

16th February, 2010

TO ALL MEMBERS OF DONEGAL COUNTY COUNCIL
--

The Adjourned January Meeting of Donegal County Council, will be held on Monday 22nd February, 2010 at 10.00am, in the County House, Lifford.

Questions and Motions

Item 7

Items 21 – 31

Items 32 – 71

Please ensure that you bring the agenda previously distributed to the meeting.

Eunan Sweeney

Meetings Administrator

MINUTES OF ADJOURNED MEETING OF DONEGAL COUNTY
COUNCIL, HELD IN THE COUNTY HOUSE, LIFFORD ON 22ND
FEBRUARY 2010

- C/52/10 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. McBrearty, 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/53/10 APOLOGIES
Apologies were received from Clr. Boyle who was unable to attend the meeting.
- C/54/10 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 of Service, 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 Eunan Sweeney, Meetings Administrator, Ms Annemarie Crawford, Staff Officer.
- C/55/10 ADJOURNMENT OF MEETING
On the proposal of Clr. Mc Guinness, seconded by Clr. Alcorn, it was resolved to adjourn the meeting until 10.20pm to allow party consultations on nominations to the Strategic Policy Committees.
- C/56/10 CALL FOR ABOLISHMENT OF WATER CHARGES ON COMMUNITY, VOLUNTARY AND CHURCHES IN THIS COUNTY
On the proposal of Clr. O'Neill, seconded by Clr. McBride, the following motion was adopted:-

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

Members were informed that:-

“The Council is required to charge for water which is used for non domestic purposes. The Council does not have discretion to either exclude any non domestic consumers from the charge or to fix a specific charge for any sector/category of consumer.”

Clr. O’ Neill asked that the motion be forwarded to the Department of the Environment, Heritage and Local Government and all other Local Authorities.

It was generally agreed that the organisations outlined above should be exempted or at least charged a reduced rate for water.

A range of issues were debated with Members calling for the enhancement and promotion of a range of green initiatives including water turn-off schemes, water harvesting and storage, together with a grants system for retrofit.

It was essential they advised that there was an input from all sections of the Council and that the matter be considered by the Water, Environment and Emergency Services S.P.C. It was suggested that it warranted inclusion within the County Development Plan.

Further clarity was requested in relation to the following issues:-

1. Amount of Revenue generated from voluntary/community organisations in Donegal.
2. Whether European Directives allow for a two-tier system to be put in place to aid such organisations, and groups such as the small farming sector.
3. The ability of the Irish Government to make a case at European level for this sector of the population.

Members called for the initiation of a new category to include Community, Voluntary and Church Organisations.

The Director Water, Environment and Emergency Services informed the meeting that current legislation legally precluded the Council from exempting local organisations.

Every effort, he noted, had been made to rationalise connections for this sector and water charges had been reduced by 50% in the period 2008-2010.

C/57/10

DISCUSSION OF THE TENDERING PROCESS FOR
AWARDING CONTRACTS IN DONEGAL COUNTY
COUNCIL

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

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

Members were informed that:-

“1. Works Carried out by Contract

Tenders are sought for all works carried out by Contract. A formal tendering system applies to all goods and services purchased with an estimated annual cost greater than €50,000. It is the policy of Donegal County Council to use the e-tenders website as the primary method of advertising tenders, prior indicative and award notices. We are also obliged under EU Legislation to publish tender notices in the EU Journal where certain thresholds are exceeded.

2. Examples of Open Tendering

- All Road Pavement Strengthening Contracts
- Environmental Improvement Works
- Bridge Improvement Works
- Installation of Traffic Lights & Electronic Signage
- Water & Sewerage Works

3. Assessment of Competency

In all instances, DCC are obliged to ensure that the successful Contractor is competent to carry out the works. In this regard, DCC assesses potential Contractors on their:

- Technical Ability (including Health & Safety)
- Financial Ability
- Legal Ability (solvency, pay and conditions for their employees etc...)

The level of assessment is appropriate for the scale and complexity of the works being tendered. In some instances,

this may require a Pre-Qualification Stage, following an open invitation for expressions of interest.

4. Goods and Services for which Annual Quotation Lists are Prepared

An online system, LA Quotes is used by 30 participating Local Authorities for the preparations of Annual Quotation Lists from which suppliers of Plant Hire, Haulage, Tool Hire, Supplies and Services are selected. All quotations for the 2010 calendar year had to be submitted by an advertised deadline in October 2009. The closing date for receipt of Supplies & Services quotations was the 2nd of October 2009, while the closing date for receipt of Plant Hire & Haulage and Tool hire quotations was the 9th of October 2009. Suppliers are required to submit prices, insurances, and all supporting documentation relating to Health and Safety, Employee Pension Scheme Details and Vehicle Registration details. Those suppliers satisfying all assessment criteria are included on the particular Quotations lists. Goods and services are selected as required by the relevant Area staff. The selection criteria used are price, availability, and suitability for the work at hand.

It is understood that a particular issue relates to the hire of rubber tyred diggers on road jobs. With regard to these machines the Council has regard primarily to a combination of price, experience, skills of operator, type of machine and general suitability of the operator and machine. The variation in the skills of the operator can make a substantial difference in the amount of work done. The Council require a particular emphasis on the type of work it performs which is mainly in live traffic along public roads.

The Council intends to review this situation in the coming months again in order to re-consider the selection process with a particular emphasis on selecting suitable machines/operators at the best price available.”

A lengthy debate ensued with Members in agreement that financial pressures on the Council Budget warranted value for money initiatives and an obligation to spend monies in a cost effective way.

There was, they advised, a need for openness and accountability together with a requirement to retain finance and employment within Donegal. Flexibility was required in the current economic climate..

It was acknowledged that adequate structures needed to be put in place and that same should be pursued through the various Strategic Policy Committees. Members outlined a number of specific cases and cited examples of individual contractors who felt that they had been treated unfairly. The division of contracts above the €50,000 threshold was suggested as one means of dealing with the matter thus allowing local companies to compete on a more even playing pitch.

C/58/10

APPOINTMENT OF FOUR PERSONS TO COUNTY DONEGAL VEC

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

The Mayor read into the record the names of those nominated and the nominating bodies:

He advised that Mr Enda Boner, Gweedore Road, Dungloe had withdrawn his name for consideration.

Clr. Pringle proposed, seconded by Clr. Mc Guinness, that the Council readvertise for nominations to seek more balanced representation.

The Meetings Administrator informed the meeting that an advertisement seeking nominations had been placed in four local newspapers and that a substantial number of nominations had been received in comparison to other Local Authorities. He asked Members to be mindful of the fact that the quinquennial meeting of the Vocational Education Committee was due to take place and could only proceed when the four persons had been appointed by Donegal County Council.

Re-advertisement would, he advised, delay the holding of the quinquennial meeting until late April, early May.

Responding to Members queries, the Meetings Administrator advised that the legislation did not specify how nominations should be obtained. The advertisement had

been placed in four local newspapers at a cost of approximately €2000.

Re-advertisement would, he confirmed, necessitate the holding of a further Consultative Meeting, and the matter coming back to the Council. Existing nominations would be permitted to stand.

A vote on the motion was requested and a show of hands was taken by the Meetings Administrator resulting in 16 voting for, 10 against, with two abstentions.

The Mayor declared the motion carried.

Cllrs. Blaney and Donaghey advised that they no longer wished to be considered for election.

C/59/10 DISPOSAL OF LAND BY WAY OF LEASE AT POUND STREET, STRANORLAR

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

On the proposal of Clr. McGowan, seconded by Clr. M. Harley, it was resolved to transfer a plot of land by way of lease at Pound Street, Stranorlar, Co. Donegal to Stranorlar Town Action Group (S.T.A.G.), in accordance with Section 211 of the Planning & Development Act, 2000 and Section 183 of the Local Government Act, 2001.

C/60/10 TO APPROVE AGREEMENT TO PROVIDE FOR INTER AUTHORITY BORROWING/LENDING

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

On the proposal of Clr. Brogan, seconded by Clr. McEniff, it was resolved that the Council approve of an agreement to provide for the inter-authority borrowing/lending between Donegal County Council, Letterkenny, Bundoran, Buncrana, and Ballyshannon Town Councils for the period up to 31st December, 2010, in accordance with the Local Government Act, 2001 (Section 106, Sub Section 6) which updates Part II of the Local Government (No. 2) Act, 1960.

Such inter-authority borrowing/lending to be subject to:

1. A maximum of €1m for any one loan.

2. Interest to be paid by the borrowing Authority at the Prevailing Bank Overdraft Rate.
3. Repayment on three days notice.

C/61/10 APPROVAL OF DATE FOR SPECIAL COUNCIL MEETING TO CONSIDER THE 2010-2012 CAPITAL PROGRAMME

On the proposal of Clr. Brogan, seconded by Clr. Mc Eniff, it was resolved to hold a Special Council Meeting to consider the 2010-2012 Capital Programme on Monday 1st March at 10.00am in the Council Chamber, County House, Lifford.

The County Manager advised that the Corporate Policy Group had requested a review of capital expenditure over the past five years and that a comprehensive analysis of same was required before any decisions were made in relation to the 2010/2012 Programme.

These matters, he noted, would be dealt with at the Special Meeting on the 1st March as careful consideration was required before any new programme could be initiated.

C/62/10 TO APPROVE ATTENDANCE AT THE ANNUAL ST PATRICK'S DAY CELEBRATIONS IN THE USA

Members considered the report from the A/Director of Housing and Corporate Services circulated during the meeting. This provided background information in relation to the visit together with an analysis of the costings involved.

Clr. Brogan proposed, seconded by Clr. Mc Eniff, "That the Mayor, Deputy Mayor and an official to be nominated by the County Manager attend the St Patricks's Day celebrations in the USA."

It was imperative, Cllr. Brogan advised, that the visit proceed as it was an effective means of :-

1. Networking with organisations such as the Irish American Business Network.
2. Raising awareness of the undocumented Irish in America.
3. Maintaining the long- standing relationship with the Donegal Associations in New York and Philadelphia.
4. Strengthening tourism links.

A number of Members confirmed that they were in favour of the visit on the basis that it helped maintain a valuable link with the Donegal Diaspora in the United States. The necessity of providing a schedule for the visit was acknowledged.

There was also considerable opposition with a number of members suggesting that the visit was a waste of taxpayers money, and provided little or no economic benefit to the county.

Members acknowledged that there had been adverse reaction to the cost of the visit from a wide range of sources.

C/63/10

ADJOURNMENT OF MEETING

On the proposal of Clr. Mc Garvey, seconded by Clr. Brogan, it was resolved to adjourn the meeting until 12.45pm to allow the February Meeting of the Council to commence within the designated time limit.

C/64/10

TO APPROVE ATTENDANCE AT THE ANNUAL ST PATRICK'S DAY CELEBRATIONS IN THE USA (CONTINUED)

On resumption, there was some debate as to whether the visit represented value for money. It was suggested that it might be more appropriate to send representatives to cities such as Glasgow and Manchester. Other suggestions alluded to the possibility of sending representatives from the various Business Chambers/ Tourism Organisations. The need for further clarity was acknowledged.

A recorded vote was requested and was taken by the Meetings Administrator resulted in 13 voting for, 14 against, with 1 abstention.

Those voting in favour were:-

Clrs. Alcorn, Blaney, Brogan, Byrne, Crawford, P. Doherty, Donaghey, Harte, Larkin, Mc Conalogue, Mc Eniff, Mc Gowan, and O' Domhnaill (13)

Those voting against were:-

Clrs. M. Doherty, Farren, Gallagher, Harvey, Mac Lochlainn, Mc Brearty, Mc Bride, Mc Garvey, Mc Guinness, O' Neill, Pringle, Quinn, Ryan, and Slowey. (14)

Clr. Harley abstained.

The Mayor declared the motion lost.

Thus, it was resolved that there would be no representation at the forthcoming St Patrick's Day celebrations in the U.S.A.

C/65/10

PROGRESS ON THE RE-ESTABLISHMENT OF THE STRATEGIC POLICY COMMITTEES, PLACENAMES COMMITTEE, AND ISLANDS COMMITTEE

The Meetings Administrator advised that a number of issues remained to be clarified particularly in relation to the individual party nominations. It was agreed to defer consideration of the item to later in the meeting to allow the Party Whips to complete their consultations.

Placenames Committee

Members were informed that the Committee had been established in Nov 2009 and that the following nominees had been selected by the various Electoral Area

Committees:-

Donegal	Clr. Barry O' Neill
Glenties	Clr. Seamus. O' Domhnaill
Inishowen	Ms Marian Mc Donald
Letterkenny	Clr. Dessie Larkin
Stranorlar	Clr. Martin Harley

The Meetings Administrator advised that the selection of Ms Marian Mc Donald was in breach of the establishment criteria for the committee and that the matter should revert to the Inishowen Electoral Area Committee to nominate an elected member.

On the proposal of Clr. Larkin, seconded by Clr. Brogan , the appointment of three Placenames Experts was approved:

- Ms Mary Conlon - Cumann Staire Thir Chonail
- Vincent O' Donnell - Donegal Historical Society
- Niall Mac Fhionnghaile – Donegal Historical Society

It was agreed to refer the selection of the Inishowen Electoral Area Nominee back to the Electoral Area Committee for further consideration and review.

Islands

The Meetings Administrator advised that the matter had been before the Council on a number of occasions. Members, he confirmed, were being asked to consider the following membership:-

- Members of the Glenties Electoral Area (5)
- Members of the Letterkenny Electoral Area (3) or (7)
- 10 Islands Representatives
- 1 Representative from Gnothai Pobail Tuaithe agus Gaeltachta in an advisory capacity.
- 1 Representative from the Comhdhail Oileain na hEireann/Islands Council in an advisory capacity.

The previous committee, he noted, had consisted of all the Glenties and Milford Electoral Members and there was now a recommendation to include all the Members of the Glenties and Letterkenny Electoral Areas.

He asked members to be mindful that it had accepted a recommendation from the CPG in 2009 that there would be 3 members from the Letterkenny Electoral Area, namely the 3 Councillors from the former Milford Electoral Area. The Letterkenny EAC had recommended that all its members should be on the Islands Committee.

Clr. Mc Brearty advised that he had requested the inclusion of Inis-Shinney Island, Bunbeg to be represented by Mr. Seamus Rodgers and was extremely disappointed to see that this was not included on the list.

Clr. Alcorn proposed, seconded by Clr. Mc Garvey, and it was resolved, that the Islands Committee would consist of the following membership:-

Glenties Electoral Area

Clr. David Alcorn
Clr. Pdraig Doherty
Clr. Marie Therese Gallagher
Clr. Terence Slowey
Clr. Seamus O'Domhnaill

Letterkenny Electoral Area

Clr. Liam Blaney
Clr. Ciaran Brogan
Clr. Jimmy Harte
Clr. Dessie Larkin
Clr. Noel McBride
Clr. Ian McGarvey
Clr. Mick Quinn

Mr. Diarmuid O Mordha (Gnothai Pobail Tuaithe agus Gaeltachta) in an advisory capacity
Ms. Marie Ni Fhearraigh (Islands Council) in an advisory capacity.

Islands

Owey Islands

William Boyle, Ballindrait, Bunbeg

Rutland Island

Michael Boyle, Lackenagh, Butonport

Inis Caorach Island

Hughie Gallagher, Saltpans, Dungloe

Island Roy

Maire Ui Dochartaigh, Cathaoirleach
Islandroy Group, Mulroy Bay, Downings

Gola

Mr. Owenie McBride, Upper Cotteen, Derrybeg

Inishboffin

John O'Brien, Coiste Forbartha
Innis Bo Finne, Machaire Rabhartaigh
Gort a Choirce, Leitir Ceannainn

Tory

Ms. Bridget McGarvey, Bainisteoir
Oilean Thorai, Na Doiri Beaga
Leitir Ceannainn

Aranmore

Seamus Bonner, Comharcuman
Forbartha & Fostaiochal, Arainn Mor

Inisfree

Mr. Naul McCole, Ailt a Chorrain
Leitir Ceannainn

Aranmore

Ms. Noirín Uí Mhaoldomhnaigh

Manager, Comharcumann Oilean, Arainn Mhor Teo

Inis Shinney

Mr. Seamus Rodgers, Annagry West, Letterkenny.

Clr. Alcorn called for the inaugural meeting to be held as soon as possible. He asked that further clarification be sought as to whether Inis Shinney fulfils the criteria laid down in the Islands Strategy.

C/66/10 ENDORSEMENT OF THE CONFIRMED MINUTES OF MEETING OF DONEGAL PLACENAMES COMMITTEE HELD ON 7th APRIL, 2009

On the proposal of Clr. Pringle, seconded by Clr. Larkin, it was resolved to endorse the confirmed Minutes of Meeting of Donegal Placenames Committee held on the 7th April, 2009.

C/67/10 ENDORSEMENT OF THE CONFIRMED MINUTES OF MEETING OF INISHOWEN ELECTORAL AREA COMMITTEE HELD ON 15th SEPTEMBER, 2009

On the proposal of Clr. Donaghey, seconded by Clr. Ryan, it was resolved to endorse the confirmed Minutes of Meeting of Inishowen Electoral Area Committee held on the 15th September, 2009.

C/68/10 ENDORSEMENT OF THE CONFIRMED MINUTES OF MEETING OF STRANORLAR ELECTORAL AREA COMMITTEE HELD ON 15th SEPTEMBER, 2009

On the proposal of Clr. Harvey, seconded by Clr. Harley, it was resolved to endorse the confirmed Minutes of Meeting of Stranorlar Electoral Area Committee held on the 15th September, 2009.

C/69/10 ENDORSEMENT OF THE CONFIRMED MINUTES OF MEETING OF DONEGAL ELECTORAL AREA COMMITTEE HELD ON 15th SEPTEMBER, 2009

On the proposal of Clr. O'Neill, seconded by Clr. Pringle, it was resolved to endorse the confirmed Minutes of Meeting of Donegal Electoral Area Committee held on the 15th September, 2009.

C/70/10 ENDORSEMENT OF THE CONFIRMED MINUTES OF SPECIAL MEETING OF DONEGAL ELECTORAL AREA COMMITTEE HELD ON 23rd OCTOBER, 2009

On the proposal of Clr.O'Neill, seconded by Clr. McEniff, it was resolved to endorse the confirmed Minutes of Special Meeting of Donegal Electoral Area Committee held on the 23rd October, 2009.

C/71/10 TO NOTE THE CONFIRMED MINUTES OF MEETING OF CORPORATE POLICY GROUP HELD ON 19th OCTOBER, 2009

On the proposal of Clr. Brogan, seconded by Clr. Larkin, the confirmed Minutes of Meeting of Corporate Policy Group held on the 19th October, 2009 were noted.

C/72/10 TO NOTE THE CONFIRMED MINUTES OF MEETING OF CORPORATE POLICY GROUP HELD ON 17th JULY, 2009

On the proposal of Clr. Brogan, seconded by Clr. Larkin, the confirmed Minutes of Meeting of Corporate Policy Group held on the 17th July, 2009 were noted.

C/73/10 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 and directives issued by the Minister in that regard, on the proposal of Clr. P. Doherty, seconded by Clr. Alcorn, it was resolved to authorise, retrospectively, 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.
- Freedom of Information Conference- Data Protection and Legal Proceedings on Wednesday 27th January, 2010 (Half Day) at the Public Affairs Ireland, 25 Mountjoy Square East, Dublin 1.

- Tourism in the 21st Century - “A Challenge for All-Northern Tourism Conference” held Friday 29th and Saturday 30th January, 2010 at the Dunadry Hotel, Muckamore, Dunadry, County Antrim.
- Planning Seminar for Councillors held from Friday 29th January to Saturday 30th January, 2010 at the Patrick Punch Hotel, Limerick.
- Mid-West Regional Authority 16th Annual Conference “Environmental Designations - “Barriers or Opportunities” held Thursday 4th and Friday 5th February, 2010 at the Greenhills Hotel, Ennis Road, Limerick.
- Kadenza Consultancies Ltd, Media 2010 Training & Communications for Councillors held from Friday 5th to Sunday 7th February, 2010 at the Clonea Strand Hotel, Clonea, Dungarvan, Co. Waterford.
- A.M.A.I. Spring Seminar 2010 held Friday 12th and Saturday 13th February, 2010 at the Sligo Park Hotel, Sligo.
- Managing Stress and Promoting Positive Mental Health held from Tuesday 16th to Thursday 18th February, 2010 at the Kingsvalley Hotel, Merlin Park, Dublin Road, Galway City.
- Change Management in Local Government held from Friday 19th to Sunday 21st February, 2010 at the Westport Plaza Hotel, Spa and Leisure Resort, Castlebar Street, Westport, Co Mayo.

On the proposal of Clr. P. Doherty, seconded by Clr. Alcorn, it was resolved to authorise any member if he/she so wished to attend 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.

- Kadenza Consultancies Ltd, Alcohol and Drug Abuse and Health & Safety to be held from Friday 26th to Sunday 28th February, 2010 at the Raheen House Hotel, Raheen Road, Clonmel, Co Tipperary.

- 21st Colmcille Winter School, to be held from Friday 26th to Sunday 28th February, 2010 at the Colmcille Heritage Centre, Church Hill, Letterkenny.

C/74/10

TO NOTE VARIOUS CONFERENCE REPORTS

On the proposal of Clr. Alcorn, seconded by Clr. P. Doherty, the following Conference Reports were noted: -

- Clr. Rena Donaghey – Planning and Development Amendment Bill held from Friday 18th to Sunday 20th September, 2009.
- Clr. Mickey Doherty together with Clr. Ryan, and Clr. Harley – I.P.A. Training Seminar held Wednesday 14th October, 2009.
- Clr. Mickey Doherty, together with Clr. John Ryan – L.A.M.A. Conference held Friday 6th and Saturday 7th November, 2009.
- Clr. Mickey Doherty, together with Clr. John Ryan, and Clr. Noel McBride, – Local Government Ethics in Public Life held from Friday 13th to Sunday 15th November, 2009.
- Clr. Thomas Pringle – District Policing Partnership held Tuesday 17th November, 2009.
- Clr. Dessie Larkin, together with Clr. O’Neill, Clr. Alcorn, Clr. Brogan, and Clr. Byrne, held from Thursday 26th to Sunday 29th November, 2009.
- Clr. Barry O’Neill – Clare Tourism Conference held from Thursday 26th to Saturday 28th November, 2009.
- Clr. Barry O’Neill – Constituents on the Net held from Friday 4th to Sunday 6th December, 2009.
- Clr. Barry O’Neill – Alternative Energy Improving your Carbon Footprint held from Friday 11th to Sunday 13th December, 2009.
- Clr. Dessie Larkin – Alternative Energy Improving your Carbon Footprint held from Friday 11th to Sunday 13th December, 2009.

C/75/10

TO CONSIDER REQUEST FOR RECEPTION OF DEPUTATION FROM CONTACT YOUTH COUNSELLING

Members considered the report, circulated with the agenda, in relation to the above. On the proposal of Clr. Donaghey, seconded by Clr. Brogan, it was resolved that a deputation

from Contact Youth Counselling be permitted to address a future meeting of Donegal County Council.

C/76/10 MANAGERS REPORT

An Addendum to the County Manager's report was circulated prior to the meeting.

The following Questions and Replies were noted:

C/77/10 RENT PAID BY DONEGAL COUNTY COUNCIL ON RENTED PROPERTY

The following question was submitted by Clr. McGarvey:-

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

Clr. McGarvey was informed that:-

"In 2008 and 2009, Donegal Co. Council paid €643,000 approximately in each year for rented accommodation.

The properties rented included:

- Three Rivers Centre (Lifford)
- Station Island (Lifford)
- Georgian Building Lifford
- Lifford Library
- Raphoe Library
- Ballybofey – Roads Office & Library
- Central Library Ground Rent (Letterkenny)
- Library HQ Rosemount (Letterkenny)
- Maherannen Letterkenny – Library Service
- Maheranen (Letterkenny) – Museum Service
- Kilty (Letterkenny) – Storage Units
- Pearse Road (Letterkenny) - Veterinary Office
- Glencar scotch - Veterinary Office (dog shelter)
- County Laboratory - Letterkenny
- Ramelton Library
- Ballyshannon Town Council Offices & Library

- Donegal - Library
- Killybegs - Library
- Dungloe - Library
- Merville - Library

- Clonmany - Library

The above properties were rented from the following organisations, businesses, groups and individuals:

- Ainsford Contractors
- Latch
- Norman Homes
- Health Services Executive
- St Eunans Cathedral Committee
- Patrick Boyle
- Brendan Gildea
- Secure Storage Ltd
- Patrick Doherty
- Keith Gallagher
- Ramelton Heritage Association
- Donal Kelly
- Vocational Education Committee
- Donegal Refrigeration Ltd
- Forbairt na Rossan
- Michael Doherty
- Clonmany Church Committee.

In the 2010 Budget, the Council has targeted a reduction in rental expenditure of €100,000. This is to be achieved through a combination of factors including the following:

1. Making optimum use of existing accommodation base in Lifford and the Public Services Centres
2. Reviewing current leasing arrangements
3. Exploring options in relation to the Army Barracks in Lifford to displace existing rental costs.”

C/78/10

PROPOSED SEWERAGE SCHEMES FOR RATHMULLAN, RAMELTON, AND MILFORD

The following question was submitted by Clr. McGarvey:-

“What is the present position on the proposed sewerage schemes for Rathmullan, Ramelton and Milford?”

Clr. McGarvey was informed that:-

“Rathmullan Sewerage Scheme was included on the Departments Water Services Investment Programme 2007-2009. This programme is being replaced with a new WSIP which is expected to be published early in 2010. While the Council has included Rathmullan Sewerage Scheme on its Needs Assessment which was returned to the Department in October 2009, there is no guarantee the scheme will be included on the new WSIP. The Council is however expecting the scheme to be included and the Councils Consultants are finalising the Preliminary Report submission for the scheme for submission to the Department in the first quarter of 2010. The next stage of the scheme will be the preparation of contract/ tender documents which will not require matching funding but will require budget approval from the Department.

Procurement of Consultants for the preparation of Preliminary Reports for a bundle of sewerage schemes including Ramelton and Milford sewerage schemes is ongoing at present and the Council is also expecting this work to be included on the new WSIP.”

C/79/10

PUTTING IN PLACE OF A STRUCTURE TO TAKE OVER GROUP WATER SCHEMES ONCE COMPLETED

The following question was submitted by Clr. McBride :-

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

Clr. McBride was 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 has required 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.

Group Schemes that are just completed are best suited for takeover, as they should not need any upgrade investment. Legal issues may take time, but these also are best addressed promptly to ensure early completion. If a scheme is fully in order and if resources are available to see the process completed and to operate and maintain the scheme, the takeover is supported.

The Council already has a structure in place for the takeover of group schemes which is managed by staff in the Group Schemes section, and is facilitated by funding from Department of Environment, Heritage and Local Government, through the Rural Water Programme. The main focus of that Programme since 2002 has been the upgrading of water quality in existing Group Schemes. The 'Upgrade and Takeover' heading of the programme has been exclusively targeted on private group schemes with non-compliant private water sources from 2002 to 2009. As that programme nears completion, resources may come available for upgrade of networks and takeover of other schemes. 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 is a need for significant resources to be channelled into the Upgrade and Takeover programme if the demand arising is to be met."

C/80/10

COMMENCEMENT OF THE MILFORD
ENVIORNMENTAL IMPROVEMENT SCHEME

The following question was submitted by 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?"

Clr. McBride was informed that:-

“The Planning & Economic Development Directorate proposes to commence an Urban Renewal Scheme in Milford consisting of the construction of an off-street car park and Link Road (Phase 1) and an environmental improvement scheme (Phase 2) along the Main Street in two consecutive phases.

Subsequent to the workshop held on the 18th December 2009, whereby it was agreed to appoint a contractor to carry out the works, contact has been made with the successful tenderer and a request made to submit all appropriate documentation by week-ending 22nd January 2010. The documentation submitted is currently being assessed to ensure all requirements are met and a pre-contract meeting will be arranged with the Contractor for week beginning 25th January to discuss the construction process and commencement date. It is envisaged that a meeting will also be arranged this week with the Members and the Local Traders Committee to discuss the traffic management plan for the scheme.”

C/81/10

PROGRESS MADE ON IMPROVING THE RIGHT
TURNING MOVEMENTS ON THE ROAD FROM
BALLYMACOOL TOWN PARK TO JAMESON’S
JUNCTION

The following question was submitted by 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?"

Clr. Larkin was informed that:-

“The three junctions off the R250 are onto a local road, L5964-1, a private road servicing a number of dwellings and a local road the L5974-1. The roads were examined by Roads Design and Electoral Area staff in late 2009 following representations made. At that time the conclusion was that none of the junctions merited the creation of a right turning lane in accordance with the DMRB to the roads described. This conclusion was based on the following considerations:

Each of the 3 roads have less than 25 houses which is estimated at generating a maximum 250 trips per day, below the threshold of 500 vehicles AADT. None of the sites have a recorded right turning accident problem. Forward visibility of any vehicle waiting to turn right is good at all 3 locations and therefore a vehicle waiting to turn right should not create a hazard.

Notwithstanding this it was concluded that the sites would benefit from a number of improvements as described below:

- 1) Provision of the NRA's three sets of double arrows approaching each of the junctions,
- 2) Provision of advance warning signage with distance marker,
- 3) Minor improvements to exit visibilities including moving edge lines and installing stop rather than yield signs on the public roads.
- 4) Localised improvements to hard shoulder surfacing as required to facilitate 1. above

These works are ongoing.

It is noted that the junction with the L5964-1 in Tullygay also accesses two developments to the south of the regional road. The conditions to the grant of planning included the provision of right turning lanes into these developments. The Council shall follow up with the developer(s) concerned to ensure that their planning permission are complied with. This may have a secondary benefit that improves the turning manoeuvres onto public roads.”

C/82/10 UP-TO-DATE POSITION REGARDING STREET LIGHTING AT GLENN EADAN AND KILLYLASTIN

The following question was submitted by Clr. Quinn:-

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

Clr. Quinn was informed that:-

“Lighting is not taken over by Donegal County Council in either of the Glenn Eadan or Killylastin Heights estates. Negotiations are ongoing with the developers to provide lighting and to bring lighting up to an acceptable standard for certification.”

C/83/10 UPDATE ON PROPOSALS FOR PLAYGROUNDS SELECTED IN LETTERKENNY

The following question was submitted by Clr. Larkin:-

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

Clr. Larkin was informed that:-

“In 2007 Donegal County Council advertised a call for expressions of interest in developing Play areas across the county.

At that time no groups from the then Letterkenny EA Area came forward but Gartan Field and Garage Court within the Town Council area expressed an interest and these were passed onto the Town Council for their attention as DCS does not extend to cover the Town Council Area.

At subsequent Electoral area meetings a number of possible areas were identified for the development of play facilities including Lifford, and Meadowhill Raphoe.

In 2009 a further proposal to include Cruann Mor and Cashel Park in Letterkenny was made.

The old Milford EA identified Rosnakill Carrigart and Termon as their priority areas in 2007 and to date Rosnakill has been established.

The position currently is that these Play areas were traditionally funded through DCS. We continue to work in

close association with the projects identified in 2007 and all projects have the capacity to proceed subject to the availability of funding and technical support.”

C/84/10 SEEKING OF ADDITIONAL FUNDING FROM DEPARTMENT OF TOURISM TO OPEN UP THE FANAD AREA FOR TOURISM

The following question was submitted by 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?"

Clr. Quinn was informed that:-

“Tourism development and promotion is recognised as being of central importance to Donegal and the north west and is being advanced as such by Donegal County Council and Donegal County Development Board.

In this context Donegal County Council has made application for funding under Interreg IV programme through the North East Partnership group for the development and marketing of a Coastal Touring Route (Causeway Connections) linking the Solway (Scotland) and Causeway(Antrim) coasts and the Donegal Coastline. Under this project the Blaney Bridge will provide for the inclusion of the Fanad area to be included as a key element of this touring route. The project is currently awaiting final appraisal by the SEUPB and subject to final approval work on this project could commence later this year. The Council are also through the North East Partnership linked into an Interreg IV" Bikers Touring Route" project which is also at present awaiting final approval. Again this project will seek to develop the County's natural touring routes and the new Blaney bridge will enable the wider Fanad to be incorporated into this project ,

Members will be updated on progress on these and other tourism projects being advanced by the Council.”

C/85/10 COMPLETION OF KILLYBEGS ENVIRONMENTAL IMPROVEMENT SCHEME

The following question was submitted by Clr. Pringle:-

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

Clr. Pringle was informed that:-

"The Planning & Economic Development Directorate have been progressing an Urban Renewal Scheme in Killybegs which provided for the undergrounding of services (ESB & Eircom), provision of new sewer and storm drainage, upgrading of water connections, provision of new kerbing, paved footpaths, provision of decorative street lighting and furniture and the definition of on-street car parking.

The scheme commenced on site in mid June 2009 and was progressed over a 14-week period. Construction works are currently substantially complete and arrangements are currently being made for the installation of the decorative street lighting element in due course, which will complete the scheme."

C/86/10 CARPARK PROVISION AT UPPER ERNE DALE
BALLYSHANNON

The following question was submitted by Clr. O'Neill:-

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

Clr. O'Neill was informed that:-

"It is understood that this relates to a Council Housing Estate whereby the Housing Section are satisfied to carry out works pending the identification and provision of appropriate funding."

C/87/10 COMMENCEMENT OF KILLYBEGS SEWERAGE
SCHEME

The following question was submitted by Clr. Pringle:-

"When will the Killybegs Sewerage Scheme commence?"

Clr. Pringle was informed that:-

“Killybegs Sewerage Scheme was included on the Departments Water Services Investment Programme 2007-2009. This programme is being replaced with a new WSIP which is expected to be published by the Department early in 2010. The Council has included Killybegs Sewerage Scheme on its Needs Assessment which was returned to the Department in October 2009. There is no indication at this stage as to which schemes will be included on the new WSIP. The Council is however expecting the scheme to be included and in particular the advance works contract which will include the construction of a new outfall for Killybegs. No date for commencement can be given at this time.”

C/88/10

UPDATE ON LAGHEY SEWERAGE SCHEME

The following question was submitted by 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?"

Clr. O’Neill was informed that:-

“The construction cost of the scheme currently under construction in Laghey is €851k including VAT. The total cost of the scheme including non-contract costs (planning, land, supervision costs) is in excess of €1.0m. The Department have capped the grant amount at circa €800k and the extent of works under construction is limited by the budget available from the Department and the Council.”

C/89/10

COST OF LAING O’ROURKE CONTRACT TO DONEGAL COUNTY COUNCIL

The following question was submitted by 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?"

Clr. Boyle was informed that:-

“Laing O'Rourke have a Design Build and Operate (DBO) contract with Donegal Co Co. The Design Build stages relate to surveys, identification of non-domestic customers, installation of meters on same, establishment and management of customer database and communications interface with Council systems. The Operational contract covers a range of activities relating to drinking water meters, principally including meter reading, maintenance of meters, future meter installation for new customers and ongoing maintenance of information systems.

The Design Build stage contract initially related only to customers on public water supply networks. That stage was completed in 2008. It was later extended to capture customers on Group schemes using public water. The DB work on GWSS was due for completion by end of 2009. The Service (Operate) Phase of the contract commenced in 2008 and will run till the end of 2017.

To date 11,500 non-domestic customers have been identified, of which 9,500 have been metered and 2,000 are subject to fixed charges.

The following is a breakdown of contract payments to Laing O'Rourke. Payments for the DB phase are once off.

1. DB Phase (public supplies)	€7,260,000
2. DB Phase (GWSS)	€ 960,000
Total DB payment	€8,220,000

Payments for the Service phase recur annually. The annual payment varies depending on the actual number of tasks undertaken in the year. Payment for year 2008 was €750,000. Payment for year 2009 (which is not yet finalised) and 2010 are expected to be of a similar order.

The value of the establishment / installation of the infrastructure put in place under this contract, the service of the Contractor and the service of employees of the County Council has enabled the generation of approximately € million for year 2009 from sales of water to the non-domestic sector. A figure of €0.5 million income is targeted for generation in 2010. The service provided to the Council under this contract has been a key enabling factor in the Councils ability to generate an income in 2009 which exceeds the entire capital cost of the contract. This contract therefore contributes to enabling an annual net financial benefit to the Council.”

C/90/10 MONIES OWED TO DONEGAL COUNTY COUNCIL BY GOVERNMENT DEPARTMENTS FOR WORK AND PROJECTS COMPLETED

The following question was submitted by Clr. Boyle:-

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

Clr. Boyle was informed that:-

“Preparation of the Annual Financial Statement for 2009, when all accruals, pre-payments and items of deferred income will have been quantified and accounted for, is ongoing and, as such, it is not practical to give a detailed response to this question at this time.

It is proposed to bring a conclusive, detailed schedule of Government debtors to the attention of the Members on the conclusion of the AFS.”

C/91/10 COUNCIL POSITION ON CUSTOMERS HIT WITH HUGE METERED WATER BILLS RESULTING FROM LEAKS CAUSED BY THE FREEZING WEATHER CONDITIONS

The following question was submitted by 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 metre's are hit with huge water bills due to no fault of their own?"

Clr. McBrearty was informed that:-

“Water used or wasted on the consumer’s side of the meter is the responsibility of the customer. The ongoing wastage of water in certain supplies in the county is a cause of great concern to the Council, and a source of great inconvenience to many consumers. It has necessitated extreme measures such as turning off supply to whole areas over-night to ensure supply during daytime. The Lough Mourne supply, serving the Finn Valley area and East Donegal is most

critical at present. We particularly appeal to all water users to check taps and service lines at home, in outbuildings and in fields, and in vacant premises. Where running water is found please close taps or valves in order to prevent more general water shortages.

Consumers of water have obligations to maintain their plumbing systems in good order and to afford it the necessary protection from frost.

Section 54 (2) of the Water Services Act states as follows: "The owner of a premises shall ensure that the distribution system of the premises, and all taps connected to it are maintained in such condition as to ensure that water does not leak from the distribution system or any taps connected to it, and shall be responsible for its repair and renewal...." Any person who permits the wastage of water is committing an offence under section 53 of the Water Services Act.

There is currently enough awareness in the community of the likelihood of leakage, to cause consumers to check for, isolate and turn off leaking connections at an early date. Such action will avoid bills mounting up. Those that have metres fitted will be in a position to establish if their drawdown of water is above normal and put in place the necessary corrective measures urgently."

C/92/10

PLANS IN RELATION TO AN AREA PLAN FOR CONVOY

The following question was submitted by 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?"

Clr. McGowan was informed that:-

"In July 2007 the Council agreed an approach to progress the Local Area Planning programme on the concept of Electoral Area based, Local Plans. In the Budget Book introduction and presentation an alternative approach was outlined and it is now proposed to grasp the opportunity of incorporating the entire LAP programme within the process of reviewing the County Development Plan in July this year. Many of the

towns and villages throughout the County, have been crying out for new plans to guide development. The County Development process provides an ideal opportunity to deliver these plans. The process itself has taken a new direction with the impending Planning legislation, coupled with the Regional Planning Guidelines, which requires the development of a core strategy, with a sustainable settlement hierarchy, for the County. The settlement of Convoy will be included in this task along with up to 90 other towns and villages in the County. The proposals will be presented to the Planning and Economic Development Strategic Policy Committee for consideration.”

C/93/10 UPDATE REPORT ON CURRENT BROADBAND SCHEMES IN THE COUNTY AND THE LACK OF BROADBAND IN SOME AREAS

The following question was submitted by 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?"

Clr. McGowan was informed that:-

“The only area in which the County Council has direct responsibility for the provision of telecommunication services is in relation to the Metropolitan Area Network (MAN) Programme. To date MANs have been constructed in the following towns;

- Letterkenny
- Bundoran
- Ballyshannon
- Donegal Town
- Ballybofey / Stranorlar
- Buncrana
- Carndonagh

The Letterkenny Network is operational and the networks at Buncrana, Carndonagh, Donegal Town and Ballyshannon have been handed over to the Management Services Entity E-Net for management and promotion on behalf of the

Council. Bundoran together with Ballybofey/Stranorlar will be handed over in the near future.

Aside from the MAN's Programme, Broadband Services are provided throughout the County by a number of telecommunication providers using a variety of technologies including Fixed Line, ADSL, Wireless, Mobile and Satellite. Current broadband coverage details are available from the Service Providers web sites as follows ;

Eircom

<http://www.broadbandatoz.ie/your-area.asp?id=5>

National Broadband Scheme

<http://ve.bizmaps.ie/threeireland/Pages/Public/NBSPublicPage.aspx>

3 Networks

<http://maps.three.ie/threeireland/Pages/Public/CoveragePublicPage.aspx>

North West Electronics

http://www.nwewn.com/coverage_maps.php

Vodafone

<http://www.vodafone.ie/coverage/?ts=1263984222993>

O2

<http://www.o2online.ie/wps/wcm/connect/O2/Home/Shop/Broadband>

Meteor

<http://www.meteor.ie/bbtg/payg/coverage/>

Note:

This information is best viewed electronically to facilitate access to the web site links.”

C/94/10

LIST OF ROADS IN THE THREE ELECTORAL AREAS OF DONEGAL SOUTH WEST FOR WHICH COMPLAINTS HAVE BEEN RECEIVED REGARDING THEIR STATE OF REPAIR

The following question was submitted by 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?"

Clr. McBrearty was informed that:-

“In general, a wide distribution of complaints are received about our National Network and our Regional and Local Road network. Local Area Offices record complaints on a local system. For example, Glenties Electoral captures the description of the complaint and the agreed action. Complaints are recorded on our system but are not broken down into road segments. In addition, a number of complaints are made directly to Foremen/Supervisors and are dealt with without appearing on the complaints log.

With regard to road condition, our road network is assessed on an annual basis. Roads that are deemed in a poor condition are prioritised on our Restoration Improvement Programme and also on our Annual Surface Dressing programme. Roads requiring maintenance works are prioritised and maintenance activities for the Area are delivered in accordance with the level of service agreed with the Members, usually in February each year.

The complaints systems for Donegal, Stranorlar and Glenties can be viewed at our local offices.”

C/95/10

PROVISION OF LIGHTING IN THE KNOCKRAWER
AREA OF CASTLEFIN

The following question was submitted by 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?"

Clr. Harvey was informed that:-

“It is understood that this relates to the erection of 3/4 lights near the CPI Centre. These lights can be considered for erection under the 2010 lighting improvement programme.”

C96//10 CURRENT POSITION REGARDING FOOTPATH PROVISION AT TRUSK ROAD BALLYBOFEY

The following question was submitted by Clr. Harvey:-

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

Clr. Harvey was informed that:-

“It appears that local negotiations will not bring this matter to a conclusion based on recent discussions on the appropriate price. The council will now have to look at other options in order to progress the matter.”

C/97/10 LIST OF ALL BUILDINGS RENTED BY THIS COUNCIL AND THE COST TO COUNCIL OF SAME

The following question was submitted by 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?"

Clr. Harley was informed that:-

In 2009, Donegal Co. Council paid €643,000 approximately for rented accommodation.

The properties rented included:

- Three Rivers Centre (Lifford)
- Station Island (Lifford)
- Georgian Building Lifford
- Lifford Library
- Raphoe Library
- Ballybofey – Roads Office & Library
- Central Library Ground Rent (Letterkenny)
- Library HQ Rosemount (Letterkenny)

- Maherannen Letterkenny – Library Service

- Maheranen (Letterkenny) – Museum Service
- Kiltyoy (Letterkenny) – Storage Units
- Pearse Road (Letterkenny) - Veterinary Office
- Glencar Scotch - Veterinary Office (dog shelter)
- County Laboratory - Letterkenny
- Ramelton Library
- Ballyshannon Town Council Offices & Library
- Donegal - Library
- Killybegs - Library
- Dungloe - Library
- Moville - Library
- Clonmany - Library

In the 2010 Budget, the Council has targeted a reduction in rental expenditure of €100,000. This is to be achieved through a combination of factors including the following:

1. Making optimum use of existing accommodation base in Lifford and the Public Services Centres
2. Reviewing current leasing arrangements
3. Exploring options in relation to the Army Barracks in Lifford to displace existing rental costs.”

C/98/10 PROSPOSAL FOR TO MEET THE HOUSING NEEDS OF PEOPLE IN THE LIFFORD, RAPHOE, ST JOHNSTON AND BALLINDRAIT AREAS

The following question was submitted by 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?"

Clr. Crawford was informed that:-

“There are currently no proposals for new schemes in these towns. Submissions have been received under the Leasing Programme for the town of Lifford and these are being assessed. The Council recently received authorisation from the Department to transfer 4 vacant Affordable Dwellings in St. Johnston to the Social Housing Programme and these will be allocated as soon as possible. The Rental Accommodation Scheme will be one of a number of housing options that the Council will employ to meet the needs of housing applicants in these areas in 2010.”

C/99/10 CAUSAL HOUSING VACANCIES IN THE STRANORLAR AREA

The following question was submitted by Clr. Crawford:-

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

Clr. Crawford was informed that:-

“There are currently 27 casual vacancies in the Stranorlar Electoral Area, some of which required substantial repairs/refurbishment. Every effort is being made to have the dwellings which are ready allocated as soon as possible.”

C/100/10 AMOUNT SPENT IN 2009 BY THIS COUNCIL ON CONSULTANCY

The following question was submitted by Clr. Slowey:-

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

Clr. Slowey was informed that:-

“The table attached breaks down the amounts paid for Consultancy Services for the years 2005-2009 inclusive, categorised by Capital and Revenue expenditure and by Directorate, following review by each service.

Capital infrastructure consultancy costs are associated with the provision and improvement of infrastructure such as

Roads, Water supply schemes, Waste Water schemes and other infrastructure based activity.

Examples of Roads projects and their constituent consultancy costs figure include:

Ballyshannon/Bundoran By-Pass (€3,407,272)

Ballybofey/Stranorlar By-Pass (€1,823,332)

Letterkenny-Lifford (€1,049,092)

Lifford-Stranorlar (€1,329,681)

Mountain Top (€23,778)

Lifford- Strabane (€1,106,442)

Harry Blaney Bridge (€18,962)

Expenditure in the Revenue Account for Roads relate to specific improvement works.

Examples of Water Services projects include:

Moville S/S (€90,944)

Letterkenny S/S (€06,390)

Lough Mourne Intake (€78,713)

NS Shares Project (€6,626,530)”

C/101/10 AMOUNT OF MONIES OUTSTANDING AT THE END OF 2009 TO THE COUNCIL BY GOVERNMENT FOR PROJECTS

The following question was submitted by Clr. Slowey:-

"How much money is owed to this County Council by Government at the end of 2009. Please give a detailed breakdown by project?"

Clr. Slowey was informed that:-

“Preparation of the Annual Financial Statement for 2009, when all accruals, pre-payments and items of deferred income will have been quantified and accounted for, is ongoing and, as such, it is not practical to give a detailed response to this question at this time.

It is proposed to bring a conclusive, detailed schedule of Government debtors to the attention of the Members on the conclusion of the AFS.”

C/102/10

NUMBER OF APPLICATIONS RECEIVED BY THE COUNCIL IN RESPECT OF OLDER PEOPLE GRANTS SINCE THE DECISION BY COUNCIL AT OCTOBER 2009 TO ACCEPT NEW APPLICATIONS

The following question was submitted by 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?"

Clr. Alcorn was informed that:-

“A total of 51 applications have been received although in line with the decision taken at the October Council meeting, no processing of the applications has taken place.

It is anticipated that a total of €1.5 million will be required to cover existing commitments, applications on hand and new grant applications being received. This also includes the cost of grants on Local Authority houses which has to be met from the revenue account this year with only 50% being recoupable from the Department. This provision will enable approximately 1,000 applications to be processed in 2010.

As was outlined to the Council in October, the cost of the existing commitments and the approval of the applications which had already been received up to July 2009, will be met from the Internal Receipts Account leaving a balance of €300,000 for new applications and works to Local Authority dwellings. Given the Council’s overall position in relation to the General Government Balance, it is believed that through the existing reserves in the Internal Capital Receipts Account, there will be sufficient funds to meet €300,000 of the Council’s contribution with the remaining €500,000 being provided for out of the Revenue Account. The full €300,000 from the internal receipts account may not be

required as at present there is not the same backlog of applications presently in the system as there would have been in other years, given the fact that we have not been processing any new applications since July.

In the context of funding, as was outlined at the Budget meeting, proposals are presently being prepared and will be brought forward to the Council for consideration in the context of amendments to the policy in order that the Council can live within the adopted budget and resume processing of applications.”

C/103/10 LEITIRMACAWARD HOUSING SCHEME

The following question was submitted by Clr. Gallagher:-

"What is the up to date situation of Leitirmacaward Housing Scheme?"

Clr. Gallagher was informed that:-

“The housing development at Leitirmacaward is at an advanced stage with the houses themselves nearing completion. This is a difficult site and the Council engaged structural engineers to design the substructures of both the houses and the estate roads and footpaths. The load transfer platform designed to support the estate roads and footpaths has not performed satisfactorily and has to be replaced. An alternative design has been prepared and the cost of these works is being negotiated between the contractor and the structural engineers with a view to completing same as soon as possible. The Council will not be liable for any of the costs associated with these works and it is estimated that they will take four to five months to complete. The contractor returned to the site before Christmas to attend to some Health & Safety matters and to begin the preliminary phase of the remediation works. It is intended that the contractor will return to site in the coming weeks when temperatures rise sufficiently to enable large scale reinforced concrete works to be undertaken without interruption. It should be noted that these works refer to the external works on the scheme only and that the houses are finished to a high quality and are structurally sound. The council regrets the

delay in completing the scheme and is making every effort to have the houses occupied as soon as possible.”

C/104/10 ERECTION OF A DIRECTION SIGN AT KILRAINE JUNCTION ON THE N56 SHOWING THE REGIONAL ROAD TO FROSSES

The following question was submitted by 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 (this would be particularly beneficial to people not familiar with these roads)?"

Clr. Alcorn was informed that:-

“When travelling from Glenties along the N56 towards the junction there is currently a sign indicating that the next left is the R262 and the destination signed is Donegal.

Once travelling on the R262 an advance directional sign is in place indicating that Frosses is 16km and Donegal is 27km.

When approaching the junction on the R262 there is a sign indicating both Ardara and Glenties.

However, the directional sign at the junction itself and on the Ardara approach to the junction has been removed. This has been highlighted to the NRA Sign Maintenance Contractor and these signs shall be replaced by him on his next visit to the Area.”

C/105/10 DUNGLOE AND GLENTIES SEWERAGE SCHEME

The following question was submitted by Clr. Gallagher:-

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

Clr. Gallagher was informed that:-

“Dungloe and Glenties Sewerage Schemes were included on the Departments Water Services Investment Programme

2007-2009. This programme is effectively being replaced with a new WSIP which is expected to be published by the Department early in 2010. The Council has included Dungloe and Glenties Sewerage Schemes on its Needs Assessment which was returned to the Department in October 2009. There is no indication at this stage as to which schemes will be included on the new WSIP. While the Council is expecting the scheme to be included on the programme the only communication the Council has had on the scheme in the last six months is that connected with the Needs Assessment process.”

C/106/10 INCLUSION OF “AN GRIANAN OF AILEACH” BY THE OPW IN THEIR HERITAGE SITES OF IRELAND MAP FOR 2010

The following question was submitted by 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?"

Clr. MacLochlainn was informed that:-

“An update on this will be included in a presentation relating to heritage development in Inishowen which will be made to the Inishowen Electoral area Committee by the Heritage Development Officer in early 2010.”

C/107/10 COOLEY CROSS HERITAGE DEVELOPMENT COMMITTEE

The following question was submitted by 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?"

Clr. Mac Lochlainn was informed that:-

“This issue will be addressed by the Heritage Development Officer and an update provided on the situation relating to this matter. Any possible ways of assisting this group in relation to agreed projects will be explored.”

C/108/10 UPDATE ON THE BUNCRANA MARINE DISCOVERY CENTRE

The following question was submitted by Clr. Donaghey:-

"What is the current update on the Buncrana Marine Discovery Centre?"

Clr. Donaghey was informed that:-

Proposed Marine Discovery Centre Project, Buncrana

The proposed concept is of a Marine Discovery Centre in Buncrana, on the shores of Lough Swilly. The centre should it be possible to proceed with it, will integrate marine tourism, research and education all of which are key resources for the region.

The centre will:

- Promote Lough Swilly’s natural environment, species, coastal processes, activities, industry and community;
- Showcase extensive marine & coastal research available for Lough Swilly;
- Attract 60,000 visitors by yr 5;
- Attract primary and secondary level school tours;
- Host a tour vessel which would allow visitors to experience the marine environment;
- Host a Lough Swilly marine forum, involving stakeholders in the development of marine spatial planning processes and a climate change adaptation strategy;
- Highlight and develop opportunities for marine recreation, industry, employment and conservation.

Current status:

Feasibility study and business plan completed for centre (reports available on www.donegalmarineandwaterleisure.com);

Funding:

- Marine Spatial Planning and coastal management partnership established with Marine Institute, University of Ulster, Marine Scotland, Scottish Sustainable Marine Environment Initiative and The Western Isles Council;
- Coastal Gaels Interreg project developed with above partners, which includes funding proposal for construction of the Marine Discovery Centre; application made to Interreg IVA Programme.
- Application nearing the final stages of initial scoring process carried out by SEUPB;
- If project scores sufficiently it will proceed to Interreg Steering Committee assessment stage
- It is proposed that BTC provide site, for proposed centre. Buncrana Town Council is considering this proposal and a decision is pending.

Marine Spatial Planning & Adaptation to Climate Change: Baseline environment and activity audit of Lough Swilly underway - Data gathering and analysis ongoing with University of Ulster. Information gathered will inform centre displays, tours and marine forum.

Progression of Marine Discovery Centre in 2010:

1. Liaise with Buncrana Town Council and Donegal County Council in relation to securing site, funding design and securing planning permission for the Centre;
2. Explore possibilities for private investment in Centre and Tour Vessel;
3. Explore alternative funding avenues for the centre and submit applications as appropriate;
4. Liaise with Coastal Gaels partners and SEUPB in relation to Interreg application;

5. Continue Swilly Environmental Audit and Climate Change Adaptation Strategy (IMCORE);
6. Establish a Marine Coastal Forum with marine stakeholders on the Swilly;
7. If funding is secured oversee development of the Centre.”

C/109/10

FUNDING FOR THE COMPLETION OF THE
BREAKWATER PROJECT AT GREENCASTLE

The following question was submitted by Clr. M. Doherty:-

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

Clr. M. Doherty was informed that:-

“The Department of Agriculture Fisheries and Food 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:

- 1) Department of Agriculture Fisheries and Food
75%
- 2) Department of Gaelteacht (CLAR)
12.5%
- 3) 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.”

C/110/10 PUTTING IN PLACE OF A SALT BARN AT CARNDONAGH

The following question was submitted by Clr. M. Doherty:-

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

Clr. M. Doherty was informed that:-

“A new salt barn is required in Carndonagh and is part of the present strategic plan of ten salt barns for the county. No money is presently available to construct the new barn. In the past, they have cost approximately €250,000 and have mostly been funded NY the NRA where they have been located along National Roads. The needed barns in Carndonagh and Milford are not along the national network and need to be funded from the Council Own Resources or discretionary Non-National Road Grants - both of which are very stretched at present.”

C/111/10 AGREEMENT ON A LIST OF COLLECTION POINTS FOR GRITTING MATERIAL TO BE AVAILABLE TO LOCAL COMMUNITIES DURING FREEZING WHEATER CONDITIONS

The following question was submitted by 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?"

Clr. McConalogue was informed that:-

“It is intended to carry out a review of winter maintainance policies and routes with the Roads Strategic Policy Committee. This matter will form part of the review which is expected to be placed on the first agenda of the new SPC when it is re-established shortly.”

C/112/10 IMPROVEMENT OF THE SEWERAGE TREATMENT PLANT IN GLENEELY (DRISTERAN)

The following question was submitted by Clr. McConalogue:-

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

Clr. McConalogue was informed that:-

"The wastewater treatment plant currently serving Gleneely has limited spare treatment capacity such that further multiple development within the catchment is incapable of being treated to the required standards. Expansion of the treatment works in conjunction with and financed by new developments may be possible subject to the receiving waters being able to assimilate the discharge. Such assessments will be carried out if it becomes clear that there is real and significant development demand to support the expansion of the existing works. It is unclear at present if there any demand for additional development."

C/113/10 MEETINGS BETWEEN THE COUNCIL AND THE HSE REGARDING HOUSING DISABLED GRANTS AND OTHER AREAS OF COMMON INTEREST

The following question was submitted by 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?"

Clr. McGuinness was informed that:-

"Seven (7) meetings took place between Staff in the Housing Services Division and the Health Service Executive during 2009."

C/114/10 COMMENCEMENT DATE FOR WORK TO BEGIN ON MALIN HEAD COATGUARD STATION

The following question was submitted by 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?"

Clr. McGuinness was informed that:-

"Telephone contact has been made with the Department of Transport in this regard.

It is understood that the Department has requested the OPW to review the existing accommodation at the Malin Coast Guard Station and to report back in relation to the improvements required. To date this report has not been submitted. It is also understood that the equipment required to upgrade the station has been purchased. The Department was not in a position to confirm when building work would commence."

C/115/10 REMOVAL OF THE REQUIREMENT FROM CERTAIN COUNCIL DOCUMENTS TO HAVE THEM SIGNED BY A PEACE-COMMISSIONER

The following question was submitted by 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?"

Clr. Ryan was informed that:-

"The Council is not aware of any policy change on its part that would impact on the role of Peace Commissioners; however, if the Councillor could furnish clarification as to the type of documents involved the matter will be examined"

C/116/10 COST TO THE COUNCIL OF CONSULTANTS FOR THE LAST 5 YEARS

The following question was submitted by 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?"

Clr. Ryan was informed that:-

"The Council is not aware of any policy change on its part that would impact on the role of Peace Commissioners; however, if the Councillor could furnish clarification as to the type of documents involved the matter will be examined"

This concluded the business of the meeting.