

COMHAIRLE CHONTAE DHUN NA nGALL

Oifig Riarthóir na
gCruinnithe
Aras an Chontae
LEIFEAR
20 Aibreann 2010

Beidh Cruinniú Comhairle Chontae Dhún na nGall ar siúl Dé Luain 26 Aibreann, 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
20th April, 2010

NOTICE OF MEETING

A Meeting of Donegal County Council will be held on Monday 26th April, 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 Special Meeting of Donegal County Council held on the 25th March, 2010.
- b) Confirmation of Minutes of Meeting of Donegal County Council held 29th March, 2010.

2. 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 at Tonagh, Carrigans to Mr Patrick Blee and Mr Cathal Blee of Tonagh, Carrigans, Co Donegal.

- b) Notice under Section 183 of the Local Government Act, 2001 to dispose of land by way of lease at The Big Isle, Manorcunningham to Mr Gabriel Rodgers, Labbadish, Manorcunningham, Co Donegal.

3. 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. (Minutes of Consultative Meetings held on 13th January, 2010 and 12th April, 2010 enclosed.

4. Corporate

- a) To agree date for Annual General Meeting 2010.

- b) To fill Casual Vacancy on the Donegal Peace 111 Partnership Board arising from the resignation of Clr. Pádraig Mac Lochlainn.

- c) To fill Casual Vacancy on the Audit Committee

- d) To approve expenses to Non-Elected Members on Committees, where appropriate.

- e) To assign Town Council Nominees to specific SPCs

- f) To approve the appointment of Ms Siobhan McLaughlin, as chair of the Local Traveller Accommodation Consultative Committee (LTACC)

5. Finance

To resolve to approve overdraft accommodation of Fifty Million Euro ((€50, 000,000) for half year ending 31st December, 2010.

6. Housing

- a) To consider and approve policy on Processing the Housing Adaption Grant Scheme for Older People and People with a Disability
- b) To note confirmation of 2010 Allocation under Social Housing Investment Programme (SHIP)
- c) To consider and approve Amendments to the Scheme of Letting Priorities (Refusal of Offers of Social Housing Support)

7. Roads and Transportation

“To adopt the preferred Route Corridor (Blue Route) for the N56 Letterkenny Relief Road.”

8. Endorsement of Confirmed Meetings

- a) Endorsement of the Confirmed Minutes of Meeting of Donegal Electoral Area Committee held on the 27th January, 2010.
- b) Endorsement of the Confirmed Minutes of Meeting of Rural Water Monitoring Committee held on the 3rd February, 2010.

9. 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.

a) HOME

- Training Seminar for Councillors, ‘Local Government and the Environment’ to be held from Friday 30th April to Sunday 2nd May, 2010 at the Falls Hotel, Ennistymon, Co. Clare.

- The Institute of Professional Training, ‘Head Shops – Legal Highs’, to be held Friday 7th and Saturday 8th May, 2010 at the Bellingham Castle Hotel, Castlebellingham, Co. Louth.
- Dundalk Chamber, Bids Conference to be held Tuesday 11th May, 2010, at the Ballymascanlon Hotel, Dundalk.
- Youghal Town Council, ‘Maximising The Tourism Potential of Heritage Towns’, to be held Thursday 13th and Friday 14th May, 2010 at the Mall Arts Centre, Youghal, Co. Cork.
- Professional Development Conference for Councillors, ‘Being Positive in a Negative Climate’ to be held Friday 21st to Sunday 23rd May, 2010 at the Castlecourt Hotel, Westport, Co Mayo.
- BMW Regional Assembly in association with the European Commission, ‘Impact of EU Environmental Policy in Ireland’ to be held Tuesday 27th April, 2010 in the BMW Assembly Chamber, Ballaghaderreen, Co. Roscommon.
- TJK Conferences Ltd, Defamation Seminar for Councillors, to be held Friday 28th and Saturday 29th May, 2010 at the Patrick Punch Hotel, Limerick.
- Energy Ireland Conference 2010, 14th Annual Conference to be held Wednesday 2nd and Thursday 3rd June, 2010 at the Croke Park Conference Centre, Dublin.

10. Conference Reports

- Clr. Padraig Doherty, together with John Boyle – TJK Conferences Ltd, ‘Planning Seminar for Councillors’ held Friday 29th and Saturday 30th January, 2010.
- Clr. Padraig Doherty, together with David Alcorn – AMAI Conference Perspectives on National Recovery held Friday 12th and Saturday 13th February, 2010.
- Clr. Padraig Doherty, together with John Boyle – ACCC Annual Conference 2010 held Thursday 4th and Friday 5th March, 2010.
- Clr. Martin Harley – ‘Elected Member’s Training Seminar/Local Government Housing Service’ held from Thursday 18th to Saturday 20th March, 2010.

11. Mayor’s Business

12. Manager’s Report

13. Motions from other Councils

LIMERICK COUNTY COUNCIL

“That, Limerick County Council calls on the Minister for the Environment, Heritage and Local Government, John Gormley, TD, to defer the carbon tax which is due to come into effect on 1st May, 2010, until the economy improves.”

SOUTH TIPPERARY COUNTY COUNCIL

“That South Tipperary County Council requests the Minister for Health and Children, Ms Mary Harney, T.D., to reverse the H.S.E.’S decision to centralize all medical card processing to the PCRS Offices in Dublin.”

BALBRIGGAN TOWN COUNCIL

“Balbriggan Town Council call on the Minister for Education not to cut back on the number of Special Needs Assistants in our schools.”

KILDARE COUNTY COUNCIL

“This Council calls on the Government to abandon the policy of leasing houses for social housing rather than buying them and that where the Council is buying a number of homes in a development that they be scattered randomly throughout the development rather than clustered together.”

CARLOW COUNTY COUNCIL

“That Carlow County Council calls on the Minister for Environment and Local Government to change the basis on which commercial rates are calculated so that location of premises, size of premises and most importantly ability to pay are factors used when calculating the amount of money owing.”

TIPPERARY TOWN COUNCIL

“That this Council call on Transport Minister Noel Dempsey and Environment Minister John Gormley to reverse their decision not to provide emergency funding to repair roads damaged by recent bad weather. That this motion be circulated to all Town and County Councils.”

CARLOW COUNTY COUNCIL

“That we the members of Carlow County Council call the Minister for Finance and the Government to reverse the Carbon Tax announced in last December’s budget.”

CARLOW COUNTY COUNCIL

“That Carlow County Council call for the Home Energy Saving Grant and Warmer Homes Scheme Grant handled by Sustainable Energy Ireland to come under the control of each relevant local authority.”

DUBLIN CITY COUNCIL

“That this Council expresses its support for the workers at the Green Isle Foods plant in Naas, Co Kildare, one of whom has now been on hunger strike for 12 days, who have been on strike for six months in protest at the firing of three of their colleagues;

Notes that the company has rejected proposals from the Labour Relations Commission and the National Implementation Body to resolve the dispute and rejected Labour Court recommendations to reinstate the men or compensate them;

Conscious that the company supplies many retail outlets operating in Dublin;

Calls on Green Isle Foods to reinstate the men immediately and to engage with the Technical, Engineering and Electrical Union, which represents the men, to resolve the dispute.”

DUBLIN CITY COUNCIL

“That this Council supports and sends solidarity to the striking workers at the Green Isle Plant in Naas who have been on Official strike for more that 6 months:

-Notes with interest that the Labour Court have ruled in their Favour;

-Notes also that the management of Green Isle, or there parent company Northern Foods, has refused to engage with the Unions, or the industrial relations mechanisms of this state and therefore, left the workers no other option but to resort to a Hunger Strike to seek a satisfactory resolution to the strike, and that this Council demands the company abide by the ruling of the Labour Court and reinstate the workers immediately.”

BALLINA TOWN COUNCIL

“That rent supplement should not be paid to tenants of Landlords who are evading taxes by not paying the levy to the Local Authority on their non-residential homes or those who are not

registered with the Private Residential Tenancies Board, as is a requirement under the Residential Tenancy Act 2004”.

**MINUTES OF MEETING OF DONEGAL COUNTY COUNCIL, HELD
IN THE COUNTY HOUSE, LIFFORD ON 26th APRIL 2010**

- C/247/10 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 McBrearty, N. McBride, C. Mc Conalogue, S. McEniff, I. McGarvey, B. McGuinness, S. O'Domhnaill, B. O'Neill, T. Pringle, M. Quinn, and J. Ryan.
- C/248/10 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 Planning and Economic Development & Community Cultural and Enterprise, Mr Garry Martin, A/ Head of Finance, Mr Liam Ward, A/Director of Corporate and Housing, Mr Eunan Sweeney, Meetings Administrator, Ms Anne Marie Crawford, Staff Officer.
- C/249/10 ADJOURNMENT OF MEETING.
On the proposal of Clr. Quinn, seconded by Clr. Pringle, it was resolved to adjourn the meeting until 12.30pm.
- C/250/10 CONFIRMATION OF MINUTES OF SPECIAL MEETING OF DONEGAL COUNTY COUNCIL HELD ON 25TH MARCH, 2010
On the proposal of Clr. Boyle, seconded by Clr. Farren, the Minutes of the Special Meeting of Donegal County Council held on 25th March, 2010 were adopted.
- C/251/10 CONFIRMATION OF MINUTES OF MEETING OF DONEGAL COUNTY COUNCIL HELD ON 29TH MARCH, 2010
On the proposal of Clr. Donaghey, seconded by Clr. Harvey, the Minutes of the Meeting of Donegal County Council held on 29th March, 2010 were adopted.
- C/252/10 DISPOSAL OF LAND BY WAY OF LEASE AT TONAGH, CARRIGANS TO MR PATRICK BLEE AND

MR CATHAL BLEE OF TONAGH, CARRIGANS, CO
DONEGAL

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

On the proposal of Clr. Donaghey, seconded by Clr. Ryan, it was resolved to dispose of land by way of lease at Tonagh, Carrigans to Mr. Patrick Blee and Mr. Cathal Blee, Tonagh, Carrigans, in accordance with Section 211 of the Planning & Development Act, 2000 and Section 183 of the Local Government Act, 2001.

C/253/10 DISPOSAL OF LAND BY WAY OF LEASE AT THE BIG
ISLE, MANORCUNNINGHAM TO MR. GABRIEL
RODGERS, LABBADISH, MANORCUNNINGHAM, CO
DONEGAL

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

The Director of Service advised that he wished to withdraw the item as there were a number of issues that required further clarification. It was agreed to defer the item to later in the meeting.

C/254/10 APPOINTMENT OF FOUR PERSONS TO COUNTY
DONEGAL VEC.

Members considered the Minutes of the VEC Consultative Meeting held on 13th January, 2010, together with the Minutes of the Consultative Meeting held on 12th April, 2010.

The Meetings Administrator advised that there were four positions available and that in accordance with the Vocational Education (Amendment) Act, 2001, there was a requirement for gender balance in the selection process. It was agreed to elect from the list of nominees the two female candidates and then proceed with the election of the two male candidates.

Clr. Blaney proposed, seconded by Clr. Mc Eniff, and it was resolved that all nominees be considered for selection.

The Meetings Administrator advised that Standing Order 101 applied to the election process.

The Mayor proceeded to read into the record the names of the female candidates:

Ms Mary Mc Gowan, Drumlonagher, Donegal Town
Ms Margaret Doherty, Meenaneary, Carrick.
Ms Mary Ellen Orpen, 7 Culdoire, Gortlee, Letterkenny
Ms Marietta Herraghty, An Crossog, Downings.

A secret ballot was taken in accordance with Standing Order 101 and resulted in the following;

| | |
|-----------------------|----------|
| Ms Mary Mc Gowan | 12 votes |
| Ms Margaret Doherty | 11 votes |
| Ms Mary Ellen Orpen | 15 votes |
| Ms Marietta Herraghty | 16 votes |

The Mayor declared Ms Marietta Herraghty and Ms Mary Ellen Orpen elected to the County Donegal Vocational Education Committee.

The Mayor proceeded to read into the record the names of the male candidates:

Mr. Peter Cutliffe, Illistrin, Letterkenny
Mr. Sean Mc Clafferty, Carrigart Lower, Letterkenny
Mr. Paul Canning, Ballylawn, Manorcunningham
Mr. Oliver Mc Devitt, Meenatinney, Fintown
Mr. John Campbell, Castlecairn
Mr. Seamus Rodgers, Annagry
Mr. Martin Egan, Gartan. Churchill
Mr. Michael Mc Bride, 1 Chapel Road, Kilmacrennan
Mr. Garry Glennon, Upper Cotteen, Derrybeg
Mr. Paddy O' Connor, Loughnagin Heights, Letterkenny
Mr Stephen Mc Namee, Drumearn, St Johnston
Mr. Patrick Gildea, Listillion, Letterkenny

A secret ballot was taken in accordance with Standing Order 101 and resulted in the following;

| | |
|-----------------------|----------|
| Mr. Peter Cutliffe | 16 votes |
| Mr. Sean Mc Clafferty | 1 vote |
| Mr. Paul Canning | 9 votes |
| Mr. Oliver Mc Devitt | 15 votes |

| | |
|----------------------|---------|
| Mr. John Campbell | 0 votes |
| Mr. Seamus Rodgers | 1 vote |
| Mr. Martin Egan | 1 vote |
| Mr. Michael Mc Bride | 9 votes |
| Mr. Garry Glennon | 2 votes |
| Mr. Paddy O' Connor | 0 votes |
| Mr Stephen Mc Namee | 0 votes |
| Mr. Patrick Gildea | 0 votes |

The Mayor declared Mr. Peter Cutliffe and Mr. Oliver Mc Devitt elected to the County Donegal Vocational Education Committee.

C/255/10 TO AGREE DATE FOR ANNUAL GENERAL MEETING

On the proposal of Clr. Mc Bride, seconded by Clr. Donaghey, it was resolved to hold the Annual General Meeting 2010 at 11am on Monday 28th June, 2010.

C/256/10 TO FILL CASUAL VACANCY ON THE DONEGAL PEACE 111 PARTNERSHIP BOARD

Members were informed that the Chairpersons of the various Strategic Policy Committees held representation on this Committee.

On the proposal of Clr. Mc Bride, seconded by Clr. Mc Garvey, it was resolved to appoint Clr. Pringle, as Chair of the Community, Culture & Enterprise SPC, to the Donegal Peace 111 Partnership Board to fill the casual vacancy arising from the resignation of Clr. Pádraig Mac Lochlainn.

C/257/10 TO FILL CASUAL VACANCY ON THE AUDIT COMMITTEE.

Clr. O' Domhnaill was proposed by Clr. Mc Garvey, and seconded by Clr. Harte.
Mr. J.J.Reid was proposed by Clr. Mc Guinness, seconded by Clr. Harley.

A show of hands was then taken by the Meetings Administrator.

This resulted in 15 votes for Clr. O' Domhnaill and 7 votes for Mr. J.J.Reid.

The Mayor declared Clr. Seamus O' Domhnaill elected to the Audit Committee to fill the casual vacancy arising from the resignation of Mr. Francis Conaghan.

- C/258/10 TO APPROVE EXPENSES TO NON-ELECTED MEMBERS ON COMMITTEES WHERE APPROPRIATE
Members considered the report from Mr. Eunan Sweeney, County Secretary, dated the 20th April, 2010.
Mr. Sweeney confirmed that the rate of 40.11c per km or 64.54c per mile was in line with payments currently being made to the external members of the County Development Board.
It was resolved, on the proposal of Clr. Mc Garvey, seconded by Clr. Alcorn, and in accordance with Article 10 of the Local Government (Expenses of Local Authority Members) Regulations 2006), to pay expenses at the rate of 40.11c per kilometre (64.54c per mile) to non-elected members of committees.
- C/259/10 TO ASSIGN TOWN COUNCIL NOMINEES TO SPECIFIC SPCS
It was resolved to defer consideration of this item to later in the meeting.
- C/260/10 TO APPROVE APPOINTMENT OF MS SIOBHAN MC LAUGHLIN, AS CHAIR OF THE LOCAL TRAVELLER ACCOMMODATION CONSULTATIVE COMMITTEE (LTACC)
On the proposal of Clr. Mc Guinness, seconded by Clr. Harvey, it was resolved to endorse the appointment of Ms Siobhan Mc Laughlin, as Chair of the Local Traveller Accommodation Consultative Committee.
- C/261/10 TO RESOLVE TO APPROVE OVERDRAFT ACCOMMODATION OF FIFTY MILLION EURO (€50,000,000) FOR HALF YEAR ENDING 31ST DECEMBER, 2010

Members considered the report circulated with the agenda in relation to the above. On the proposal of Clr. Pringle, seconded by Clr. Ryan, the Council resolved to authorise the overdraft accommodation of fifty million euro(€50,000,000) for half year ending 31st December, 2010.

C/262/10 TO CONSIDER AND APPROVE POLICY ON PROCESSING THE HOUSING ADAPTATION GRANT SCHEME FOR OLDER PEOPLE AND PEOPLE WITH A DISABILITY

Members considered the report circulated with the agenda, and additional report, dated 26th April, 2010 from Mr. Liam Ward A/ Director of Housing and Corporate Services.

The Corporate Policy Group had, he confirmed, asked that a comprehensive update be provided to the full Council in relation to two specific recommendations. The CPG had sought consensus from the elected members before deciding to recommend the endorsement of the proposed policy changes. The amendments proposed included:-

Eligibility –Age Criteria

It was recommended that the higher age limit for applicants under the Housing Aid for Older People Scheme be set at 66. This, it was acknowledged, related solely to the Housing Aid for Older People Grant Scheme and was totally different to the eligibility criteria for the Housing Adaptation Grants for People with a Disability.

Effective Date of New Policy

The report recommended that the revised policy would apply to any applications received after 29th July, 2009(which was in effect applications received after the Council decision in October 2009 since no applications were being accepted in the intervening period) as the Council had already committed to processing all applications received prior to that date in line, with the then existing policy. The CPG had raised concerns in relation to the effective date for the new policy.

The Director of Service, in outlining the background to the new policy, advised that it had been consistently made clear

from the moment the Council ceased taking applications in July 2009 that any resumption of the Scheme would be on the basis of a new and revised policy.

Financial Implications

Both the Housing SPC and the Corporate Policy Group had indicated that the main objective was to commence accepting and processing applications again with a view to meeting the needs of the greatest number of persons possible, whilst operating within the available resource limit. It was noted that there would be specific financial implications if the 147 applications on hand were not dealt with under the new recommendations. This it was acknowledged would lead to the applicants in question receiving an average grant of €5,500 as opposed to €3,500 leading to an overall cost of €300,000, and, inevitably, result in a reduced number of approvals in 2010.

The Director advised that a consistent approach had been taken over the past year to keep the general public informed that all applications taken after July 2009 would be subject to revised policy criteria. It would, he contended, have been unfair to people, who did not apply for a grant since October 2009, to discover that the 147 applicants who did apply were being dealt with under the terms of the old scheme.

In conclusion, he advised that the policy changes and recommendations had been framed in such a manner as to allow the Council to commence acceptance and processing of applications again. It was hoped, he added, to avoid a repeat of July 2009 whereby the Council were unable to accept any further applications under these schemes. He recommended that the policy, as outlined in his report, be adopted, subject to amendments as agreed by the Housing SPC.

Members welcomed the scheme in general outlining the need for a constant review of the application process and the provision of regular updates by the relevant Electoral Area Managers to ensure that the process operated within the appropriate constraints. It was imperative, they advised, that the scheme be made as accessible as possible and benefit those most in need.

A lengthy debate ensued with a range of issues being discussed:

- That the 147 applications in hand should be dealt with under the old scheme and provision made for those in the 60-66 age bracket.
- That provision needed to be made for those over 60 who were living in unacceptable conditions.
- The elderly in the county were being victimised due to lack of finance.
- That the application form be amended to include a specific section for those applying under special or difficult circumstances.
- Concern expressed that the €3000 allocated for Roof Grants was inadequate. Members requested that this anomaly be addressed.
- Request for more information in relation to the formulation of the policy.
- Call for a Special Clause to be inserted into the policy to accommodate those who wished to apply under special/extenuating circumstances or according to special need.

The Director confirmed that the intention was to meet the needs of the greatest number of persons within the available budget.

The 147 applicants on hand had, he reiterated, been consistently informed that their requests would be dealt with under the revised criteria.

He agreed to compile an age profile of the applicants concerned and issue a report to Members in due course. Noting that there were concerns re the standard costings, he confirmed that these would be kept under constant review.

He advised that a comprehensive report on the operation of the scheme would issue later in the year, if the policy was adopted.

On the proposal of Clr. Pringle, seconded by Clr. Harvey, it was resolved that the following text be inserted into the policy:

“That where other authorities/agencies are providing funding the application will not be funded by Donegal County Council.

On the proposal of Clr. Mc Guinness, seconded by Clr. Mc Garvey, it was resolved that applicants wishing to have their situation assessed under the special circumstances clause be facilitated in each of the Public Service Centres.

Members requested that the Housing & Corporate SPC draw up criteria for those in the 60-66 age bracket who wished to apply under a Special Circumstances Clause.

On the proposal of Clr. Mc Bride, seconded by Clr. Alcorn, it was resolved to adopt the policy on Housing Adaptation Grants for Older People and People with a Disability, subject to the amendments agreed by the Strategic Policy Committee and amendments agreed during the meeting.

C/263/10

ADJOURNMENT FOR LUNCH

On the proposal of Clr. Mc Bride, seconded by Clr. Alcorn, it was resolved to adjourn the meeting for lunch until 2.50pm.

C/264/10

TO NOTE CONFIRMATION OF 2010 ALLOCATION UNDER SOCIAL HOUSING INVESTMENT PROGRAMME (SHIP)

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

On the proposal, of Clr. Mc Eniff, seconded by Clr. Mc Conalogue, the 2010 Allocation for the Social Housing Investment Programme was noted.

C/265/10

TO CONSIDER AND APPROVE AMENDMENTS TO THE SCHEME OF LETTING PRIORITIES (REFUSAL OF OFFERS OF SOCIAL HOUSING SUPPORT)

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

On the proposal of Clr. Pringle, seconded by Clr. Brogan, it was resolved to approve the following changes to the

Scheme of Letting Priorities (Refusal of offers of Social Housing Support) and seek, as appropriate, the approval of the Minister for the Environment Heritage and Local Government:-

1. A person who refuses two offers of Social Housing Accommodation within a twelve month period will be removed from the Housing List and cannot reapply for a period of twelve months from the date of the most recent refusal. An offer of Social Housing Accommodation includes an offer by any Local Authority of traditional Local Authority Housing, Rental Accommodation Scheme Accommodation, Leased Property Accommodation, or Voluntary and Co-Operative Housing.
2. The purpose of this Scheme of Letting Priorities is to provide a means of prioritising applicants for re-housing when Council dwellings are being allocated to persons who are unable to provide accommodation from their own resources and whose need has already been established through their inclusion in the most recent housing assessment or if the Housing Authority accepts them for inclusion in the next assessment in accordance with their agreed policy.

C/266/10

TO ADOPT PREFERRED ROUTE CORRIDOR
(BLUE ROUTE) FOR N56 LETTERKENNY
RELIEF ROAD

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

The report was generally welcomed but a number of Members expressed disappointment at the slow pace of the works.

Clr. Larkin called for the appointment of a dedicated Project Manager at senior level to manage and progress the project which, he noted, had far reaching implications for the transport network in the county as a whole.

The necessity of linking the project to the N13 works was also highlighted.

It was agreed that the submission to the Department should be accompanied by a request for additional funding of €50k to progress the design element of the project.

Clr. Mac Lochlainn highlighted the need for synchronisation with other projects such as the A5 Western Transportation Corridor and associated links to Derry and Strabane.

The Director of Roads and Transportation agreed to bring a status report on the various funding issues to the Letterkenny Electoral Area Committee. On the proposal of Clr. Brogan, seconded by Clr. Harte, it was resolved to adopt the Preferred Route Corridor (Blue Route) for the N56 Letterkenny Relief Road and that the scheme be progressed to the next stage of development, which is Phase 4 –Preliminary Design and Statutory procedures.

C/267/10

ENDORSEMENT OF THE CONFIRMED MINUTES OF MEETING OF DONEGAL ELECTORAL AREA COMMITTEE HELD ON 27th JANUARY, 2010

On the proposal of Clr. Mc Eniff, seconded by Clr. Boyle, it was resolved to endorse the confirmed Minutes of Meeting of Donegal Electoral Area Committee held on the 27th January, 2010.

C/268/10

ENDORSEMENT OF THE CONFIRMED MINUTES OF MEETING OF RURAL WATER MONITORING COMMITTEE HELD ON 3RD FEBRUARY, 2010

On the proposal of Clr. Brogan, seconded by Clr. M. Doherty, it was resolved to endorse the confirmed Minutes of Meeting Rural Water Monitoring Committee held on 3rd February, 2010.

C/269/10

CONFERENCES

Having noted the revised arrangements under Section 142 5(d) of the Local Government Act, 2001, introduced by the Local Government (Expenses of Local Authority Members) Regulations 2006 & 2010

and directives issued by the Minister in that regard, on the proposal of Clr. Donaghey, seconded by Clr. Harvey, it was resolved to authorise, the attendance of members at the following conferences, subject to the normal procedures:-

1. Individual members not exceeding their annual budget for attendance at conferences.
2. Payment of expenses for attendance to be conditional on the member furnishing documentary evidence of attendance and complying with the legal requirements.
 - Training Seminar for Councillors, ‘Local Government and the Environment’ to be held from Friday 30th April to Sunday 2nd May, 2010 at the Falls Hotel, Ennistymon, Co. Clare.
 - The Institute of Professional Training, ‘Head Shops – Legal Highs’, to be held Friday 7th and Saturday 8th May, 2010 at the Bellingham Castle Hotel, Castlebellingham, Co. Louth.
 - Dundalk Chamber, Bids Conference to be held Tuesday 11th May, 2010, at the Ballymascanlon Hotel, Dundalk.
 - Youghal Town Council, ‘Maximising The Tourism Potential of Heritage Towns’, to be held Thursday 13th and Friday 14th May, 2010 at the Mall Arts Centre, Youghal, Co. Cork.
 - Professional Development Conference for Councillors, ‘Being Positive in a Negative Climate’ to be held Friday 21st to Sunday 23rd May, 2010 at the Castlecourt Hotel, Westport, Co Mayo.
 - BMW Regional Assembly in association with the European Commission, ‘Impact of EU Environmental Policy in Ireland’ to be held Tuesday 27th April, 2010 in the BMW Assembly Chamber, Ballaghaderreen, Co. Roscommon.
 - TJK Conferences Ltd, Defamation Seminar for Councillors, to be held Friday 28th and Saturday 29th May, 2010 at the Patrick Punch Hotel, Limerick.

- Energy Ireland Conference 2010, 14th Annual Conference to be held Wednesday 2nd and Thursday 3rd June, 2010 at the Croke Park Conference Centre, Dublin.

C/270/10

TO NOTE VARIOUS CONFERENCE REPORTS

On the proposal of Clr. O' Domhnaill, seconded by Clr. Brogan, the following Conference Reports were noted: -

- Clr. Padraig Doherty, together with John Boyle – TJK Conferences Ltd, 'Planning Seminar for Councillors' held Friday 29th and Saturday 30th January, 2010.
- Clr. Padraig Doherty, together with David Alcorn – AMAI Conference Perspectives on National Recovery held Friday 12th and Saturday 13th February, 2010.
- Clr. Padraig Doherty, together with John Boyle – ACCC Annual Conference 2010 held Thursday 4th and Friday 5th March, 2010.
- Clr. Martin Harley – 'Elected Member's Training Seminar/Local Government Housing Service' held from Thursday 18th to Saturday 20th March, 2010.

C/271/10

MAYORS BUSINESS

Votes of Sympathy

Votes of sympathy were proposed to the following:-

Jim Mc Laughlin, Executive Engineer, Carndonagh Public Services Centre on the death of his brother John Joe Mc Laughlin.

Lucia Friel, Central Planning Unit, on the death of her mother Bernadette Kilcawley

The family of the late Tommy Gallagher, Hollow Road, Castlefinn. (former employee Machinery Yard)

Hugh Kerr, Laboratory, Letterkenny, on the death of his brother Bernard Kerr.

Pauric Mc Geehan, Water & Environment, on the death of his father, Brendan Mc Geehan.

Lorraine Bonner, Corporate Services, on the death of her father Seamus Doherty.

Mary Mc Daid, formerly Library Service, on the death of her father Patsy Molloy.

Helen Mc Nutt, Library Service, on the death of her mother, Joan Pollock.

Dave Bradley, Housing on the death of his father, Tom Bradley

Seamus Canning, Buncrana Town Council on the death of his father, Jim Canning.

Clr. Michael Grant, Buncrana Town Council on the death of his father Barney Grant.

Commemorative Honour to the late Garda Robert Mc Callion.

On the proposal of Clr. Byrne, seconded by Clr. Donaghey, it was resolved, in accordance with Section 74 of the Local Government Act, 2001, to bestow, posthumously, a Civic Commemorative Honour on the late Garda Robert Mc Callion who died in the line of duty in 2009. It was agreed that this would take place in conjunction with a commemorative event being organised by Letterkenny Town Council.

C/272/10

TO ASSIGN TOWN COUNCIL NOMINEES TO SPECIFIC SPCS

On the proposal of Clr. Harley, seconded by Clr. Pringle, it was resolved to assign the Town Council Nominees to the following Strategic Policy Committees:-

| | |
|---|---|
| Clr. Eamonn Barrett Bundoran Town Council | Planning & Economic Development SPC |
| Clr. Eugene Dolan Ballyshannon Town Council | Community, Cultural & Enterprise SPC |
| Clr. Pádraig Mac Lochalainn Buncrana Town Council | Housing & Corporate SPC |
| Clr. Gerry Mc Monagle Letterkenny Town Council | Roads & Transportation SPC. |

It was unanimously agreed that the 5th nominee, when agreed, would be assigned to the Water, Environment & Emergency SPC.

C/273/10

COUNTY MANAGER'S REPORT

Members considered the report circulated with the agenda, and addendum circulated during the meeting.

*Framework for Transforming Public Services
developed by Donegal County Council*

The County Manager stated that he was extremely pleased that the "Futures Ireland Project" had included evidence of the Integrated Services work undertaken in Donegal.

Unveiling of Rory Gallagher Sculpture

Members noted that the unveiling of the Rory Gallagher Sculpture would take place on Wednesday 2nd June, 2010 at 7pm in the Diamond, Ballyshannon.

Naming of Amenity Park in Ramelton.

Members noted that correspondence had been received from the Dave Gallagher Society seeking a date for the official naming of the Amenity Park in Ramelton. The matter, it was acknowledged, had been considered by the Corporate Policy Group at its meeting on the 19th April and that consideration of same would be referred to the Letterkenny Electoral

Area Committee for their views on an official opening in the context of a request to have a naming date coincide with the visit of the All Blacks at the end of November, 2010.

It was also noted also that arrangements were being made to have the toilets in Ramelton opened by June 2010.

Funding Minor Coastal Works and Erosion Mitigation Programme 2010/ A5 Western Transportation Corridor

Members noted the updates in respect of these projects.

Water Services Investment Programme

Members were informed that the Director of Water, Environment and Emergency Services was preparing a detailed report in relation to the co-funding and cash flow implications. It was intended to present this to both the W.E.E SPC and the full Council in due course.

Announcement of Plan for Domestic Water Metering

Clr. Pringle asked that details of plans for future domestic water metering and associated charges be included for discussion at the next appropriate Council Meeting.

Responding to queries in relation to the Three Year Capital Programme, the County Manager advised that it was intended to consider further a number of outstanding issues at the next Council Meeting.

C/274/10

DISPOSAL OF LAND BY WAY OF LEASE AT THE BIG ISLE, MANORCUNNINGHAM TO MR. GABRIEL RODGERS, LABBADISH, MANORCUNNINGHAM, CO DONEGAL

The Council continued consideration of this item. Clr. Blaney advised that failure to proceed with the matter would have wide ranging implications for the farmer concerned and called for the endorsement of the lease, subject to conditions.

Clr. M. Doherty said he was concerned that grazing rights held by members of the Travelling Community for the lands in question could be at risk. The present tenants had, he stated, held the lease for a long number of years and had spent a considerable sum on fencing and reseeded. He called for the withdrawal of the disposal and the leasing of the lands put forward for public auction.

Clr. McBrearty asked to be provided with a full report on the lands.

The Meetings Administrator confirmed that it was his understanding that there were a number of issues, including legal issues, which had to be clarified. Clr. Brogan stated that whilst he had no difficulty in supporting the proposal it would be prudent to take cognisance of any legal advice so to protect the interests of Donegal County Council.

On the proposal of Clr. Blaney, seconded by Clr. Larkin, it was resolved to dispose of the lands at The Big Isle, Letterkenny, by way of lease, to Mr. Gabriel Rodgers, Labbadish, Manorcunningham, Co Donegal, in accordance with Section 211 of the Planning & Development Act, 2000 and Section 183 of the Local Government Act, 2001, subject the inclusion of specific conditions ensuring that the Council's interests were protected and the satisfactory resolution of any legal issues.

WHOLE SYSTEM OF WORK – AUDIT REPORTS

Alluding to previous requests by Members for the Internal Audit Report, carried out in relation to the "Whole System of Work," the County Manager confirmed that it was his intention to bring the matter to the attention of the Audit Committee at their forthcoming meeting and thereafter to bring a full report to the May Council Meeting.

Clr. Pringle asked if the Internal Auditor's Report would also be circulated for the May Meeting and the County Manager confirmed same.

MOTIONS FORM OTHER COUNCILS

SOUTH TIPPERARY COUNTY COUNCIL

“That South Tipperary County Council requests the Minister for Health and Children, Ms Mary Harney, T.D., to reverse the H.S.E.’S decision to centralize all medical card processing to the PCRS Offices in Dublin.”

On the proposal of Clr. Quinn, seconded by Clr. Mac Lochlainn, it was resolved that correspondence be forwarded to Ms Mary Harney, Minister for Health and Children requesting the retention of Medical Card processing services in Donegal.

Members noted the following motions from other Councils:-

BALBRIGGAN TOWN COUNCIL

“Balbriggan Town Council call on the Minister for Education not to cut back on the number of Special Needs Assistants in our schools.”

LIMERICK COUNTY COUNCIL

“That, Limerick County Council calls on the Minister for the Environment, Heritage and Local Government, John Gormley, TD, to defer the carbon tax which is due to come into effect on 1st May, 2010, until the economy improves.”

KILDARE COUNTY COUNCIL

“This Council calls on the Government to abandon the policy of leasing houses for social housing rather than buying them and that where the Council is buying a number of homes in a development that they be scattered randomly throughout the development rather than clustered together.”

CARLOW COUNTY COUNCIL

“That Carlow County Council calls on the Minister for Environment and Local Government to change the basis on which commercial rates are calculated so that location of premises, size of premises and most

importantly ability to pay are factors used when calculating the amount of money owing.”

TIPPERARY TOWN COUNCIL

“That this Council call on Transport Minister Noel Dempsey and Environment Minister John Gormley to reverse their decision not to provide emergency funding to repair roads damaged by recent bad weather. That this motion be circulated to all Town and County Councils.”

CARLOW COUNTY COUNCIL

“That we the members of Carlow County Council call the Minister for Finance and the Government to reverse the Carbon Tax announced in last December’s budget.”

CARLOW COUNTY COUNCIL

“That Carlow County Council call for the Home Energy Saving Grant and Warmer Homes Scheme Grant handled by Sustainable Energy Ireland to come under the control of each relevant local authority.”

DUBLIN CITY COUNCIL

“That this Council expresses its support for the workers at the Green Isle Foods plant in Naas, Co Kildare, one of whom has now been on hunger strike for 12 days, who have been on strike for six months in protest at the firing of three of their colleagues;

Notes that the company has rejected proposals from the Labour Relations Commission and the National Implementation Body to resolve the dispute and rejected Labour Court recommendations to reinstate the men or compensate them;

Conscious that the company supplies many retail outlets operating in Dublin;

Calls on Green Isle Foods to reinstate the men immediately and to engage with the Technical, Engineering and Electrical Union, which represents the men, to resolve the dispute.”

DUBLIN CITY COUNCIL

“That this Council supports and sends solidarity to the striking workers at the Green Isle Plant in Naas who have been on Official strike for more that 6 months:

-Notes with interest that the Labour Court have ruled in their Favour;

-Notes also that the management of Green Isle, or there parent company Northern Foods, has refused to engage with the Unions, or the industrial relations mechanisms of this state and therefore, left the workers no other option but to resort to a Hunger Strike to seek a satisfactory resolution to the strike, and that this Council demands the company abide by the ruling of the Labour Court and reinstate the workers immediately.”

BALLINA TOWN COUNCIL

“That rent supplement should not be paid to tenants of Landlords who are evading taxes by not paying the levy to the Local Authority on their non-residential homes or those who are not registered with the Private Residential Tenancies Board, as is a requirement under the Residential Tenancy Act 2004”.

This concluded the business of the meeting.