibson

The family of the late Paddy Gallagher

The family of the late Lenny Dorrian.

C/36/10 TO SEEK EXTRA FUNDING FOR THE UPGRADE OF ROADS IN THE LETTERKENNY/MILFORD ELECTORAL AREA.

Clr. Mc Bride agreed to defer his motion so as to allow consideration of Clr. Farren's motion in relation to Greencastle Harbour.

C/37/10 AVAILABILITY OF FUNDING FROM THE 2010 PIERS AND HARBOUR BUDGET TO COMPLETE WORKS AT GREENCASTLE HARBOUR

On the proposal of Clr. Farren , seconded by Clr. Mac Lochlainn, the following motion was adopted:-

"That funding be made available by Government to complete works at Greencastle harbour from the 2010 Piers and Harbour Budget."

Members were informed that:-

“The Department of Agriculture, Fisheries and Food with special responsibility for Forestry, Fisheries and Marine is undertaking the construction of the Greencastle Harbour Project on behalf of Donegal County Council. The total estimated project cost is roughly €35 million. The project is to be funded as follows:

- |   |       |
|---|-------|
| i. Department of Agriculture Fisheries and Food | 75%   |
| ii. Department of Gaelteacht (CLAR)             | 12.5% |
| iii. Donegal County Council                     | 12.5% |

To date, approximately €8 million has been spent on Phase I (Breakwater). The Council share of the 12.5% matching monies is approximately €900,000 of which €300,000 is already paid and it is hoped to put a plan in place shortly with the Department to pay the remainder. This will be further presented to Council in the Capital Budget.

It has been reported that the Department will make €104,000 available for this project in 2010. The Council has not been formally notified of this. However, based on Department meetings with our Marine Section, it is understood that the Department wishes to make the project safe, disengage from it and hand back control of the site to Donegal County Council”.

Clr. Farren advised that it was scandalous that the Department of Agriculture, Fisheries and Food with special responsibility for Forestry, Fisheries and Marine had stopped work on the breakwater at Greencastle Harbour. He noted that the €104,000 budgeted for 2010 was simply to close down the project. It was unlikely, he affirmed, that work would resume for another five to ten years. The unfinished works made the harbour more dangerous for navigation with the soft core rock exposed to erosion.

Members acknowledged that there was a serious health and safety issue and urged Donegal County Council not to take the project back from the Department. They were in agreement that an urgent meeting should be arranged as soon as possible with both the Department Agriculture, Food and of the Marine and the Department of Finance in relation to the continued funding of works at Greencastle Harbour. The matter, they noted, was too serious to be politicised and warranted cross-party intervention.

The time being 4.20pm, the meeting then adjourned as resolved at the beginning of the meeting.

This concluded the business of the meeting.

