

COMHAIRLE CHONTAE DHUN NA nGALL

Oifig Riarthóir na
gCruinnithe
Aras an Chontae
LEIFEAR

20 Eanáir 2004

Beidh an Cruinniu Comhairle Chontae Dhun na nGall ag dul ar aghaidh Dé Luain, 26 Eanáir, 2004, ag **2.00 ag Arás an Chontae, Leifear**

DO GACH BHALL DEN CHOMHAIRLE

A Chara

Iarrtar ort bheith i lathair ag an gcruinniu seo den Chomhairle. Ta Clar an Cruinnithe le seo.

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

Mise, le meas

A. MacSuibhne

Riarthóir Cruinniu (RUNAI CHONTAE)

DONEGAL COUNTY COUNCIL

Office of Meetings Administrator
County House
Lifford

20th January, 2004

NOTICE OF MEETING

A Meeting of Donegal County Council will be held on Monday 26th January, 2004, 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) Minutes of Meeting of Donegal County Council held on 24th November, 2003.
 - (b) Minutes of Adjourned Meeting of Donegal County Council held on 01st December, 2003.
 - (c) Minutes of Adjourned Meeting of Donegal County Council held on 08th December, 2003.
 - (d) Minutes of Special Meeting of Donegal County Council held on 15th December, 2003
 - (e) Minutes of Meeting of General Purposes Committee held on 08th December, 2003.

2. **Section 140 Motion- Material Contravention of County Development Plan**

Consideration of Planning Application by Shaun Gallagher for permission for erection of dwelling house with possible future attic development and septic tank with percolation area at Glengesh, Ardara, County Donegal planning reference no: 03/3202.

3. **Planning Programme**
 - (a) Proposed Variation of Letterkenny & Environs Plan 2003-2009.
 - (b) To approve publication of the Draft Burnfoot Local Area Plan 2004.
 - (c) To approve publication of the Draft Bridgend Local Area Plan 2004.
 - (d) To adopt Scheme of Priorities in respect of Conservation Grant Scheme 2004.
 - (e) To adopt amendments to Casual Trading General Bylaws
 - (f) To adopt the (Killybegs Designated Casual Trading Areas) Byelaws 2004.

4. **Disposal of Land- Section 211 Planning & Development Act, 2000**
- (a) Notice under Section 183 of the Local Government Act, 2001 to resolve to dispose of lands at Drumboe, Stranorlar to Heaney Developments Ltd.
- (b) Notice under Section 183 of the Local Government Act, 2001 to resolve to dispose of lands at Glencrow, Moville to the following :-
- Unit 1** Jim Bredin, Bredin Furniture, Cooley, Moville.
- Unit 2&3** Glencrow Developments Ltd., Ballyrattan, Redcastle.
- Unit 4** George Harley and Raymond Tomany, Anchor Windows, Bath Terrace Lane, Moville
- Unit 5** Paddy Boyce, Boyce Paints, Malin Road, Moville
- Unit 6** Sammy Lyle and Sean Rawdon, Moville Tool Hire, Quay Street, Moville.
- Unit 7** Sammy Lyle, Donegal Fixings, Ballyrattan, Redcastle.
- (c) Notice under Section 183 of the Local Government Act, 2001 to resolve to dispose of lands at Carrowkeeragh, Kilcar to Mr. John Cunningham
- (d) Notice under Section 183 of the Local Government Act, 2001 to resolve to dispose of land at Meenabollaghan, Dungloe to Mr. Oliver Ward, The Diamond, Dungloe.
- (e) Notice under Section 183 of the Local Government Act, 2001 to resolve to dispose (by means of a leasing arrangement) of office space in the new Public Services Centre located at Malin Street, Carndonagh, to Teagasc.
- (f) Notice under Section 183 of the Local Government Act, 2001 to resolve to dispose of land at Screen, Milford to Mr. Michael Logue.

5. **Financial Programme**

To note and review the 2002 Draft Financial Statement.
(Report previously circulated)

6. **Corporate Programme**

- (a) Part 15 of the Local Government Act, 2001 (Ethics Framework)-Obligation on members to furnish Declaration of Interest. (verbal advice)
- (b) Local Elections (Declaration of Donations & Expenditure) Act, 1999, (as amended) - Obligation on members to furnish Statutory Declaration and Donation Statement on donations received in 2003. (verbal advice)
- (c) To note revised Schedule of Meetings January – June 2004 for County Donegal Vocational Education Committee
- (d) To approve the implementation of revised pay scales as set out in circular letter EL10/03 – “Application of increases under the second phase of Benchmarking and Section 19.18 of Sustaining Progress”².
- (e) To approve nomination for Donegal Person of the Year

7. **Community, Enterprise & Cultural Services Programme**

To select six Councillors to participate in Cross Border Political Training Workshops.

8. **Conferences**

- (a) Mid West Regional Authority 10th Annual Conference to be held in the Abbey Court Hotel, Nenagh, Co. Tipperary on Friday 30th January.
- (b) Northern Tourism Conference to be held in the Dunadry Hotel and Country Club, Muckamore, Dundry, County Antrim on 27th –29th February 2004.
- (c) Renewable Energy Conference to be held in the Riverbank House Hotel, Co. Wexford on 5th and 6th February 2004.

- (d) Association of Municipal Authorities of Ireland to be held in the Holiday Inn, Letterkenny on 13th and 14th February 2004.
- (e) Septic Tank Seminar to be held in Glór Irish Music Centre, Ennis, Co. Clare on 29th and 30th January 2004.
- (f) General Council of County Councils Annual Conference to be held in Newpark Hotel, Kilkenny from 11th-13th March, 2004.

9. **Cathaoirleach's Business**

10. **Manager's Report**

MOTIONS

(L)- Local

(C)-County

(O)-Other

Motion in the name of Clr. P. Doherty deferred from Adjourned Meeting of Donegal County Council held on 8th December, 2003.

Roads & Transportation

11. Clr. P. Doherty

“That Donegal County Council will remove the rock at the entrance to the channel at Magherarory Pier, resurface the upper side or entrance to the pier and install public lighting there to improve safety.” (L)

“Go ndéanfaidh Comhairle Contae Dhún na ngall an chloch mór atá ag beál an chanail ag Machire Rabhartaigh a thógáil ar shiúil & dromchla ur a chur ar an pháirt uachtarach den cheidh go ndéanfaidh an Comhairle solasis a chur suas ansin fosta”

GLENTIES ELECTORAL AREA

Water, Environment & Emergency Services

12. Clr. T. Slowey

“That this Council in conjunction with the Department of Agriculture provide an Animal Pound for Donegal.” (C)

13. Clr. E. Bonner

“That Donegal County Council carry out a review of the Waste Management Plan and incorporate the possibility of reaching an interim agreement with the E.P.A. to keep Balbaine Dump, Ardara open for a further two to three years.” (L)

Roads & Transportation

14. Clr. T. Gildea
“That Donegal County Council erect a pedestrian crossing and public light at “The Bridge” on Main Street, Glenties.” (L)

INISHOWEN ELECTORAL AREA

Planning & Economic Development

15. Clr. B. McGuinness
“That this Council discuss the number of planning applications currently being submitted because of the new Development Contribution Scheme.” (C)

Water, Environment & Emergency Services

16. Clr. A. Doherty
“That this Council provide Tetrapak recycling services and continue to accept and encourage all aspects of paper and plastic re-cycling at the Civic Amenity Site in Carndonagh.” (L)

Housing

17. Clr. F. Conaghan
“That this Council progress a Housing Scheme for the Burt Area when framing the new Housing Programme to be announced later this year.” (L)

LETTERKENNY ELECTORAL AREA

Corporate Services

18. Clr. S. Maloney
“That this Council supports the campaign for the official status of Irish in the European Union and that we write to An Taoiseach, Minister for Foreign Affairs, Minister for Community, Rural &

Gaeltacht Affairs and Minister of State with special responsibility for European Affairs.” (C)

Housing

19. Clr. G. Crawford
“That the Council leave ready the green area at Abbey Park, Manorcunningham so as to allow it to be maintained.” (L)

Roads & Transportation

20. Clr. D. Larkin
“That this Council look at the junction between Lifford and Murlog over to the Church, and try and make the junction here a lot safer under the Low Accident Budget.” (L)
21. Clr. J. Harte
“That the Council make good the stretch of road from St. Eunan’s N.S. to the Vocational School in Raphoe as a matter of urgency.” (L)

MILFORD ELECTORAL AREA

Roads & Transportation

22. Clr. J. McHugh
“That this Council agree to move the 30 mph signs on the Creeslough side of Kilmacrennan towards the control points.” (L)

DONEGAL ELECTORAL AREA

Housing

23. Clr. D. McHugh
“That this Council purchase 1, 12, 22, & 23 Assaroe View and 80 St. Benildus Avenue, all in Ballyshannon.” (L)

Planning & Economic Development

24. Clr. S. McEniff
“That all planning permissions applied for before the new charges are implemented are exempt from increase.” (C)

STRANORLAR ELECTORAL AREA

Roads & Transportation

25. Clr. P. McGowan
“That this Council extend the 40 mile per hour speed limit on the Donegal Road, Ballybofey immediately and to review the location of all other 30/40 mile speed limits in the county in light of the mile per hour changing to kilometres per hour.” (C)

Water, Environment & Emergency Services

26. Clr. J.J. Reid
“That the Council discuss the proposed second stage of the Ballybofey/Stranorlar Sewerage Scheme.” (L)

Planning & Economic Development

27. Clr. A. Bonner
“That this Council removes St. Patrick’s Church, Donaghmore, RPS 40201001 and St. Ann’s Church, Dromore, Killygordon RPS 40907822 from the Register of Protected Structures”. (L)

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

GLENTIES ELECTORAL AREA

Corporate Services

28. Clr. T. Slowey
“What is the policy of Donegal County Council to the employment of people with a disability?” (C)

Water, Environment & Emergency Services

29. Clr. T. Slowey
“When will the Meenachan/Meentinadea Group Scheme work be finished such that water is provided to the remaining members of the Group Scheme?” (L)
30. Clr. E. Bonner
“Can the Gortahork Sewerage Scheme be progressed to planning and design stage in view of the health hazards being encountered by the children at Gortahork National School?” (L)

Community, Cultural & Enterprise

31. Clr. T. Gildea
“Why is Carrickfin Airport in West Donegal not getting equal financial subvention to that being provided (provisionally) to the City of Derry Airport, which is out of state and therefore beyond the financial control of this Council and the Auditor General?” (C)
32. Clr. T. Gildea
“What is the current position on the Fresh Water Game Angling Plan and would the Manager make a full statement outlining future Council policy regarding the above mentioned plan?” (C)

Roads & Transportation

33. Clr. E. Bonner
“When will the 3 lights on Gweedore Road, Dungloe adjacent to the new Public Service Office be erected and will the new 5 year programme that is to commence this year provide for additional public lights from the Public Service office to Cois Locha Housing Estate?” (L)

INISHOWEN ELECTORAL AREA

Other

34. Clr. B. McGuinness
“When will local improvement scheme applications, specific instant house applications and members contribution scheme applications be processed in local area offices?” (C)
35. Clr. B. McGuinness
“Has this Council decided on a method for dealing with special hardship cases under the DPG Scheme”? (C)
36. Clr. A. Doherty
“Will the Council extend services at Public Service Offices to allow the process/consideration of S.I. Housing, L.I.S. applications, Community Development Fund et al to be conducted at local area offices”? (C)
37. Clr. A. Doherty
“Given the adoption of my motion no. 20 in November, 2003 and the continued support from the Department of Community, Rural & Gaeltacht Affairs for Malin Head under the Pilot Rural Community Initiative, what Council progress with assistance has occurred and is planned for 2004”? (L)

Water, Environment & Emergency Services

38. Clr. F. Conaghan
“What are the findings of the Consultant’s Report regarding the Bridgend Sewerage Scheme (SLI) and the proposal to include Burnfoot in same”? (L)

Roads & Transportation

39. Clr. F. Conaghan
“What plans do the Council have for the improvement of the Road between Killea and Newtowncunningham (R237) including the dangerous bend at Argony Pipe which is liable to frost and the scene of many accidents”? (L)

LETTERKENNY ELECTORAL AREA

Water, Environment and Emergency Services

40. Clr. S. Maloney
“What storage facility have we got for old fridges, freezers, washing machines and old cookers in the Letterkenny Electoral Area”? (L)

Housing

41. Clr. S. Maloney
“How many houses will we have this year under the Affordable Housing Scheme”? (C)

Roads & Transportation

42. Clr. G. Crawford
“The road from Deelee College, Raphoe to the Chapel Junction is in very poor condition – when will it be resurfaced”? (L)
43. Clr. G. Crawford
“Are there any plans to improve the appearance of the Manor Roundabout”? (L)

44. Clr. D. Larkin
“How successful have we been in trying to get funding for the road from Manor to Lifford under a Cross Border Scheme”?
45. Clr. D. Larkin
“Will this Council be able to progress with the Leck Road and Ramelton, Letterkenny Roads this year”? (L)

MILFORD ELECTORAL AREA

Roads & Transportation

46. Clr. J. McHugh
“What priority status has this Council given to the Foreshore Licence application at Buncrana”?

Community, Cultural & Enterprise

47. Clr. J. McHugh
“Will this Council move to prioritise the Flight of the Earls Centre in Rathmullan in light of the celebrations in 2007”? (L)

DONEGAL ELECTORAL AREA

Water, Environment & Emergency Services

48. Clr. T. Pringle
“What stage is the Killybegs Sewerage Scheme at and when are the networks and treatment works likely to go to tender”? (L)
49. Clr. T. Pringle
“Have consultants been appointed to the Owentskinney DBO Scheme and if so when are they due to report on the scheme”? (L)
50. Clr. D. McHugh
“How much did the publication and distribution via the Donegal Democrat, of the 2004 calendar cost this Council”? (C)

STRANORLAR ELECTORAL AREA

Roads & Transportation

51. Clr. P. McGowan
“When will the Council resurface all the footpaths, which have been rekerbed in Castlefin the surfaces have been left in a dangerous condition”? (L)
52. Clr. J.J. Reid
“What is the outcome of the meeting with the ESB and are the Council satisfied that improvements have taken place in the Service”? (C)

Water, Environment & Emergency Services

53. Clr. P. McGowan
“When exactly does the Council intend upgrading the Sewerage Treatment Plant in Convoy and will this work be sufficient to cater for all the proposed new housing in the area”? (L)
54. Clr. J. J. Reid
“Have the Council any plans to provide a public carpark for Stranorlar”? (L)
55. Clr. A. Bonner
“What is the up to date position regarding the Stranorlar Electoral Swimming Pool”? (L)
56. Clr. A. Bonner
“What is the up to date position regarding the application to the Department for funding in relation to the upgrading of the Sewerage Network in Ballybofey”? (L)

MOTIONS FROM OTHER COUNCILS

57. COBH TOWN COUNCIL
“That refuse charges for those over the age of 65 be abolished and that the income foregone by the Council in relation to this be recouped from Central Government Funds.”

58. CLONMEL BOROUGH COUNCIL

- (a) “That existing retail outlets, particularly supermarkets, be encouraged to provide toilet facilities for all their customers and, in particular, the handicapped”.
- (b) “That all future planning permissions include an obligatory clause that such facilities be part of the application.”

59. LEITRIM COUNTY COUNCIL

“That Leitrim County Council requests the Department of the Taoiseach to instruct all Government Departments and Agencies to adopt a sensible, integrated approach toward road openings, road surfacing repairs, provision of water/sewerage/telephone/electricity/broadband/gas etc. utilities. The instruction must be accompanied by a commitment to fund the provision of multipurpose service ducts with access manholes, particularly in cities, towns and villages when significant roadworks are carried out. This proposal, if adopted and implemented, would dramatically reduce the overall cost and disruption caused by unnecessary repeat road openings. That a copy of this motion be circulated to all local authorities and to the Chairman of the Public Accounts Committee.”

60. LIMERICK COUNTY COUNCIL

“That the Department of Enterprise, Trade and Employment be advised of this Council’s concern with regard to the increase in hours and the cutting down of numbers on the Community Employment Schemes and the impact this will have both on rural villages and urban areas, and that this resolution be forwarded to all Councils for their support.”

61. LIMERICK CITY COUNCIL

“That Limerick City Council calls on the Government to protect the fundamental human rights of people with disabilities in Ireland and to end the widespread discrimination they experience in the provision of basic services from the State by introducing a rights based Disability Bill. That this motion be forwarded to all City and County Councils.”

62. CASTLEBAR TOWN COUNCIL
“That the members of Castlebar Town Council call on the Government to amend the 2003 Freedom of Information Act, to allow public representatives to obtain information free of charge and that the internal review fee under Section 14 of the Freedom of Information Act, be abolished in respect of review requested by public representatives and the press.”
63. WATERFORD CITY COUNCIL
“That this Council calls on the Minister for Education and Science, Noel Dempsey to implement a course on the “Rules of the Road” to all students in second level education in their transition year.”
64. LONGFORD TOWN COUNCIL
“That Longford Town Council call on the Minister for the Environment and Local Government to introduce a waiver system for the collection of refuse charges similar to that operated for T.V. licences and E.S.B. allowance.”
65. CLONMEL BOROUGH COUNCIL
“That this Council, acknowledging the heinous crimes committed by some religious congregations, and the definite need for redress, still recognise, in a generous fashion, the immense contribution made by these said orders in the education, health and other fields.”
66. SOUTH TIPPERARY COUNTY COUNCIL
“That we call on the Minister for Social and Family Affairs to reverse her decision to abolish the Diet Supplement and that this motion be forwarded to all local authorities.”

“We call on the Department of Education and Science to provide the funding which is awarded on a yearly basis to the adult education board of the VEC for the different schemes of adult education in the spring of each year rather than the autumn”.
67. LAOIS COUNTY COUNCIL
“That Laois County Council fully supports the Association of Health Boards in Ireland, recognising the important role that Local Authority Members have played in the delivery of

our health services. To this end, we inform the Minister for the Environment of our concern at the lack of local authority input into the Government's Health Service Reform Programme and request that he intervene with the Minister for Health and Children and his cabinet colleagues in ensuring that local democratic representation be part and parcel of any Health Service Reform Package. Also that we as a local authority with a proven track record of our members contribution to the health services enlist the support of all other local authorities to support this objective."

68. MONAGHAN COUNTY COUNCIL

"Following the publication of the Draft Action Programme for the EU Nitrates Directive published by the Departments of Agriculture and Environment, that this Council calls on the Government to put in place: -

- (a) A package of financial assistance to help farmers meet the extra costs involved.
- (b) Extra financial aid in Counties Monaghan, Cavan, Leitrim and Donegal as they require extra storage capacity.
- (c) A common sense approach to the implementation of the new regulations taking into consideration local and climatic conditions.
- (d) That the level of bureaucracy introduced as a result of these proposals be kept to an absolute minimum.

MINUTES OF MEETING OF DONEGAL COUNTY COUNCIL
HELD IN THE COUNTY HOUSE, LIFFORD ON 26TH
JANUARY, 2004.

- C/14/04 MEMBERS PRESENT
Clrs. D. Alcorn, Cathaoirleach, L. Blaney, A. Bonner, E. Bonner, J. Boyle, S. Campbell, F. Conaghan, G. Crawford, A. Doherty, P. Doherty, R. Donaghey, T. Gildea, J. Harte, P. Kelly, D. Larkin, S. Maloney, M. McDonald, S. McEniff, N. McGinley, B. McGlinchey, P. McGowan, B. McGuinness, D. McHugh, J. McHugh, T. Pringle, J. Sheridan and T. Slowey.
- C/15/04 OFFICIALS IN ATTENDANCE
Mr. M. McLoone, County Manager, Mr. L. Kelly, Assistant County Manager/Director of Housing, Mr. J. McLaughlin, Director Roads & Transportation, Mr. J. Holohan, Director Water, Environment & Emergency Services, Mr. F. Coyle, Director Planning & Economic Development, Mr. G. Richards, Senior Planner, Mr. G. Martin, S.E.O., Ms. Fran Horkan, Graduate Planner, Ms Sinead McClaferty, Graduate Planner, Mr. E. Sweeney, Meetings Administrator, Ms. A. M. Crawford, S.O.
- C/16/04 CONFIRMATION OF MINUTES OF MEETING OF DONEGAL COUNTY COUNCIL HELD ON 24TH NOVEMBER, 2003.
On the proposal of Clr. Maloney, seconded by Clr. Campbell, the Minutes of Meeting of Donegal County Council held on 24th November, 2003 were adopted.
- C/17/04 CONFIRMATION OF MINUTES OF ADJOURNED MEETING OF DONEGAL COUNTY COUNCIL HELD ON 01ST DECEMBER, 2003.
On the proposal of Clr. Larkin, seconded by Clr. McGinley, the Minutes of Adjourned Meeting of Donegal County Council held on 01st December, 2003 were adopted.
- C/18/04 CONFIRMATION OF MINUTES OF ADJOURNED MEETING DONEGAL COUNTY COUNCIL HELD ON 08TH DECEMBER, 2003

On the proposal of Clr. McGlinchey, seconded by Clr. McEniff, the Minutes of Meeting of Donegal County Council held on 08th December, 2003 were adopted.

C/19/04 CONFIRMATION OF MINUTES OF SPECIAL MEETING OF DONEGAL COUNTY COUNCIL HELD ON 15TH DECEMBER, 2003

On the proposal of Clr. McGlinchey, seconded by Clr. McEniff, the Minutes of Special Meeting of Donegal County Council held on 15th December, 2003 were adopted.

C/20/04 CONFIRMATION OF MINUTES OF GENERAL PURPOSES COMMITTEE MEETING HELD ON 08TH DECEMBER, 2003

On the proposal of Clr. McGlinchey, seconded by Clr. McEniff, the Minutes of Meeting of General Purposes Committee held on 08th December, 2003 were adopted.

C/21/04 MATERIAL CONTRAVENTION OF COUNTY DEVELOPMENT PLAN-CONSIDERATION OF PLANNING APPLICATION BY SHAUN GALLAGHER FOR PERMISSION FOR ERECTION OF DWELLING HOUSE WITH POSSIBLE FUTURE ATTIC DEVELOPMENT AND SEPTIC TANK WITH PERCOLATION AREA AT GLENGESH, ARDARA, COUNTY DONEGAL –PLANNING REFERENCE NO 03/3202

Clr. Kelly queried the necessity of reading through reports which had already been issued to the members and called for clarification on the issue. Mr. F. Coyle, Director Planning & Economic Development advised that this procedure was a legal requirement, as laid down in the Standing Orders governing meetings.

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

Clrs. D. Alcorn, L. Blaney, A. Bonner, E. Bonner, J. Boyle, S. Campbell, F. Conaghan, G. Crawford, A. Doherty, P. Doherty, R. Donaghey, T. Gildea, J.Harte, P. Kelly, D. Larkin, S. Maloney, M. McDonald, S. McEniff, N.

McGinley, B. McGlinchey, P. McGowan, B. McGuinness, D. McHugh, J. Sheridan and T. Slowey.

Mr. F. Coyle, Director Planning & Economic Development, read into the record the report from Mr. J. Harley, Senior Planner in relation to the development.

The Cathaoirleach informed members that Clr. Slowey had disclosed to him a personal connection with this development and that he had withdrawn from the meeting on the basis of same for the duration of the consideration for the day.

Clr. Larkin queried the legal implications involved as Clr. Slowey had signed the original Section 140 Motion. Clr. McGlinchey advised that the motion still had the mandatory number of signatures.

On the proposal of Clr. McGlinchey, seconded by Clr. O'Doherty, it was resolved that Clr. Slowey's name be removed from the list of signatories of the motion. Responding to a number of queries, the Meetings Administrator advised that in his role as Ethics Registrar, he could not provide advice to a member that was a matter for the member to decide on whether or not he/she needed to make disclosure:

Mr. F. Coyle, Director Planning & Economic Development requested that Clr. Slowey to return to the chamber. Clr. Slowey returned and requested that his name be withdrawn from the list of signatories of the motion. He then withdrew from the meeting.

The report by Mr. Jim Harley, Senior Planner, advised that the proposal was contrary to Sections 2.6.3. and 2.6.4 of the County Development Plan 2000 (as varied) and recommended that planning permission be refused for the following reasons:-

- (1) The proposed development was located on lands within the Glengesh Pass, which were notably sensitive, fragile in nature and visually splendid. This area was defined as Landscape Category 2 within the County Development Plan 2000, (as varied). It

was a policy of the Planning Authority to “conserve the scenic landscapes of these areas by more specific control of development” County Development Plan, 2000, (as varied) – 2.6.4. and to “protect the areas of highest landscape value and areas of special amenity value and interest”- County Development Plan, 2000 (as varied)- 2.6.3. It was considered that the proposed development by reason of its prominent siting and location would represent a visually intrusive feature at this scenic, rural location which would both irrevocably alter the natural and rustic beauty of the area and militate against the preservation of this sensitive rural landscape. Accordingly, to permit the development would materially contravene the aforementioned policy objectives of County Development Plan, 2000 (as varied) and would, thereby, be contrary to the proper planning and sustainable development of the area.

- (2) The proposed development was adjoined by a designated Scenic Road as defined in County Development Plan 2000 (as varied). It was an objective of the Planning Authority to “conserve the overall character of these roads and the views to be had from them” (S.2.6.4.). It was considered that the proposed development by reason of its location and strident siting would represent an incongruous manmade feature within a distinctly rural and scenic environment, which would be visually obtrusive as viewed from the adjoining scenic road. Accordingly, to permit the proposed development would materially contravene the aforementioned provisions of the County Development Plan, 2000 (as varied) and would, thereby, be contrary to the proper planning and development of the area.
- (3) The proposed development would set an undesirable precedent for similar type incompatible, manmade features in scenic, rural and unserviced areas, which, by themselves and cumulatively, would not be in the interest of the proper planing and development of the area.

Members noted that the applicant, Mr. Shaun Gallagher, was a member of the indigenous community and that his livelihood was dependant on his residence in the area.

Clr. E. Bonner informed the meeting that the site was low down in the valley and would not be visually intrusive or impact on the landscape. There were existing houses nearby and also his own homeplace was just across the road.

Clr. Gildea supporting the motion stated that he could not see any problem with the application.

Clr. P. Doherty reiterated that the applicant was indigenous to the area and supported the motion.

On the proposal of Clr. E. Bonner, seconded by Clr. Gildea, the following resolution was put to the Council: -

“That in accordance with Section 34 6(c) of Planning and Development Act, 2000, Donegal County Council hereby resolves that a decision be made to grant planning permission to Shaun Gallager, for the erection of dwelling house with possible future attic development and septic tank with percolation area at Glengesh, Ardara, the subject of planning reference 03/3202.

A recorded vote was taken on the resolution with 24 for and none against.

Those voting in favour were: -

Clrs. D. Alcorn, L. Blaney, A. Bonner, E. Bonner, J. Boyle, S. Campbell, F. Conaghan, G. Crawford, A. Doherty, P. Doherty, R. Donaghey, T. Gildea, J. Harte, P. Kelly, D. Larkin, S. Maloney, M. McDonald, S. McEniff, N. McGinley, B. McGlinchey, P. McGowan, B. McGuinness, D. McHugh and J. Sheridan.

The Cathaoirleach declared the motion carried and the members proceeded to consider the Schedule of Conditions to be attached to the permission.

Mr. F. Coyle, Director Planning & Economic Development, read into the record the Schedule of Conditions to be attached to the permission.

On the proposal of Clr. E. Bonner, seconded by Clr. Gildea, it was resolved that permission be granted subject to the Schedule of Conditions set out in Mr. Harley's Report dated 12th January 2004.

A recorded vote was taken on the motion resulting in 24 for and none against: -

Those voting in favour were: -

Clrs. D. Alcorn, L. Blaney, A. Bonner, E. Bonner, J. Boyle, S. Campbell, F. Conaghan, G. Crawford, A. Doherty, P. Doherty, R. Donaghey, T. Gildea, J. Harte, P. Kelly, D. Larkin, S. Maloney, M. McDonald, S. McEniff, N. McGinley, B. McGlinchey, P. McGowan, B. McGuinness, D. McHugh and J. Sheridan.

The Cathaoirleach declared the motion carried.

C/22/04

PROPOSED VARIATION OF LETTERKENNY AND ENVIRONS TOWN PLAN 2003-2004

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

On the proposal of Clr. McGlinchey, seconded by Clr. Maloney, the Council resolved to initiate the procedure for making a variation of the Letterkenny and Environs Plan 2003-2009, subject to a legal agreement being in place for the transfer of 20 acres of land to Letterkenny Town Council and a clause being inserted in the legal agreement that the land be used as a Town Park.

A number of members advised that it was imperative that such legal stipulation be included to ensure that the land was used as a Town Park.

Mr. Francie Coyle, Director Planning & Economic Development noted that such a stipulation could not be inserted into the plan, but that he would examine the legal agreement to see if it could include a clause to that effect..

C/23/04

TO APPROVE PUBLICATION OF THE DRAFT
BURNFOOT LOCAL AREA PLAN.

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

Clr. Conaghan advised that he had specific concerns in relation to the proposed infrastructural development of the area, particularly, the provision of a sewerage scheme in the Burnfoot area.

He reminded members that he had also raised this issue under Members Questions (No. 38 on the agenda).

Clr. Conaghan fully supported the Draft Burnfoot Local Area Plan going forward for public consultation but noted, with regret, that it was moving forward without definitive proposals for a sewerage disposal system. He queried the current status of the consultants reports on the Burnfoot Sewerage Scheme.

Mr. Jim Holohan, Director Water/Environment & Emergency Services, confirmed that the report was currently being examined by the Water and Environment Section. When the evaluation process was completed it would then be forwarded to the Department of Environment, Heritage and Local Government. It would, he indicated, be some time before the Department would be in a position to advise on the possibility of progress and the level of funding available.

Mr. Francie Coyle, Director of Planning & Economic Development advised that the way forward was to publish the Draft Plan, and then both the Planning and the Water and Environment Section could work in tandem to address the provision of sewerage facilities.

Clr. Conaghan reminded members that €634,900 had been provided under the Serviced Land Initiative Programme for investment in the Bridgend Sewerage Scheme.

Clr. McGuinness requested that members be fully briefed on the proposals for provision of sewerage facilities in the Burnfoot area before the matter came into the public domain.

The County Manager stated that he would be happy to discuss how and when the Burnfoot Sewerage Scheme would be provided with Mr. Jim Holohan. He would then report back to members within the next four to five weeks.

Clr. Conaghan requested an assurance from the County Manager that the relevant Water and Environment Personnel would be available to meet the public at the Public Consultation Meetings. Having received such assurance it was proposed by Clr. Conaghan, seconded by Clr. Donaghey, and resolved that the Draft Burnfoot Local Area Plan 2004-2010 be published for the purposes of public consultation, in accordance with the requirements of the Planning & Development Act, 2000.

C/24/04 TO APPROVE PUBLICATION OF THE DRAFT BRIDGEND LOCAL AREA PLAN, 2004.

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

Concern was expressed in relation to the following :-

- (a) The development of an economic corridor along the N13 to the border, and
- (b) The contaminated land issue on the Northern side of the N13.

Mr. F. Coyle, Director Planning & Economic Development responded to a number of queries raised by members in relation to land at (a) above.

Mr. Coyle, further advised that he would examine more closely the potential of the area of land at (b) above, and report back to members in due course.

On the proposal of Clr. Sheridan, seconded by Clr. Donaghey, it was resolved that the Council publish the Draft Bridgend Local Area Plan 2004-2010, in accordance with the provisions of the Planning & Development Act, 2000.

C/25/04 TO ADOPT SCHEME OF PRIORITIES IN RESPECT OF CONSERVATION GRANT SCHEME.

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

On the proposal of Clr. Maloney, seconded by Clr. Larkin, the Conservation Grant Scheme, Scheme of Priorities was adopted allowing the advertisement of the Scheme, (inviting applications from owners of protected structures) to proceed.

C/26/04

TO ADOPT AMENDMENTS TO CASUAL TRADING
GENERAL BYELAWS.

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

A number of concerns were expressed in relation to the report and members asked Mr. F. Coyle to clarify the exemptions relating to mobile chip vans and mobile ice-cream vans.

Clr. McGuinness queried whether the amendments referred to Carndonagh only or if they were to operate on a county-wide basis.

Clr. McGuinness proposed, seconded by Clr. Maloney, that the matter be referred to the General Purposes Committee.

Mr. F. Coyle, stated that the report contained two proposals :

- (1) The reduction of fees for Casual Trading Licences
- (2) Two additions to the clauses of selling which did not constitute casual trading.

Exemptions in relation to ice-cream vendors and hot food vendors would apply on a county-wide basis.

The members, he advised, were not being asked to adopt the amendments today but simply approve the publication of these amendments so that the matter could go to public consultation. A Workshop for members relating to the issue would, he stated, be arranged during the consultation process.

Clr. A. Doherty queried who would actually police the operation of these amendments and noted that he had some reservations in relation to same.

Mr. F. Coyle, confirmed that staff from the relevant Public Service Centres would monitor compliance with the regulations.

On the proposal of Clr. Larkin, seconded by Clr. Crawford, it was resolved that the amendment to Casual Trading General Bylaws should be published, so as to allow public consultation on the matter.

On the proposal of Clr. A. Bonner, seconded by Clr. Maloney, it was resolved that a Workshop on the issue be

held so as to further update members on the implications of the amendment for the county as a whole.

It was agreed that a Workshop be arranged as soon as possible and that members be invited. It would then be a matter for interested members to attend.

C/27/04 TO ADOPT THE KILLYBEGS (DESIGNATED CASUAL TRADING AREAS) BYELAWS, 2004.

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

On the proposal of Clr. Boyle, seconded by Clr. Campbell, the adoption of the Killybegs (Designated Casual Trading Areas) Bylaws 2004 was approved pursuant to Section 6 of the Casual Trading Act, 1995.

C/28/04 DISPOSAL OF LANDS AT DRUMBOE, STRANORLAR

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

On the proposal of Clr. A. Bonner, seconded by Clr. McGowan, it was resolved to dispose of lands at Drumboe, Stranorlar to Heaney Developments Ltd, in accordance with Section 211 of the Planning & Development Act, 2000 and Section 183 of the Local Government Act, 2001.

C/29/04 TO RESOLVE TO DISPOSE OF LANDS AT GLENCROW, MOVILLE

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

On the proposal of Clr. A. Bonner, seconded by Clr. McGowan, it was resolved to dispose of lands at Glencrow, Moville to:

- Unit 1** Jim Bredin, Bredin Furniture, Cooley, Moville.
- Unit 2&3** Glencrow Developments Ltd., Ballyrattan, Redcastle.
- Unit 4** George Harley and Raymond Tomany, Anchor Windows, Bath Terrace Lane, Moville
- Unit 5** Paddy Boyce, Boyce Paints, Malin Road, Moville
- Unit 6** Sammy Lyle and Sean Rawdon, Moville Tool Hire, Quay Street, Moville.

Unit 7 Sammy Lyle, Donegal Fixings,
Ballyrattan, Redcastle.

in accordance with Section 211 of the Planning & Development Act, 200 and Section 183 of the Local Government Act, 2001.

C/30/04 **DISPOSAL OF LAND AT CARROWKEERAGH, KILCAR**

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

On the proposal of Clr. Boyle, seconded by Clr. Campbell, it was resolved to dispose of lands at Carrowkeeragh, Kilcar to Mr. John Cunningham, in accordance with Section 211 of the Planning & Development Act, 2000 and Section 183 of the Local Government Act, 2001.

C/31/04 **DISPOSAL OF LANDS AT MEENABOLLAGHAN, DUNGLOE**

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

On the proposal of Clr. E. Bonner, seconded by Clr. P. Doherty, it was resolved to dispose of lands at Meenabollaghan, Dungloe, to Mr. Oliver Ward, The Diamond, Dungloe in accordance with Section 211 of the Planning & Development Act, 2000 and Section 183 of the Local Government Act, 2001.

C/32/04 **DISPOSAL OF OFFICE SPACE IN THE NEW PUBLIC SERVICE CENTRE, MAIN STREET, CARNDONAGH**

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

On the proposal of Clr. A. Doherty, seconded by Clr. Sheridan, it was resolved to dispose of office space in the new Public Service Centre, Main Street, Carndonagh to Teagasc, in accordance with Section 211 of the Planning & Development Act, 2000 and Section 183 of the Local Government Act, 2001.

C/33/04 **DISPOSAL OF LAND AT SCREEN, MILFORD**

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

On the proposal of Clr. Blaney, seconded by Clr. Larkin, it was resolved to dispose of lands at Screen, Milford to Mr.

Michael Logue, in accordance with Section 211 of the Planning & Development Act, 200 and Section 183 of the Local Government Act, 2001.

C/34/04 TO NOTE AND REVIEW THE 2002 DRAFT FINANCIAL STATEMENT

Members considered the report, circulated prior to the meeting, in relation to the above.

On the proposal of Clr. Larkin, seconded by Clr. Crawford, the 2002 Draft Financial Statement was noted.

C/35/04 PART 15 OF THE LOCAL GOVERNMENT ACT, 2001 (ETHICS FRAMEWORK) - OBLIGATION ON MEMBERS TO FURNISH DECLARATION OF INTERESTS.

Mr. E. Sweeney, Meetings Administrator, reminded members of their obligation to return Declaration of Interest forms by the 29th February, 2004.

C/36/04 LOCAL ELECTIONS (DECLARATION OF DONATIONS & EXPENDITURE ACT, 1999, (AS AMENDED) - OBLIGATION ON MEMBERS TO FURNISH STATUTORY DECLARATION AND DONATION STATEMENT ON DONATIONS RECEIVED IN 2003

Mr. E. Sweeney, Meetings Administrator reminded members of their obligation to return Statutory Declaration and Donation Statement on donations received in 2003 by 29th February 2004.

C/37/04 TO NOTE REVISED SCHEDULE OF MEETINGS FOR JANUARY-JUNE 2004 FOR COUNTY DONEGAL VOCATIONAL EDUCATION COMMITTEE.

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

On the proposal of Clr. Maloney, seconded by Clr. Campbell, the Schedule of Meetings from January-June 2004 for the Donegal Vocational Educational Committee was noted.

C/38/04 TO APPROVE THE IMPLEMENTATION OF REVISED PAY SCALES AS SET OUT IN CIRCULAR EL10/03 – “APPLICATION OF INCREASES UNDER THE SECOND

PHASE OF BENCHMARKING” AND SECTION 19.18 OF SUSTAINING PROGRESS 2.

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

On the proposal of Clr. Maloney, seconded by Clr. A. Doherty, it was resolved to approve the second phase of pay increases arising from the report of the Public Service Benchmarking Body, and, also, the increase of 3% due under Section 19.18 of Sustaining Progress effective from 11th January, 2004.

C/39/04 TO APPROVE NOMINATION FOR DONEGAL PERSON OF THE YEAR.

On the proposal of Clr. McGuinness, seconded by Clr. A. Doherty, the nomination of Mr. Clement MacSuibhne, Tirconail House, Ballyliffin, County Donegal for consideration as Donegal Person of the Year, was retrospectively approved.

C/40/04 SELECTION OF SIX COUNCILLORS TO PARTICIPATE IN CROSS BORDER POLITICAL TRAINING WORKSHOPS.

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

On the proposal of Clr. A. Bonner, seconded by Clr. Maloney, the following members were nominated to participate in Cross Border Political Training Workshops under the auspices of the South Tyrone/Donegal – Exploring Diversity Together Initiative: -

- Clr. G. Crawford
- Clr. P. McGowan
- Clr. F. Conaghan
- Clr. A. Doherty
- Clr. J. Boyle
- Clr. J.J. Reid

It was agreed that should Clr. Reid be unable to attend then his place would be taken by Clr. Maloney.

On the proposal of Clr. A. Bonner, seconded by Clr. Maloney, it was further resolved that 4no. members should attend the Charlie Donnelly Winter School on the 27th-28th February, 2004, on the basis of the invitation extended by

the members of the Dungannon and South Tyrone Borough Council of the South Tyrone/Donegal Exploring Diversity Together Steering Committee.

C/41/04 MID WEST REGIONAL AUTHORITY 10TH ANNUAL CONFERENCE TO BE HELD IN THE ABBEY COURT HOTEL, NENAGH, CO. TIPPERARY ON FRIDAY 30TH JANUARY.

Having considered the criteria set out in Section 142 5(d) of the Local Government Act, 2001, on the proposal of Clr. McGuinness, seconded by Clr. Campbell, it was resolved that 4no. members should attend the above Conference i.e. 2no. Fianna Fail, 2 Fine Gael and 1 other.

C/42/04 NORTHERN TOURISM CONFERENCE TO BE HELD IN THE DUNADRY HOTEL AND COUNTRY CLUB, MUCKAMORE, DUNDRY, COUNTY ANTRIM ON 27TH -29TH FEBRUARY 2004.

Having considered the criteria set out in Section 142 5(d) set of the Local Government Act, 2001, on the proposal of Clr. McGuinness, seconded by Clr. Campbell, it was resolved that 4no. members should attend the above Conference i.e. 2no. Fianna Fail, 2 Fine Gael and 1 other.

C/43/04 RENEWABLE ENERGY CONFERENCE TO BE HELD IN THE RIVERBANK HOUSE HOTEL, CO. WEXFORD ON 5TH AND 6TH FEBRUARY 2004.

Having considered the criteria set out in Section 142 5(d) of the Local Government Act, 2001, on the proposal of Clr. McGuinness, seconded by Clr. Campbell, it was resolved that 4no. members should attend the above Conference i.e. 2no. Fianna Fail, 2 Fine Gael and 1 other.

C/44/04 ASSOCIATION OF MUNICIPAL AUTHORITIES OF IRELAND TO BE HELD IN THE HOLIDAY INN, LETTERKENNY ON 13TH AND 14TH FEBRUARY 2004.

Having considered the criteria set out in Section 142 5(d) of the Local Government Act, 2001, on the proposal of Clr.

McGuinness, seconded by Clr. Campbell, it was resolved that all members who wished to could attend the Conference.

C/45/04 SEPTIC TANK SEMINAR TO BE HELD IN GLÓR IRISH MUSIC CENTRE, ENNIS, CO. CLARE ON 29TH AND 30TH JANUARY 2004.

Having considered the criteria set out in Section 142 5(d) of the Local Government Act, 2001, on the proposal of Clr. McGuinness, seconded by Clr. Campbell, it was resolved that 4no. members should attend the above Conference i.e. 2no. Fianna Fail, 2 Fine Gael and 1 other.

C/46/04 GENERAL COUNCIL OF COUNTY COUNCILS ANNUAL CONFERENCE TO BE HELD IN NEWPARK HOTEL, KILKENNY FROM 11TH-13TH MARCH, 2004.

Having considered the criteria set out in Section 142 5(d) of the Local Government Act, 2001, on the proposal of Clr. McGuinness, seconded by Clr. Campbell, it was resolved that 4 no. members should attend the above Conference, i.e. 1no. Fianna Fail, 2 Fine Gael and 1 other, together with the G.C.C C. and L.A.M.A. delegates.

C/47/04 CATHAOIRLEACH'S BUSINESS

Votes of Sympathy

Votes of sympathy were extended to the following: -

- The family of the late Eamon Harvey, New Line Road, Letterkenny, Lorry Driver, Donegal County Council
- Geraldine Gallagher, Road Section, Lifford on the death of her Stepfather, Patrick McConnell, Drumay, Newtowncunningham.
- John McElwaine, Executive Engineer, and Michael McElwaine, Finance Section, on the death of their mother Joan McElwaine.
- Alison Steele, Roads & Transportation Section, on the death of her brother in law Stanley Hunter.
- Danny Gallagher, Executive Engineer, Housing on the death of his mother, Sarah Gallagher, Sleaghan, Gweedore.
Sean Houston, Library Service on the death of his father, Francie Houston, The Rock, Glenties.

- Patsy McHugh, Partnership Facilitator, on the death of his Uncle, Francie Houston, The Rock, Glenties.
- Sean Flanagan, Waterworks Inspector, Fintown/Loughmourne, on the death of his mother. Mary Flanagan.
- George Porter, Foreman, Roads Section, Inishowen Electoral Area on the death of his mother, Bridget Porter.

Votes of Congratulations

Votes of congratulations were extended to the following: -

- Domhnall Doherty, son of Clr. A. Doherty and a pupil of Carndonagh Community School, on the publication of his poem in the 2004 Environmental Calendar.
- Ciaran McCready, Sean Ferriter, John Kelly and Tony Boyle on their Hall of Fame Awards presented at the recent Donegal G.A.A. Awards Ceremony in Donegal Town.
- Harry Blaney on receipt of his award at the Donegal Sports Stars Awards.

Best wishes were extended to Clr. Peter Kennedy and all present wished him a speedy recovery from his recent illness.

On the proposal of Clr. Larkin, seconded by Clr. Kelly, good wishes were also extended to Brian McEniff, Manager, Donegal G.A.A. Football Team.

Roads Programme

The Cathaoirleach referred to the queries raised by members in relation to the Roads Programme at the Special Meeting of Donegal County Council held on 15th December, 2003. He requested that replies in relation to same be made available, as soon as possible.

Clr. Alcorn advised that the Technical Committees deliberations on speed limits within the county were due in the latter half of 2003. He called for this report to be made generally available.

A number of members voiced concerns in relation to the provision of Public Lighting and the slow pace of progress

of many of these requests. Calls were also made for further clarification of the policy surrounding the provision of Public Lighting.

On the proposal of Clr. Larkin, seconded by Clr. Conaghan, it was resolved that members should meet with the E.S.B. to assess the situation, with Clr. Conaghan advocating that representatives of the E.S.B. should be invited to attend Electoral Area Meetings.

Clr. Donaghey advised that the provision of an emergency number for public lighting queries should be circulated to the local press.

Housing Programme

The Cathaoirleach stated that he had discussed the issue of Disabled Persons and Essential Repair Grants with the County Manager and it was anticipated that a format would be devised over the next few weeks to deal with longstanding issues in relation to same. He requested that the County Manager and the Director of Housing, Mr. Liam Kelly come back to members on the issue as soon as possible. Concern was expressed that hardship cases were not being expedited.

Clr. Alcorn noted that there was no reason why a priority list could not be drawn up and he asked Mr. Liam Kelly, Director of Housing to address the issue.

Water & Environment

Concern was expressed that the Gweedore/Burtonport Sewerage Schemes were now included on the 2005 list and not the 2004 Programme, as had been anticipated.

Planning & Economic Development

Referring to the Development Contribution Scheme, the Cathaoirleach reminded members that the period for public consultation had been extended by one month until the 1st March and that a scheme had to be adopted by 10TH March, 2004. It was essential, he advised, that a planning official be available in each of the Public Service Centres to deal with queries from members of the public.

COUNTY MANAGER'S REPORT

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

- The County Manager extended sympathy to the Harvey Family on the death of Eamon Harvey, an esteemed member of the Roads Section of Donegal County Council. He expressed deep gratitude for the loyal service given by Mr. Harvey to both the Roads Division and the Fire Service.
- Mr. McLoone conveyed his gratitude to Letterkenny Town Council for the exemplary handling of the financial implications of the boundary extension at the Budget Meeting of Letterkenny Town Council on the 13th January, 2004.
- A briefing note on the Non National Roads Allocations 2004 was circulated to members with the 2004 allocation of €25.523 being welcomed as a 2% increase on the 2003 allocation.
- The County Manager reminded members that Seatam (Donegal) Ltd., Lisfannon, County Donegal had extended an invitation to all members of the Council, and relevant officials, to visit its premises and inspect at first hand the way in which the Council's investment had facilitated job creation and development. Mr. Francie Coyle, Director of Planning & Economic Development, would, he advised, co-ordinate the visit. A provisional date for the visit - on Thursday 12th February 2004 was agreed.
- Mr. McLoone advised that the following programme provisions had been reduced to balance the books in respect of the Adopted Budget for 2004.

| | |
|--|----------|
| Programme 3.8 Administration & Miscellaneous | €251,200 |
| Programme 8.8 Administration & Miscellaneous | €80,000 |
| | €331,200 |

- Mr. McLoone noted that Donegal had one of the highest spends in the country on the provision of Disabled Persons and Essential Repair Grants. He advised that he would come back to the members on the procedures for dealing with priority cases.
- **Development Contribution Scheme**
Mr. McLoone stated that he would liaise with Mr. Francie Coyle, Director Planning & Economic Development in relation to the provision of the relevant staff in each of the Public Service Centres to deal with enquiries on the Scheme from the general public.
He stated that, to date, ten local authorities had adopted Contribution Schemes and that he would ensure that all available information from these authorities would be made available at the forthcoming Workshops.
It was agreed that the Workshop scheduled for 2.00pm on Monday 16th February, 2004 in relation to the Development Contribution Scheme would now be held at 9.30am on the same date in the Letterkenny Public Service Centre.

A number of members expressed concern at the lack of information currently available to the public on the new electronic voting scheme.

Mr. Eunan Sweeney, Meetings Administrator informed members that there would be a National Publicity Campaign with a countrywide roadshow planned for April/May 2004. It was he advised envisaged that a voting machine would be available for a period in each of the Public Service Centres for public inspection.

C/49/04

**REMOVAL OF ROCK AT ENTRANCE TO
MAGHERAROARTY PIER**

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

“That Donegal County Council remove the rock at the entrance to the Channel at Magheraroarty Pier,

resurface the upper side or entrance to the pier and install public lighting there to improve safety”.

Members were informed of the following: -

- (1) Lighting had been erected on the pier and currently there was no additional funding to extend the lighting.
- (2) There was still some resurfacing to be completed under the contract; however, any further extension of the surfacing beyond the contract would need to be agreed and funds secured.
- (3) Investigations were ongoing regarding the removal of the rock referred to and the required funding obtained. There was a meeting planned in early December with the Department of Gaeltacht to discuss the issue and opportunities for further work at this pier.

Clr. Doherty advised that this matter had been outstanding for some time, and was in serious danger of causing damage to the boats using the channel. He noted that William Freeney, Executive Engineer was investigating the matter. He acknowledged the excellent work carried out to date by the Marine Section.

It was essential, he stated, that this work be completed before Easter as the ferry could not use the pier at low tide. He also voiced concern at the loss of personnel within the Marine Section and called for the County Manager to investigate the matter.

The Cathaoirleach requested that Mr. John McLaughlin, Director Roads & Transportation investigate the possibility of retaining the six marine staff involved for an extended period of time.

Members noted that essential dredging works at Inishboffin and Lough Swilly were still outstanding.

Clr. P. Doherty asked that Donegal County Council further examine ways of having a dredging service implemented for the West of Donegal.

C/50/04

PROVISION OF ANIMAL POUND

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

“That this Council in conjunction with the Department of Agriculture provide an Animal Pound for Donegal”.

Members were informed that the Council had looked for finance from the Department of Agriculture for an animal pound over a number of years without success. The option of providing a means of transportation for impounding animals and sending them to the County Cavan pound had also been considered. The need for impounding animals had only arisen on three occasions over the past 18 months. The Council concluded that the most cost effective way of dealing with this matter was to employ a private contractor as and when the need arose. The incidence of problems requiring impoundment of animals had reduced since the introduction of tagging sheep and the Cattle Movement Monitoring System by the Department of Agriculture.

Clr. Slowey noted that animals had presently to be transported to County Cavan and highlighted that such movement was conducive to the spread of infection. He called on the Department of Agriculture to reconsider funding options for the provision of a pound in Donegal. He requested that Donegal County Council contact the Department of Agriculture and source any funding options available.

C/51/04

REVIEW OF WASTE MANAGEMENT PLAN

The following motion proposed by Clr. E. Bonner, seconded by Clr. T. Slowey, was adopted:-

“That Donegal County Council carry out a review of the Waste Management Plan and incorporate the possibility of reaching an interim agreement with the E.P.A. to keep BALBAINE DUMP, ARDARA open for a further two to three years.”

Members were informed that the Donegal County Council Waste Management Plan was due for review in the year 2005. This review would involve revising all of the issues dealt with in the Plan, re-assessing the

Council's position and options and putting in place a new action plan for short, medium, and long term objectives. The review process was lengthy and did not provide an opportunity for the immediate reversal of the closure of Balbaine Landfill.

A request for the extension of the landfill licence to accept more waste at Balbaine would need to be supported by a full Environmental Impact Statement. The Environmental Protection Agency could not be expected to approve any such proposal unless it was designed to comply with full environmental standards. Preparation of such an application was expensive and took time. The Council were already on course seeking approval for two such facilities elsewhere in the county. Those locations were identified by a site selection process following on from adoption of the Council's Waste Management Plan. The site at Balbaine was not selected for further development at that time, due to a number of factors including the risks to water supply.

The Council regretted any inconvenience caused to the public, businesses and refuse collectors by the closure of its landfill at Balbaine, Killybegs. The Council also wished to thank Mr. Cormac Ward who had operated the facility on its behalf. The Council appreciated and valued the quality of service that he had provided at Balbaine over many years.

C/52/04

SCHEDULE OF MEETINGS 09TH FEBRUARY, 2004

It was agreed that that following meetings would take place on the 09th February, 2004:-

- | | |
|---------|---|
| 12 noon | Special Council Meeting to discuss Polling Scheme 2004. |
| 1.00pm | Workshop- To discuss report by Deloitte & Touche on Development of Marinas around the county. |
| 2.00pm | General Purposes Committee Meeting. |

C/53/04

ADJOURNMENT OF MEETING

It was resolved on the proposal of Clr. Alcorn, seconded by Clr. Maloney, that the remainder of business would be dealt with on Friday 06th February, 2004 commencing at 11.00am in the Council Chamber, County House, Lifford.