

**COMHAIRLE CHONTAE DHUN NA nGALL**

Oifig Riarthóir na  
gCruinnithe  
Aras an Chontae  
LEIFEAR

18 Iúil 2006

Beidh an Cruinniú Comhairle Chontae Dhun na nGall ag dul ar aghaidh Dé Luain, 24 Iúil, 2006, ag **2.00 ag Arás an Chontae, Leifear**

**DO GACH BHALL DEN CHOMHAIRLE**

**A Chara**

Iarrtar ort bheith i lathair ag an gcruinniú seo den Chomhairle. Tá Clar an Cruinnithe le seo.

Beidh Clar Orduithe an Bhainisteora Contae le feiceal ag an gcruinniú.

**Mise, le meas**

**A. MacSuibhne**

**Riarthóir Cruinniú (RUNAI CHONTAE)**

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**DONEGAL COUNTY COUNCIL**

Office of Meetings Administrator  
County House  
Lifford  
18<sup>th</sup> July 2006

**NOTICE OF MEETING**

A Meeting of Donegal County Council will be held on Monday 24<sup>th</sup> July, 2006 at 2.00 p.m. 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 Minute No. C/57/06 dated 30<sup>th</sup> January 2006.
  - (b) Confirmation of Minutes of Meeting of Donegal County Council held on 29<sup>th</sup> May, 2006.
  - (c) Confirmation of Minutes of Adjourned Meeting of Donegal County Council held on 12<sup>th</sup> June, 2006.
  - (d) Confirmation of Minutes of General Purposes Meeting of Donegal County Council held on 12<sup>th</sup> June, 2006.
  - (e) Confirmation of Minutes of Special Meeting of Donegal County Council held on the 12<sup>th</sup> June, 2006.
  - (f) Confirmation of Minutes of Annual General Meeting of Donegal County Council held on 29<sup>th</sup> June, 2006.
  
2. **Disposal of Land- Section 211 Planning & Development Act, 2000**
  - a) Notice under Section 183 of the Local Government Act, 2001 to dispose of land at Magherard, Glenvar to Mr. Gerald Anthony Meese – SI 5628.
  - b) Notice under Section 183 of the Local Government Act, 2001 to dispose of land at Ardeskin, Donegal Town to Ms. Marian Coughlan, Ardeskin, Co. Donegal.
  - c) Notice under Section 183 of the Local Government Act, 2001 to dispose of plot of land to Mr. Neil Kelly, Ballymore, Teelin. Co. Donegal.
  - d) Notice under Section 183 of the Local Government Act, 2001 to dispose of plot of land to John & Una Erskine, Bruckless, Co. Donegal.
  
3. **Taking of decision pursuant to Planning & Development Act, 2000 (Part XI), and Planning & Development Regulations, 2001 (Part 8).**
  - (a) To approve the carrying out of works with regard to the proposed Letterkenny – Outer Relief Road Creamery Roundabout.
  - (b) To approve the carrying out of works with regard to 5no. Specific Instance Cottages.

- (c) To approve the carrying out of works with regard to N14 Four Lane Road, Letterkenny.
- (d) To approve the carrying out of works with regard to Magheraroarty Environment Scheme.
- (e) To approve the carrying out of works with regard to Letterkenny Regional Water Supply Scheme.
- (f) To approve the carrying out of works with regard to Letterkenny Water Strategy.
- (g) To approve the carrying out of works with regard to Malin Sewerage Scheme.

4. **Finance Programme**

- a) To authorise Overdraft Accommodation.
- b) To note Draft (Unaudited) Annual Financial Statement for the financial year 2005. (*document circulated to members on the 28<sup>th</sup> June 2006 – please bring document to meeting*)

5. **Community, Enterprise & Cultural Programme**

- a) To adopt Draft Exhibition Policy for Donegal County Museum.
- b) To adopt Public Art Policy and Plan.

6. **Roads Programme**

- (a) That Donegal County Council hereby resolves to enter into an agreement, under Section 85 of the Local Government Act 2001, with Leitrim County Council in respect of improvement works to the N16 River Bridge at Lugnafaughery, N16 Scarden River Bridge, N16 Windy Bridge, N16 Owenbeg Bridge, N16 Bridge at Pollboy and N16 Diffreen River Bridge whereby Donegal County Council will be enable to carry out all work, including preparation of Contract Tender Documents, Supervision of Contract, etc as may be necessary in the Administrative Area of Leitrim County Council.”
- (b) 2006 Plant Purchase Programme – To approve additional items.

7. **Housing & Building Programme**

- a) To seek approval to go to tender for New Civil Defence building at Railway Road, Stranorlar.

8. **Water, Environment & Emergency Services**

- a) To adopt a Policy on Water Service Disconnection.
- b) To adopt a Policy on Co-operation and Partnership with Developers for Water Services Improvement.
- c) To Note Replacement of Donegal Waste Management Plan 2006-2010.

9. **Conferences**

- a) A.M.A.I Annual Conference to be held in the Cavan Crystal Hotel, Cavan on the 14<sup>th</sup> – 16<sup>th</sup> September 2006.
- b) General Humbert Summer School to be held in the Ballina, Killala, Lacken & Kilcummin, Co. Mayo on the 17<sup>th</sup> – 20<sup>th</sup> August 2006.
- c) Training Seminar for Councillors “Local Government and the Arts” to be held in the Silver Tassie Hotel, Milford Road, Letterkenny, Co. Donegal on the 24<sup>th</sup> – 26<sup>th</sup> August 2006.

10. ***Mayor’s Business***

11. ***County Manager’s Report***

MOTIONS

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

MILFORD ELECTORAL AREA

**Water, Environment & Emergency Services**

12. **Clr. I. McGarvey**  
 “I request that we as a Council support the change of category for lands owned by the families of Anton (Shuss) McBride, Edward Shovelin and Danny Gallagher all of Melmore, Downings. This is to allow their families to promote enterprise of a tourist nature.” (L)

**Community, Enterprise & Cultural Services**

13. **Clr. N. McBride**

“That this Council contact the organisers of the World Rally Championship to be staged in Ireland in November 2007, with the view to attracting as much of the event into Donegal as possible.” (O)

## STRANORLAR ELECTORAL AREA

### *Housing & Building Services*

14. Clr. Alice Bonner  
“That this Council expedite as quickly as possible an S.I. application for a family under severe strenuous circumstances.” (L)
15. Clr. P. McGowan  
“That this Council discuss the 6 month waiting list of the DPG applicants and the increasing pressure on Occupation Therapist which is causing unnecessary hardship on Disabled and Elderly Persons.” (C)

## GLENTIES ELECTORAL AREA

### *Water, Environment & Emergency Services*

16. Clr. Pearse Doherty  
“That this Council recognise that the grading of oil and gas licences to multinationals has had little benefits to Donegal and call on the government to ensure that the current round of oil and gas exploration licences are granted to ensure that the people of Donegal will benefit from the natural resources that nature has provided for her in the absence of this that the current round are suspended and the terms and conditions at the applications are reviewed.” (C)

### *Roads & Transportation Services*

17. Clr. D. Alcorn  
“That Donegal County Council reactivate the survey done by the Council on the condition of County Roads, and include the cost estimate of repairing these Roads this time.” (C)

**Community, Enterprise & Cultural Services**

18. Clr. T. Slowey  
“That this County Council deliver on their promise for a Library at Ardara.” (L)

**Planning & Economic Development Services**

19. Clr. B. O’Domhnaill  
“That Donegal County Council will fast track the provision of a Local Area Plan in Dunfanaghy in order to facilitate planning and development in the area.” (L)

INISHOWEN ELECTORAL AREA

**Water, Environment & Emergency Services**

20. Clr. M. McDonald  
“That this Council move immediately to address the situation in relation to Movice Water.” (L)

**Housing & Building Services**

21. Clr. D. McGonagle  
“That applications for S.I. houses be dealt with more quickly by the Housing Section of the Council.” (C)

**Roads & Transportation Services**

22. Clr. P. MacLochlainn  
“That this Council will install traffic lights at the Malin Road/Main Street Junction, Movice.” (L)

**Community, Enterprise & Cultural Services**

23. Clr. B. McGuinness  
“That the Council discuss the Deloitte & Touche Report February 2004 and what actions have the Council have taken to develop Marinas in the County since?” (C)

LETTERKENNY ELECTORAL AREA

**Water, Environment & Emergency Services**

24. Clr. G. Crawford  
“That this Council take whatever steps are necessary to improve the sewerage system at Coolatee, Lifford.” (L)

**Community, Enterprise & Cultural Services**

25. Clr. T. McDaid  
“That the Donegal Members of the Local Government Anti-Poverty Network make a presentation to this Council on the progress of work to develop a Local Anti-Poverty Strategy for the County.” (C)

DONEGAL ELECTORAL AREA

**Water, Environment & Emergency Services**

26. Clr. B. Byrne  
“That this Council urgently address the issue of water in Glencolumbkille, as we now face into another summer and we have no progress to report to the people of Glen in relation to the Southwest Donegal water improvement plan, how much longer do the people of Glen have to suffer water shortages and the Council negative publicity before action is taken, especially in light of the fact the department has said financing the project is not the issue, then where lies the problem?” (L)

**Roads & Transportation Services**

27. Clr. T. Pringle  
“That Donegal County Council asks the Department of Transport to make the driver theory test available to our new citizens in their native languages.” (C)

**Planning & Economic Development Services**

28. Clr. J. Boyle

“That this Council have the GNR Railway Bridge know as Sminver Bridge in the townland of Carrickboy, Ballyshannon added to the list of Protected Structures.” (L)

**Community, Enterprise & Cultural Services**

29. Clr. B. O’Neill  
“That this Council discuss the Economic Implications for Killybegs arising from the development of a new Fishmeal plant.” (L)

QUESTIONS

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

MILFORD ELECTORAL AREA

**Roads & Transportation Services**

30. Clr. I. McGarvey  
“What is the cost of roadworks being carried out at Ballymaleel at present?” (L)

**Water, Environment & Emergency Services**

31. Clr. N. McBride  
“When does Donegal County Council intend to replace the water mains on the Milford/Portleen Road?” (L)

STRANORLAR ELECTORAL AREA

**Community, Enterprise & Cultural Services**

32. Clr. A. Bonner  
“What progress has this Council made in identifying and developing a playground/park in Ballybofey/Stranorlar?” (L)
33. Clr. P. McGowan

“Considering that Ballybofey/Stranorlar Library is the only library in the Stranorlar Electoral Area, how can Donegal County Council Cultural Services justify a temporary opening of that library giving a comparison of expenditure for each individual Library in the County over the last few years?” (C)

**Water, Environment & Emergency Services**

34. Clr. A. Bonner  
“Can the bottle banks etc that was moved from Ballybofey carpark be relocated outside the new Civic Amenity site to facilitate local people on a daily basis?” (L)

**Finance**

35. Clr. P. McGowan  
“What progress has their been regarding bringing forward proposals for the 2007 budget earlier in the year as agreed at last year's budget meeting which would give the members an opportunity to feed into the draft budget and discuss same.” (C)

GLENTIES ELECTORAL AREA

**Corporate Services**

36. Clr. Pearse Doherty  
“Is it Council policy for staff of the Council to assist and answer queries from County Councillors who are making representations for people regardless of the Electoral Area they are from?” (C)

**Water, Environment & Emergency Services**

37. Clr. Pearse Doherty  
“What is the current position with the Gweedore Sewerage Scheme?” (L)
38. Clr. D. Alcorn  
“When is it intended to commence work on Dungloe Civic Amenity Facility?” (L)

39. Clr. B. O'Domhnaill  
“Why did the Council not do more to protect the Blue Flag Status at Killyhoey Beach, Dunfanaghy and now what action is Donegal County Council taking to re-instate Blue Flag Status at Killyhoey Beach?” (L)

**Planning & Economic Development Services**

40. Clr. T. Slowey  
“How many applications for Planning Retention have been received by Donegal County Council in the last five years. State the names and addresses of the applicants and the final determination by the Planning Authority?” (C)

41. Clr. B. O'Domhnaill  
“What efforts are being made by Donegal County Council to recruit additional planning staff in both the Glenties and Milford Electoral Areas so as to provide the public with a much better level of service.” (L)

**Roads & Transportation Services**

42. Clr. T. Slowey  
“What was the total cost of the extinguishment of the Strand Road from the start of the first failed extinguishment including all legal costs and all other inputs until it was passed in the Council Chamber 2nd time round. A complete breakdown of the costs is requested. (L)

INISHOWEN ELECTORAL AREA

**Community, Enterprise & Cultural Services**

43. Clr. F. Conaghan  
“What progress has been made to date on my motion passed last year to progress a Library for the Newtoncunningham Area?” (L)
44. Clr. B. McGuinness

Why have the Council not sought a meeting with the Chief Superintendent Garda Siochanna as agreed at the January meeting? (C)

**Water, Environment & Emergency Services**

45. Clr. F. Conaghan  
“What is the current position of the proposed Burnfoot and Bridgend Sewerage Scheme?” (L)
46. Clr. M. McDonald  
“To ask this Council why there is no Lifeguard at the Blue Flag beach in Shrove?” (L)
47. Clr. D. McGonagle  
“When will sub contractors be appointed for Malin Sewerage Scheme?” (L)

**Corporate Services**

48. Clr. M. McDonald  
“To ask this Council what support measures are in place and can be put in place to ensure the safety of elected members?” (C)

**Roads & Transportation Services**

49. Clr. D. McGonagle  
“Will any further work to prevent erosion taking place at Five Finger Strand, Lagg, Malin? (L)
50. Clr. P. MacLochlainn  
“When will the traffic lights/pedestrian crossing be installed at Muff?” (L)
51. Clr. B. McGuinness  
“Can the Council confirm that a line for the proposed Outer Relief Road for Buncrana has been established and that no planning has been granted on this proposed route?” (L)

**Planning & Economic Development Services**

52. Clr. P. MacLochlainn

“How much of the Economic Development Fund monies recouped from the sales of properties at Bree, Malin Head and Lisfannon, Bunrana will be reinvested in Inishowen?”  
(L)

## LETTERKENNY ELECTORAL AREA

### *Roads & Transportation Services*

53. Clr. G. Crawford  
“Further to previous correspondence, when will the Route Lighting be installed at Rosgier and Murlog junctions as to date there are no signs of Civil Works having started.” (L)
54. Clr. G. Crawford  
“What progress has been made in relation to start date for improvement works at Gallaghers Corner, St. Johnston?” (L)

### *Water, Environment & Emergency Services*

55. Clr. T. McDaid  
“What is the delay in the approval of the Lagan Water Phase 3 Scheme and when can the communities of the Lagan area reasonably expect to see this long-awaited project realised?”  
(L)

### *Housing & Building Services*

56. Clr. T. McDaid  
“Will this Council clarify it's responsibility to successful applicants of Disabled Person's and Essential Repair Grants during the period of and on completion of works carried out under these schemes?”

## DONEGAL ELECTORAL AREA

### *Roads & Transportation Services*

57. Clr. B. Byrne

“Where is the regional road sign improvement plan in relation to the R263, can we expect signs before the summer?” (L)

58. Clr. B. O’Neill

“Will this Council construct a new stretch of Road to bypass a dangerous corner under the Sminver Bridge and to make safe the road adjoining the Rock Road, Carrickboy and Higginstown in Ballyshannon?” (L)

59. Clr. B. O’Neill

“Could Donegal County Council undertake to start work on the footpath as prioritised by the Donegal Electoral Area Committee, that will connect Station Road and the Belleek Road in Ballyshannon, as the New By-Pass underpass and a New National Route has made unsafe the access from Station Road for pedestrians?” (L)

### *Corporate Services*

60. Clr. B. Byrne

“When a councillor emails an official should it not be normal to expect a reply to the same? Have we a policy on this.” (C)

### *Water, Environment & Emergency Services*

61. Clr. T. Pringle

“Has any progress been made with the Department on the phasing report on the Killybegs Sewer Scheme?” (L)

62. Clr. T. Pringle

What plans has Water & Environment Services for water mains replacement in the Donegal Electoral Area? (L)

63. MOTIONS FROM OTHER COUNCILS

### PASSAGE WEST TOWN COUNCIL

“Passage West Town Council calls on the Minister for Finance to omit Disability Allowance from standard means test.”

### WATERFORD CITY COUNCIL

“That this Council should, as a matter of high priority, call on the Minister for Health to expedite screening for Breast Cancer for Women in the Waterford area.”

- a) “Calls on the Government to ensure that all children are afforded the highest legal and constitutional protection from sexual and all forms of abuse;
- b) demands that, in addition to the emergency legislation adopted last week and in accordance with calls from the National Rape Crisis Network, a review of all legislation be undertaken forthwith in consultation with all stakeholders to enable the introduction of secure, comprehensive and up to date legislation in the area of rape and sexual abuse at the earliest possible date and
- c) further demands that an appropriate core funding stream be put in place to enable the universal enforcement of the legislation and the provision of comprehensive victim support services.”

### WATERFORD COUNTY COUNCIL

“That Waterford County Council request the Commission for Energy Regulation (CER) to review the present Industrial/Commercial Electricity Tariffs and standing charges that presently apply to Sports Clubs that use Flood Lighting on playing pitches and request a change to the billing structure to a more appropriate Tariff category that reflects the amenity use of electricity which is less frequent and less intensive than Industrial usage.”

“That Waterford County Council request the Department of Agriculture and Food to operate the new Farm Waste Management Scheme as a 60% Grant Scheme by immediately updating current costs, from 2004 to 2006 cost levels.”

### MONAGHAN TOWN COUNCIL

“That this Council calls to:-

- have the legislation governing the location of telecommunication masts altered so existing masts can be removed from areas of high density population in addition to new masts being prevented from locating there

- have the safety threshold governing the radiation emissions permitted from such masts lowered considerably.”

#### SLIGO BOROUGH COUNCIL

“That this Borough Council call on the Fianna Fáil/PD government for a radical overhaul of the electoral register to give all potential voters an opportunity to use their vote in the next election and to ensure Local Authorities must be given the resources including personnel, facilities and funds in order to carry out this vital work. Voter registration is best handled by local authorities who have vital local knowledge of their own electoral area.”

#### LONGFORD TOWN COUNCIL

“That school leavers be employed during the summer to carry out an examination of the current electoral register and if serious discrepancies are shown up that the compilation of the new register be subject of a new job scheme for young people.”

#### NORTH TIPPERARY COUNTY COUNCIL

- “That North Tipperary County Council calls on the Government to end the means testing for the Carer’s Allowance and that increased funding should be made available in order to increase the number of respite beds and home helpers.”
- “That North Tipperary County Council calls on the Minister for Social Welfare to honour commitments given in the Programme for Government regarding Carers; and to take immediate steps towards the elimination of a means test for social welfare payments to Carers; and to enhance the respite and residential care facilities in North Tipperary.”
- That the means test for Carer’s Allowance be abolished, as promised by the Government before the last General Election, and the Carers come under the remit of the Department of Health and Children and not, as currently is the case, under the Department of Social and Family Affairs.”

#### DERRY CITY COUNCIL

“Derry City Council recognises that this July will be the 70<sup>th</sup> anniversary of the outbreak of the international struggle against fascism in Spain and that many people from the North West, including this city, served with honour in defence of the Spanish republic from 1936 to 1938.

Derry City Council commends that plans of the North West Spanish Civil War Committee to mark the said anniversary and to honour the memory of the International Brigades and the men from Derry, Donegal and Tyrone.

Derry City Council determines that officers be instructed to meet with the local organising Committee to examine ways in which Derry City Council can offer support to these activities especially the erecting of a permanent plaque in Derry City Centre and the realisation of a series of events.”

**MINUTES OF MEETING OF DONEGAL COUNTY COUNCIL HELD  
ON 24<sup>TH</sup> JULY 2006 IN THE COUNTY HOUSE, LIFFORD**

**C/432/06**     **MEMBERS PRESENT**

Clrs. Enda Bonner, Mayor, D. Alcorn, L. Blaney, Alice Bonner, J. Boyle, C. Brogan, B. Byrne, F. Conaghan, G. Crawford, Pádraig Doherty, Pearse Doherty, R. Donaghey, J. Harte, J. Kennedy, T. McDaid, M. McDonald, S. McEniff, I. McGarvey, D. McGonagle, P. McGowan, B. McGuinness, P. MacLochlainn, B. O'Domhnaill, B. O'Neill, T. Pringle, and T. Slowey.

**C/433/06**     **OFFICIALS IN ATTENDANCE**

Mr. Michael McLoone, County Manager, Mr. Jim Holohan, Director of Water, Environment & Emergency Services, Mr. Francie Coyle, Director, Planning & Economic Development, Mr. Michael Heaney, Director of Community, Enterprise & Cultural Development, Mr. Sean Sheridan, Director of Corporate Services, Mr. Aidan McNicholas, Head of Finance, Mr. John McLaughlin, Director of Roads & Transportation, Mr. Garry Martin, Senior Executive Officer, Mr. Eunan Sweeney, Meetings Administrator, Ms. J. McCarthy, Curator, County Museum, Ms. T. Duffy, Public Arts Manager and Ms. Kathleen Browne, Staff Officer.

**C/434/06**     **CONFIRMATION OF MINUTE NO. C/57/06 DATED 30<sup>TH</sup>  
JANUARY 2006**

On the proposal of Clr. Reid, seconded by Clr. Boyle, Minute No. C/57/06 of Meeting of Donegal County Council held on 30<sup>th</sup> January 2006 was adopted.

**C/435/06**     **CONFIRMATION OF MINUTES OF MEETING OF  
DONEGAL COUNTY COUNCIL HELD ON 29<sup>TH</sup> MAY  
2006**

On the proposal of Clr. McGarvey, seconded by Clr. Alcorn, the Minutes of Meeting of Donegal County Council held on 29<sup>th</sup> May 2006 were adopted.

- C/436/06 CONFIRMATION OF MINUTES OF ADJOURNED MEETING OF DONEGAL COUNTY COUNCIL HELD ON 12<sup>TH</sup> JUNE 2006  
On the proposal of Clr. Conaghan, seconded by Clr. McGarvey, the Minutes of Adjourned Meeting of Donegal County Council held on 12<sup>th</sup> June 2006 were adopted.
- C/437/06 CONFIRMATION OF MINUTES OF GENERAL PURPOSES COMMITTEE MEETING HELD ON 12<sup>TH</sup> JUNE 2006  
On the proposal of Clr. Conaghan, seconded by Clr. Slowey, the Minutes of Meeting of General Purposes Committee held on 12<sup>th</sup> June 2006 were adopted.
- C/438/06 CONFIRMATION OF MINUTES OF SPECIAL MEETING OF DONEGAL COUNTY COUNCIL HELD ON 12<sup>TH</sup> JUNE 2006  
On the proposal of Clr. Alcorn, seconded by Clr. Conaghan, the Minutes of Special Meeting of Donegal County Council held on 12<sup>th</sup> June 2006 were adopted.
- C/439/06 CONFIRMATION OF MINUTES OF ANNUAL GENERAL MEETING OF DONEGAL COUNTY COUNCIL HELD ON 29<sup>TH</sup> JUNE 2006  
On the proposal of Clr. Brogan, seconded by Clr. Conaghan, the Minutes of Annual General Meeting of Donegal County Council held on 29<sup>th</sup> June 2006 were adopted.
- C/440/06 DISPOSAL OF LAND AT MAGHERARD, GLENVAR TO MR. GERALD ANTHONY MEESE  
Members considered the report, circulated with the agenda, in relation to the above.  
  
On the proposal of Clr. McGarvey, seconded by Clr. Blaney, it was resolved to dispose of land at Magherard, Glenvar to Mr. Gerald Anthony Meese (SI 5628) in accordance with Section 211 of the Planning & Development Act, 2000 and Section 183 of the Local Government Act, 2001.

C/441/06 DISPOSAL OF LAND AT ARDESKIN, DONEGAL TOWN TO MS. MARIAN COUGHLAN, ARDESKIN, CO DONEGAL

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

On the proposal of Clr. Kennedy, seconded by Clr. O'Domhnaill, it was resolved to dispose of land at Ardeskin, Donegal Town, to Ms. Marian Coughlan, Ardeskin, Co. Donegal, in accordance with Section 211 of the Planning & Development Act, 2000 and Section 183 of the Local Government Act, 2001.

C/442/06 DISPOSAL OF PLOT OF LAND TO MR. NEIL KELLY, BALLYMORE, TEELIN, CO DONEGAL

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

On the proposal of Clr. O'Neill, seconded by Clr. Boyle, it was resolved to dispose of plot of land at Ballymore, Teelin, Co. Donegal to Mr. Neil Kelly, Ballymore, Teelin, Co. Donegal, in accordance with Section 211 of the Planning & Development Act, 2000 and Section 183 of the Local Government Act, 2001.

C/443/06 DISPOSAL OF PLOT OF LAND TO JOHN & UNA ERSKINE, BRUCKLESS, CO DONEGAL

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

On the proposal of Clr. Boyle, seconded by Clr. Slowey, it was resolved to dispose of plot of land at Bruckless, Co. Donegal to John & Una Erskine, Bruckless, Co. Donegal in accordance with Section 211 of the Planning & Development Act, 2000 and Section 183 of the Local Government Act, 2001.

C/444/06 TAKING OF DECISION WITH REGARD TO THE PROPOSED LETTERKENNY OUTER RELIEF ROAD – CREAMERY ROUNDABOUT

Following a short discussion, the Council resolved on the proposal of Clr. Brogan, seconded by Clr. Larkin to defer consideration of this matter until the next meeting of Donegal County Council in September.

C/445/06 TAKING OF DECISION WITH REGARD TO 5 NO. SPECIFIC INSTANCE COTTAGES

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

On the proposal of Clr. Conaghan, seconded by Clr. Slowey, the carrying out of works under Part XI of the Planning & Development Act, 2000 and Part 8 of the Planning & Development Regulations 2001, with regard to 5 no. Specific Instance Cottages was approved.

C/446/06 TAKING OF DECISION WITH REGARD TO N14 FOUR LANE ROAD, LETTERKENNY

Members considered the report, circulated with the agenda, in relation to the above. Clrs. Larkin and Brogan raised the following issues of concerns:-

- Emergency Services had requested that there be a break in the centre medium to facilitate access.
- Was new link from Cullion Road taken into account?
- Opening at Murphy's to allow pedestrian access.
- Should consult Letterkenny Town Council as inside town boundary.

Mr. John McLaughlin, Director of Service responded as follows:-

- Emergency Services had been consulted and had expressed no concerns in relation to access.
- Link from Cullion Road could be accommodated.
- Would examine the question of pedestrian access to Murphy's.
- Letterkenny Town Council had already been consulted.

On the proposal of Clr. Larkin, seconded by Clr. Harte, the carrying out of works under Part XI of the Planning & Development Act, 2000 and Part 8 of the Planning & Development Regulations 2001, with regard to N14 Four Lane Road, Letterkenny, was approved, subject to the concerns raised by Members in relation to access for the emergency services being taken on board.

Clr. Bonner suggested that Part 8's be cleared through the Electoral Area Committees before submission to Council Meeting.

C/447/06 TAKING OF DECISION WITH REGARD TO  
MAGHERAROARTY ENVIRONMENT SCHEME

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

On the proposal of Clr. O'Domhnaill, seconded by Clr. Pearse Doherty, the carrying out of works under Part XI of the Planning & Development Act, 2000 and Part 8 of the Planning & Development Regulations 2001, with regard to Magheraroarty Environment Scheme was approved.

C/448/06 TAKING OF DECISION WITH REGARD TO  
LETTERKENNY REGIONAL WATER SUPPLY  
SCHEME

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

On the proposal of Clr. Larkin, seconded by Clr. Brogan, the carrying out of works under Part XI of the Planning & Development Act, 2000 and Part 8 of the Planning & Development Regulations 2001, with regard to Letterkenny Regional Water Supply Scheme was approved.

C/449/06 TAKING OF DECISION WITH REGARD TO  
LETTERKENNY WATER STRATEGY

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

On the proposal of Clr. Larkin, seconded by Clr. Brogan, the carrying out of works under Part XI of the Planning & Development Act, 2000 and Part 8 of the Planning &

Development Regulations 2001, with regard to Letterkenny Water Strategy was approved.

C/450/06 TAKING OF DECISION WITH REGARD TO MALIN SEWERAGE SCHEME

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

On the proposal of Clr. McGuinness, seconded by Clr. McGonagle, the carrying out of works under Part XI of the Planning & Development Act, 2000 and Part 8 of the Planning & Development Regulations 2001, with regard to Malin Sewerage Scheme was approved.

C/451/06 OVERDRAFT ACCOMMODATION

On the proposal of Clr. Conaghan, seconded by Clr. Brogan, the Council resolved to authorise Overdraft Accommodation of Forty Million Euro for half year ending 31<sup>st</sup> December 2006.

C/452/06 DRAFT (UNAUDITED) ANNUAL FINANCIAL STATEMENT FOR FINANCIAL YEAR 2005

The Council considered and noted the Draft (Unaudited) Annual Financial Statement for Financial Year 2005, which had been previously circulated.

C/453/06 ADOPTION OF DRAFT EXHIBITION POLICY FOR DONEGAL COUNTY MUSEUM

The Council considered the Draft Exhibition Policy, circulated with the agenda. Clr. Larkin welcomed the Policy and acknowledged the work being done by Judith McCarthy, Museum Curator.

On the proposal of Clr. McGarvey, seconded by Clr. Slowey, the Council resolved to adopt the Draft Exhibition Policy for Donegal County Museum.

C/454/06 ADOPTION OF PUBLIC ART POLICY AND PLAN

Ms. Terre Duffy, Public Arts Manager, made a short presentation in relation to the Public Art Policy and Plan. Ms. Duffy then defined her role and advised members of the various proposals under the plan.

Clr. Harte proposed, seconded by Clr. Larkin, and it was resolved that a major piece of art should be placed at all the main entry points to the County.

On the proposal of Clr. Larkin, seconded by Clr. Brogan, the Council resolved that the Mayor of the Day and the Chairpersons of each Electoral Area Committee be appointed to the Public Art Working Group.

On the proposal of Clr. Crawford, seconded by Clr. Larkin, it was resolved to explore a Flagship Project for Lifford under the plan.

Members raised the following issues:-

- That members be provided with more information in relation to what funds were available and have a greater input into the type of works being done in their areas.
- That each Electoral Area Committee should be consulted on where and how the money for their area was to be spent. That a formal mechanism should be put in place where the public and secondary schools should be allowed to have an input into the works being done.
- That a sculpture be erected in Lifford marking its position as the centre of Local Government in the County.

On the proposal of Clr. Harte, seconded by Clr. Larkin, the Council resolved to adopt the Public Art Policy Plan.

C/455/06 AGREEMENT UNDER SECTION 85 OF THE LOCAL GOVERNMENT ACT 2001 WITH LEITRIM COUNTY COUNCIL

The members considered a report circulated with the agenda in relation to Agreement under Section 85 of the Local Government Act 2001 with Leitrim County Council.

On the proposal of Clr. Slowey, seconded by Clr. Alcorn, the Council resolved to enter into an agreement, under Section 85 of the Local Government Act 2001, with Leitrim County Council in respect of improvement works to the N16 River Bridge at Lugnafeaghery, N16 Scarden River Bridge, N16 Windy Bridge, N16 Owenbeg Bridge, N16 Bridge at Pollboy and N16 Diffreen River Bridge whereby Donegal County Council would be enabled to carry out all work, including

preparation of Contract Tender Documents, Supervision of Contract, etc as may be necessary in the Administrative Area of Leitrim County Council.

C/456/06 2006 PLANT PURCHASE PROGRAMME

The members considered a report circulated with the Agenda in relation to the 2006 Plant Purchase Programme.

On the proposal of Clr. McGowan, seconded by Clr. Alcorn, the Council approved additional items for the 2006 Plant Purchase Programme.

C/457/06 APPROVAL TO GO TO TENDER FOR NEW CIVIL DEFENCE BUILDING AT RAILWAY ROAD, STRANORLAR

The members considered the report circulated with the agenda in relation to the above matter.

On the proposal of Clr. McGowan, seconded by Clr. A. Bonner, the Council approved the seeking of tenders for New Civil Defence Building at Railway Road, Stranorlar.

C/458/06 ADOPTION OF (i) POLICY ON WATER SERVICE DISCONNECTION AND (ii) POLICY ON CO-OPERATION AND PARTNERSHIP WITH DEVELOPERS FOR WATER SERVICES IMPROVEMENT.

The members agreed to take these two items together, and considered reports, circulated with the agenda, in relation to the items.

Mr. Jim Holohan, Director of Water, Environment and Emergency Services addressed the meeting outlining the background to and the details of the Water Services Disconnection Policy.

Clr. McGuinness raised concerns in relation to the quality of the water being provided by the Council. He alleged that in some areas the water provided by the Council was destroying equipment such as central heating systems and backboilers etc. Following a discussion, during which members raised their various concerns in relation to the policy, the County Manager gave members an undertaking that consumers would be dealt with fairly on a case by case basis.

On the proposal of Clr. Larkin, seconded by Clr. McGowan, the Council resolved to adopt the Policy on Water Service Disconnection and the Policy on Co-operation and Partnership with Developers for Water Services Improvement.

C/459/06 REPLACEMENT OF DONEGAL WASTE  
MANAGEMENT PLAN 2006-2010

The members considered a report, circulated with the Agenda, in relation to the matter.

The County Manager advised members that a Managers Order had been signed last week making the Donegal Waste Management Plan. He went on to advise on the background to the public consultation process which had taken place. He informed members that all submissions made by them during the various workshops had been incorporated into the plan and that it was clear in the plan what targets the Council needed to meet.

The County Manager informed members that when the hardcopy of the Plan was ready it would be made available to them. He also stated that the implications for budgets etc, as a result of the plan would be discussed at budget time.

Clr. Conaghan stated that the Waste Management Plan did not have the support of the Fianna Fail group. He queried how much the Consultants who were employed to implement the plan were paid.

Clr. P. MacLochlainn stated that Sinn Fein group had concerns as well and the plan did not have ownership from elected members. He expressed his disappointment that the Members did not have a final opportunity to review the plan prior to its completion and requested that it be reviewed as soon as possible.

Clr. Slowey advised that Fine Gaels concerns in relation to the plan had already been raised and called for the plan to be brought back before the Members at the first opportunity.

Clr. Pringle requested clarification in relation to the making of the plan being an executive function.

The County Manager responded to the points raised. He gave a detailed breakdown of the timeframe for the making of the plan and the actions taken at each point. He went on to remind members of the robust debate at Budget Meetings in relation to Waste Management where he had indicated the difficulties that would occur in meeting the budget when the members agreed to freeze the tonnage charge.

The County Manager informed members that if the objectives the Council set out for recycling and biodegradable waste were met then the amount going to landfill would be reduced. He further advised that the cost for remedial works at closed landfills was also a large burden on the Council. He informed members that he hoped to fully brief them on the implications of the Waste Management Plan, and the implications of the adoption of Civic Amenity Sites, at the Budget meetings.

The County Manger confirmed that Section 27 of the Protection of the Environment Act 2003 made the making of Waste Management Plan an executive function.

Mr. McLoone agreed to bring details of the fees paid to consultants to the next meeting of the Council.

He advised that the issue of funding was addressed in the Plan. He informed the members that it would be necessary to seek funding from Central Government to fund the shortfall in income as it would not be possible to raise the fees at the gates. He advised that he would revert to Members in relation to same following discussions with the Department of the Environment which were due to take place.

On the proposal of Clr. Slowey, seconded by Clr. McGuinness, the Council resolved to hold a Workshop on the issue of Waste Management in September, 2006.

C/460/06 CONFERENCE ATTENDANCE

Having considered the criteria set out in Section 142 (5)(d) of the Local Government Act, 2001, on the proposal of Clr. Brogan, seconded by Clr. Slowey, it was resolved that any member who wished could attend the following Conferences:-

- a) AMAI Annual Conference to be held in the Cavan Crystal Hotel, Cavan on 14<sup>th</sup>-16<sup>th</sup> September 2006.
- b) General Humbert Summer School to be held in Ballina, Killala, Lacken & Kilcummin, Co Mayo on 17<sup>th</sup>-20<sup>th</sup> August 2006.
- c) Training Seminar for Councillors "Local Government and the Arts" to be held in the Silver Tassie Hotel, Milford Road, Letterkenny, Co Donegal, on 24<sup>th</sup>-26<sup>th</sup> August 2006.

Having considered the criteria set out in Section 142 (5)(d) of the Local Government Act, 2001. It was resolved, on the proposal of Clr. Conaghan, seconded by Clr. Brogan, to convey approval, retrospectively, to the attendance of Clr. McGarvey at conference on WHO OWNS IRISH HEALTHCARE CONFERENCE 18-20<sup>th</sup> May 2006.

PARNELL SUMMER SCHOOL 2006

"The Parnell Summer School 2006" to be held in the Avondale House and Forest Park, Rathdrum, Co. Wicklow on the 13<sup>th</sup> – 18<sup>th</sup> August 2006.

Having considered the criteria set out in Section 142 5(d) of the Local Government Act, 2001, on the proposal of Clr. Conaghan, seconded by Clr. Brogan, it was resolved that any member who wished could attend the above Conference.

MCGILL SUMMER SCHOOL

Clr. Conaghan raised his concern that the Mayor had not been invited to attend the school, despite the Council providing funding for same. It was agreed to write to the McGill Summer School to request that members of Donegal County Council, particularly the Mayor, be invited to attend the Summer School, annually.

C/461/06 **MAYORS BUSINESS**

The Mayor raised the following issues:-

- He expressed his frustration at the delays in commencement of Capital Schemes. He stated that he had raised the matter at meeting with Minister Dick Roche who invited himself and the County Manager to meet with him in September to outline delays and causes.
- The issue of unauthorised development at Dore, Derrybeg opposite the Community Centre.
- The UNDESIRABILITY of including conditions in planning permissions e.g. above road level or undisturbed ground that were unenforceable.
- The recent tragic accident on the Letterkenny – Manor Dual Carriageway at Trimenagh. The Mayor conveyed, on behalf of the Council, condolences to the deceased Garda's, family and called for a review of safety at the junction.
- That he had become aware that a lot of litter was being thrown out car windows: The Mayor appealed to the public to bring their litter home for disposal instead.

- **LOCAL AUTHORITY PLAYGROUNDS GRANT SCHEME 2006**

The Mayor introduced report, circulated at the meeting by Mr. Garry Martin, Senior Executive Officer, Community and Enterprise, in relation to the above matter.

Mr. Martin advised members of the background to the report and requested that the Council nominate up to four locations to receive the grant funding of €120,000.

Following a discussion during which members sought clarification in relation to the priority list of projects already agreed, on the proposal of Clr. Pearse Doherty, seconded by Clr. P. MacLochlainn, the Council resolved that the funding be equally divided between projects in Inishowen, Glenties, Donegal and Letterkenny Electoral Area.

Following further discussion, on the proposal of Clr. Pearse Doherty, seconded by Clr. P. MacLochlainn, the

Council resolved that to compensate the two areas not receiving monies under the Departmental grant (namely the Stranorlar and Milford Electoral areas) €60,000 of the County Wide Development Contribution Scheme Fund be top sliced in the first instance in 2006 in respect of playgrounds.

- VISIT TO SCOTLAND BY DONEGAL COUNTY COUNCIL REPRESENTATIVES TO LOOK AT 'BEST PRACTICE' WALKING DEVELOPMENTS

Clr. Bonner, Mayor, introduced the report circulated at the Meeting by Mr Garry Martin, SEO, Community & Enterprise, in relation to the above matter.

On the proposal of Clr. Conaghan, seconded by Clr. McGowan, the Council resolved that the Mayor and two other members, selected by lot, take part in this study visit from 31<sup>st</sup> August – 2<sup>nd</sup> September 2006.

- CHAIN OF OFFICE FOR CHAIRPERSONS OF ELECTORAL AREA COMMITTEES

The County Mayor, proposed that the Council source funding for provision of Chain of Office for the Chairpersons of each Electoral Area Committee. Clr. Conaghan suggested, and it was agreed, to consider the matter in the context of the Local Government Act 2001 before going forward with this proposal.

- RECEPTION FOR ASTORI GWEEDORE IN DUNGLOE PUBLIC SERVICES CENTRE

On the proposal of Clr. Alcorn, seconded by Clr. Slowey, the Council agreed that a Reception for Astori Gweedore be held in the Dungloe Public Services Centre.

C/462/06 **COUNTY MANAGERS REPORT**

Members considered the report circulated with the agenda and addendum circulated at the meeting.

Mr. McLoone drew attention in particular to the announcement of the Launch of the Donegal Inter Departmental Group Report which would take place in the Training Room, Lifford on Thursday 27<sup>th</sup> July 2006 at 3.30

pm and would be attended by Minister Micheal Martin, Minister for Enterprise, Trade and Employment.

Members acknowledged the work that had been done by the Group and the importance of the launch.

The members then agreed to take the motions of Clrs. J. Boyle and A. Bonner before adjourning the meeting.

C/463/06 ADDITION OF GNR RAILWAY BRIDGE KNOWN AS SMINVER BRIDGE IN THE TOWNLAND OF CARRICKBOY, BALYSHANNON, TO THE LIST OF PROTECTED STRUCTURES

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

“That this Council have the GNR Railway Bridge known as Sminver Bridge in the townland of Carrickboy, Ballyshannon added to the list of Protected Structures”

Members were informed that:-

“The bridge is an attractive single span, cut stone former railway bridge. It is of architectural, historical and technical interest. The Bridge is vulnerable at present and should be protected.”

In seconding the Motion, Clr. O'Neill called for measures to be put in place to prevent unauthorised developments taking place at the weekend.

Clr. Pringle suggested that Council should use the Record of Protected Structure and other remedies to deal with cases such as this one.

C/464/06 EXPEDITION OF S.I. APPLICATION

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

“That this Council expedite as quickly as possible an S.I. application for a family under severe strenuous circumstances.”

In proposing this motion Clr. A. Bonner outlined the special needs situation of the family involved in this case. She raised the issue of the overvaluation of houses and called on the Council to take action to ensure that it was possible to have a house revalued when overvaluation occurred.

Members were informed that:-

“The Housing Construction Dept. at present handles all approved S.I. applications and always endeavours to process same as quickly as possible given the constraints of the S.I. process itself. Should an application as referred to above be approved for the provision of an S.I. house and be prioritised as a very urgent case by the Area Manager for the Electoral Area, and given that the proposed site is suitable and that there are no title difficulties with the site transfer and planning, the application could be processed relatively quickly and should proceed to tender within twelve months. It should be noted that if the proposed S.I is to be specially adapted to cater for special needs then timely agreement with the HSE's Occupational Therapists is required to allow the house plans to be agreed and extra funding approved. This process has lead to considerable delays with other similar applications.”

C/465/06

ADJOURNMENT OF MEETING

On the proposal of Clr. McGuinness, seconded by Clr. Conaghan, the Council resolved to adjourn the remainder of the business to Thursday, 27<sup>th</sup> July at 10.00am.

