

**COMHAIRLE CHONTAE DHUN NA nGALL**

Oifig Riarthóir na  
gCruinnithe  
Aras an Chontae  
LEIFEAR  
21 Meán Fómhair 2010

Beidh Cruinniú Comhairle Chontae Dhún na nGall ar siúl Dé Luain 27 Meán Fómhair, 2010,  
ag **12.00 meán lae in Áras an Chontae, Leifear**

**DO GACH BHALL DEN CHOMHAIRLE**

**A Chara**

Iarrtar ort a bheith i láthair ag an chruinniú seo den Chomhairle. Ta Clár an chruinnithe le seo.

Beidh Clár Orduithe an Bhainisteora Contae le feiceáil ag an gcruinniú.

**Mise, le meas**

**A. MacSuibhne**

**Riarthóir Cruinnithe(RÚNAI CHONTAE)**

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**DONEGAL COUNTY COUNCIL**

Office of Meetings  
Administrator  
County House  
Lifford  
21<sup>st</sup> September, 2010

**NOTICE OF MEETING**

A Meeting of Donegal County Council will be held on Monday 27<sup>th</sup> September, 2010, at **12.00 noon in the County House, Lifford.**

**TO EACH MEMBER OF DONEGAL COUNTY COUNCIL**

**Dear Councillor**

You are summoned to attend this meeting of the Council. The Agenda is attached.

The Register of County Manager's Orders will be available for inspection at the meeting.

**Yours sincerely**

**E. Sweeney**

**Meetings Administrator (County Secretary)**

## AGENDA

1. **Confirmation of Minutes**

Confirmation of Minutes of Meeting of Donegal County Council held on the 26<sup>th</sup> July, 2010.

2. **Material Contravention**

Consideration of Planning Application 10/40043 by Ms Anna McGroddy for erection of dwelling house, treatment plant and percolation area at Dundoan Lower, Downings, Co. Donegal.

## MOTIONS

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

## INISHOWEN ELECTORAL AREA

### Corporate

3. **Clr. McGuinness**

"That the Council seek permission from the Department to employ/replace frontline service staff in the roads and sanitary sections of the Council." (C)

4. **Clr. McConalogue**

"That this Council calls on the Minister for Communications to introduce a second phase of the National Broadband Scheme as a matter of urgency to ensure that all remaining areas in Donegal receive mobile internet broadband coverage." (C)

5. **Clr. Ryan**

"That this Council calls -

(a) upon the Government and HSE -

(i) to make Alzheimer's and other forms of Dementia a National Health Priority;

(ii) to meet the growing needs of families affected by dementia by advancing the Action Plan for Dementia in a manner consistent with the Dementia Manifesto 2007-09 published by the Alzheimer's Society of Ireland, until a more permanent Strategy can be determined;

(b) upon other local authorities and groups representing civil society in Donegal and nationwide to add their support to this call."

(O)

**Community and Enterprise and Cultural**

6. Clr. Donaghey  
"That every avenue be explored to secure funding to ensure the Buncrana to Rathmullan Car Ferry continues in the summer of 2011 and future years." (L)
  
7. Clr. MacLochlainn  
"That Donegal County Council write to the Minister for Justice, Dermot Ahern and the Garda Commissioner, Fachtna Murphy seeking the necessary resources to deploy more garda to traffic duty in the early hours of weekends across Donegal following the revelations in the Draft Donegal Road Safety Plan about the levels of fatal and serious roads collisions during those hours as opposed to day time hours." (O)

**LETTERKENNY ELECTORAL AREA**

**Community and Enterprise and Cultural**

8. Clr. Larkin  
"That Donegal County Council supports the citywide drugs crisis campaign against adjustments to drug taskforce funding and calls on the government to allocate funds from the Criminal Assets Bureau to regional and local drug taskforces to assist them in their provision of services in their communities." (O)

**Corporate**

9. Clr. McGarvey  
"That this Council be provided with full details of the Contract agreed with One Sigma Ltd, i.e. Procurement, the Testing of WSW, the response from the Dept. and other Bodies to this Council's request for evaluation of the work done by this Company to Date, Amount Paid, I make this request with respect to allow us debate the merits in view of the Council's financial circumstances." (C)
  
10. Clr. Brogan  
"That consideration be given to the engagement of unemployed people on either FAS or Community Employment Schemes to assist in work that is not being undertaken by the Council and is much needed in our local communities."(O)

**Finance**

11. Clr. Harte

"That the list of properties registered under the NPPR be made available so that the ownership of private rented properties can be ascertained, as this would help residents in estates contact landlords when anti social behaviour is coming from these properties." (O)

**Roads and Transportation**

12. Clr. McBride

"That this Council take action to have persons paid immediately for lands purchased to facilitate road widening etc." (C)

**Planning and Economic Development**

13. Clr. Quinn

"Because of the dramatic reduction in Planning Applications over recent years that Donegal County Council devotes it's resources in the Planning Section to Enforcement and Take-Over of estates." (C)

**DONEGAL ELECTORAL AREA**

**Planning and Economic Development**

14. Clr. McEniff

"That the Council advertise without delay the amendments to the Bundoran Town and Area Plan." (L)

**Community and Enterprise and Cultural**

15. Clr. Pringle

"That Donegal County Council calls on Bus Eireann to reinstate the bus services recently removed serving Killybegs, Kilcar, Glencolmcille and Pettigo and to engage in proper consultations in advance of future timetable changes." (L)

**STRANORLAR ELECTORAL AREA**

**Planning and Economic Development**

16. Clr. Harley

"That this Council seek an amendment into the Spatial Planning and National Roads Guidelines that regional and local roads planning applications stay within the control of local council planners and not in the control of the NRA." (C)

**Roads and Transportation**

17. Clr. McGowan

"That this Council carry out an assessment of road conditions in the Stranorlar area and compare conditions to other areas of the

County so that the 2011 roads grants can be directed to areas of most need, rather than based on road mileage within each Electoral area." (C)

**Corporate**

18. **Clr. McBrearty**

"That Donegal County Council call on the government to give a commitment to the people of Donegal that the services at Letterkenny General Hospital, Lifford Community Hospital, the Sheil and Rock Hospitals in Ballyshannon be safeguarded from any proposed cuts or closures because of the vital services that these hospitals give to the people of Donegal and the North West and that the government gives a commitment to make up the deficit that Letterkenny General Hospital has in order to save jobs and the services which are threatened by the inhuman government cut backs." (O)

**GLENTIES ELECTORAL AREA**

**Roads and Transportation**

19. **Clr. Alcorn**

"That this Council discuss the leaving of sand along county and regional roads that are not on the list for gritting during the winter months, in particular because of the severe weather in 2009." (C)

20. **Clr. Slowey**

"That the National Roads Authority put in place in conjunction with Donegal County Council a plan for the upgrading of the N56 road and foot paths through the town of Ardara." (L)

21. **Clr. Gallagher**

"That this Council start a process to move the Speed Limit on Carnmore Road as a matter of urgency due to the safety issue that is presently on this road." (L)

**22. Disposal of Land – Section 211 Planning and Development Act, 2000**

- a) Notice under Section 183 of the Local Government Act, 2001 to dispose by way of lease of lands at Greencastle Pier, Co. Donegal to the Foyle Fisherman's Co-Operative Society Limited.
- b) Notice under Section 183 of the Local Government Act, 2001 to dispose by way of lease of 20 Unsold Affordable

Housing Units in Carndonagh, Manorcunningham, Letterkenny, Ramelton and Milford.

- c) Notice under Section 183 of the Local Government Act, 2001 to dispose of portion of land at Roisin Acres, Burtonport to Mr Peter Ward, Roisin Acres, Burtonport.

**23. Taking of decision pursuant to Planning & Development Act, 2000 (Part XI), and Planning & Development Regulations, 2001 (Part 8).**

- a) To approve carrying out of works with regard to the construction of Kilmacrennan Bus Bay and Shelter.
- b) To approve carrying out of works with regard to proposed construction of 1 No S.I. Cottage at Ballyderlan, St. Johns Point, Dunkineely, Co. Donegal.

**24. Planning and Economic Development**

- a) To agree dates for workshops with members together with sectoral members of the Planning SPC for the purpose of considering the review of the County Development Plan 2006-2012.
- b) To approve the issuing of a report by Donegal County Council to the Department of the Environment, Heritage and Local Government regarding the Consultation Draft, on the NRA review of Guidelines 'Spatial and National Roads.
- c) To nominate two members to Lifford/Strabane Riverine Project Steering Group.

**25. Water, Environment and Emergency Services**

Presentation on the operation of Covert Cameras.

**26. Roads and Transportation**

- a) To adopt the "Road Traffic (Special Speed Limits-County of Donegal)(Amendment) Bye-Laws 2010.
- b) To endorse the policy in relation to the selection of Backhoe Roaders(JCBs).

**27. Endorsement of Confirmed Meetings**

- a) Endorsement of the Confirmed Minutes of Meeting of Rural Water Monitoring Committee held on the 16<sup>th</sup> June, 2010.

- b) Endorsement of the Confirmed Minutes of Meeting of Donegal Electoral Area Committee held on the 19<sup>th</sup> May, 2010.
- c) Endorsement of the Confirmed Minutes of Meeting of Letterkenny Electoral Area Committee held on the 27<sup>th</sup> July, 2010.
- d) Endorsement of the Confirmed Minutes of Meeting of Glenties Electoral Area Committee held on the 13<sup>th</sup> July, 2010.
- e) Endorsement of the Confirmed Minutes of Meeting of Island Committee held on the 9<sup>th</sup> March, 2010.
- f) To note minutes of Corporate Policy Group held on 19<sup>th</sup> July, 2010.

## **28. Deputations**

To consider request for reception of deputation from “Gweebarra Conservation Group”.

## **29. Conferences**

Authorisation of representation at a seminar, meeting or event under Section 142 (5) of Local Government Act, 2001, S.I. No 668 of 2006, Local Government (Expenses of Local Authority Members) Regulations 2006, S.I. No 37 of 2010, Guidelines given by the Minister for the Environment, Heritage and Local Government in relation to the Local Government Act, 2001 (Section 142) Regulations 2010:-

- Celtic Conferences – How to be an effective Mayor/Chairperson to be held from Thursday 30<sup>th</sup> September to Saturday 2<sup>nd</sup> October, 2010 at The Creggan Court Hotel, Athlone, Co. Westmeath.
- Greystones Town Council in association with Ards Borough Council and the La Touche Legacy Committee 2010 Autumn Seminar – “Local Democracy – in Changing Times” to be held from Friday 1<sup>st</sup> to Sunday 3<sup>rd</sup> October, 2010 in the Charlesland Golf and Country Club Hotel, Greystones, Co. Wicklow.
- Women in Public Life Seminar to be held Friday 1<sup>st</sup> October, 2010 at the City Hotel, Derry.
- Training Seminar for Councillors – “Report of the Local Government Efficiency Review Group” to be held Friday 1<sup>st</sup> to Sunday 3<sup>rd</sup> October, 2010 at Whites Hotel, Wexford.

- Kerry Life Education Ltd – Getting A Grip 2010 ‘Building a Social Response’ to be held Thursday 7<sup>th</sup> and Friday 8<sup>th</sup> October, 2010 at the Europe Hotel and Conference Centre, Killarney, Co. Kerry.
- Roscommon County Council and Western Development Presents – Douglas Hyde Conference 2010 ‘Inside Creativity: Education, Innovation, Economy and Society’ to be held Friday 15<sup>th</sup> and Saturday 16<sup>th</sup> October, 2010 at the Abbeyfield Hotel, Ballaghaderreen, Co. Roscommon.
- Elected Member’s Training Seminar – ‘Planning and Development Amendment Act 2010’ to be held Friday 15<sup>th</sup> to Sunday 17<sup>th</sup> October, 2010 at Hannon’s Hotel, Athlone Road, Roscommon.
- Elected Member’s Training Seminar – ‘Alternative Energy Competing with the Rest of Europe’ to be held from Friday 22<sup>nd</sup> to Sunday 24<sup>th</sup> October, 2010 at the Glenroyal Hotel, Straffen Road, Maynooth, Co. Kildare.
- CMG Events – Flood Relief Infrastructure Conference 2010 to be held Thursday 28<sup>th</sup> October, 2010 (Half Day) at the Royal Marine Hotel, Dun Laoghaire, Co. Dublin.
- Elected Member’s Training Seminar – ‘Criminal Law (Defence and the Dwelling) Bill 2010 Insurance Issues for the Home and Business Enforcement of Social Standards in Local Authority Housing’ to be held from Friday 29<sup>th</sup> to Sunday 31<sup>st</sup> October, 2010 at the Maldron Hotel Galway, Oranmore, Co. Galway.

### **30. Conference Reports**

- Clr. Brendan Byrne – Mid West Regional Authority Conference held in Limerick 4<sup>th</sup> and 5<sup>th</sup> February, 2010.
- Clr. Patrick McGowan – LAMA Conference held in Sligo on 9<sup>th</sup> and 10<sup>th</sup> April, 2010.
- Clr. Brenday Byrne – Border Regional Authority Conference held in Cavan Town on the 15<sup>th</sup> April, 2010.

- Clr. Martin Harley – New EPA Guidelines for Single Homes Conference held in Bushypark, Co. Galway on the 23<sup>rd</sup>, 24<sup>th</sup> and 25<sup>th</sup> April, 2010.
- Clr. David Alcorn – Defamation Seminar for Councillors held in Limerick on the 28<sup>th</sup> and 29<sup>th</sup> May, 2010.
- Clr. Dessie Larkin – Byrne Perry Summer School Entwined Histories II Ireland France and America held in Gorey 25<sup>th</sup> to 27<sup>th</sup> June, 2010.
- Clr. Thomas Pringle – Elected Members Training Seminar Wind and Solar Energy held in Birr 25<sup>th</sup> and 26<sup>th</sup> June, 2010.
- Clr. Terence Slowey – Elected Members Training Seminar Wind and Solar Energy held in Birr 25<sup>th</sup> and 26<sup>th</sup> June, 2010.
- Clr. Dessie Larkin – Local Government Roads and Transport Services held in Skibereen 9<sup>th</sup> and 10<sup>th</sup> July, 2010.
- Clr. Dessie Larkin - Housing (Miscellaneous Provisions) Act 2009 held in Maynooth 17<sup>th</sup> July, 2010.
- Clr. Terence Slowey – The Parnell Summer School held in Rathdrum 8<sup>th</sup> to 13<sup>th</sup> August, 2010.

### **31. Mayor's Business**

### **32. Manager's Report**

## **QUESTIONS**

### **INISHOWEN ELECTORAL AREA**

#### **Housing and Building**

#### **33. Clr. McGuinness**

"How many houses (multiple and single) were purchased by Donegal County Council in 2008 and 2009 and can the Council specify from whom they were purchased, the purchase price, the auctioneer/agent used and the legal cost of transfer?"

#### **Corporate**

34. Clr. McConalogue

"What is the number of third level grant applications received this year, both new and renewals, and will all those who have submitted the required information be paid their maintenance grants before the end of October?"

**Planning and Economic Development**

35. Clr. McConalogue

"When will the variation to the County Development Plan in relation to promoting wind energy in the county, as agreed by the Council, be completed?"

**Community Enterprise and Cultural**

36. Clr. McGuinness

"How much money has the Council contributed to date (capital and current) to the following projects in Letterkenny:

- (a) An Grianan Theatre
- (b) Regional Culture Centre, and
- (c) Aura Leisure Centre?"

37. Clr. MacLochlainn

"In line with a Council motion passed earlier this year, what progress has Donegal County Council made with convening a meeting of the relevant stakeholders to promote Grianan of Aileach?"

**Water and Environment and Emergency Services**

38. Clr. Donaghey

"What progress has been made in relation to appointing a Design Team to allow refurbishment work to Bunrana Leisure Centre?"

39. Clr. MacLochlainn

"In line with a recently passed Council motion, what plans have Donegal County Council made to officially rename the Fullerton-Pollan Dam and reservoir as the Eddie Fullerton Dam and reservoir and what plans have been made to erect new directional signage to the dam on the approach roads from Carndonagh, Quigley's Point and Bunrana?"

**LETTERKENNY ELECTORAL AREA**

**Community and Enterprise and Cultural**

40. Clr. Larkin

"When will we see the sports bursary awards presented and when were they administered last?"

41. Clr. McGarvey

"Can we as a Council allocate some of our Development Fund to assist with improvement for our Island Communities in Roads, Lighting on Piers and Water Services for example €1,000 each?"

**Corporate**

42. Clr. Larkin

"May I have an update on my motion to bring Wi-Fi coverage to Main Street Letterkenny under the ERDF works?"

**Finance**

43. Clr. Quinn

"What steps can Donegal County Council take to ensure positive discrimination for locally based workers, suppliers and companies when awarding Public Contracts?"

**Roads and Transportation**

44. Clr. McGarvey

"Has Donegal County Council any intention of removing a boulder placed at the entrance to a property at Bridgend, Ramelton bought from Mr Hugo Whoriskey at a cost of €80,000 as it restricts access of vehicular traffic and is also a R.O.W. where boats were taken out or launched during fishing season?"

45. Clr. McBride

"Has a traffic audit taken place in Rathmullan with the view to putting a one way traffic system in place in the town?"

46. Clr. McBride

"Can the road from the Kindrum Junction to the Carrigart/Milford road junction (Across Harry Blaney Bridge) be included in the winter gritting programme?"

47. Clr. Brogan

"What is the current position with regards to reduction of speed limit on the four lane road between Dry Arch and Port Bridge as agreed by this Council?"

**Water and Environment and Emergency Services**

48. Clr. Brogan

"When will the contracts be signed to allow work to start on the new design, build and operate sewerage treatment plant in Letterkenny?"

49. Clr. Quinn

"Is Donegal County Council satisfied that there is no seepage of effluent into Lough Fern from the sewerage plant in Milford?"

## DONEGAL ELECTORAL AREA

### *Roads and Transportation*

50. Clr. Byrne

"Can this Council make provision for preliminary designs for improving Fintragh Bridge on the R263 in light of the expected completion of the industrial road Killybegs in 2011 which is funded through the strategic roads grants?"

### *Water and Environment and Emergency Services*

51. Clr. Byrne

"What is the up to date position on the possibility of replacing the old water main at Towney Road Kilcar and the water main Teelin to Rhannakilla both of which are prone to burst and breakages?"

52. Clr. McEniff

"What is the up to date position re the Bundoran Sewerage Scheme?"

### *Planning and Economic Development*

53. Clr. Byrne

"What is the up to date position of the Kilcar/Glencolumbkille Local Area Plan?"

### *Finance*

54. Clr. McEniff

" Why do the Council not send notice in writing to people who own second houses when their yearly monies are due?"

### *Housing and Building*

55. Clr. Pringle

"How many contracts are being progressed in the county under the housing leasing scheme and in what areas are they located?"

## STRANORLAR ELECTORAL AREA

### *Roads and Transportation*

56. Clr. McGowan

"Will the Council explore the idea of involving local farmers and other interested persons in road maintenance such as drainage and repairs as there is a large work force which could be utilised to carry out maintained works on class 2 and class 3 roads if agreement could be reached, while leaving the busier National Primary/Secondary, Regional, and Min County Roads to our existing Roads Staff to maintain and upgrade?"

57. Clr. Crawford

"Will this Council erect Stop Yield Signs at the junction of Coolatee Houses with Main Road and put the necessary signage on the main road also?"

58. Clr. Crawford

"Will the Council put in place the necessary precautions to prevent roadside parking at the Lifford - St Johnston Junction at Rossgier?"

59. Clr. McBrearty

"What is the current position with road safety on the Raphoe to St Johnston road via Carrickadawson via Castletown as both stretches of this road have had a number of accidents and would need crash barriers erected in order to increase the safety of motorists on these dangerous stretches of road?"

**Water and Environment and Emergency Services**

60. Clr. McGowan

"Will the Council include funding for Public Toilets in Ballybofey in this years budget as was agreed at the Stranorlar Electoral Area Meetings, given that public convenience facilities have been provided right across the county by the Council, yet there is a greater demand in Ballybofey than most other places?"

61. Clr. Crawford

"Has any progress been made in relation to the ongoing sewerage problem at Hazelwood Estate, Lifford?"

62. Clr. McBrearty

"What is the current position of the upgrading of old water schemes in the SEA and the associated cost of this?"

**GLENTIES ELECTORAL AREA**

**Corporate**

63. Clr. Alcorn

"How many applications did Donegal County Council receive at 31/08/2010 for Student Support Grants and how many of them are fully processed to-day, and what was the total number of applications received at 31/08/2009?"

64. Clr. Slowey

"What is the cost of heating, lighting and general maintenance of each of the Public Services Offices including the Headquarters of the Council in 2009?"

**Housing and Building**

65. Clr. Alcorn

" How many Housing Grant applications did Donegal County Council receive under (a) Older People Grants (b) Housing Adaption Grant (c) Disability Grants for year ending 31/12/2008, year ending 31/12/2009 and to 31/08/2010?"

66. Clr. Slowey

"Why did the Housing Section of Donegal County Council not enforce a planning condition when Clos Naomh Conaill Housing Estate in Glenties was contracted, which would have seen the road from the N56 to the entrance of this estate upgraded?"

67. Clr. Gallagher

"How many applications has this Council received for the new long-term rental scheme in each electoral area?"

**Water and Environment and Emergency Services**

68. Clr. Gallagher

"How many water scheme's are still in need of replacement in each electoral area?"

MINUTES OF MEETING OF DONEGAL COUNTY COUNCIL, HELD  
IN THE COUNTY HOUSE, LIFFORD ON 27<sup>th</sup> SEPTEMBER, 2010

C/467/10 MEMBERS PRESENT

Clrs. Cora Harvey, Mayor, D. Alcorn, L. Blaney, J. Boyle, C. Brogan, B. Byrne, G. Crawford, M. Doherty, P. Doherty, R. Donaghey, M. Farren, M.T. Gallagher, M. Harley, J. Harte, D. Larkin, P. Mac Lochlainn, F. McBrearty, N. McBride, C. Mc Conalogue, S. McEniff, I. McGarvey, P. McGowan, B. Mc Guinness, B. O'Neill, T. Pringle, M. Quinn, J. Ryan and T. Slowey.

C/468/10 OFFICIALS IN ATTENDANCE

Mr Seamus Neely, County Manager, Mr Liam Ward, Director of Corporate and Housing, Mr Paul Kilcoyne, A/Director of Water, Environment and Emergency Services, Ms Helena O'Toole, A/Director Community, Culture and Planning, Mr. Bartley Mc Glynn, A/Head of Finance, Mr James Boyle, Senior Engineer, Mr. Denis Kelly, Senior Planner, Mr Eunan Sweeney, Meetings Administrator, Ms Anne Marie Crawford, Staff Officer.

C/469/10 CONFIRMATION OF MINUTES OF MEETING OF  
DONEGAL COUNTY COUNCIL HELD ON THE 26<sup>TH</sup>  
JULY, 2010

On the proposal of Clr. Donaghey, seconded by Clr. Mc Guinness, the Minutes of the Meeting of Donegal County Council held on 26<sup>th</sup> July, 2010 were adopted.

C/470/10 VARIATION IN THE ORDER OF BUSINESS

On the proposal of Clr. Donaghey, seconded by Clr. Mc Gowan, it was resolved to vary the order of business in order to deal with Item 3 on the agenda and then Item 2,

C/471/10 SEEKING OF DEPARTMENTAL APPROVAL FOR  
EMPLOYMENT/REPLACEMENT OF FRONTLINE  
STAFF IN THE ROADS AND SANITARY SECTIONS OF  
THE COUNCIL

On the proposal of Clr. McGuinness, seconded by Clr. Mc Gowan , the following motion was adopted:-

"That the Council seek permission from the Department to employ/replace frontline service staff in the roads and sanitary sections of the Council."

Members were informed that:-

“The Public Service Agreement (“Croke Park” Agreement) 2010-2014 provides that appropriate arrangements will be put in place to redeploy staff within and across each sector of the Public Service to address areas of priority service delivery.

At present, discussions are ongoing with Trade Unions at both national and local level in relation to the implementation of the Public Service Agreement and to flexibility with regard to the redeployment and reassignment of staff, within and across each sector of the Public Service, to priority areas of work. It is expected that this process will continue over the next couple of months.

Under the terms of the Public Service Agreement, should the need emerge for additional staff in any area, the Council is required to liaise with other Local Authorities regarding potential redeployments. If redeployments are not feasible within the sector, cross-sectoral deployment may take place, within a geographic area where possible.

In advance of concluding this work, it is likely therefore that the Department of Environment, Heritage and Local Government would regard as premature any requests for exemptions to employ additional frontline staff at this time.”

Members cited the need to have adequate staffing resources at frontline level.

The County Manager, welcomed the discussion but noted that the matter had to be considered in terms of affordability and budgetary constraints.

He emphasised that the good relationship between staff, management and the unions had enabled many planned programmes to go ahead over the past year.

The 2011 budgetary process would, he confirmed, enable a detailed look to be taken in relation to the proposals for specific services. One of the first options under the Croke Park Agreement was to look, initially, at the redeployment of staff, internally and then externally, before seeking any exemptions.

Clr. Mc Guinness stated that he could not understand the logic that so many people were unemployed externally yet the local authority was struggling to deliver services with a limited number of frontline staff.

C/472/10 MATERIAL CONTRAVENTION OF COUNTY DEVELOPMENT PLAN 2006 –2012 (AS VARIED) CONSIDERATION OF PLANNING APPLICATION BY MS ANNA MCGRODDY FOR ERECTION OF DWELLING HOUSE TREATMENT PLAN AND PERCOLATION AREA AT DUNDOAN LOWER, DOWNINGS, CO DONEGAL

The motion was duly proposed by Clr. Mc Bride, seconded by Clr. Blaney.

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

Clrs D. Alcorn, L. Blaney, J. Boyle, C. Brogan, G. Crawford, M. Doherty, P. Doherty, R. Donaghey, M. Farren, M.T. Gallagher, M. Harley, J. Harte, C. Harvey, D. Larkin, P. Mac Lochlainn, F. McBrearty, N. McBride, C. Mc Conalogue, I. McGarvey, P. McGowan, B. Mc Guinness, B. O’Neill, T. Pringle, M. Quinn, J. Ryan and T. Slowey. (26)

The Acting Director, Ms Helena O’Toole, Senior Planner, proceeded to read into the record the report dated 15<sup>th</sup> September, 2010 from Mr. Michael Heaney, Director Community, Culture and Planning together with her own report dated 15<sup>th</sup> September, 2010.

Ms O’ Toole’s report recommended, inter-alia, that permission be refused for the following reasons:-

1. The subject site is located within an area designated as a ‘Rural area of Especially High Scenic Amenity’ (EHSA) in the County Donegal Development Plan 2006-2012 (as varied). It is a goal of this Plan, as set out in Section 5.1, to ‘cater for the housing requirements of individuals in rural areas who demonstrate a housing need’, and it is a policy of the said Plan, as set out in Section 5.9 (Policy RH3), that in EHSA areas favourable consideration will only be given to

persons who, inter alia, require a permanent house on family lands or immediate family members of such persons requiring a permanent house on family lands.

Having regard to the fact that the applicant in this instance owns and currently resides in an existing habitable dwelling adjoining the subject site and in the absence of appropriate documentary evidence to the contrary, the Planning Authority is not satisfied that the applicant has a genuine requirement for an additional dwelling in this rural area of Especially High Scenic Amenity as required by the Policy RH3. Accordingly, to permit the proposed development would contravene the aforementioned goal and Rural Housing Location Policy RH3 as set out in the County Development Plan 2006-2012 (as varied) and would thereby be contrary to the proper planning and sustainable development of the area.

**2.** The subject site is located within an area designated in the County Donegal Development Plan 2006-2012 (as varied) as a 'Rural area of Especially High Scenic Amenity' (EHSA). It is an objective of the Council, as set out in Chapter 8 of the County Development Plan, to protect landscapes of highest scenic amenity and Chapter 5 sets out the Council's objective to ensure that all new housing development respects key rural assets such as landscape quality. Furthermore, it is Council policy to give the highest degree of protection to the areas of highest scenic landscape quality (Policy BNH 5) and to require best practice in relation to the siting, location and design of rural housing in accordance with the guidance set out in Appendix E of the County Development Plan (Policy RH3 refers). Having regard to the location of the subject site within a visually sensitive environment, on lands that are notably elevated and exposed, it is considered that the proposal would be seriously injurious to the rural character and visual amenities of the host environment and would set an unsustainable precedent for similar proposals which, taken by themselves and cumulatively, would far exceed the capacity of this rural environment to accommodate physical development and which would fail to satisfy best practice in terms of location and siting. Accordingly, to permit the proposed development would materially contravene the objective of the County Donegal Development Plan 2006-2012 (as varied) to protect

landscapes of the highest scenic amenity, would be contrary to the aforementioned policies and would thereby be contrary to the proper planning and sustainable future development of the area.”

The Mayor invited the proposer and seconder of the motion to speak.

Clr. Mc Bride advised that the family in question had to deal with specific extenuating circumstances. There had, he noted, been some misinterpretation, initially, with the applicant intending to renovate the original wallsteads as a holiday home. The wallsteads in question had, he noted, collapsed and a house was built on the site with the applicant then applying for retention. There was at present a need for a permanent home for the family as the current dwelling was poorly designed and not suitable as a permanent home.

Clr. McBride advised that the applicant was confident that the proposed dwelling could be easily integrated into the existing landscape and could illustrate this with specific photo montages.

Referring to the specific recommendations made by the Department of the Environment, Heritage and Local Government in their letter of the 18<sup>th</sup> March, Clr. McBride asked Members to note that the site in question was part of a cluster.

Every effort, he noted, had been made to comply with the Planning Authority’s requirements and their recommendation that the dwelling be located elsewhere at a lower level. The latter was, he confirmed, not possible because of the boundary specifics involved.

Clr. McBride stated that, given that there were no objections locally to the construction of the dwelling, and the fact that the proposed works would, he contended, be barely visible from the road, it was vital that permission be granted at this juncture.

In conclusion, he added that the applicant was prepared to work with the Planning Authority to ensure that the visual impact on the area would be minimal.

The Mayor invited to speak any other members who wished to contribute to the debate.

On the proposal of Clr. Mc Bride, seconded by Clr. Blaney, the following motion was put to the meeting by the Mayor and a recorded vote taken by the Meetings Administrator:

“That in accordance with Section 34(6)(a)(iv), of the Planning and Development 2000, Donegal County Council hereby resolves that a decision be made to grant planning permission to Anna Mc Groddy for construction of a dwelling and with treatment plant and percolation area in the townland of Dundoan Lower, Downings”.

The vote resulted in 20 for with 5 abstentions.

Those voting in favour were: -

Clrs D. Alcorn, L. Blaney, J. Boyle, C. Brogan, M. Doherty, P. Doherty, R. Donaghey, M. Farren, M. Harley, J. Harte, D. Larkin, F. McBrearty, N. McBride, C. Mc Conalogue, I. McGarvey, P. McGowan, B. Mc Guinness, B. O’Neill, J. Ryan and T. Slowey. (20)

Clrs Crawford, Gallagher, Harvey, Mac Lochlainn and Pringle abstained.

The Mayor declared the motion lost.

C/473/10 ADJOURNMENT FOR LUNCH

On the proposal of Clr. Larkin, seconded by Clr. P. Doherty, it was resolved to adjourn the meeting for lunch until 2.30pm.

C/474/10 VARIATION IN THE ORDER OF BUSINESS

On the proposal of Clr. Ryan, seconded by Clr. Mc Gowan, it was resolved to vary the order of business in order to deal with Mayor’s Business, Item 31.

C/475/10 MAYOR’S BUSINESS

*Votes of Sympathy*

Votes of sympathy were extended to the following:-

- The family of the late Joe Mc Gowan, Town Foreman, Buncrana Town Council.
- Peadar Mac Rory, W.E.E, on the death of his wife Catherine
- John Mc Daid, former Revenue Collector on the death of his mother, Bridget.
- Maurice Coyle, Milford Roads and Owenie Coyle, Glenties Roads, on the death of their mother Annie.
- Doreen Floyd, Planning on the death of her father Eddie.
- The family of the late Eileen O' Doherty.

#### *Congratulations*

- Congratulations was extended to the Donegal Intermediate Ladies Football Team on winning the All-Ireland Intermediate Football Final in Croke Park on the 26<sup>th</sup> September.
- Clr. Patrick Mc Gowan on being elected to the Executive Committee of the Association of City and County Councillors.

#### *Workshop*

Members resolved to hold a Tourism and Development Workshop on Thursday 18<sup>th</sup> November, 2010 in the County House, Lifford at 10.00am

#### MOTION UNDER URGENT BUSINESS

The Council considered a request signed by Clrs. Mc Bride, Slowey, Ryan, M. Doherty, Harley, Boyle, Mc Guinness, and O' Neill to have the following motion discussed as Urgent Business:-

“ That Donegal County Council opposes the Government’s introduction of a Public Service Obligation (PSO) levy on electricity bills that will increase the cost of electricity to householders and business by an average of 5%”.

It unanimously resolved on the proposal of Clr. Mc Bride, seconded by Clr. Mc Brearty, to accept the motion and consider same before the close of business.

C/476/10 CALL FOR THE MINISTER FOR COMMUNICATIONS TO INTRODUCE A SECOND PHASE OF THE NATIONAL BROADBAND SCHEME TO ENSURE THAT ALL REMAINING AREAS IN DONEGAL RECEIVE MOBILE INTERNET BROADBAND COVERAGE

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

"That this Council calls on the Minister for Communications to introduce a second phase of the National Broadband Scheme as a matter of urgency to ensure that all remaining areas in Donegal receive mobile internet broadband coverage, and that both ERNACT and the IS Department, Donegal County Council have a recognised input in the project"

Members were informed that:-

“The National Broadband Scheme was introduced by the Department of Communications to provide nationwide broadband coverage with a strong focus on rural areas. In order to deliver the project, the Department initiated a coverage scheme at District Electoral Division level. Electoral Divisions which were deemed to already have broadband provision were excluded from the scheme.

The experience in Donegal has shown that potential customers in Electoral Divisions excluded from the National Broadband Scheme are having difficulty in obtaining broadband services. To regularise this situation, Donegal County Council strongly supports an extension of the National Broadband Scheme in order to ensure that all areas of the county have access to modern broadband services.”

Members were in general agreement that there was inadequate broadband coverage in many areas of the county and called for every effort to be made to address the gaps in the service. It was suggested that the IS Section and Ernact

might be best placed at present to provide a factual assessment of the needs of the county.

Members alluded also to the inadequate mobile phone coverage and suggested that these companies also be contacted in relation to the inadequacies in service delivery.

C/477/10 CALL FOR THE GOVERNMENT AND THE HSE TO MAKE ALZHEIMER'S AND DEMENTIA A NATIONAL HEALTH PRIORITY

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

"That this Council calls -

(a) upon the Government and HSE -

(i) to make Alzheimer's and other forms of Dementia a National Health Priority;

(ii) to meet the growing needs of families affected by dementia by advancing the Action Plan for Dementia in a manner consistent with the Dementia Manifesto 2007-09 published by the Alzheimer's Society of Ireland, until a more permanent Strategy can be determined;

(b) upon other local authorities and groups representing civil society in Donegal and nationwide to add their support to this call."

Clr. Ryan outlined the importance of the motion and its relevance for the community as a whole.

He suggested that assistance could be provided by the Council in terms of the appointment of a Senior Citizens Officer, whilst also assessing ways in which information could be fast tracked for those seeking Housing Adaptation Grants etc.

It was noted that assistance might also be provided in conjunction with Donegal Citizens Advice.

It was agreed that the motion be circulated to all local authorities.

C/478/10 CALL TO SECURE FUNDING TO ENSURE THE CONTINUATION OF THE BUNCRANA TO RATHMULLAN CAR FERRY IN THE SUMMER OF 2011 AND FUTURE YEARS

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

"That every avenue be explored to secure funding to ensure the Buncrana to Rathmullan Car Ferry continues in the summer of 2011 and future years."

Members were informed that:-

“Community and Enterprise are currently reviewing the 2010 Ferry services and will provide a report on activity levels at the next electoral area meetings in Inishowen and Letterkenny. C&E continues to review both the projected costs and the potential funding sources, both internal and external, with the objective that the costs and income for the 2011 seasonal ferry service between Buncrana and Rathmullan be considered in the coming months.”

It was widely acknowledged that every effort should be made to source the necessary funding given the importance of the ferry for the tourism development of the region. It was suggested that it needed to be explored at local and national level in conjunction with the sourcing of EU funding so that permanent funding could be found for this important piece of social and economic infrastructure.

C/479/10 CALL FOR THE COUNCIL TO WRITE TO THE MINISTER FOR JUSTICE AND THE GARDA COMMISSIONER SEEKING TO HAVE MORE GARDAI DEPLOYED TO TRAFFIC DUTY IN THE EARLY HOURS OF WEEKENDS ACROSS DONEGAL

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

"That Donegal County Council write to the Minister for Justice, Dermot Ahern and the Garda Commissioner, Fachtna Murphy seeking the necessary resources to deploy more garda to traffic duty in the early hours of weekends across Donegal following the revelations in the Draft Donegal Road Safety Plan about the levels of fatal and serious roads collisions during those hours as opposed to day time hours."

It was generally agreed that there was a great need for extra resources given the large number of fatalities on Donegal Roads. This, it was acknowledged, needed to be backed up with not just effective enforcement but with a dedicated educational campaign to make all concerned aware of the consequences of reckless driving.

It was agreed to forward the motion to the Minister for Justice and the Garda Commissioner.

C/480/10

COUNCIL SUPPORT FOR THE CITYWIDE DRUGS  
CRISIS CAMPAIGN AGAINST ADJUSTMENTS TO  
DRUG TASKFORCE FUNDING AND FOR THE  
REALLOCATION OF FUNDS FROM THE CRIMINAL  
ASSETS BUREAU TO REGIONAL AND LOCAL DRUG  
TASKFORCES

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

"That Donegal County Council supports the citywide drugs crisis campaign against adjustments to drug taskforce funding and calls on the government to allocate funds from the Criminal Assets Bureau to regional and local drug taskforces to assist them in their provision of services in their communities."

Members were informed that:-

“Under the National Drugs Strategy 2001 - 2008, Regional Drugs Task Forces were established throughout Ireland to provide responses to illicit drug use and underage drinking problems at a local level. Each Task Force is comprised of representatives from governmental agencies, local authorities, community and voluntary groups, and others with an interest in or responsibility for these problem areas. Their primary role is to ensure a coordinated response in addressing illicit drug use and underage drinking within their respective regions and to develop appropriate responses to local needs.

Established in 2003, the North West Regional Drugs Task Force has a remit for tackling the issues associated with illicit drug use and underage drinking in the North West region including all of Counties Donegal, Sligo and Leitrim, and the northwestern portion of County Cavan.

Donegal County Council facilitates representation from the community and voluntary sector via the County Community Fora structure and Donegal Youth Council feeds into the work of the Taskforce at a grassroots level through the delivery of a range of projects in the county.”

Clr. Larkin called for the objectives contained in the National Drugs Strategy 2009-2016 to be dealt with at local level.

He alluded also to the issue of under-age drinking and expressed concern at the current policy of sending undercover and underage teenagers into bars and off-licences. This form of entrapment was, he advised, unfair to the teenagers involved and the owners of the premises involved.

Clr. Larkin asked that the motion be circulated to all the Oireachtas Members in the county and to Mr. Pat Carey, T.D, Minister for Community, Equality and Gaeltacht Affairs.

C/481/10 VARIATION IN THE ORDER OF BUSINESS

On the proposal of Clr. Brogan, seconded by Clr. Larkin, it was resolved to vary the order of business and deal with Items 24(a), 24(b), (24(c) and Item 29 at this juncture.

C/482/10 TO AGREE DATES FOR WORKSHOPS WITH MEMBERS TOGETHER WITH SECTORAL MEMBERS OF THE PLANNING SPC FOR THE PURPOSE OF CONSIDERING THE REVIEW OF THE COUNTY DEVELOPMENT PLAN 2006-2012

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

On the proposal of Clr. Larkin, seconded by Clr. Brogan, it was resolved to hold a workshop with Members and Sectoral Members of the Planning SPC on the following dates to consider the review of the County Development Plan 2006-2012:-

- Tuesday 2<sup>nd</sup> November, 2010 at 2.00pm in the County House, Lifford.

On the proposal of Clr. Alcorn, seconded by Clr. Harvey, it was resolved to hold a workshop with Members and Sectoral Members of the Planning SPC on the following date to consider the review of the County Development Plan 2006-2012:-

- Thursday 18<sup>th</sup> November, 2010 at 1.00pm in the County House, Lifford.

C/483/10 TO APPROVE THE ISSUING OF A REPORT BY DONEGAL COUNTY COUNCIL TO THE DEPARTMENT OF THE ENVIRONMENT , HERITAGE AND LOCAL GOVERNMENT REGARDING THE CONSULTATION DRAFT ON THE NRA REVIEW OF GUIDELINES- “SPATIAL AND NATIONAL ROADS”  
(24 (b))

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

The A/ Director Community, Culture and Planning advised that submissions had to be returned to the Department of the Environment, Heritage and Local Government by Wednesday 29<sup>th</sup>, September, at the latest.

A range of issues were raised including:-

- Accessibility issues for rural dwellers living along the N56.
- The need for the facilitation of rural housing on a county-wide basis.
- Concern was expressed that the policy would affect the entire county and not just those roads designated as National Primary Roads for planning purposes.
- Possibility of identifying feeder routes onto the N56 so as to facilitate the indigenous rural population.
- Outlined the need for an exact definition of an “Access Point”.
- Serious concern expressed that the potential for rural industry to develop would be adversely affected by these guidelines.
- Call for an assessment of all NRA objections to planning applications seeking access onto National Primary Routes.

- Outlined the need for a factual submission based on actual case studies.
- Further clarification requested in relation to the 3000AADT threshold and the impact of same on routes such as the Buncrana to Derry Road.

Responding to Members concerns in relation to the situation with National and Non-National Roads, the A/Director referred to Section 1.4 of the Guidelines and advised that that Planning Authorities were strongly recommended to identify those stretches of Non-National Roads outside the 50-kph speed limit zones to which these guidelines should also apply

On the proposal of Clr. Pringle, seconded by Clr. Larkin, it was resolved to approve the issue of a report encompassing the issues outlined above together with any additional observations highlighted by Members prior to the closing date on the 29<sup>th</sup> September, 2010.

It was agreed that any further observations could be submitted to Ms Helena O' Toole, A/Director Community Culture and Planning or to Mr. Gerry Richards, Senior Planner in advance of the final submission date.

C/484/10 TO NOMINATE TWO MEMBERS TO LIFFORD/STRABANE RIVERINE PROJECT STEERING GROUP (24 (c))

On the proposal of Clr. Brogan, seconded by Clr. Mc Guinness, it was resolved to elect the following members, nominated by the Stranorlar Electoral Committee, to the Lifford/Strabane Riverine Project Steering Group:

Clr. G. Crawford  
Clr. F. Mc Brearty

C/485/10 ADJOURNMENT OF MEETING

On the proposal of Clr. Alcorn, seconded by Clr. Brogan, it was resolved that any remaining business before the Council at 6.00pm be adjourned to 10.00am on Monday 11<sup>th</sup> October, to be followed on completion of business by a Roads and Transportation Workshop.

C/486/10 VARIATION IN THE ORDER OF BUSINESS

On the proposal of Clr. Brogan, seconded by Clr. Crawford, it was resolved to vary the order of business and deal with Motion 14 at this juncture.

C/487/10 ADVERTISMENT OF THE AMENDMENTS TO THE BUNDORAN TOWN AND AREA PLAN

The following motion was proposed by Clr. Brogan, on behalf of Clr. Mc Eniff, seconded by Clr. Crawford, and adopted:-

"That the Council advertise without delay the amendments to the Bundoran Town and Area Plan."

Members were informed that:-

“Any changes to the Bundoran and Environs Development Plan would require a formal Variation to the said plan. The Development Plan was recently adopted by both the Bundoran Town Council and the Donegal County Council in November 2009. The Central Planning Unit have a full programme of work for the foreseeable future, concentrated on the Review of the County Donegal Development Plan. All staffing resources are fully focussed on the delivery of this critical project within tight statutory timeframes. Furthermore, no provision has been made in the current budget for a Variation to the Plan which would involve, inter alia, screening and scoping for a Strategic Environmental Assessment and an Appropriate Assessment. As a result, the Central Planning Unit is unable to progress this matter further at this stage. The matter can be reviewed after the budget process during which the question of identification of adequate resources can be fully considered.”

C/488/10 CONFERENCES

Having noted the revised arrangements under Section 142 5(d) of the Local Government Act, 2001, introduced by the Local Government (Expenses of Local Authority Members) Regulations 2006 & 2010 and directives issued by the Minister in that regard, on the proposal of Clr. Alcorn, seconded by Clr. Crawford, it was resolved to authorise the attendance of members at the following conferences, subject to the normal procedures:-

1. Individual members not exceeding their annual budget for attendance at conferences.
2. Payment of expenses for attendance to be conditional on the member furnishing documentary evidence of attendance and complying with the legal requirements.
3. The submission of a Conference Report by any member attending a conference.
  - Celtic Conferences – How to be an effective Mayor/Chairperson to be held from Thursday 30<sup>th</sup> September to Saturday 2<sup>nd</sup> October, 2010 at The Creggan Court Hotel, Athlone, Co. Westmeath.
  - Greystones Town Council in association with Ards Borough Council and the La Touche Legacy Committee 2010 Autumn Seminar – “Local Democracy – in Changing Times” to be held from Friday 1<sup>st</sup> to Sunday 3<sup>rd</sup> October, 2010 in the Charlesland Golf and Country Club Hotel, Greystones, Co. Wicklow.
  - Women in Public Life Seminar to be held Friday 1<sup>st</sup> October, 2010 at the City Hotel, Derry.
  - Training Seminar for Councillors – “Report of the Local Government Efficiency Review Group” to be held Friday 1<sup>st</sup> to Sunday 3<sup>rd</sup> October, 2010 at Whites Hotel, Wexford.
  - Kerry Life Education Ltd – Getting A Grip 2010 ‘Building a Social Response’ to be held Thursday 7<sup>th</sup> and Friday 8<sup>th</sup> October, 2010 at the Europe Hotel and Conference Centre, Killarney, Co. Kerry.
  - Roscommon County Council and Western Development Presents – Douglas Hyde Conference 2010 ‘Inside Creativity: Education, Innovation, Economy and Society’ to be held Friday 15<sup>th</sup> and Saturday 16<sup>th</sup> October, 2010 at the Abbeyfield Hotel, Ballaghaderreen, Co. Roscommon.
  - Elected Member’s Training Seminar – ‘Planning and Development Amendment Act 2010’ to be held Friday 15<sup>th</sup> to Sunday 17<sup>th</sup> October, 2010 at Hannon’s Hotel, Athlone Road, Roscommon.
  - Elected Member’s Training Seminar – ‘Alternative Energy Competing with the Rest of Europe’ to be held from Friday 22<sup>nd</sup> to Sunday 24<sup>th</sup> October, 2010

at the Glenroyal Hotel, Straffen Road, Maynooth, Co. Kildare.

- CMG Events – Flood Relief Infrastructure Conference 2010 to be held Thursday 28<sup>th</sup> October, 2010 (Half Day) at the Royal Marine Hotel, Dun Laoghaire, Co. Dublin.
- Elected Member’s Training Seminar – ‘Criminal Law (Defence and the Dwelling) Bill 2010 Insurance Issues for the Home and Business Enforcement of Social Standards in Local Authority Housing’ to be held from Friday 29<sup>th</sup> to Sunday 31<sup>st</sup> October, 2010 at the Maldron Hotel Galway, Oranmore, Co. Galway.

C/489/10 PROVISION OF THE DETAILS RELATING TO THE CONTRACT AGREED WITH ONE SIGMA LTD

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

"That this Council be provided with full details of the Contract agreed with One Sigma Ltd, i.e. Procurement, the Testing of WSW, the response from the Dept. and other Bodies to this Council's request for evaluation of the work done by this Company to date, amount paid, I make this request with respect to allow us debate the merits in view of the Council's financial circumstances."

Members were informed that:-

“At an adjourned meeting of Donegal County Council held on 14th June, 2010 and following a lengthy discussion, it was unanimously agreed, that the evaluation of the WSW system would take place over a period of six months and a provision of €90,000 was approved by Council in this regard. Council Management have in the period July to date engaged extensively with One Sigma Ltd in order to arrange for the carrying out of the WSW testing phase in accordance with the decision of Council made on 14th June 2010. A specification of works has at this stage been agreed and it is expected that work will progress over the next number of weeks. No payments on foot of the testing phase works have been made by the Council to One Sigma Ltd to date.

In relation to other matters raised in the motion, the following sets out the up to date position:

The Mayor, following decision of Council, wrote to the Minister of the Environment, Heritage & Local Government relating to the value for money and procurement aspects of the specialist services. The Minister in his reply dated 23rd March, 2010, indicated that he would consider the matter of an independent examination regarding the procurement aspect. No further correspondence has been received from the DoEHLG in this regard. However, it should be noted that the Minister did indicate that the reports received would be submitted to the Transforming Public Services Programme and the Local Government Efficiency Review Group.”

Clr. Mc Garvey advised that he had serious concerns in relation to the matter and particularly in relation to the status of the contract with One Sigma Ltd A Workshop to update Members on the status of the programme was, he suggested, badly needed at this stage.

A number of issues were raised, namely:

- What contract if any was in place?
- Had any other Council been approached in relation to using and availing of the system?
- What recompense if any was there for Donegal County Council should other Local Authorities/Bodies buy into the project.

The Deputy Mayor, Clr. Mac Lochlainn, took the chair at this juncture to facilitate the Mayor who had to attend to other business.

He informed the meeting that a decision had been taken back in June to allow the testing of the WSW move forward.

The County Manager noted that a number of the motions for the September Meeting had in fact raised the issue of service delivery within acceptable and affordable thresholds.

It was imperative, he added, that the outcome of the test be assessed before making any judgements on the value of the WSW and its marketable value. The aim now, he indicated, was to establish the value of the system and its suitability for delivery within a public service context. He confirmed he was hopeful that the outcome of the tests would be of assistance in the preparation of the 2011 Budget.

It was important, he noted, that adequate space was given so that the capabilities of the WSW could be determined.

Clr. Mc Garvey welcomed the transparency shown but expressed concern in relation to the costing element of this test phase.

Acknowledging that there were a range of issues to be clarified, the Deputy Mayor suggested that it would be advisable to await the outcome of the testing phase works.

C/490/10 VARIATION IN THE ORDER OF BUSINESS

Clr. Mc Brearty asked that his Motion No. 18 be moved forward in view of the serious nature of the issues raised.

Clr. Brogan advised that the matter concerned could perhaps be more ably dealt with by the DCC Representatives on the HSE West Regional Forum and thus requested that his motion proceed as per the order of business on the agenda.

Clr. McGuinness proposed, seconded by Clr. MacLochlainn, that the order of Business be varied to take Clr. McBrearty's motion at this juncture.

After some deliberation, it was resolved on a show of hands, resulting in 9 voting for with 7 against, to vary the order of Business.

The Deputy Mayor declared the motion carried.

C/491/10 SAFEGUARDING OF SERVICES AT LETTERKENNY GENERAL HOSPITAL,LIFFORD COMMUNITY HOSPITAL, THE SHIEL AND ROCK HOSPITALS IN BALLYSHANNON.

The following motion was proposed by Clr. Mc Brearty, seconded by Clr. Quinn:-

"That Donegal County Council call on the government to give a commitment to the people of Donegal that the services at Letterkenny General Hospital, Lifford Community Hospital, the Sheil and Rock Hospitals in Ballyshannon be safe guarded from any proposed cuts or closures because of the vital services that these hospitals give to the people of Donegal and the North West and that

the government gives a commitment to make up the deficit that Letterkenny General Hospital has in order to save jobs and the services which are threatened by the inhuman government cut backs."

Clr. Mc Brearty noted that Letterkenny General Hospital had been classed as a Centre of Excellence but was not receiving any additional funding.

It was apparent now, he added, that the most vulnerable in society were being affected by the lack of government funding.

Clr. Brogan requested Clr. Mc Brearty to amend his motion to omit the word "inhuman" and to ask the HSE to upgrade Letterkenny General Hospital to the status of Regional Hospital.

Members were in general agreement that the status of Letterkenny General Hospital should be upgraded to that of a Regional Hospital, and that cuts should not in any way be directed towards frontline services.

Clr. Quinn called on all Fianna Fáil Senators and TDs to seek an urgent meeting with the Minister for Health in relation to the funding situation and if assistance was not forthcoming to withdraw their support for the government.

Clr. Harvey returned to the Chair at this juncture.

The Mayor indicated that as it was 5.45pm she proposed to deal with the motion submitted under Urgent Business, as agreed earlier in the meeting.

Clr. Mac Lochlainn proposed, seconded by Clr. McGuinness, that the Council complete discussion of Clr. McBrearty's motion and then deal with Motion No 10, submitted by Clr. Brogan.

Clr. Mac Lochlainn proposed, seconded by Clr. Mc Guinness, that Standing Orders be suspended to continue the meeting beyond 6pm to allow Urgent Business Motion to be considered, followed by Clr. Brogan's Motion.

The Meetings Administrator advised that the foregoing motions were not in order as the Council had already

resolved to adjourn any business remaining at 6pm until 10am on 11<sup>th</sup> October, 2010.

Following a number of exchanges, the Mayor adjourned the meeting to the date agreed previously.