

29th May 2008

TO ALL MEMBERS OF DONEGAL COUNTY COUNCIL
--

The Meeting of Donegal County Council adjourned from Monday 26th May 2008, will be held on Monday 9th June 2008, at 10.00a.m. in the Council Chamber, Lifford, to deal with the remaining items:-

Questions and Motions

Items 14 – 15

Items 20 - 25

Items 27 – 77

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

Eunan Sweeney
Meetings Administrator

MINUTES OF ADJOURNED MEETING OF DONEGAL COUNTY
COUNCIL HELD IN THE COUNTY HOUSE, LIFFORD ON 9th June,
2008

C/219/08 MEMBERS PRESENT

Clrs. J Boyle, Mayor, D. Alcorn, L. Blaney, A. Bonner, E. Bonner, C. Brogan, F. Conaghan, G. Crawford, R. Donaghey, M.T. Gallagher, M. McDonald, I. McGarvey, D McGonagle, P. McGowan, P. MacLochlainn, P. O'Dochartaigh, J.J. Reid and Terence Slowey.

C/220/08 On the proposal of Clr. Brogan, seconded by Clr. McGarvey, it was resolved that Clr. Slowey should chair the meeting in the absence of the Mayor who was delayed due to his attendance at a previous engagement.

C/221/08 APOLOGIES

Apologies were received from Clrs. B. Byrne, J. Harte, J. Kelly, J. Kennedy, D. Larkin, N. McBride, T. McDaid, S. McEniff, B. McGuinness, B. O'Neill, and T. Pringle who were unable to attend the meeting.

C/222/08 OFFICIALS IN ATTENDANCE

Mr. Michael McLoone, County Manager, Mr. L. Kelly, Assistant County Manager, Director of Housing, Mr. Francie Coyle, Director of Planning and Economic Development, Mr. Sean Sheridan, Director Corporate Services, Mr. John Mc Laughlin, Director Roads and Transportation, Mr Chris Lyons, Director Water Environment and Emergency Services, Mr. Aidan Mc Nicholas, Head of Finance, Mr Gary Martin, Community, Enterprise and Cultural Services, Mr. Eunan Sweeney, Meetings Administrator, Ms. Anne Marie Crawford, Staff Officer, Corporate Services.

C/223/08 COMPULSORY PURCHASE ORDER ON LANDS AT MILFORD

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

"That Donegal County Council proceed with a Compulsory Purchase Order on lands at Milford that are required for a car park (where no agreement has been signed yet) as this is holding up the Environment Improvement Scheme for

Milford Town which was promised to the people of Milford to commence in September 2006."

Members were informed by Mr F. Coyle Director that:-

"The Council has been negotiating for the purchase of the land in question over a considerable period. I can confirm that contracts have now been received by the Councils Solicitors and provided everything is in order the purchase should be completed over the next few weeks".

Clr. Blaney outlined briefly the history of the compulsory purchase order in respect of the Milford Car Park. He welcomed the reply provided by the Director of Planning and Economic Development. In response to a query by Clr. Blaney, Mr Coyle confirmed that the carpark and Environmental Improvement Scheme would be tendered as one project. Mr Coyle affirmed that it was intended to have the tender process completed by October/November 2008 with the contractor on site by the end of the year. Works, he advised, should be completed by the end of July 2009.

Clr. Blaney requested that a public meeting be held to update the general public on the status of the works.

C/224/08

DEVELOPMENT AND CREATION OF EMPLOYMENT IN THE COUNTY

It was agreed that motions 20 and 21 be taken together as they both related to general employment issues within the County.

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

"That this Council request an urgent meeting with The Tánaiste Minister Mary Coughlan and the primary development organisations to agree strategic actions to kick start job creation in the County by supporting indigenous business and to encourage additional inward investment etc."

Members were informed that:-

“Donegal County Council, in partnership with the County Development Board, has a structure in place, since 2006 to work with the primary development organisations to agree the strategic actions needed to support job creation in the county, underpinned by the provision of physical, social and economic infrastructure”.

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

"That the members of this Council discuss what we can now do, in conjunction with our new Tánaiste and Minister for Enterprise, Trade and Employment, Mary Coughlan, to enhance, develop, support and create more employment in Donegal."

Members were informed that:-

“Donegal County Council, in partnership with the County Development Board, has a structure in place, since 2006 to work with the primary development organisations to agree the strategic actions needed to support job creation in the County, underpinned by the provision of physical, social and economic infrastructure”.

A lengthy debate ensued with Members raising a number of issues in relation to the general employment situation in the County.

Congratulations was extended to the new Tánaiste, Ms Mary Coughlan, T.D. on her recent appointment. It was acknowledged that her new portfolio as Minister for Enterprise, Trade and Employment would be of enormous benefit to the county.

A number of issues were identified as being crucial for any future development. These included:

- The need for a co-ordinated approach to employment issues particularly in relation to forward planning.
- Re-establishment of overseas business links.

- Promotion of the Indigenous Business Sector.
- Calls for the re-introduction of various housing grants to aid the construction industry.
- Establishment of a “Special Area of Taxation” within the region to boost employment and business development.
- The necessity of having a countywide audit of our business and infrastructure needs.
- Need to re-evaluate the current methods of Local Government Financing if the general economy of the county is to be bolstered.
- Overhead costs within the county were making small indigenous businesses unviable.
- Cognisance should be taken of the high level of entrepreneurship in the county.
- Urgency of remedying infrastructural deficits in the county.
- Broadband and energy requirements identified as key aspects of our economic development potential.
- Planning delays blamed for the limited growth in indigenous business.

The County Manager informed members that the Inter Departmental Group had set a countywide agenda, which had been forwarded, to the Department of Enterprise, Trade and Employment, and every relevant government department.

Every effort, he noted, had been made to move forward with the North-South framework and work was ongoing in relation to the expansion of the Council’s own sources of funding.

Responding to members comments in relation to planning delays, he noted that Donegal County Council was working with the N.R.A. on a range of accessibility issues.

Service site initiatives were, he added, being provided to promote development on an ordered countywide basis.

Clr. Boyle arrived at this juncture and took the chair for the remainder of the meeting

C/225/08 RESCHEDULING OF GENERAL PURPOSES COMMITTEE MEETING

On the proposal of Clr. Conaghan, seconded by Clr. Slowey, it was resolved to reschedule the General Purposes Committee Meeting to 2.00pm on Friday 20th June, 2008, so that members could attend a range of events throughout the County in relation to the forthcoming referendum.

C/226/08 EXPLORATION OFF THE COAST OF DONEGAL BY SHELL AND STATOIL

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

"Considering that exploration is to begin in the next few weeks off the coast of Donegal by Shell and Statoil, that this Council calls on the Government to amend the terms and conditions of the exploration licence's which allow these companies, if successful, to accumulate extraordinary wealth from our natural resources with very little in return to the Irish State."

Members were informed that:-

“In August 2007, the Government announced a new round of licencing for oil and gas exploration under new licencing terms. These new licencing terms includes what is termed a profit resource rent tax. It appears that this new tax will be in addition to the 25% corporate tax rate currently employed. It will operate on a graded basis of profitability as follows:

- An additional 15% tax in respect of fields where the profit ratio* exceeds 4.5
- An additional 10% where the profit ratio is between 3.0 and 4.5
- An additional 5% where the profit ratio is between 1.5 and 3.0
- No change where the profit ratio is less than 1.5

It is therefore indicated that on the most profitable fields, the return to the State will increase from 25% to 40%.

The Government has stated that it has taken this decision in light of a detailed review of licensing terms carried out by the Department of Communications, Energy and Natural Resources and the report by economic consultants Indecon in the area. The Minister outlined the basis for this decision so as to ensure a greater return to the State from natural resources, while maintaining the incentive for companies to explore offshore.

It was acknowledge that any benefits accruing from this development should in the long run benefit the people of Donegal. Members outlined the need to meet with the Minister for Communications, Energy and Natural Resources together with local Oireachtas members to discuss ongoing development and any prospective revenue and employment benefits for the county as a whole”.

C/227/08

COMPLETION OF CONTRACT DOCUMENTS FOR BUNCRANA LEISURE CENTRE

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

"That Donegal County Council proceed immediately with completion of contract documents for the Buncrana Leisure Centre since approval has been granted for a feasibility study/preliminary report which was submitted by Donegal County Council and the leisure centre."

Members were informed that:-

“Before progress can be made on the design of the refurbishment of Buncrana Leisure Centre the submissions already received need to be assessed, ranked and short-listed before the design team appointment can be made. This has not yet been done due to staff turnover issues, which continue to hamper progress. It is expected that work to progress the appointment of consultants will be possible in June 2008”.

Clr. Donaghey stressed the urgency of completing the contract documents as soon as possible, so as to progress the modernisation of the Buncrana Leisure Centre.

C/228/08 FITTING OF CATS EYES ON ALL TRAFFIC ISLANDS

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

"That this Council ensure that all traffic islands are fitted with cats eyes on their cement bases to maximise their safety both those which are under the NRA control and those that are local authority responsibilities”.

To be circulated to all councils in both the 26 counties and the 6 counties.

Members were informed that:-

“The provision of lining and studs is done in accordance with the Traffic Signs Manual, which at present does not provide for cats-eyes on the islands. Generally, cats-eyes are not used in lit-up areas although there is definitely merit in providing them around islands especially for periods when the public lighting might malfunction”.

There was overwhelming support for the motion with members agreeing to have the matter included on the agenda of the next Roads and Transportation SPC. Lighting issues, particularly in relation to traffic islands on National Primary

Roads, it was agreed required immediate consideration given the safety implications involved.

C/229/08 AGENCY EMPLOYMENT – PRINCIPLE OF EQUAL TREATMENT FOR ALL MEMBERS

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

"In view of the increase in agency employment throughout the economy and the fact that many workers from home and abroad are offered agency employment when they are seeking direct and permanent employment, this Council calls on the Minister to ensure that the forthcoming legislation on agency employment embodies the principle of equal treatment for all workers."

Members were informed that:-

“The European Commission launched a broad public debate over a four month period beginning in November 2006 on the need to review current labour law systems so that they are in step with the modern world of work. The discussion paper (Green Paper on 'Modernising Labour Law to meet the challenges of the 21st century') asked Member States, employers and workers' representatives how labour law at EU and national level can help the job market become more flexible while improving security for workers (the 'flexicurity' approach)”.

C/230/08 FLOODING IN RAPHOE

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

"That this Council discuss progress made in its efforts to help eliminate causes of flooding in Raphoe."

Members were informed that:-

“The OPW have now prequalified and tendered their Raphoe Flood Management pre feasibility study. Four(4) bona fide tenders were received by the closing date and they are due to

be assessed by a panel of OPW and Donegal County Council staff on Monday 26th May. Following this process, a consultant shall be appointed to undertake the work. It is anticipated the study shall commence in mid June and shall take approximately three months to complete. The OPW are funding the cost of this consultancy work”.

Clr. Crawford welcomed the positive reply provided and the progress on the matter to date. Mr John McLaughlin, Director of Roads and Transportation agreed to further update Clr. Crawford on the outcome of the assessment procedure.

C/231/08 COMPLETION OF PROPOSED CARRIAGEWAY

The following motion submitted by Clr. Harte was withdrawn:-

"That this Council seek assurances from the Government that the Lifford to Manorcunningham proposed carriageway be completed as a matter of urgency?"

C/232/08 SEEKING OF EXPRESSION OF INTEREST WITH REGARD TO LANDFILL OR FUTURE RECYCLING PROPOSALS

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

"I propose that this Council seek expressions of interest in Donegal with regard to land fill or future recycling proposals as our landfill in Ballinacarrick is near full capacity."

Members were informed that:-

“Officials of the Water & Environment service of the Council are currently reviewing options for waste disposal after Ballinacarrick landfill is exhausted. When this review is complete we intend to bring the findings to the Council. There is nothing currently preventing private sector operators developing their own facilities. Indeed many waste collectors have developed waste transfer stations for their own use. The Laghy Civic Amenity site was recently

officially opened by the Mayor, and work is progressing on further sites at Dungloe, Milford and Letterkenny. When these additional facilities are opened a clearer picture will emerge of possible gaps that could be serviced by others”.

Clr. Brogan highlighted the fact that Donegal County Council was losing revenue because of illegal dumping, and that this was directly related to the lack of landfill facilities in the county.

It was agreed that the matter needed to be revisited and further consideration should be given to the following issues:-

- 1) The scope for extending the existing landfill.
- 2) The possible use of incineration.
- 3) Impediments caused by the Trans Shipping Process.
- 4) Private Sector involvement in the waste management process.

C/233/08 SPECIAL MEETING OF DONEGAL COUNTY COUNCIL

The Mayor informed members that a Special Meeting of Donegal County Council to consider the outcomes on the 2007 Revenue Income and Expenditure Accounts would be held at 10.00am on Monday 23rd June, 2008 in the County House, Lifford.

The following questions and replies were noted:-

C/234/08 The following question was submitted by Clr. Pringle:-

"When will Donegal County Council implement the Brown Bin collection for compostable waste?"

Clr. Pringle was informed that:-

“Council officials including the Director recently met with the waste collectors in the county and opened a discussion

on the roll-out of brown bins for the collection of bio-degradable waste. We are endeavouring to achieve buy-in from them to a consistent co-ordinated service across the county. Further consultation has been promised and will be followed up in the coming months. No firm start date has yet been fixed for roll-out of this collection service; however targets have been suggested to the waste contractors which would require the roll-out out of the brown bin by early 2009”.

C/235/08 The following question was submitted by Clr. Pringle:-

"What steps are being taken to improve the collection rate for household waste in this county?"

Clr. Pringle was informed that:-

“An uptake study has been commissioned to determine the actual levels of use currently being made of kerbside collection by households throughout the county. The purpose is to identify where and why the service is not being availed off. When the study is completed options will be considered to ensure full use of the service. These may include measures such as by-laws requiring households to present waste for collection. We await completion of the studies before determining the full extent and range of measures needed”.

C/236/08 The following question was submitted by Clr. McEniff:-

"What is the present position regarding the Tully Group Water Scheme ref no 1047?"

Clr. McEniff was informed that:-

“The Tully GWSS is one of twenty two new group schemes that cannot be progressed to construction at this stage, due to lack of available funding.

The council sought a Rural Water block grant of €13.67 million but received only €6.47 million for the year 2008. The allocation for new group schemes was €360,000. The council had already committed to expenditure on new group

schemes estimated to cost €2.85 million. Honouring these and other contractual commitments under the programme will lead to a significant over-expenditure of the order of up to €3.9 million.

The council has sought additional funding for the programme. In the event of such additional funding materialising the situation of commencing further works can be reviewed”.

C/237/08 The following question was submitted by Clr. McEniff:-

"What action is being taken by the Council regarding the sewerage odour at Drumrooske in Donegal Town?"

Clr. McEniff was informed that:-

“A problem of odours had arisen from sewage being pumped into the Donegal Town sewerage network from a recently constructed development. The area staff met with the developer and a series of measures were agreed to relieve the problem. These measures have been successfully implemented and complaints from the area have ceased”.

C/238/08 The following question was submitted by Clr. Blaney:-

"What present vacancies exist within all sections of the Roads & Transportation Services of Donegal County Council (Road Design, Lorry Drivers, Road Workers etc) and when do we intend to have these vacant positions filled and if a breakdown could be provided of same?"

Clr. Blaney was informed that:-

“The Road Design Section in Lifford currently have five vacancies for Engineers and one vacancy at Technician level all of which are being followed up with our HR Section to get the post filled.

As regards Outdoor Workers all Senior Supervisor positions have been filled or job offers have gone out and are expected to be accepted shortly. There are two vacant Foreman

positions, three Ganger positions and sixteen Multi- Skilled positions.

There are 49 Temporary / seasonal workers employed at present.

There are no vacancies for Lorry drivers whereas there are 12 temporary / seasonal lorry drivers employed at present”.

C/239/08 The following question was submitted by Clr. McGarvey:-

"How or when will the sewerage treatment problems be dealt with in the Milford Electoral Area?"

Clr. McGarvey was informed that:-

“The Water Services Investment Programme is the mechanism for the provision of infrastructure to meet current wastewater standards. Rathmullan Sewerage Scheme is on this programme and we are currently awaiting confirmation from An Bord Pleanala in relation to the requirement for an Environmental Impact Assessment. The Preliminary Report is prepared and public consultations have taken place. Ramelton Sewerage Scheme is also on the programme. The project brief and appointment of consultants have been sent to the Department of Environment for approval”.

C/240/08 The following question was submitted by Clr. McGarvey:-

"What proposals are there to deal with the water problems around the Ramelton Area?"

Clr. McGarvey was informed that:-

“A water usage investigation is currently underway in Ramelton incorporating water flows going into the Ramelton area from Milford and Letterkenny. Group Schemes not taken over are also being examined from a water conservation aspect. Water usage will be monitored on a twenty-four hour basis with night flows indicating areas with excessive leakage”.

C/241/08 The following question was submitted by Clr. McBride:-

"When can we expect Local Area Plans to be put in place for towns and villages in the Milford electoral area?"

Clr. McBride was informed that:-

"It is proposed to develop a series of Electoral Area based Local Area Plans throughout the County, in a rolling programme over the next 3 years. It is anticipated that the first Local Area Plans will be commenced towards the end of the summer, as a pilot project. The Local Area Plans will be replacing Control Points, with firm recognisable boundaries. In line with current Government guidance, settlements will be allowed to develop, but in a sustainable manner, so that the hard and soft infrastructural elements such as water / drainage/ roads and community facilities can be provided concurrently with development proposals. A report is being prepared for submission to the General Purposes Committee on the 9th June".

F Coyle
Director of Services

C/242/08 The following question was submitted by Clr. McBride:-

"I would like a breakdown of development charge monies collected in the Milford area for Water and Environment over the past five years and the projects that the money has been spent on."

Clr. McBride was informed that:-

"In the period from the commencement of the 2004 Development Contribution Scheme (08/03/04) until the present (15/05/08) a total of €1,989,073.51 has been levied for Water & Environment purposes in the Milford Electoral Area.

Information on the draw down of funds and the specific projects funded are attached as provide by WEES".

F Coyle
Director of Services

C/243/08 The following question was submitted by Clr. A Bonner:-

"Is the new fire station in Stranorlar getting a new fire engine, as is customary by this Council in all previous new stations?"

Clr. Bonner was informed that:-

"We are currently awaiting information from the DoEHLG on the Capital Funding Programme for 2008 with new fire appliances to be provided in 2009/2010. Decisions in relation to allocation of these appliances are made accordance with our requirements at that time. Due consideration will be given based on the funding allocation.

Stranorlar Fire Brigade Unit are currently taking delivery of a new set of Road Traffic Collision Rescue equipment, which will be the most modern equipment available".

C/244/08 The following question was submitted by Clr. Reid:-

"Will the new water mains from Stranorlar to St. Joseph's Hospital and the road strengthening works be carried out in 2008?"

Clr. Reid was informed that:-

"There is no funding allocated for the replacement of this watermain currently. Nevertheless it will need to be replaced to allow the road improvement works to proceed. Discussions are ongoing with our colleagues in the roads service and, through them, with the NRA seeking a contribution towards the cost of these works".

C/245/08 The following question was submitted by Clr. Reid:-

"Why will the Council not supply 4" water pipes to the residents of the Curraghamore Road, Ballybofey?"

Clr. Reid was informed that:-

"The situation in Curraghamone Road is that the water supply to the residents is through a small diameter pipeline

feeding from a private group scheme. Planning permission has been granted for construction of a number of houses in the area with planning condition that they will upgrade the supply by providing a 4" diameter main. The matter will be referred to the Area Manager for review”.

C/246/08 The following question was submitted by Clr. A Bonner:-

"Who is responsible for grass cutting, etc in private housing developments taken over by Donegal County Council?"

Clr. Bonner was informed that:-

“Donegal County Council 's present policy in relation to the takeover of open spaces in private housing estates is not to take open spaces over. Who is responsible for cutting the grass is a matter between the developer and the residents of the estate.

There is a new circular from the Department that differs from the Council's policy in a number of ways including open spaces and the implications of this circular are currently being examined”.

C/247/08 The following question was submitted by Clr. McGowan:-

"Please can the Council Road Section give details of the proposed new road realignment at Drumboe Lower in accordance with requirement for new Finn Valley College ECT including costs and funding."

Clr. McGowan was informed that:-

“Road Design in Lifford are finalising the drawings in relation to this project. Details including costings can then be prepared and made available to the members at that stage”.

C/248/08 The following question was submitted by Clr. McGowan:-

"Why has this Council been selective in pursuance of derelict buildings throughout the county especially in the Finn Valley area and can a detailed report be given on same?"

Clr. McGowan was informed that:-

“The Council maintains a register of Derelict Sites as required by the Derelict Sites Act 1990. The sites on the register are primarily as a result of submissions received from the public and Elected Members of the Council. The present system is therefore reactive and not proactive in the sense that the Council has not carried out countywide surveys to ascertain the scale of dereliction. Once a submission has been received it is referred to the Area Housing Engineer to prepare a report on the site to see if indeed it is a derelict site under the terms of the Act and if so to recommend the works that are necessary to remove the dereliction. A statutory process may then be initiated under the act to serve notices on the owners if known to include the site on the register and to have the necessary works undertaken to remove the dereliction. There is currently a review of the process of dealing with derelict sites being undertaken between the Housing and Planning Directorates. This is as a result of there being a significant input required from planning as to the relevance of a particular site to the built environment so that a comprehensive schedule of works can be drawn up to remove the dereliction which will be in accordance with the proper planning and development of the particular area. When this review has been completed it is envisaged that the Council will be in a better position to formulate policies regarding both its CPO powers under the Act and the introduction of a Derelict Sites Levy which is payable annually by the owners of properties on the register until such time as the dereliction is removed as stipulated by the Council”.

C/249/08 The following question was submitted by Clr. Alcorn:-

"Following my ongoing reps at local and county level for over 2 years, I would ask Donegal County Council to clarify if any pipe replacement will be carried out on the Rosses Regional Water Supply at any of the following locations:-
Annagry area
Kincasslagh area
Keadue-Burtonport area and Dungloe area under the "Small Capital Scheme Programme"

Clr. Alcorn was informed that:-

“The extent of replacement required is significant. The council has requested approval from the Department to proceed with pipeline replacement on the Rosses Regional Scheme, to be funded under the Water Conservation Programme. We await their reply”.

C/250/08 The following question was submitted by Clr. Alcorn:-

"Now that construction work is near complete on the new Civic Amenity Site at Meenmore, Dungloe, when does Donegal County Council intend to open this much needed asset for the Glenties Electoral Area?"

Clr. Alcorn was informed that:-

“It is noted that construction is nearing completion. Following this the centre must be equipped and staffed. The council aims to have the CA site open for use by the public by the last quarter of this year. The bring banks will be re-located from the car park in Dungloe at that time”.

C/251/08 The following question was submitted by Clr. Slowey:-

"What plans have this Council in place for the upgrading of inadequate water filtration systems for the removal of Crypto Sporridium as identified in the recent Environmental Protection Agency report on vulnerable drinking water supplies in Donegal."

Clr. Slowey was informed that:-

“Risk assessments have been carried out on all public water supplies to determine their risk category in respect of cryptosporidium. Appropriate measures are being developed to address these risks. The council has written to the Department in respect of the highest risk schemes, seeking funding for improvement works. A further application for funding is now being prepared in a format as recently required by the Department”.

C/252/08 The following question was submitted by Clr. Gallagher:-

"Is this Council aware that raw sewerage is running into the Bay at Dunfanaghy and what steps have this Council taken to remedy this pollution?"

This question was withdrawn.

C/253/08 The following question was submitted by Clr. Gallagher:-

"What steps have this Council taken in recent months to ensure that funding is made available from the Department of Local Government for pipe replacement on the Rosses Regional Water Supply and given that the Government have continuously refused to fund this necessary work, what steps are the Council proposing to take to rectify the situation where drinking water on the Caravan Road and other areas is seriously discoloured?"

Clr. Gallagher was informed that:-

"Current funding for major pipeline replacement is principally channelled through the Water Conservation Programme. To date the Council has replaced 10.6 kilometres of pipelines throughout the county under this programme. Further defective pipelines have been identified and documented in a report, which was submitted to the Department in November 2007 seeking funding for priority pipe replacement works. The report ranks the Rosses Regional Scheme as a very high priority.

Although the Department's current policy is that Stage 1 and Stage 2 works on the Water Conservation programme must be completed before further pipe replacement will be considered, Council officials again highlighted the need for pipe replacement works at the Steering Group Meeting in March 2008. At this meeting the Department undertook to review the Council's submission of November 2007. No response has been received to date and the matter will again be raised at the Steering Group meeting scheduled for June 2008.

Subject to the availability of grant monies under the Rural Water Small Schemes programme the Council may advance

limited pipe replacement works in the Rosses in the short term”.

C/254/08 The following question was submitted by Clr. Slowey:-

"How does Donegal County Council Planning Section interact with An Taisce, as regards their remit under the Planning Act. Would the Council outline in detail how this interaction works in practice on a day to day basis as regards routine planning applications?"

Clr. Slowey was informed that:-

“An Taisce is a prescribed body within Planning legislation and the Planning and Development Regulations set out a range of circumstances in which they should be consulted (Article 28). For example, any application for development which is “in an area of special amenity” [such as an Exceptionally High Scenic Area] or “where the development might obstruct any view or prospect of special amenity” would merit a consultation and other categories include where a proposal might affect or be unduly close to a Protected Structure or Archaeological feature or would have “significant effects” in relation to nature conservation.

Following receipt of an application and during validation, the Planning Office assesses whether the proposal falls within any of the relevant categories and flags the proposal for referral to An Taisce. All referrals are then issued as set out in the Regulations and indicating when the application was received. Any submission or observation will be acknowledged and scanned into the system. Where no submission is received within 5 weeks beginning on the date of receipt by the planning authority of the application, the application may be determined.

At present all referrals are issued in hard copy although the 2006 Regulations provides for electronic referral should the prescribed body so consent.

It should also be noted that the weekly list of all applications received, which is posted on our website, is sent directly

each week by e mail to An Taisce as well as a range of other bodies, organisations and individuals”.

C/255/08 The following question was submitted by Clr. MacLochlainn:-

"Following the successful adoption of a recent Council motion, what progress has been made on the establishment of a cross border implementation committee of elected Council members, Oireachtas members, Assembly members and other relevant stakeholders to oversee plans for rail links within Donegal and connecting Donegal to existing Island wide rail links?"

Clr. MacLochlainn was informed that:-

“Progress on Rail 2008

The setting up of a group consisting of Council Officials, Elected Members, Oireachtas Members, Assembly Members and MLA’s has been added as a Workstream to the Rail 2008 Project. The following is a summary of the progress on the various workstreams to date.

Workstreams for Rail for 2008.

Workstream 1 – Market Research

Investigate cost of a Feasibility Study/Business Case to consider the provision of Rail Links from:-

- Sligo to Derry
- Letterkenny to Derry including Derry Airport & Port
- Donegal to Dublin

DCC contacted the following for a ballpark estimate:-

- Scott Wilson
- Atkins
- Jacobs

To date two of the companies have responded and it is hoped to have some useful feedback in the coming months.

Workstream 2 – DoT Public Consultation

Prepare a response to the Department of Transport Public Consultation Document:-

“2020 Vision - Sustainable Travel and Transport”.

A response was prepared and submitted on 13th May 2008

Workstream 3 – Stakeholders

Identify & Contact Stakeholders such as:-

- Donegal County Council
- Sligo County Council

- Cavan County Council
- Monaghan County Council
- Derry City Council
- Road Services Northern Ireland – Coleraine

- Road Services Northern Ireland – Derry

- Road Services Northern Ireland – Omagh

- Letterkenny Town Council

- Bundoran Town Council
- Ballyshannon Town Council

All of the above have been contacted and all have responded save for some of the Road Service agencies. However it is possible that they do not consider rail as part of their brief.

Workstream 4 – Sources of Funding

Identify & Contact possible Sources of Funding such as:-

- Department of Transport

- Department of Regional Development – NI
- North-West Gateway Initiative
- Local Authorities
- NASC
- IBEC
- IFI
- Enterprise Ireland
- Border Regional Authority
- Northern Periphery Programme
- BMW Assembly
- EU Committee on Transport & Tourism
- EU Committee of the Regions – Cllr Paddy McGowan to raise the matter

Each of these agencies has been contacted and meetings are ongoing.

Key Meetings

On 8th May 2008 DCC met with the Department of Transport and made a presentation on the advantages of investigating the feasibility of rail links to Donegal. A meeting has been arranged for 12th June with Department of Regional Development, Northern Ireland.

Workstream 5 - Service Providers

Contact and seek meeting with existing Service Providers

- Iarnrod Eireann
- Translink

On 8th May 2008 DCC met with CIE and made a presentation on the advantages of investigating the feasibility of rail links to Donegal.

A meeting has been arranged for 05th June with Department of Regional Development, Northern Ireland.

Workstream 6 – Professional/Technical Discussion Forum

Set up a Professional/Technical Discussion Forum

It is proposed to set up a Professional/Technical Discussion Forum in September to which all of the Stakeholders, potential sources of funding and the service providers will be invited. This Discussion Forum will be set up for September.

Workstream 7 – Lobby Group

Invite the following to form a Political Advocacy Group:-

- Donegal County Council Officials
- Sligo, Derry, Tyrone, Fermanagh, Cavan, Monaghan Council Officials
- Donegal County Council Elected Members
- Sligo, Derry, Tyrone, Fermanagh, Cavan, Monaghan Elected Members
- Members of Dail Eireann
- Members of the Seanad
- Northern Assembly Members

It is proposed to set up an Invitation Meeting in October”.

C/256/08 The following question was submitted by Clr. Conaghan:-

"What plans have the Council got to deal with the several dangerous junctions on the N13 at Newtowncunningham including Kiernan's Filling Station and the Moyle Junction?"

Clr. Conaghan was informed that:-

“The NRDO Engineering staff have confirmed that these junctions and bends on the N13 in the vicinity of Newtowncunningham will be examined as part of the evaluation of the pavement scheme that is currently being designed. It is expected to place traffic counters near Moyle shortly to gather information on traffic flows”.

C/257/08 The following question was submitted by Clr. McGuinness:-

"When will the carpark at St. Boden's Terrace, Culdaff be resurfaced and the drainage problem solved?"

Clr. McGuinness was informed that:-

“The previous questions in relation to the car park at St. Boden's Terrace are noted and the responses given "The car park area at St. Boden's Tce., Culdaff is being addressed jointly by the Housing and Roads Directorates. Housing will address the drainage issue that exists and roads will make the proposal to the Electoral Area Committee to allocate CLAR Class II and III funding to bitmac the area in the 2008 allocation.

The CLAR Class II and III monies have yet to be allocated to the Council for 2008. Members shall be notified once this occurs”.

C/258/08 The following question was submitted by Clr. McDonald:-

"That the Council ensure that adequate sign posting is supplied and maintained particularly over the summer months."

Clr. McDonald was informed that:-

“Donegal Co Co is presently finalising erection of new signposting on all Regional Roads in the county. It is expected that these Roads will be completed by the end of this year.

The NRA are also upgrading signposting on National Routes and this work is ongoing at present.

In the meantime our local Roads Areas are being encouraged to maintain existing signage especially now in the run up to this years tourist season. The overall funding for this type of work is quite stretched and it will be necessary to work within the monies available”.

C/259/08 The following question was submitted by Clr. MacLochlainn:-

"What are the Council doing to address ongoing problems with insufficient water pressure in the Killea and Newtowncunningham areas?"

Clr. MacLochlainn was informed that:-

“There was a problem with two valves on the trunk watermain in Buncrana area which was rectified early this year. This has resulted in improved pressure in these areas. A proposal to increase the watermain diameter from 80mm. to 150 mm. in Killea village is under consideration by our consultants, and this should result in further improvement”.

C/260/08 The following question was submitted by Clr. Donaghey:-

"What is the current position regarding a Civic Amenity Site for Buncrana's growing population?"

Clr. Donaghey was informed that:-

“The Council is committed to developing civic amenity sites in Carndonagh, Stranorlar, Laghy, Dungloe, Milford and Letterkenny, so as to have at least one CA site in each electoral area, near centres of population. The Carndonagh site will shortly be upgraded to the standard of the more recently developed facilities. The review of the Waste Management Plan 2006 identified a further need to develop facilities in two other areas - Buncrana and south-west Donegal. Now that the first six are either built or under construction the intention is to identify sites and to seek funding for these additional two”.

C/261/08 The following question was submitted by Clr. McDonald:-

"What is the current position in relation to supporting business's to advertise their existence while also maintaining a tidy appearance particularly at entrance to towns?"

Clr. McDonald was informed that:-

“The Council acknowledges the need that businesses have to advertise. However, with regard to signage, this must be done in accordance with the law. The Council is keen to prevent the uncontrolled proliferation of signs. These signs are not only unsightly, but sometimes pose a risk to road users by reducing visibility at junctions or by obscuring other signs that give essential information.

Section 19 of the Litter Pollution Act, 1997 makes it an offence to exhibit advertisements on property in or visible from a public place without the prior written authority of the relevant owner/occupier. Some businesses erect signs on ESB poles, Eircom poles, road signs and on their own freestanding poles in the road verges. This is in breach of the Act. The Council, the ESB and Eircom do not give permission for the erection of such signs. The Council's Environment Office continues to issue fines in respect of such offences and it has taken a number of cases through the courts.

The Council's Roads Service developed a policy on unauthorised advertisement signs on public roads, which was adopted by the Council in 2004. This policy also addresses signs of a more permanent nature, for example fixed signs advertising a particular business/venue.

The policy outlines the process that must be followed by businesses if they are to get consent for private signs within the public road. In such cases they must apply to the Planning Office for a licence under Section 254 of the Planning and Development Act 2000.

It should be noted that, even where a business has obtained the prior written consent of the owner/occupier for the erection of a sign on private property, they must ensure that the sign complies with all planning requirements".

C/262/08 The following question was submitted by Clr. Conaghan:-

"What is the Council's plan for the provision of housing in Inishowen over the next 3 years including number of houses, location and other housing services to be provided?"

Clr. Conaghan was informed that:-

"In late 2007 a number of housing schemes were completed in the Inishowen Electoral Area namely, Carndonagh (18), Bridgend (10), Carrigans (8) and Malin (10). In 2008 the following schemes are due for completion Moville(27), Greencastle(8) and Greencastle (2). it is proposed to go to tender for schemes in Gleneely (6), Newtowncunningham

(14) and Carrowmeenagh (4) in the coming months with a view to commence construction in the last quarter of the year. There is also one SI at tender stage at present as well as four under construction. This represents a significant level of Housing Activity in the Inishowen area which has served to meet the housing needs in many of the towns in the area. It is intended to programme a further list of projects for the area when the outcome of the 2008 housing need assessment is available later in the year. The Housing Construction section also provide assistance to Buncrana Town Council in the identification and procurement of Capital Projects within the Town Council area. The provision of Affordable Housing in Inishowen is also receiving attention currently to identify the level of need and to frame proposals to meet the need. The Council will also advance our RAS programme in a number of towns possibly commencing with Buncrana through leasing or other arrangements later this year and continuing in 2009 and 2010 in consultation with landlords and rent supplement tenants”.

C/263/08 The following question was submitted by Clr. Donaghey:-

"What is the status of the proposal to develop a Council Outreach Service in Buncrana?"

Clr. Donaghey was informed that:-

“Proposals are currently being considered by Buncrana Town Council for the provision of new civic offices which would help to facilitate the provision of outreach County Council services.

Discussions have been ongoing with the Town Clerk and his staff in relation to the provision of a limited service from the existing offices which would include information on and applications for County Council services.

At the Inishowen Electoral Area meeting at the end of 2007 the members requested that County Council customers should have a facility to pay a bill and this service will also be available.

As a result of staff turnover in recent months in Buncrana it was not possible to introduce the new service. A target date of 1st September has been set for the provision of the new

services and members of both the Town Council and the Inishowen Electoral Area Committee will be kept up to date with progress”.

C/264/08 The following question was submitted by Clr. McGuinness:-

"Will minutes of the Corporate Policy Group Meetings be circulated to all Council members?"

Clr. McGuinness was informed that:-

“There are no formal statutory requirements in relation to this. It will be reviewed with the members of the Corporate Policy Group at their next meeting”.

C/265/08 The following question was submitted by Clr. Crawford:-

"When does this Council expect to be able to carry out Road Strengthening works on Rossgier, Ballindrait Road and Ballindrait Argary Road?"

Clr. Crawford was informed that:-

“The R264-4 Murlog to Ballindrait Road, the L2444-4 Rossgier to Ballindrait Road and the L2434-12 Ballindrait to Argary Road are to be completed during 2008. A total budget of over €370,000 has been allocated for these projects. These contracts are currently being tendered and it is anticipated that they will be completed during the summer of 2008”.

C/266/08 The following question was submitted by Clr. Brogan:-

"When will works start on roads from O'Donnell Park to Dunnes Stores and from Ramada Hotel to Rosemount and will this work be done at night to minimise traffic problems?"

Clr. Brogan was informed that:-

“The R250-1 Dunnes Stores to Rosemount Road, the R250-1/2 Dunnes Stores to Kirkstown are to be completed during 2008. A total budget of over €320,000 has been allocated for

these projects. Following representations by Councillors at the Letterkenny Electoral Area Meetings in relation to the Entante Florale Competition these contracts have been tendered urgently and it is hoped that they will be completed by early July 2008.

It is intended that the works shall be done off peak traffic time (principally at night time) to minimise traffic disruption where possible”.

C/267/08 The following question was submitted by Clr. Larkin:-

"Why has work committed to several years ago by DCC not taken place at Pearse Road and when will it take place?"

Clr. Larkin was informed that:-

“In relation to the junction of Pearse Road and Larkins Lane Design options are currently being re-considered in the context of the linked signalised junction design at Dunnes Stores/ Oldtown bridge and Convent Road. Members will be presented with these in the Electoral Area Meeting before the end of September for consideration as a project to be funded within any Development contribution scheme.

In addition, the R250-1 Dunnes Stroes to Rosemount Road, is to be completed during 2008 under the strengthening programme and will be done in a manner that accommodates the long-term solution at the junction”.

C/268/08 The following question was submitted by Clr. Crawford:-

"What plans does this Council have to refurbish its housing stock in Croghan Heights, Lifford?"

Clr. Crawford was informed that:-

“A schedule of works has been identified for improvement to the housing stock in Croaghan Heights, Lifford under the Council’s 2008 Housing Improvement Programme.

The Housing Improvement Programme has been funded primarily through the Internal Receipts Account over the

past number of years and it is likely that the Croaghan Heights Project will also be funded from this source.

The possibility however of securing funding from the Departments Regeneration Programme is being examined at present and it is understood that further details will be available from the Department within the coming weeks which will enable the Council to make a decision as to which is the best funding option to pursue”.

C/269/08 The following question was submitted by Clr. Larkin:-

"Has this Council a register of derelict buildings and if so how many have been dealt with since this legislation was brought in in 2000?"

Clr. Larkin was informed that:-

“Under the Derelict Sites Act 1990 the Council maintains a register of derelict sites and at the end of 2007 there were 54 sites on the register. The Council has not proactively carried any countywide surveys to identify derelict properties and the sites on the register are primarily as a result of submissions made by the public or indeed Elected Members of the Council. Historically once a submission is received it is referred to the Area Housing Engineer for a report as to whether the site is in fact derelict under the terms of the Act and if so what works are necessary to remove the dereliction. A statutory process may then be initiated involving the serving of notices on the owners (if known) to have the said works carried out and the insertion of the site in the register. There are procedures available under the Act that enable the Council to impose an annual levy on the site until such time as the dereliction is removed or to acquire the property by CPO. To date this Council has not availed of either of these courses of action. The process of dealing with Derelict sites is currently being reviewed between the Housing and Planning Directorates as it has become apparent that there is a significant input required from a planning perspective on the proposed derelict site as to its importance to the built environment and if restoration/ conservation measures are necessary to remove the dereliction so that a comprehensive list of the works required to render the property non derelict

can be prepared rather than merely boarding up openings and painting etc. which do not actually remove the dereliction. When this process is completed it is envisaged that it will enable easier decision making as to whether or not the Council should use its CPO powers in tandem with introducing a derelict sites levy which would be payable annually by the site owners until the dereliction is removed”.

C/270/08 The following question was submitted by Clr. McDaid:-

"Will this Council explain why the elections to the Board of Donegal Local Development Company (DLDC), under the Cohesion Process which were to be held on May 19th have been postponed?"

Clr. McDaid was informed that:-

“DLDC are in the process of electing new Directors from the Community & Voluntary sector and had planned internally to hold these on 19th May. However, as a result of requiring support from the Council to run both the election and count on behalf of DLDC, it became apparent that insufficient time had been left to plan and prepare properly for this, in order to ensure a robust process, and, as a result of a meeting between the Council and DLDC on 8th May, it was suggested that the election dates be put back. While the date of 24th June had been suggested as a revised election date, DLDC have not yet confirmed as to whether they now wish to work to that date”.

C/271/08 The following question was submitted by Clr. McDaid:-

"What progress has been made by the Community & Enterprise Unit in response to my motion of November 2007 that Donegal County Council seek to examine models of good practice in local authorities within the 32 counties, the UK and Europe that have significantly addressed the under representation of women in political life?"

Clr. McDaid was informed that:-

“A comprehensive response is being prepared and will issue to this question within the next 14 days”.

C/272/08 The following question was submitted by Clr. Brogan:-

"When will emergency works start at Ballyraine to prevent spillage of raw sewerage onto the road and works to overflow tanks be carried out?"

Clr. Brogan was informed that:-

“Significant wastewater trunk sewer improvements were carried out in Letterkenny under Letterkenny Sewerage Scheme contract 1 - Network Improvements. This contract did not however include the upgrading of the trunk sewer infrastructure between Ballyraine and the Wastewater Treatment Plant at Magherenan which is included in the Letterkenny Sewerage Scheme DBO contract. As construction work on the DBO contract is unlikely to start until 2009, the Councils Consultants were asked to consider short term relief measures which would effect a temporary solution. The consultants have identified alternative temporary overflow solutions which are estimated to cost in excess of €100,000. It is the Councils intention to adopt the solution that is consistent with the Letterkenny Sewerage Scheme DBO contract and seek funding from the Department for the works. The soonest that work could start on the improvement works is late 2008 allowing for the preparation of a tender document, tendering, tender reporting, and contract award”.

C/273/08 PASSAGE WEST TOWN COUNCIL

Members noted the following motion from Passage West Town Council: -

“A large proportion of motorcycle accidents resulting in serious injury and death are directly related to road conditions and in particular to road repairs. In light of this I would call on this town council and all other councils throughout Ireland to insist that road works be finished to a high standard for all road users, and that in particular, the practice of “bedding in” new surfaces be stopped and adequate warning of roadworks be monitored on a daily basis.”

C/274/08 CLONMEL BOROUGH COUNCIL

Members noted the following motion from Clonmel Borough Council: -

“That Clonmel Borough Council ask the Minister for Environment to overhaul the current driving test, as the current failure rate of 50% is not acceptable and that Cahir Testing Centre or another suitable venue be opened in order to reduce the current waiting time to sit a test which is 6 months or more at present and that motion be circulated to all local authorities.”

C/275/08 LETIRIM COUNTY COUNCIL

Members noted the following motion from Leitrim County Council: -

"That Leitrim County Council prepare a detailed submission on the public consultation document "2020 Vision-Sustainable Travel and Transport" published recently by the Department of Transport. I further propose that the Council request the Department of the Taoiseach to legislate that representatives of the Council for the West and the BMW region are appointed to each national policy-making and decision-taking body, including (but not exclusively) the National Transportation Policy Committee, National Roads Authority, Industrial Development Authority, An Bord Pleanala, Health Services Executive etc. This would help ensure that the urban bias of recent policy development is challenged and that the interests of people in rural areas are protected and promoted. That this motion be circulated to all local authorities in the Council of the West and the BMW region.

C/276/08 SOUTH TIPPERARY COUNTY COUNCIL

Members noted the following motion from South Tipperary County Council: -

“That this Council call on the Government to introduce change to the way the Housing Agencies Respond and Cluid operate so as to allow tenants with those agencies to purchase their homes as is the given right of all other social housing tenants also that the same terms and conditions of

sale would apply. If passed that notice of this motion be circulated to all other Councils.”

C/277/08 NEW ROSS TOWN COUNCIL

Members noted the following motion from New Ross Town Council: -

“That this Council calls on the Minister for the Environment to allow local authorities to decide housing policy in their respective areas and that we further call on the minister to ensure that the acquisition of land banks for social housing continues as a central plank of housing policy at a local level”.

This concluded the business of the meeting.