

**MINUTES OF MEETING OF STRANORLAR ELECTORAL
AREA COMMITTEE HELD ON TUESDAY 14TH MARCH 2006
IN REGIONAL TRAINING CENTRE, STRANORLAR**

Members Present

Cllr Alice Bonnar (Chairperson)
Cllr J J Reid
Cllr Patrick McGowan

Members Present

Gerry Gilroy, Area Manager, Corporate Services
Ann Harvey, A/Staff Officer, Corporate Services
Peader Thomas, Area Manager, Roads & Transportation
Claire McGeever, Area Engineer, Roads & Transportation
Brendan O'Donnell, NRDO
Brian Cullen, Marine Section, Roads & Transportation
Stephen McCrory, Road Design Office
Michael Breslin, Area Manager, Water/Environment/Emergency Services
Brendan Porter, Area Engineer, Water/Environment/Emergency Services
Barney McLaughlin, Community and Enterprise Development Officer
Jeremy Smith, Walking Trails Development Officer
Denis Kelly, Area Manager, Planning & Economic Development
Mary Hannigan, Area Manager, Housing & Building
Tommy Doherty, Area Engineer, Housing & Building

SECTION 09/00 ADOPTION OF MINUTES

09.01 Adoption of Minutes

On the proposal of Cllr J J Reid seconded by Cllr Patrick McGowan the minutes of the meeting held on 24th January 2006 were adopted.

It was agreed that any matters arising would be dealt with under each service heading.

09.02 Vote of Sympathy

The Committee wished to express their sympathy on the recent deaths of

Sam Kelly – father of Eunan Kelly & Martin Kelly
Anna Lynn – mother of Vincent Lynn
Charlie Boner - uncle of Carmel Kelly & Boner
Anne McGowan – mother of Mary McNulty (former employee Mary McGowan)

A minute's silence was observed.

SEC 10/00 ROADS & TRANSPORTATION

10.01 Update on Ballybofey/Stranorlar Bye Pass

Brendan O'Donnell Senior Executive Engineer regretted that he had no progress to report and then referred to the three reports sought by Members relating to land acquisition costs for the Ballybofey/Stranorlar By-pass.

The first report, prepared by John V Arthur in September 2005 to assess the effects of rezoning of land on the estimated costs of land for the Bypass. This report had concluded that the rezoning would not result in any increase in the cost of land to be acquired. This report will be forwarded to members.

The second report, prepared by the NRDO in October 2005 entitled 'N15 Ballybofey/Stranorlar Bypass – Development of Land Cost Estimate'. This report contains detailed costings on individual land holdings and it is considered it would undermine the Councils negotiating position if released in its present format. It is proposed however to release an amended version of the report with the specific references removed.

The third 'report' referred to is the NRA's assessment of the land cost estimate, which is not available to Donegal County Council. Indeed the Council have no confirmation that a formal written report was prepared.

Mr O'Donnell stated that the NRA had advised that this scheme had lost its place on the list because of the escalation in costs. The NRDO were looking at making minor adjustments to the scheme to try to reduce these costs.

Members expressed their frustration at the lack of progress on the proposed Ballybofey/Stranorlar By-pass.

Cllr McGowan stated that the price of land is going up steadily all over the Country and not in this area alone. He felt that the NRA was contributing to the rise in land prices. He pointed out that the route had been agreed back in 2001 and because of the continued delays he feared that the cost of the proposed scheme would continue to escalate.

Cllr Reid also expressed his anger at the present situation. He stated that landowners had been left in limbo by the stalling of the by-pass. He felt that the scheme had slipped down the priority list and that at least five schemes were now in front of it countrywide.

Cllr Bonnar stated that the scheme had dropped in priority with the NRA she questioned whether it had dropped in priority within the Council also. She also enquired what work could be undertaken with the current allocation.

Minutes of meeting of Stranorlar Electoral Area Committee held on 14th March 2006.

Cllr Bonnar proposed that an early meeting be arranged with the NRA and that the T.D.'s, Elected Members, and Senior NRDO staff also attend.

10.02 2006 Road Works Programme

Peadar Thomas referred members to the report for the roadwork's programme for 2006. He stated that 4.2 million euro had been allocated for the programme. Mr Thomas informed members that it was proposed to hold a Roads & Transportation workshop to allow for a full discussion of the programme. The workshop would also deal with the breakdown of the programme – maintenance, surface dressing etc.

Members agreed to have the workshop on Thursday, 23rd March 2006 at 9.30 am in the Regional Training Centre, Stranorlar.

10.03 Harbour by-laws

Brian Cullen presented report, circulated with the agenda, regarding the proposed introduction of By-laws and Harbour Dues at specified harbours in the county in accordance with the Local Government Act, 1994 as amended by the Harbours Act, 1966. He outlined the specified Harbours within each electoral area and confirmed there were none within the Stranorlar area.

Mr Cullen informed members that these harbours had been identified as being strategic, with significant commercial and leisure potential. The introduction of the by-laws would facilitate the efficient operation of the harbours and the proposed charges would be in line with other ports in the county including Killybegs.

Mr Cullen confirmed that a draft of the proposed Byelaws and Harbour Dues was now being prepared and would be circulated to the elected members for their suggestions and proposals. Agreement was being sought for permission to publish in the local newspapers a notice of the Council's intention to introduce the Byelaws and charges. This notice would specify a period for public inspections of the drafts and for receipt of submissions from interested parties. Following the required period for public consultation, the final draft would be brought before the full Council for consideration and approval.

Cllr McGowan queried whether the proposed byelaws would include charging for disposing of de-commissioned boats. In reply, Mr Cullen stated that the proposals dealt indirectly with this matter i.e. charges would apply for storing boats for a limited period of time.

Cllr McGowan also queried the position regarding the use of jet-skis in Harbours as a leisure facility. Mr Cullen stated that jet-skis would not be banned under the proposed byelaws but that their use would be controlled by the imposition of speed limits in the Harbours.

Members confirmed their agreement to the publication of this notice.

10.04 Other Matters Arising

Road Safety Programme

Stephen McCroary, representing Stephen Lambert, updated members with regard to proposed works at the Lough Mourne Road. Mr McCroary stated that this stretch of road had been identified as an area where clusters of accidents had occurred. This information was taken from National Data, which is compiled from Garda accident reports. It was important to find out what was causing multiple accidents in the area and make improvements where possible. Mr McCroary informed members that it was proposed to improve this stretch of road by taking off some bends and by putting down cats-eyes.

Members discussed various locations in the Electoral Area, which were also felt to be dangerous. Cllr Bonnar stated that there had been numerous accidents in the vicinity of Meencarriagh School and she felt that this stretch of road should also be looked at from a road safety point of view. She also expressed concern over the effectiveness of traffic calming on the Donegal road and noted that these were barely visible when dirty.

Cllr Reid stated that there were no safety boxes at Trentaboy on the main Stranorlar/Letterkenny road and felt that this could cause an accident. He also noted that the junction at Kilross was structured in such a way as to have a county road taking precedence over a national road.

Cllr Reid also expressed his concerns over the present method of traffic calming measures with the provision of unlit kerbing and bollards. He stated that no lighting had been provided at Dromore School at the bollards and feared that an accident could occur as a result. Cllr Reid queried which body was responsible for public lighting between speed limit signs in towns and villages. Peadar Thomas informed Cllr Reid that both the Council and the NRA had responsibilities for this.

Members were anxious that proper traffic-calming measures be put in place in Liscooley as the school was situated on the side of the main road and vehicles were not reducing their speed through the village. They requested that Stephen Lambert visit Liscooley to look at the situation.

Members requested that Peadar Thomas report back at the next electoral area meeting with regard to these issues.

10.05 Logue's Bridge

Cllr Reid referred to the ongoing dangerous situation at Logue's Bridge and was advised that a private individual owned the house at the junction and no funds were available to buy the house in order to widen the road and improve sight lines at this junction.

Cllr McGowan felt that the Council should negotiate with the owner and come to an agreement about improving the sight distances at this location.

Minutes of meeting of Stranorlar Electoral Area Committee held on 14th March 2006.

Cllr Bonnar stated that the Bridge itself was unsafe and a major project was required. She proposed that a preliminary design be completed as soon as possible. This was agreed.

10.06 Carn Road

Members were informed that negotiations with the owner of land at the bottom of the Carn Road have been ongoing for ten years and no agreement had been reached.

Cllr McGowan felt that the Council should now consider a CPO for this area.

Peadar Thomas replied that there was a procedure, which must be gone through before obtaining a CPO.

Cllr Reid felt that the Council should consider CPO for both Logue's Bridge and Carn Road.

Cllr Bonnar requested Reports of both these areas for the next electoral area meeting.

10.07 Dreenan Bridge

Peadar Thomas informed Members that an allocation of €600,000 had been received for this project. The Road Design Office had almost completed plans and work would commence shortly. As the allocation had to be spent in this financial year, it was envisaged that the project would be completed this year.

Cllr McGowan expressed his concerns in relation to the many large potholes on the approach roads would he proposed be repaired.

10.08 Navenny Bridge

Peadar Thomas informed members that the Contractor was ready to start however he must abide by the regulations of the Fisheries Board. It was hoped that work could commence in approximately four weeks time.

10.09 Back Road at McElhinney's

Claire McGeever informed Members that the Council were in a position to commence work at this location in two weeks time.

10.10 Dooish School

Cllr Reid advised that the Board of Management of Dooish School were anxious to have traffic calming measures put in place. Claire McGeever confirmed that she had

Minutes of meeting of Stranorlar Electoral Area Committee held on 14th March 2006.

met this group recently and informed Cllr Reid that the Council would put road markings in place initially and rumble strips could be put on for traffic calming later.

10.11 Report on Deputations

Cllr Bonnar referred to the decision at the last meeting that each Service should have an up to date report at every meeting on progress in relation to issues raised by deputations to the Committee and expressed her frustration that no reports were available. The matter would be raised again at the next meeting.

Sec 11.00 PLANNING & ECONOMIC DEVELOPMENT

11.01 Follow up Report on issues raised at previous Electoral Area Meeting

Local Area Plans

Denis Kelly informed members that he had no progress to report.

Casual Trading

Members were informed that this case had not been heard at the Court on 28th January 2006 as expected. Mr Kelly informed members that the Council's Solicitors were actively seeking a new date.

Planning Enforcement

Blue Cedars

Mr Kelly told members that issues with traffic calming in this area had been dealt with satisfactorily and that the issue of storm drainage was being pursued at present.

Killygordon

Mr Kelly informed members that an undertaking to cease development had been obtained in this case.

11.02 Consideration of Recent Refusals

Members noted reports circulated with the Agenda.

11.03 Planning Enforcement

Members noted report circulated with the Agenda.

11.04 Planning Statistics

Minutes of meeting of Stranorlar Electoral Area Committee held on 14th March 2006.

Members noted Reports circulated with Agenda. Mr Kelly pointed out that while overall numbers countywide had decreased the number of applications within the Stranorlar area had risen.

11.05 Other Matters Arising

Special Development Contributions

Mr Kelly circulated and presented a draft Protocol document to Members entitled 'Special Development Contributions'. He outlined to Members the reason for this protocol.

The Donegal County Council Development Contribution Scheme 2006-2007, was adopted by the Council on 26th January 2006. This recognised that the Planning Authority may decide to grant permission subject to a condition requiring a 'Special Development Contribution' where the Council incurs exceptional costs, not covered by the DCS. These charges must specify the particular works and are subject to appeal to An Bord Pleanála. A protocol for the levying of such charges must be agreed with Members.

It was considered that there were two types of development where this might arise. Mr Kelly advised that the protocol proposes that in the case of a 'One off' the Service in their report on the Planning application should calculate the individual charge. In the case of a 'Group type' where particular works would facilitate a number of developments, it is proposed that the Electoral Area Committee will be consulted as follows. Individual Services shall examine situations where they recognise that special charges arise and a report will be submitted to the Area Committee meeting, which will identify the specific public infrastructure or facility to be provided and the costing of it. Details will be given of how the Special Development Contributions will be levied.

Following a short discussion the protocol as submitted was agreed.

Farmers' Market

Members raised the possibility of providing suitable accommodation for the holding of a regular Farmers' Market in the twin towns.

Mr Kelly informed Members that he had spoken to two groups in relation to this matter and had sought legal advice in relation to the appropriate method for regulation of such events. This must be by way of the issuing of 'Events Licence'. Given the Council's stance in relation to Casual Trading he considered that Navenny Street Car Park would be a suitable location. As the public have a right to access to the car park, the organisers would have to obtain written permission from the Roads Section to use an agreed area for the Farmers Market. Each person operating a stall would have to apply for an Event's Licence before trading.

Minutes of meeting of Stranorlar Electoral Area Committee held on 14th March 2006.

Cllr McGowan submitted that the Market was an attraction, which was drawing people to the town, and that it was an organised event, which received support from other Agencies. He considered that the Council should support and encourage this event and felt that the requirement for each stallholder to apply separately for an Events licence would not be helpful. The stallholders were trying to work together to make this event successful and he queried whether one licence, obtained by the organisers, could cover the whole event.

Cllr Reid agreed that it was unfair that each seller had to pay for an events licence. He felt that it rendered it difficult for them to sell their products at an optimum price.

Cllr Bonner submitted whilst she welcomed the holding of Farmers Markets, she had concerns that opportunists not exploit the event at the expense of Ratepayers.

Cllr McGowan submitted that as the event was funded under the Origins scheme, this would not happen. People would be vetted and the event would be held under the guidelines of Origins and it would not be the same as casual trading.

Regarding the necessity to obtain individual Event's Licences, Mr Kelly advised Members that it was required under existing regulations. He stated that the cost of the event's licence was set out in the Casual Trading Bye-Laws. These Byelaws could be reviewed and the Council could agree to amend the fees.

It was agreed that the organisers contact Mr Kelly to discuss the matter further.

SEC 12.00 HOUSING & BUILDING

12.01 Capital Programme

Members noted Report circulated with Agenda.

12.02 Social Housing

Members noted Report circulated with Agenda.

12.03 Casual Vacancies

Members noted Report circulated with Agenda.

Ms Hannigan advised Members that the scheme at Glenpatrick was completed and would be let within the next few weeks.

Cllr Bonnar raised a query regarding the house for the family with special needs. Tommy Doherty confirmed that the house was completed.

12.04 Office Accommodation

Ms Hannigan advised Members that she had received the following update from Fitz Howard.

‘No new update for this meeting. I expect that I might have some further information from the Health Service this week. I spoke last week to Seamus Beirne, who is working with John Hayes, on this project. He was optimistic, from the work done recently by the HSE locally, that a good case could now be put to the National HSE to proceed with the project. As soon as I get further information I will brief you.’

Cllr Bonnar referred to the undertaking given by the County Manager in November, 2005 that a further meeting would take place in January, 2006. To-date no such meeting had been arranged and Cllr Bonnar felt that this meeting was needed urgently.

It was agreed that the County Manager would be requested to meet with members as soon as possible.

12.05 Regeneration/Remedial Works Programme 2006

Mary Hannigan advised Members that work would commence shortly under this Scheme with the sum of €163,700 being allocated for houses at the Curragh, Killygordon. The houses would be upgraded to modern-day standards.

12.06 Central Heating Programme

Ms Hannigan advised Members that allocation had been received to cover 23/24 houses in each Electoral Area under this programme in 2006. Ms Hannigan told Members that she would be circulating a preliminary draft priority list of 40 houses for the Members’ approval in anticipation of the possibility of securing additional funding.

Replying to a query raised by Cllr McGowan, Ms Hannigan advised that Hillhead, Castlefin and Liscooley Villas, Liscooley, as well as some SI houses benefited under the scheme last year.

Other Matters Arising

Hillhead, Castlefin

Cllr Reid raised a query about the source of material dumped on the back road between the Pensioners’ houses and St Mary’s National School.

Mr Doherty informed Cllr Reid that he would follow up the issue.

Shared-ownership Scheme

Cllr Reid spoke of problems with a house purchased under this Scheme and queried who should take responsibility for dealing with them.

Minutes of meeting of Stranorlar Electoral Area Committee held on 14th March 2006.

Replying to the issue raised Ms Hannigan informed Cllr Reid that she was aware of the problems with this specific case and that the Engineer and Clerk-of-Works would inspect the property and confirm whether it is structurally sound.

Tommy Doherty advised that he had spoken to the Developer and that they were to get back to him regarding the problems. He advised that he would follow up this issue.

Grass Cutting.

Members requested that a joint report, from Housing and Roads, be available for the next meeting detailing arrangements for grass cutting during 2006.

SEC13.00 COMMUNITY & ENTERPRISE

13.01 Follow up from Previous Meeting

Barney McLaughlin briefed Members regarding the request from the previous meeting calling for the attendance of Economic & Development Organisations at Electoral Area Meetings.

He informed Members of the agreement reached at a recent CPG meeting that these meetings would be held in workshop format in Lifford for all Council Members to attend. Mr McLaughlin advised Members that he was presently seeking to secure an agreeable date with all the Organisations concerned for later in the month for the first of these meetings.

13.02 Report on Community & Enterprise

Community Consultation

Mr McLaughlin advised Members that representatives from Twin Towns Public Meeting, Balor Theatre, Convoy Development Group, Finn Valley Centre, Doneyloop Youth Centre and CPI had been met and provided with information with regard to potential funding supports.

Inter Organisational Local Development

North West Trail

Mr McLaughlin informed Members that the Cross Border Steering Committee for this project had requested Donegal Co Council to nominate an Elected Member to sit on this Committee. As this project covered a number of electoral areas this nomination will be sought at the next General Purpose meeting.

Minutes of meeting of Stranorlar Electoral Area Committee held on 14th March 2006.

Stranorlar Inter Agency Initiative

Mr Mc Laughlin confirmed that following on from a public meeting, Community & Enterprise would convene a meeting of representatives from the various sectors to advance the application to Enterprise Ireland and the formation of a Community Development Company or structure.

Development Contribution Scheme

Mr McLaughlin informed Members that a policy document is being prepared on the implementation of this scheme. He advised that when the document was completed it would be brought before the Council Members.

County Strategy: An Straiteis 2002-2012

Mr McLaughlin advised Members that a Project officer provided support at an information event hosted by Recycle Products Ltd. This company is an associate of Donegal Farm Relief Services and was established to research, promote, instruct and operate renewable energy projects in the North West. He added that it was hoped that Donegal would eventually become an exporter of renewable energy.

Local Area Teams

Members were updated on progress on the integration of Local Government and Local development. They were advised that the Health Service Executive are the lead agency on the Castlefin LAT.

The LAT are presently working on hosting an information evening on Training and Employment creation services and supports in the Castlefin area in April.

Mr McLaughlin advised Members that there had been a positive response from the Agencies, which had been contacted.

13.03 Presentation by Jeremy Smith, Walking Trails Development Officer

Mr Smith circulated copies of his presentation and advised the members that he was in the process of making an audit of all the walking trails in the County. These in turn would be broken down into the Electoral Areas. He identified three main walking trails in the Stranorlar area as being Drumboe Woods, Mullaghagarry Woods, which is currently closed, and Trusk Lough. Mr Smith told Members that both Drumboe and Trusk Lough had potential for expansion in the future.

He felt that it was imperative that the audit be finished in order to determine the existing infrastructure and access what work needed to be done to upgrade them to a fully developed walking product.

Mr Smith advised Members that many opportunities existed in the area to develop new projects such as developing a walk around Lough Mourne. These projects could be developed in partnership with other agencies e.g. North West Tourism, Coillte, HSE/Sports Partnership (Sli na Slainte).

Minutes of meeting of Stranorlar Electoral Area Committee held on 14th March 2006.

Members complemented Mr Smith on his presentation.

Cllr Bonnar welcomed the appointment of Jeremy Smith but she had concerns about the duration of the post. She said structures should be put in place to ensure a follow through with this project. She also proposed that STAG be contacted to discuss their proposals.

Cllr McGowan felt that numerous opportunities existed for developing new routes in the area including bog roads and railway lines. Many issues would have to be addressed including insurance, safety, and the protection of the routes. He was concerned that potential routes could be taken away by developments. He felt the way forward was to have public meetings to gauge public opinion on the different projects.

Cllr Reid was also concerned that the duration of Mr Smith's contract was only 18 months and the size of the budget available for the project. Given the timeframe involved he questioned if real progress could be made.

In reply, Mr Smith advised Members that the Audit would need to be completed before budgets could be properly determined. The Council would need to agree what work was going to be done, and work with other agencies and local groups to sort out the detail.

Mr Smith advised Members that he would present a Schedule of work at a later date.

13.04 Stranorlar Members Development Fund

Members noted Report circulated with Agenda

13.05 Youth Council

Members noted report circulated at the Meeting by Mr McLaughlin outlining activities of the Youth Council.

SEC 14.00 WATER/ENVIRONMENT & EMERGENCY SERVICES

14.01 Ballybofey Leisure Centre

Members were advised that discussions were ongoing with the groups involved. A detailed presentation on this project would be given to the full Council in April.

14.02 Capital Programme

Members noted the Report circulated with the Agenda.

14.03 Ballybofey Sewer Network

Members noted Report circulated with the Agenda.

14.04 Group Schemes

Members noted report circulated with the Agenda

14.05 Other Matters Arising

Killygordon Sewerage treatment plant

Cllr Reid raised a query with regard to the treatment plant at Dromore. He queried whether the treatment plant was fully operational or whether a tank only existed.

In reply, Denis Kelly informed Cllr Reid that certain issues with relation to effluent discharged at this location existed and that the Environment section were dealing with this at present. He also advised Members that the Planning Section was following up on an alleged unauthorised development at this location.

Mr Breslin advised Members that he would follow up the issue and report back at the next meeting.

14.06 Take over Group Schemes

Cllr McGowan questioned the delay in taking over Group Schemes.

Mr Breslin advised Cllr McGowan that there were between five and six hundred Group Schemes around the county and it would take some time to deal with them all. Cllr McGowan requested that a list setting out the priority of Schemes for take over be brought to the next meeting.

14.07 Civic Amenity Site Charges

Cllr Bonnar referred to an advertisement in local newspapers regarding a proposed € entry charge for the Civic Amenity Site in Stranorlar. She felt that this charge would not encourage people to recycle and added that it had not been brought before Members for agreement.

Cllr McGowan stated that the Carndonagh Civic Amenity site did not charge for recycling and that it was unfair to charge in Stranorlar.

Mr Breslin advised Members that there was no charge at present for entry to the Stranorlar site. He informed Members that he would bring their comments back to the officials dealing with this Service and would update Members at the next meeting.

14.08 Water Charges for Voluntary Groups

Minutes of meeting of Stranorlar Electoral Area Committee held on 14th March 2006.

Cllr Bonnar referred the charging of Voluntary Groups for water and specifically charges imposed on the Stranorlar Scouts. Michael Breslin agreed to review this matter. Gerry Gilroy undertook to provide details of the particular case mentioned.

SEC 15.00 DATE OF NEXT MEETING

15.00 The next Electoral Area Committee Meeting will take place on Tuesday, 18th April 2006 at 2.00 pm in the Stranorlar Regional Training Centre.