

**COMHAIRLE CHONTAE DHUN NA nGALL**

Oifig Riarthóir na  
gCruinnithe  
Áras na Chontae  
Leifear

25 Iuil, 2006

**FOGRA CRUINNITHE**

Beidh Cruinniú Comhairle Chontae Dhún na nGall, a bhí ar athró ó 24 Iuil 2006 ag dul ar aghaidh Dé Déardaoin, 27 Iuil 2006, ag **10.00 ag Arás an Chontae, Leifear**

**DO GACH BHALL DEN CHOMHAIRLE**

**A Chara**

Iarrtar ort bheith i lathair ag an gcruinniú seo den Chomhairle. Ta 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

25<sup>th</sup> July 2006

**NOTICE OF MEETING**

The Meeting of Donegal County Council, adjourned from 25<sup>th</sup> July, 2006 will be held on Thursday 27<sup>th</sup> July, 2006 at 10.00am, 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.

**Yours sincerely**

**E. Sweeney**

**Meetings Administrator (County Secretary)**

## AGENDA

(PLEASE NOTE THAT ALL ITEMS RETAINED THEIR ORIGINAL  
ITEM NUMBERS SO AS TO CORRESPOND WITH REPORTS  
ALREADY ISSUED FOR THE JULY MEETING)

### 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**

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 Merville 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, Merville.” (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)

**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, Buncrana 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 ADJOURNED MEETING OF DONEGAL COUNTY  
COUNCIL HELD IN THE COUNTY HOUSE, LIFFORD ON THE 27<sup>TH</sup>  
JULY, 2006

C/466/06    MEMBERS PRESENT

Clrs. E. Bonner, Mayor, D. Alcorn, J. Boyle, Pearse Doherty, R. Donaghey, D. Larkin, N. McBride, T. McDaid, M. McDonald, S. McEniff, I. McGarvey, D. McGonagle, P. McGowan, P. MacLochlainn, B. O'Domhnaill, B. O'Neill, T. Pringle and T. Slowey.

C/467/06    OFFICIALS IN ATTENDANCE

Mr. M. McLoone, County Manager, Mr. Sean Sheridan, Director Corporate Services, Mr. Francie Coyle, Director Planning & Economic Development, Mr. J. McLaughlin, Director Roads & Transportation, Mr. M. Heaney, Director Community, Cultural & Enterprise, Mr. E. Sweeney, Meetings Administrator, Mr. P. Kilcoyne, Senior Engineer, Ms. M. Devine, Clerical Officer.

C/468/06    APOLOGIES

Clr. Larkin conveyed apologies on behalf of Clr. Blaney who was unable to attend the meeting.

C/469/06    PAYMENT OF ARTS GRANTS 2006

It was noted that the payment of Arts Grants for 2006 had been discussed by the Cultural Committee at a recent meeting but that the minutes of same had not come as yet before the General Purposes Committee/Council for adoption. It was further noted that the payment of grants was an executive function and on that basis it was resolved, on the proposal of Clr. Larkin, seconded by Clr. McBride, to request that the grants be paid as soon as possible.

C/470/06    CHANGE OF CATEGORY OF LANDS, MELMORE DOWNINGS.

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

“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.”

The following written reply was given by Mr. F. Coyle, Director of Service, Planning and Economic Development:-

“I set out the position regarding the national designations relating to the lands in question

Anton McBride (Entire site location within both the NHA and cSAC 00194, Ref. 000194)

Edward Shovelin (Entire site location within the NHA, a small proportion of the lands are located within cSAC, Ref. 000194)

Danny Gallagher (Site not located within either NHA or cSAC)

2. SITE SYNOPSIS as included on the DOEHLG/NPWS(<http://www.npws.ie/Conservations/SpecialAreasofConservationSACs/SiteSynopsis/Donegal/Name,955,en.html>)

TRANAROSSAN & MELMORE LOUGH cSAC / NHA (SITE CODE: 000194)

This scenic site encompasses the west coast of the Rosguill peninsula from Gladdaghlahan Bay up to Tranarossan Bay, and the whole of the peninsula north of this point (including Rosses Strand and Gortnalughoge Bay). The site rises from sea level to 163m. Geomorphologically, the site is dominated by calcareous soils overlying acid intrusive bedrock. The main habitats are machair, sand dunes, shingle beach, rocky coast, heathland and wetland areas.

Machair, a priority habitat on Annex I of the EU Habitats Directive, occurs as extensive, flat to gently undulating plains at both Tranarossan and Melmore. At Melmore, dry

dune grassland vegetation is the dominant vegetation. Typical plant species of the habitat include Red Fescue (*Festuca rubra*), Daisy (*Bellis perennis*), Ribwort Plantain (*Plantago lanceolata*), Clover (*Trifolium repens*), Common Bird's-foot-trefoil (*Lotus corniculatus*), Crested Dog's-tail (*Cynosurus cristatus*), Lady's Bedstraw (*Galium verum*) and the mosses *Brachythecium albicans* and *Rhytidiadelphus squarrosus*. At Tranarossan, dry dune grassland vegetation is also present, however large areas of the machair plain here are comprised of extensive wet flats largely dominated by *Salix repens* accompanied by Red Fescue, Common Sedge (*Carex nigra*), Marsh Pennywort (*Hydrocotyle vulgaris*) and the moss *Calliergon cuspidatum*. The machair grades into fixed dune, another Annex I priority habitat, and here species such as Marram (*Ammophila arenaria*) and a range of bryophytes and lichens (notably *Peltigera canina*) occur in addition to the species typical of machair. Other dune types, which occur, are shifting Marram dunes, embryonic dunes and a distinct annual community associated with the strandline. Of particular importance is the occurrence of decalcified fixed dunes with *Empetrum nigrum*, a rare habitat in Ireland and another priority habitat on Annex I of the EU Habitats Directive. This habitat occurs on calcareous sands amongst the rocky knolls and in addition to *Empetrum*, characteristic species are Juniper (*Juniperus communis*), Bracken (*Pteridium aquilinum*) and Hoary Whitlowgrass (*Draba incana*), a Red Data Book species.

Melmore Lough is a good example of a hard water lake. It lies in a highly exposed location at the top of the Rosguill peninsula, between the flat machair plain and a steep hill of granite. Despite its small size it has considerable depth (>10 m). Much of the lake bed consists of steeply shelving sandy mud with occasional rock outcrops. A small sand shelf runs along the northern shore while the south and east shores are of steeply shelving rock. At one area there is a shallower zone with sandy mud at a depth of 4-6 m. Melmore has a very high chloride content at 120 mg/l, while calcium concentration is in the region of 10.5 mg/l. The stonewort flora is well developed, especially on the sand shelf. Species recorded include *Chara aspera* var. *curta* (= *C. desmacantha*), *C. hispida* var. *hispida*, *C. vulgaris* var. *contraria* and *C. globularis* var. *virgata*. It also has a good pondweed flora,

including Broad-leaved Pondweed (*Potamogeton natans*), Fennel-leaved Pondweed (*P. pectinatus*) and Curled Pondweed (*P. crispus*). Shoreweed (*Littorella uniflora*) also occurs, along with Spiked Water-millfoil (*Myriophyllum spicatum*). Below the vegetation limit, freshwater sponges are abundant on rock outcrops.

A good example of intertidal sand flats occurs at Rosses Strand. This north-west facing shore is approximately 1 km in length. The communities present are characteristic of a shore with clean sand exposed or moderately exposed to wave action. The upper shore is characterised by the sandhoppers *Talitrus saltator* and *Talorchestia deshayesii*. The mid-shore supports amphipods such as *Bathyporeia pelagica*, *Haustorius arenarius* and *Eurydice pulchra*. In the low shore the polychaetes *Nephtys cirrosa* and *Scolecopsis foliosa* are common to abundant and the amphipod *Haustorius arenarius* is present.

Dry heath is fairly widespread in this site but is best developed on hills and headlands towards the north of the site. It occurs on shallow, sloping peat, at altitudes of between sea level and c.150 metres. The vegetation of the habitat is generally dominated by low-growing mats of Ling (*Calluna vulgaris*), accompanied by acidophile plant species such as Bell Heather (*Erica cinerea*), Carnation Sedge (*Carex panicea*) and Sheep's Fescue (*Festuca ovina*). Throughout the site the habitat forms complex mosaics with related vegetation types such as blanket bog, acid grassland and also some alpine heath. Sea cliffs form an important habitat within this site. The best developed areas of cliffs are found at Melmore Head, Rosses Point and in the south-west of the site, to the north of Claddaghlahan bay. Cliffs are composed of alternating bands of Fanad granite and Falcarragh pelitic schists, which have resulted in rather low cliffs that typically attain heights of between 10 and 50 metres. Frequent plant species recorded growing on maritime cliffs throughout the site include Thrift (*Armeria maritima*), Sea Samphire (*Crithmum maritimum*), Common Scurvygrass (*Cochlearia officinalis*), Sea Campion (*Silene vulgaris* subsp. *maritima*) and the saxicolous lichen *Ramalina siliquosa*. The scarce succulent plant species Roseroot (*Rhodiola rosea*) grows sparingly on sea cliffs throughout the site. Also recorded

from here is the Red Data Book species Scot's Lovage (*Ligusticum scoticum*).

Vegetated shingle or stony banks have a rather restricted distribution within the site, being largely confined to small, enclosed bays, which face in a northerly or westerly direction. The development of the habitat is generally good with the most extensive areas of the habitat to be found at Rosses strand and Doagh bay. Typically these areas of shingle beach are exposed and subject to intensive wave action. As a result, the vegetation is quite sparse, however plant species such as Curled Dock (*Rumex crispus*), Common Couch (*Elymus repens*), Sandwort (*Honkenya peploides*), Mayweed (*Matricaria maritima*), Frosted Orache (*Atriplex laciniata*) and Silverweed (*Potentilla anserina*) are a common feature of the habitat. The Red Data Book species Oyster Plant (*Mertensia maritima*), which is also protected under the Flora (Protection) Order, 1999, is a feature of this habitat.

The combination of cliffs and unimproved grasslands make this an attractive area for Choughs (6 pairs were recorded in 1992), a species which is listed on Annex I of the EU Birds Directive. Another Annex I species, Peregrine Falcon, breeds within the site. Small numbers of seabirds, mostly Fulmars (20+ pairs), Cormorants (60-70 pairs) and Shags (50-60 pairs), breed on the cliffs

The main land use is sheep grazing, although tourism is also an important part of the local economy with several large caravan parks in the area. This site is of considerable scientific importance, primarily for the extensive and relatively unspoilt machair, which stretches between Tranarossan Bay and Gortnalughoge Bay and also in the vicinity of Melmore Lough. A range and diversity of additional good quality coastal habitats, including two other Annex I priority habitats, occur; their value is enhanced by the fact that they provide habitat for three rare plant species and two Annex I bird species.

### 3. PROCEDURE TO REMOVE LANDS FROM SPA OR NHA

(<http://www.npws.ie/Conservationsites/Sitedesignationprocess/Step3/>)

#### **Step 3 - Objections & appeals**

Objection or appeal can be made against the inclusion of an area in a SAC, SPA or NHA. Only those with a legal interest in the site (i.e. an owner or legal user) may lodge an objection. An objection can only be lodged on scientific grounds, e.g. that the relevant habitats/species/geological features were not present in such a condition as to warrant designation. An appeal can also be made for the inclusion of an area in a site proposed for nature conservation designation. Objections/appeals must be written and accompanied by a map of the relevant area and should be as informative as possible. There are two stages to the assessment of objections/appeals process:

##### 1st stage: Internal Review

To initiate an internal review of proposals to include a section of land, write to: Designated Areas Appeal Section, The Department of the Environment, Heritage and Local Government, 7 Ely Place, Dublin 2. Alternatively, you may initiate an internal review by contacting your [local Conservation Ranger](#). Local conservation staff of the Department will then re-examine the scientific grounds for including the section of land in question. The Conservation Ranger will discuss the matter with you and make a recommendation to local management. You will then be informed of the outcome of the internal review. If you request an internal review, local conservation staff will re-examine the scientific grounds for including the particular section of land within a nature conservation area. The Conservation Ranger will discuss the matter with you and make a recommendation to local management

##### 2nd stage: Appeal to Nature Conservation Designation Appeals Advisory Board

The Nature Conservation Appeals Advisory Board is comprised of equal representation of landowners/users and

conservationists. The Board has an independent chairperson. The Board assesses appeals referred from the National Parks & Wildlife Service and makes a recommendation to the Minister. The Minister decides on the outcome of the appeal. An appeal may only be referred to the Nature Conservation Appeals Board where an internal appeal was assessed and concluded by the National Parks & Wildlife Service. Three months are allowed by law for objections to a proposal to statutorily designate an area for nature conservation. In practice, objections are given full consideration even after the formal time limit has expired.

## DESIGNATION

Details on each proposed SAC are transmitted to the EU Commission, after which is called a “candidate SAC”. All the European candidate sites are examined by representatives of member states, independent scientists and NGO representatives. Once adopted by the EU commission, the sites will be formally designated by the Minister.

NHAs are designated by the Minister without reference to Europe.

As outlined above it will be a matter for the landowner or legal user to make the case on scientific grounds.

This information and more is available on the DOEHLG website.”

In response to the motion and issues raised by the members, Mr. Francie Coyle, Director referred to the circulated response on what steps landowners needed to take to have these designations removed.

The referred to new provisions in the County Development but pointed out that these could not set aside NHA/SAC designations.

Mr. Coyle stated that planning authority could provide assistance to persons but they must initiate the process with the Department of Environment and Local Government.

C/471/06 WORLD RALLY CHAMPIONSHIP 2007

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

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

Members were informed that:-

“The organisers of the Rally Ireland event had made contact with the Roads Directorate and they had been advised to submit, in writing, their proposals and requirements. Additionally, on foot of receiving a review of the economic impact of Rally Ireland 2006, the Community & Enterprise Directorate had written to the organisers of the event and had requested that they revert to discuss their proposals in a Donegal context.

The approval of the WRC stage for Ireland in 2007 (provisionally scheduled for November) which would be one of only 16 such events worldwide during the year would have a major impact on the economies of the areas within which it was situated and would be of particular benefit bearing in mind that it was proposed to take place during the “shoulder” period of the tourism season.”

C/472/06 WAITING LIST FOR DISABLED PERSONS GRANT APPLICATIONS.

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

“That this Council discuss the 6 month waiting list of the DPG applications and the increasing pressure on Occupational Therapists which is causing unnecessary hardship on disabled and elderly persons.”

Members were informed that:-

“Council Officials were working with the OT Service of the HSE at present, in an effort to deal with the slowdown in decision times on DPG applications.”

Clr. McGowan expressed his disappointment with the brevity of the reply received and stated that in order to debate issues in an informed manner members deserved to be given comprehensive replies to their motions.

A lengthy discussion took place during which all members spoke in support of the motion and expressed their concern with the current system for dealing with Disabled Person Grants.

Mr. Liam Kelly, Director, Housing informed members that the Department of Environment, Heritage and Local Government had recently published statistics in relation to Disabled Persons Grants showing that Donegal had received the highest number of applications in the country and had allocated the highest number of grants.

In response to a question from Clr. Pringle, Mr. Kelly confirmed that the county had employed two Occupational Therapists and under agreement with the Health Service Executive, they paid one salary and Donegal County Council paid the other. He reminded members that while much work was being done to progress Disabled Person Grants further changes would be required to Council Policy owing to the newly published Disability Strategy. He undertook to return to members with a report on same in the near future.

C/473/06

#### GRANTING OF OIL AND GAS LICENCES

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

“That this Council recognise that the granting 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.”

On the proposal of Clr. Pearse Doherty, seconded by Clr. McGarvey, it was resolved that a copy of the motion be

forwarded as soon as possible to the Minister for the Marine and Natural Resources.

Clr. Pearse Doherty expressed his disappointment that there was no reply from the executive to this motion. He requested that a copy of his motion be forwarded as soon as possible to the Department of Environment Heritage and Local Government.

C/474/06

PROVISION OF LIBRARY SERVICE AT ARDARA

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

“That this Council deliver on their promise for a library at Ardara.”

Members were informed that:-

“The existing strategic plan for Cultural Services (Saol agus Saoithiulacht), including libraries, had seen substantial progress made with only the Council Library Administrative Centre and the Ballybofey/Stranorlar Library awaiting Departmental approval and funding. Matching local funding for these was targeted from the Development Contribution Scheme as adopted by the members in early 2006.

The development of a new strategic plan for cultural services including libraries was at a preliminary stage. Discussion documents would be brought to members for discussion later in 2006 where consideration could be given to the needs of all areas in the county.”

Clr. Slowey expressed his disappointment with the reply received and his sadness at the lack of progress on this project, which was initially championed by the late Clr. Bennett.

A number of members spoke in support of the motion and agreed that libraries were much more important to communities now with the introduction of internet access and the increase in immigrants who require information in their own language.

C/475/06 SURVEY ON CONDITION OF COUNTY ROADS

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

“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.”

Members were informed that:-

“Consideration would be given to reactivating this survey. The Council would hope to improve the gathering of data and assessment by the use of the GIS System. In addition, the standard to set for the analysis would need to be agreed and the report prepared last year on condition of regional roads would need to be incorporated. At the moment, Council staff resources that dealt with county wide road matters such as speed limits at schools and new public lighting programme and health and safety documentation were fully booked. The Council would evaluate their ability to deliver a useful survey/report later in the year.”

A number of members suggested that it was now time for the Council to look at the following issues in relation to county roads:-

- The need for developers to take responsibility for damaged caused to roads during the course of developments.
- A review of materials used to re-surface roads
- Any road surveys carried out to include information such as traffic volume and cost
- Value for money should be a strong factor in any work carried out on county roads.

In response the Director of Service advised that it would be the end of the year before the survey could be reactivated. He confirmed that he would be willing to form a delegation to the Department of Environment Heritage and Local Government and this could be progressed through the Roads SPC.

C/476/06 LOCAL AREA PLAN FOR DUNFANAGHY

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

“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.”

Members were informed that:-

“At present, staff in the Central Planning Unit were engaging in finalising the County Development Plan 2006-2012 and arranging holiday home counts and quota counts throughout the county. This work would continue over the summer. Monitoring of the plan policies contained in the new plan would also commence in August and continue up to the review of the plan next year.

The statutory two year review of the Buncrana Town Plan had also commenced with the Manager's Report in preparation at present. Work was also due to commence on the review of the Newtowncunningham, Lifford and Pettigo Local Area Plans which was supported by the Special Support Programme for Peace and Reconciliation. The Council had already prioritised the review of Local Area Plans for Ballyshannon and Killybegs, which had not been progressed over the last few months due to the review of the County Development Plan.

The preparation of Local Area Plans for the Gaeltacht was a very significant policy objective in the New Plan the resourcing of which the Council was actively pursuing with Udaras Na Gaeltachta and An Roinn Gnothai Pobail, Rural and Gaeltacht Affairs.

The preparation of Local Area Plans for the first priority centres in each electoral area, as agreed locally by the members, was set out hereunder:-

Electoral Area Centre	No of centres requiring LAP's
Inishowen/Newtowncunningham	6
Milford-Milford	6
Donegal/Ballyshannon	3
Stranorlar/Convoy	4
Glenties/Dunfanaghy/Portnablagh	17
Letterkenny/Lifford	7

The Letterkenny & Environs Plan was also due for review next year.

Members were asked to note that, based on the existing commitments agreed by the Council for the larger centres and the Local Area Plans approach adopted to date, it would take some time before many towns and villages would have Local Area Plans in place. Mr. Francie Coyle, proposed, therefore, to review the current approach in the Autumn and explore options for the preparation of Electoral Area Plans incorporating towns and villages. This would have resourcing implications, which would form part of the Budget 07 discussions.

When the review was completed the Director would bring a report before the Planning & Economic Development Strategic Policy Committee for consideration.”

Mr. Coyle confirmed that Planning Authorities were obliged to prepare Local Area Plans when the population had reached 2,000.

C/477/06 MOVILLE WATER SUPPLY

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

“That this Council move immediately to address the situation in relation to Merville Water.”

Members were informed that:-

“The Assessment of Needs was the mechanism by which the Department of Environment Heritage and Local Government prioritises schemes for funding. The Merville water supply had been prioritised as No. 1 in the Inishowen Electoral Area, among water schemes in the recent Assessment of Needs Review 2003. It was the tenth priority countywide. The scheme (Inishowen Regional Water Supply Scheme) was not listed on the Department’s Water Services Investment Programme 2005-2007, which was recently revised and updated.

Interim measures had been taken in recent years through the Small Schemes Programme and through works by the area staff with the co-operation of local group water supply

schemes. Almost €450,000 had been spent on works that had made water available from the Redcastle Treatment Works and conveyed this water to Movice via the Cooley/Glencrow and Bredagh Glen Group Water Supply Schemes.

Additional investment of €500,000 approximately was needed to allow the next stage of improvement works to take place. Funding options were currently being examined and these may include a mix of Development Charges, Small Capital Scheme and Clar Programme, Serviced Land Initiative etc. substantial works were unlikely to take place until a significant source of funding was identified.”

Clr. McDonald advised that she did not accept the reply as set out and sought clarification as to when exactly tenders for this scheme would be issued.

In response, Mr. Paul Kilcoyne Senior Engineer advised that the Department’s Water Service Investment Programme was revised at the end of 2005 and as the Movice Scheme did not appear on the list, no major funding would be advanced from the Department. However, he advised that the next stage of work could potentially be funded by Clar and the Small Schemes Fund.

C/478/06

APPLICATIONS FOR S.I. HOUSES

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

“That applications for S.I. houses be dealt with more quickly by the Housing Section of the Council.”

Members were informed that:-

“Application for an S.I. rural house is first dealt with in two distinct stages namely:-

1. The applicant is assessed by housing services section in the context of deciding on the most suitable solution for the housing needs of the applicant. Should an S.I. be recommended then a Manager’s Order is prepared and the file is forwarded to the Housing Construction Section in Lifford. The time interval from initial application to approval for an S.I. is

variable and in some cases can take a considerable time.

2. When application was received in Lifford there were a number of stages to be processed including
  - (i) selection of suitable site (a suitable site must have a potable water supply),
  - (ii) Part 8 Planning Process,
  - (iii) site transfer stage and
  - (iv) tender stage. Delays could arise at any of these stages due to lack of infrastructure, title difficulties etc.

All approved S.I. applications were referred to the Housing Construction Department in Lifford and the applications were not prioritised by the individual electoral areas. The S.I.'s were tendered as soon as they progress through the various stages so that an applicant with a suitable site and no title difficulties could progress to construction stage relatively quickly even though the date of initial application may be later than those already in the system but encounter delays due to circumstances already outlined. Proposals had been tabled for discussion for a number of changes to improve the management of capital activity in the Housing/Building Directorate including S.I. houses. A number of policy changes in the S.I. process would have to be adopted to enable this change to occur and such policy changes would be considered by the Housing/Building service SPC in due course.”

A number of members expressed their dissatisfaction with the way S.I applications were handled and the number of times this issue had been raised at meetings.

Mr. Kelly, Director of Service reassured members that the process for dealing with S.I. applications was being looked at but due to staff turnover and in some cases legal issues, delays had arisen. He assured members that he would revert to them with a report on same as soon as possible.

C/479/06 TRAFFIC LIGHTS AT MALIN ROAD, MOVILLE  
On the proposal of Clr. McDaid, seconded by Clr. Pringle,  
the following motion was moved on behalf of Clr.  
MacLochlainn:-

“That this Council install traffic lights a the Malin  
Road/Main Street Junction, Moville.”

Members were informed that:-

“The Moville EIS Phase 2 Scheme had been completed and  
the dedicated left turn lane on the Carndonagh/Malin  
approach had been in use for several months. A traffic study  
was currently being carried out by Road Design as part of a  
Traffic Management Review in this are of Moville. A report  
on the findings would be presented to the Inishowen  
Electoral Area Committee before the end of 2006.”

C/480/06 DELOITTE & TOUCHE REPORT 2004 IN RELATION  
TO MARINAS

On the proposal of Clr. Slowey, seconded by Clr.  
O’Domhnaill, it was agreed that the subject matter of the  
following motion defer from Clr. McGuinness be listed for  
consideration at the next General Purposes Meeting.

“That the Council discuss the Deloitte & Touche Report  
February 2004 and what actions have the Council taken to  
develop Marinas in the county since?”

C/481/06 SEWERAGE SYSTEM AT COOLATEE, LIFFORD

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

“That this Council take whatever steps necessary to improve  
the sewerage system at Coolatee, Lifford.”

Members were informed that:-

“Coolatee along with Porthall and Ballindrait was the 34<sup>th</sup>  
wastewater priority in the county in the Assessment of  
Needs 2003 and the 50<sup>th</sup> priority overall. This was due to the  
very low population equivalents for these areas. These  
schemes would not be improved in the short term through

the Water Services Investment Programme. The scheme would be examined in the context of environmental protection and options for resolving any water pollution issues would be examined.”

Mr. Paul Kilcoyne Senior Engineer clarified that Coolatee, Porthall and Ballindrait had been included together in order to target funding. He also advised members that Coolatee had been prioritised after St. Johnston at the last Electoral Area Meeting.

C/482/06

ANTI POVERTY STRATEGY FOR THE COUNTY

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

“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.”

Members were informed that:-

“Donegal County Council was one of three local authorities which piloted the production of local anti poverty strategies in 2004. A cross directorate approach was adopted to this and various actions were being implemented on an ongoing basis. A key requirement identified was for the establishment of a social inclusion unit to act as a resource for the local authority in this regard and also to assist in the Council’s countywide co-ordination role as a lead agency in the Social Inclusion Measures co-ordination group. Work on this was ongoing. It was to be proposed that Community & Enterprise, in association with the Combat Poverty Agency, organise a workshop for elected members this autumn with a view towards highlighting the various issues associated with the Council’s role in the context of social inclusion anti poverty work.

It was intended that the local members of the LGAPN would be involved in this workshop. The proposal for this would be brought to the Community, Culture & Corporate SPC in the first instance.”

C/483/06 WATER IN GLENCOLMCILLE

It was noted that the following motion in the name of Clr. Byrne had been listed in error having already been dealt with at the May Council Meeting.

C/484/06 APPLICATION FOR A CIVIC AMENITY SITE IN LETTERKENNY

It was noted that there had a been a technical problem with the submission of Clr. Larkin's questions and motion and therefore, they had not been included on the agenda. The Mayor agreed to deal with them notwithstanding.

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

“That this Council furnish me with a full chronological report from the first application of a Civic Amenity Site for Letterkenny up to the present position.”

There was no written reply to the motion.

Mr. Kilcoyne undertook to write to Clr. Larkin as soon as the information had been compiled.

Clr. Larkin requested that the Council write to the Health Service Executive asking them to sign off on the site at Knocknamona as a matter of urgency.

Mr. Kilcoyne advised that there was an issue in relation to the value of the land involved and it was his opinion that market value should not be an overriding consideration in transfer of lands between public bodies.

C/485/06 AVAILABILITY OF DRIVER THEORY TEST IN VARIOUS LANGUAGES.

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

“That Donegal County Council asks the Department of Transport to make the driver theory test available to our new citizens in their native languages.”

Members were informed that:-

“The Council had no direct role in driver testing, but the terms of the motion, if agreed, will be forwarded to the Department.”

Clr. Larkin raised the issue of Road Signs in bilingual format or Irish only and the difficulties these posed for foreign Nationals.

A number of members spoke in support of the motion highlighting that this issue was very closely linked ensuring safety on the countries roads.

Mr. John McLaughlin advised that he would revert to the Department of Transport in relation to the motion and that this along with other matters had been discussed by the Roads Safety Working Group and was under review.

C/486/06

FISHMEAL PLANT IN KILLYBEGS

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

“That this Council discuss the economic implications for Killybegs arising from the development of a new Fishmeal Plant.”

Members were informed that:-

“The proposed fish industries fishmeal plant to be located in Killybegs subject to planning permission being approved, was targeted to provide for the processing of the by products of fish catches landed in Ireland and not just Killybegs. The project would provide additional employment in the area at both construction stage and at operational stage and would have a positive economic impact on the Killybegs area.

A deputation from United Fish Industries was scheduled to make a presentation to the Donegal Electoral Area Committee on Tuesday 25<sup>th</sup> July, 2006.

Clr. O’Neill thanked all those concerned in their efforts to locate the fishmeal plant in Killybegs and stressed what an

important development this would be to the town of Killybegs.”

**The following questions and replies were noted:-**

C/487/06

**COST OF ROADWORKS AT BALLYMALEEL**

The following question was submitted by Clr. McGarvey:-

“What is the cost of roadworks being carried out at Ballymaleel at present?”

Clr. McGarvey was informed that:-

“The expenditure at Castelshannaghan to-date is €81,000. The Quarterly report is €107,183 at end of June. The earthworks are completed and work on the road pavement will resume after the August Holidays. (Castleshannaghan and Ballymaleel are the same location).”

C/488/06

**REPLACEMENT OF WATER MAINS ON THE MILFORD/PORTLEEN ROAD**

The following question was submitted by Clr. McBride:-

“When does Donegal County Council intend to replace the water mains on the Milford/Portleen Road?”

Clr. McBride was informed that:-

“The first tranche of funding approved by the DEHLG for Water Conservation Pipe Replacement Programme has been expended in full. Priorities for the second tranche of pipe replacement funding have been identified which include the replacement of the Milford/Portleen watermain and these priorities are currently being discussed with the Department. It should be noted however that the Departments priority for the next stage of water conservation funding is the completion of all stage 1 water conservation works which does not include pipe replacement works. In this context it is difficult to predict when further pipe replacement works might be implemented but the Council will continue to press the Department for priority pipe replacement funding in

parallel with the implementation of the stage 1 water conservation works.”

C/489/06 PLAYGROUND PARK IN BALLYBOFEY/STRANORLAR

The following question was submitted by Clr. A. Bonnar:-

“What progress has this Council made in identifying and developing a playground/park in Ballybofey/Stranorlar?”

Clr. A. Bonnar was informed that:-

“Ongoing discussions have taken place within the Council services seeking to identify a potential site that is currently in Council ownership. At present no suitable site for a playground has been identified. Other options are also being sought to be considered with regard to masterplan proposals within the Ballybofey/Stranorlar area. Identification of a suitable site is a key priority and will remain so until a site can be secured.

Funding has been ringfenced, under the Development Contribution Scheme, to facilitate the early completion of such a facility once a suitable site has been finalised”

C/490/06 BALLYBOFEY/STRANORLAR LIBRARY

The following question was submitted by Clr. 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?”

Clr. McGowan was informed that:-

“It is the policy of Donegal County Council to provide full library services in line with Department funding of new library buildings. The Council then provides funding for all additional service provision and running costs, including staffing. This has been the case consistently over the last 10 years when 75% capital funding for new libraries in Letterkenny, Buncrana, Carndonagh, Milford, Dungloe and

Bundoran was granted, and matched by 25% capital and considerable revenue funding to cover all other additional costs associated with the increase in service.

An application for the new library in Ballybofey/Stranorlar was submitted to the Department in September 2002 and currently awaits approval.

In the meantime, the Council moved the library to improved premises and increased opening hours from 6 to 16 per week in March 2004. In addition, the Council has committed to further increasing opening hours and to providing public internet access in 2006. The current situation is that increased security must be put in place before computers and other equipment is installed. Work on this is ongoing.”

C/491/06 RELOCATATION OF BOTTLE BANKS THAT HAD BEEN MOVED FROM BALLYBOFEY CARPARK

The following question was submitted by Clr. A. Bonnar:-

“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?”

Clr. A. Bonnar was informed that:-

“Consideration could be given to locating the bring banks outside the Civic Amenity Site or inside the fence close to an aperture like a letter box. The access road to the site is closed outside of working hours and at weekends and so it is quite limited. This is a matter which could be discussed by the Electoral Area Committee and Area management.”

C/492/06 PROPOSALS FOR 2007 BUDGET

The following question was submitted by Clr. 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.”

Clr. McGowan was given a reply from the Head of Finance:-

“The Budget 2007 process will commence as in previous years with my attendance at each Electoral Area meeting in September/October next. As you will be aware this allows for your tabling of new issues and/or restatement of matters raised at Council and other meetings since the Adoption of the 2006 Budget.”

C/493/06 RESPONSES TO MEMBER’S REPRESENTATIONS

The following question was submitted by 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?”

Clr. Pearse Doherty was informed:-

“It is Council policy to respond appropriately to all representations from all elected members.”

C/494/06 GWEEDORE SEWERAGE SCHEME

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

“What is the current position with the Gweedore Sewerage Scheme?”

Clr. Pearse Doherty was informed that:-

“Gweedore Sewerage Scheme DBO is at contract document stage. However tenders cannot be invited as yet as the sites for outlying pumping stations are subject to a CPO. The Department have confirmed that the scheme is to be grouped with Letterkenny Sewerage Scheme DBO under one contract for the purposes of construction and operation to achieve economies of scale. Tendering is expected to take place late 2006/early 2007 for both schemes under one contract.”

C/495/06 DUNGLOE CIVIC AMENITY FACILITY

The following question was submitted by Clr. Alcorn:-

“When is it intended to commence work on Dungloe Civic Amenity Facility?”

Clr. Alcorn was informed that:-

“Agreement on Site Acquisition has been reached and Part 8 planning is now in progress for this site. If this is successful a tendering process for the construction of the site will then commence. It is possible, provided no unforeseen issues arise, that construction could commence before the end of 2006.”

C/496/06 BRIDGE ADJACENT TO LANGAN’S KEADUE

The following question was submitted by Clr. Alcorn:-

“Has Donegal County Council a plan to widen the bridge adjacent to Langan's Keadue on the main Burtonport - Kincasslagh Regional Road?”

Clr. Alcorn was informed that:-

“A number of years ago preliminary works was carried out including foundations with a small amount of local funding. However due to funding constraints no further works were conducted in recent years and the works needed prioritised as follows:-

This bridge (Kinlorn Bridge) has been prioritised by the GEA Members at number 2 on the Major Bridge Works priority list agreed earlier this year. Number 1 on this priority list is the Castledoherty Bridge outside Ardara. When funding becomes available the intention is to widen the existing structure.”

C/497/06 BLUE FLAG STATUS AT KILLYHOOEY BEACH

The following question was submitted by Clr. 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?”

Clr. O'Domhnaill was informed that:-

“The Blue Flag status on Killahoey was lost due to excessive dumping by members of the public around waste receptacles which temporarily overcame the resources in place to maintain these receptacles. Donegal County Council has a limit on the resources it can apply to beach cleaning in both physical and financial terms. This will be reviewed in light of this event but if the general public, including tourists from outside the County, continue to behave in such a manner and indiscriminately dump waste and litter, disregarding the facilities available, then this type of event regrettably could re-occur in the future. Killahoey beach has excellent water quality and will be immediately resubmitted for a Blue Flag in accordance with the Blue Flag regulations.”

C/498/06 PLANNING APPLICATION FOR RETENTION RECEIVED IN LAST FIVE YEARS

The following question was submitted by Clr. 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?”

Clr. Slowey was informed that:-

“A total of 1968 retention applications were decided during the period in question.”

C/499/06 RECRUITMENT OF ADDITIONAL PLANNING STAFF

The following question was submitted by Clr.

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”

Clr. O'Domhnaill, in a reply was informed by the Director of Planning & Economic Development that:-

“As advised at the Special Meeting to adopt the County Development Plan, the Senior Planner, Development Management has reviewed the development management service and a report has been prepared on the need to strengthen both the professional and administrative staffing levels within the Directorate countywide. Interviews have been held and panels set up for Graduate and Executive Planners over the last few weeks.

Subject to sufficient interest and take up of posts it is proposed to have additional staffing resources in place by September 06. The volume of planning applications and development activity is at an all time high at present. Planning staff are working out of hours and weekends to cope with the enormous workloads. I wish to pay tribute to the staff in Development Management for the way they have responded to the increase in planning activity this year and to the staff in Forward Planning who have been engaged in the review of the County development Plan which was adopted recently

The number of applications received to the 30 June 06 is 4,824 as against 3,534 for the same period last year. If this trend continues for the next six month the number of applications received will reach an all time record of over 9,600 applications in 2006 which will be surpassed only by the Dublin Planning Authorities.”

C/500/06 COST OF EXTINGUISHMENT OF PUBLIC RIGHT OF WAY AT STRAND ROAD, DERRYBEG

The following question was submitted by Clr. 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?”

Clr. Slowey was informed that:-

“The final cost is not yet available, but is estimated to be of the order of €90,000. A significant element of this relates to the High Court proceedings taken by one of the Strand Road residents, and for which the Council was granted an order for costs. The Council is reviewing all possible options for the recovery of these costs.”

C/501/06 LIBRARY FOR NEWTONCUNNINGHAM

The following question was submitted by Clr. Conaghan:-

“What progress has been made to date on my motion passed last year to progress a Library for the Newtoncunningham Area?”

Clr. Conaghan was informed that:-

“The existing strategic plan for Cultural Services (Saol agus Saoithiulacht), including libraries, has seen substantial progress made with only the County Library Administrative Centre and the Ballybofey/Stranorlar Library awaiting Departmental approval and funding. Matching local funding for these is targeted from the Development Contribution Scheme as adopted by the members in early 2006.

The development of a new strategic plan for Cultural Services, including libraries, is at a preliminary stage. Discussion documents will be brought to members for discussion later in 2006 where consideration can be given to the needs of all areas in the county.”

C/502/06 MEETING WITH THE CHIEF SUPERINTENDENT  
GARDA SIOCHANNA

The following question was submitted by Clr. McGuinness:-

“Why have the Council not sought a meeting with the Chief Superintendent Garda Siochanna as agreed at the January meeting?”

Clr. McGuinness was informed that:-

“The Council was awaiting the announcement of the pilot local policing committees. As it transpired, Letterkenny was the area chosen by the DOEHLG & Department of Justice, Equality & Law Reform. The recent establishment of the pilot policing committee for the Letterkenny Town Council area is the first step in establishing fora throughout different towns in the County where issues of local interest and concern may be raised and discussed with the Garda Siochana. Membership is currently being finalised for the pilot committee and it is expected that following from the pilot there will be further committees established in other areas.

The areas and commencement dates for such committees lies with the relevant Government departments. In the interim issues of a countywide significance could be raised through the pilot project in Letterkenny.”

C/503/06 BURNFOOT AND BRIDGEND SEWERAGE SCHEME

The following question was submitted by Clr. Conaghan:-

“What is the current position of the proposed Burnfoot and Bridgend Sewerage Scheme?”

Clr. Conaghan was informed that:-

“The Burnfoot Sewerage Scheme remains at Preliminary Report Stage. Although a developer did indicate that he would make a site available to the Council for a Wastewater Treatment Works it subsequently transpired that the developer did not own the site in question. The Part 8 Planning procedure advertised in connection with this site

will therefore not now proceed. Other sites are now being investigated.

Bridgend Sewerage Scheme remains at Preliminary Report stage. At present there would appear to be insufficient zoned land, which would generate the necessary development funds to support the required improvements. However as stated previously the Council is continuing to collect network information with a view to producing a detailed cost analysis for proposed improvements.”

C/504/06 BLUE FLAG BEACH IN SHROVE

The following question was submitted by Clr. McDonald:-

“To ask this Council why there is no Lifeguard at the Blue Flag beach in Shrove?”

Clr. McDonald was informed that:-

“The Council had intended to have two lifeguards employed at Shrove beach this year. However, following the recruitment process, there were no qualified candidates available to fill these posts. The Council did examine other options to fill these posts, but these proved unsuccessful. It is a requirement of Irish Water Safety that, where a lifeguard service is being provided, at least two lifeguards must be on duty. The Council will try to recruit lifeguards for this Shrove beach again in 2007.”

C/505/06 MALIN SEWERAGE SCHEME

The following question was submitted by Clr. McGonagle:-

“When will sub contractors be appointed for Malin Sewerage Scheme?”

Clr. McGonagle was informed that:-

“Tenders for Malin Sewerage Scheme were returned on Friday 07 July 2006. The tenders have now been forwarded to the Consulting Engineers who will prepare the Tender Recommendation Report. In accordance with circular L1/06 a budget must be approved by the Department prior to commencement. This application will be made in parallel

with the preparation of the tender report. Estimated construction start late 2006/ early 2007.”

C/506/06 SAFETY OF ELECTED MEMBERS.

The following question was submitted by Clr. McDonald:-

“To ask this Council what support measures are in place and can be put in place to ensure the safety of elected members?”

Clr. McDonald was informed in a written reply given by the Director of Corporate Services that:-

“The Council has recently appointed a new Health and Safety Advisor to provide specialist support and assistance with the development and implementation of safety management systems throughout the organisation. The objective is to provide safe places of work and safe working practices for staff and to ensure the safety of those who visit our places of work. I will ensure that the safety of elected members in the course of their work is also addressed in this context.

The provisions of Health and Safety legislation are focussed on the work place. I am aware of Cllr McDonald's recent traumatic incident at her home. It is difficult to envisage how the provisions of the legislation could be utilised to deal with such criminal offences, which are primarily a matter for the Gardai. If the members wish, I can arrange to have discussions with Garda representatives to explore possible options.”

C/507/06 FIVE FINGER STRAND, LAGG, MALIN

The following question was submitted by Clr. McGonagle:-

“Will any further work to prevent erosion taking place at Five Finger Strand, Lagg, Malin?”

Clr. McGonagle was informed that:-

“The pilot work completed last year is being monitored by the coastal zone section of the University of Ulster. It is not planned to do any other coastal protection work at this location at the moment.”

C/508/06 TRAFFIC LIGHTS/PEDESTRIAN CROSSING AT MUFF

The following question was submitted by Clr.

MacLochlainn:-

“When will the traffic lights/pedestrian crossing be installed at Muff?”

Clr. MacLochlainn was informed that:-

“The Contractor is ready to install the traffic and pedestrian lights. The installation of the lights at the junction will require the laying of double yellow lines to prevent parking restricting movement and facilitate traffic operations. While it is in the power of the Council Executive, under section 37 of the Road Traffic Act 1994, to lay such road markings after consultation with the Garda Commissioner, it is felt prudent to actually involve the residents and road users through a public consultation process. This process should be complete by the end of August thus allowing the installation of the traffic and pedestrian lights during September.”

C/509/06 OUTER RELIEF ROAD FOR BUNCRANA

The following question was submitted by Clr. 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?”

Clr. McGuinness was informed that:-

“An emerging preferred route for the proposed Outer Relief Road for Buncrana has been identified and following agreement with the Inishowen Electoral Area Councillors and Buncrana Town Councillors, a public consultation was held in May 2006. Closing date for receipt of submissions was 26th May 2006. The submissions have been reviewed and the Route Selection Report (incorporating said submissions and responses) is currently being finalised. It was agreed that the final report and recommendation on the route for the Buncrana Outer Relief Road would be presented to the Councillors in September 2006.

Outline planning permission has been granted for two individual houses, which may impact in this case. It is proposed to insert, with the members approval, the line of this road in the Draft Buncrana Environs Development Plan.

It is expected that planning will be restricted in the vicinity of the route and that no application should be granted along the emerging preferred route.”

C/510/06 ECONOMIC DEVELOPMENT FUND MONIES

The following question was submitted by Clr. MacLochlainn:-

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

Clr. MacLochlainn was informed that:-

“The Donegal Employment Task Force was established on the 16th September 1998 in response to significant job losses in Donegal. Among the wide variety of activities undertaken to help the development agencies sell Donegal locations to prospective inward investors, was the creation of a £5M (€6,348,690) Economic Development Fund by Donegal County Council. This fund was created to underpin the work and recommendations from the Donegal Employment Initiative Task Force Report.

A significant portion of the fund was invested in the Inishowen area in purchasing premises at Bree, Malin Head and Lisfannon, Buncrana:

- (a) Premises at Bree, Malin Head - the Council purchased a factory at Bree, Malin Head from Fruit of the Loom Ltd in November 2000 and was successful in attracting a tenant to the premises and Forward Emphasis International Ltd currently operates a call centre business from this facility. In November 2004, the Members of Donegal County Council agreed to dispose of the premises at Bree, Malin Head to FE for €500,000.

(b) Unit 6, Lisfannon, Buncrana - the Council purchased Unit 6 at Lisfannon Industrial Estate in Buncrana and agreed to lease this to Seatem (Donegal) Ltd. In November 2004 the Members agreed to dispose of the premises at Lisfannon, Buncrana to Seatem for €31,722

As the Members are aware the Economic Development Fund is both a countywide and a rolling fund, which is replenished by returns on the Council's investment in economic and job creating investments. Any proceeds arising from the disposal of land/premises purchased using this fund including the premises at Bree, Malin Head and Lisfannon, Buncrana will therefore be used to replenish the fund. The proceeds in this case are earmarked to co fund the development of the MANS in Ballybofey\Stranorlar, Ballyshannon, Bundoran, Buncrana, Carndonagh and Donegal town. The co-funding requirement is in excess of €1.3M.”

C/511/06 ROSGIER AND MURLOG JUNCTIONS

The following question was submitted by Clr. 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?”

Clr. Crawford was informed that:-

“The required Civil works on both these junctions is scheduled to start in the next two weeks. After these civil works, the actual lights can be put up.”

C/512/06 GALLAGHERS CORNER, ST. JOHNSTON

The following question was submitted by Clr. Crawford:-

“What progress has been made in relation to start date for improvement works at Gallaghers Corner, St. Johnston?”

Clr. Crawford was informed that:-

“Land Purchase negotiations are underway and it is expected that work on the junction will begin in September.”

C/513/06 LAGAN WATER PHASE 3 SCHEME

The following question was submitted by Clr. 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?”

Clr. McDaid was informed that:-

“A letter from the Department dated 23 June 2006 and received by Donegal County Council on 27 June 2006 states 'the Council may wish to note the following observations on the contract documents and water audit”

- the proposed phase should proceed in tandem with water conservation measures..
- Appendix A ...of the Inspectors Report sets out issues that require further consideration...
- consider integrating this scheme into a single contract with Desertegny WSS
- submit a construction phase baseline' cost application in accordance with circular L1/06’.

The Council have asked its consultants to comply with the above as soon as possible and invite tenders on the Lagan Desert Phase 3 and Desertegny Stage 1 Contract 3 schemes. It is expected that we will be in a position to advertise for tenders in the final quarter of 2006. Following receipt of tenders we will then be in a position to request approved costs under the new procedures set out in Circular L01/06. The department has not yet approved the Water Services Pricing Policy report for this scheme and progress to construction stage depends on this. Finally, the construction stage approved cost will be determined by the department before construction commences and the council will be responsible for any increased costs arising during the course of construction.”

C/514/06 DISABLED PERSON'S AND ESSENTIAL REPAIR GRANTS

The following question was submitted by Clr. McDaid:-

“Will this Council clarify its 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?”

Clr. McDaid was informed that:-

“The ERG and DPG schemes permit local authorities to pay grants towards the cost of approved works in certain circumstances. The Council do not have any supervisory role in relation to the actual carrying out of the works. This is a matter for the successful applicant. The Council pays the grant when the approved works (as outlined in letter of approval) have been completed, subject to normal tax requirements being met.”

C/515/06 SMINVER BRIDGE, ROCK ROAD, CARRICKBOY AND HIGGINSTOWN IN BALLYSHANNON

The following question was submitted by Clr. 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?”

Clr. O'Neill was informed that:-

“The Local Area would have no difficulty in carrying out this job provided appropriate and sufficient funding is made available to purchase lands and carry out the works. This project would need to be prioritised at local area level in the first instance and then considered at a county-wide level. The lists of priority projects for next year is expected to be considered shortly.”

C/516/06 STATION ROAD AND BELLEEK ROAD IN BALLYSHANNON

The following question was submitted by Clr. 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?”

Clr. O'Neill was informed that:-

“Funding for this project has not been fully identified. This item will be brought forward for discussion at next Tuesdays electoral meeting for further discussion at local area level.”

C/517/06 KILLYBEGS SEWER SCHEME

The following question was submitted by Clr. Pringle:-

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

Clr. Pringle was informed that:-

“The Phasing Report for Killybegs Sewerage Scheme was submitted to the Department of Environment Heritage and Local Government in June 2006 with a request for approval to proceed to tender for Phase 1 works at an estimated cost of €9.0m approximately. The Phase 1 proposal includes the provision of the outfall, main pumping station, town centre domestic and non-domestic network, the specialist industrial network, and associated pumping stations. Feedback is awaited.”

C/518/06 WATER MAINS REPLACEMENT IN THE DONEGAL ELECTORAL AREA

The following question was submitted by Clr. Pringle:-

“What plans has Water & Environment Services for water mains replacement in the Donegal Electoral Area?”

Clr. Pringle was informed that:-

“The first tranche of funding approved by the DEHLG for Water Conservation Pipe Replacement Programme has been expended in full. Priorities for the second tranche of pipe replacement funding have been identified which include pipe replacement in all Electoral Areas, and these priorities are currently being discussed with the Department. It should be noted however that the Departments priority for the next stage of water conservation funding is the completion of all stage 1 water conservation works which does not include pipe replacement works. In this context it is difficult to predict when further pipe replacement works might be implemented but the Council will continue to press the Department for priority pipe replacement funding in parallel with the implementation of the stage 1 water conservation works.”

C/519/06 BEST WISHES TO COUNTY TEAM

The Council extended Best Wishes to the County’s Senior and Minor Football Teams and the County Hurlers.

C/520/06 MOTIONS FROM OTHER COUNCILS

Members noted the following 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.”

- d) “Calls on the Government to ensure that all children are afforded the highest legal and constitutional protection from sexual and all forms of abuse;
- e) 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
- f) 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.”

This concluded the business of the meeting.

