

COMHAIRLE CHONTAE DHUN NA nGALL

Oifig Riarthóir na
gCruinnithe
Aras an Chontae
LEIFEAR
18 Samhain 2008

Beidh Cruinniú Comhairle Chontae Dhún na nGall ar siúl Dé Luain, 24 Samhain, 2008, 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 leis seo.

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

Mise, le meas

A. MacSuibhne

Riarthóir Cruinnithe(RÚNAI CHONTAE)

DONEGAL COUNTY COUNCIL

Office of Meetings Administrator
County House
Lifford
18th November, 2008

NOTICE OF MEETING

A Meeting of Donegal County Council will be held on Monday 24th November, 2008, 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

- a) Confirmation of Minutes of Adjourned Meeting of Donegal County Council held on the 28th October, 2008.
- b) Confirmation of Minutes of Meeting of Donegal County Council held on the 28th October, 2008.
- c) Confirmation of Minutes of Meeting of Cultural Committee held on the 8th July, 2008.
- d) Confirmation of Minutes of Meeting of Inishowen Electoral Area Committee held on the 22nd July, 2008.
- e) Confirmation of Minutes of Meeting of Donegal Placenames Committee held on the 2nd September, 2008.

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

To approve the carrying out of works with regard to Proposed Environmental Improvement Scheme works at Cill Charthaigh Phase II

3. Planning and Economic Development

- a) To consider the contents of letter, dated 7th November, 2008 received from the Department of the Environment, Heritage and Local Government in regard to Variation No 1, to the County Donegal Development Plan 2006-2012.(Letter circulated 14th November, 2008).
- b) Consideration of Manager's Report on submissions received on the Draft Ballyshannon and Environs Local Area Plan 2008-2014.

4. Housing and Building

- a) To adopt the Draft Disability Implementation Plan 2009-2015.
- b) To approve raising of loan of €5,000,000 to fund Donegal County Council's commitments to the payment of Tenant Purchase Loans.

5. Finance

- a) To agree dates for the Statutory Budget Meeting and for the review of the three year capital programme.

- b) To approve agreement to provide for Inter Authority borrowing/lending between Donegal County Council, Letterkenny, Buncrana, Bundoran and Ballyshannon Town Councils for the period 01st January 2009 to 31st December, 2009, in accordance with the Local Government Act, 2001, Section 106, Sub Section 6, which updates Part 11 of the Local Government (No. 2) Act, 1960.

6. Corporate

- a) To approve the implementation from 1st September, 2008 of the revised pay scales sanctioned by the Department of the Environment and Local Government under Section 27.17 of Towards 2016.
- b) To approve Schedule of Meetings for 2009.

7. Community and Enterprise

To note report on Ferry Services for 2008.

8. Deputations/Presentations

- a) To consider request for reception of deputation from Sligo Borough Council

9. Conferences

Authorisation of representation at a seminar, meeting or event under Section 142 (5) of Local Government Act, 2001 and S.I. No 668 of 2006, Local Government (Expenses of Local Authority Members) Regulations 2006:-

a) **HOME**

- Border Regional Authority NSS Refresh Update Review of the Regional Planning Guidelines for the Border Region Review of the Regional Development Strategy for Northern Ireland to be held 26th November, 2008 at the Hillgrove, Monaghan.
- Solace Northern Ireland Conference 2008 Delivering the Power of Well-Being through Local Leadership to be held Thursday 27th November, 2008 at the Lough Erne Golf Resort, Enniskillen.
- Dundalk Chamber (in association with Dundalk Town Council) “Meet the Planners Seminar” to be held Wednesday 3rd December, 2008 at the Park Inn, Dundalk.

- Homelessness in Ireland Training Seminar to be held Friday 5th and Saturday 6th December, 2008 at the The City West Hotel, Dublin.

10. Conference Reports

- Clr. Joe Kelly – Ireland’s Water An Untapped Resource held 17th October, 2008.
- Clr. Terence Slowey – The Local Government Housing Service held Friday 6th to Sunday 8th June, 2008.
- Clr. Terence Slowey – The Role of Local Government in Sport held Wednesday 30th July to Friday 1st August, 2008.
- Clr. Terence Slowey – Parnell Summer School held Sunday 10th to Friday 15th August, 2008.

11. Mayor’s Business

12. Manager’s Report

MOTIONS

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

GLENTIES ELECTORAL AREA

Roads and Transportation

13. Clr. Slowey

"That this Council calls on the Minister for the Environment to make realistic funds available through the National Roads Authority in 2009 for the upgrading of West Donegal's most important road the N56."(L)

14. Clr. Alcorn

"That this County Council discuss the importance of having a proper Drainage System on our Roads"(C)

Community, Culture and Enterprise

15. Clr. M.T. Gallagher

"That this Council express its serious dissatisfaction with the way in which the proposed Marina in Burtonport has been dealt with by the State, and that a master plan be drawn up without delay to

ensure that development in Burtonport can commence and that no more public or private money is wasted due to neglect by the state to this area"(L)

INISHOWEN ELECTORAL AREA

Roads and Transportation

16.Clr. Donaghey

"That a safe and effective vehicular and pedestrian traffic movement system be put in place on Cockhill Bridge without further delay."(L)

Finance

17.Clr. Conaghan

"That this Council prioritises the Basic Services in Budget 2009"(C)

Community, Culture and Enterprise

18.Clr. McDonald

"That this Council consider a cultural tourism project that would explore the connections between General Montgomery of the Alesmain and Moville with a view to maximising the British and other tourist interest in this local citizen"(L)

Corporate Services

19.Clr. MacLochlainn

"That this Council notes with serious concern the following issues emanating from the recent budget that affect the people of Donegal and calls on the Government to do the following:

Continue with the proposed decentralisation of public servants and offices to Gweedore and Donegal Town, Reinstate support for Irish language colleges Maintain at least one military barracks north of the Barnesmore Gap To immediately reinstate medical cards for all those over 70.

To reverse all education cuts in the Budget that will result in increased class sizes and the increase in registration fees for 3rd level students.

To reverse the 1% income levy. To put in place a plan to stabilise the Donegal Economy in the short term, reinvigorate it in the medium term and to prioritise job creation. To increase the Local Government Fund in line with inflation. To return to core funding

for all community creches. To reinstate the Young Farmers Installation Grant and the Early Retirement Scheme for farmers. To not proceed with cuts to Disadvantaged Area Aid and the Suckler Cow Welfare Scheme for Farmers.” (O)

LETTERKENNY ELECTORAL AREA

Community, Culture and Enterprise

20. Clr. Harvey

"In light of the recent Fuel poverty seminar organised by Donegal County Council:

That this Council calls for the commission for Energy Regulation (CER) not to approve the increases now sought by An Bord Gais and the Electricity Supply Board."(O)

Water, Environment and Emergency Services

21. Clr. Larkin

“That this Council open the new recycling centre in Letterkenny before the Christmas period given the volume of material that will be in circulation.”(L)

DONEGAL ELECTORAL AREA

Corporate Services

22. Clr. Pringle

"Recognising that the will of the people as expressed at the ballot box is sovereign, and recognising that if all member states of the EU do not ratify the Lisbon Treaty it does not pass into law, and further recognising that the people of Ireland exercised their rights as citizens to reject the Lisbon Treaty referendum, and we call on the EU Commission, the EU Council of Ministers, the EU Parliament and the authorities in the other EU states to accept and respect the verdict of the Irish people , as they accepted the will of the French and Dutch people following their decision to reject the EU Constituion"(O)

MILFORD ELECTORAL AREA

Community, Culture and Enterprise

23. Clr. Blaney

"That this Council officially name the Ramelton Recreation and Amenity Area Project as "The Dave Gallagher Park."(L)

STRANORLAR ELECTORAL AREA

Corporate Services

24. Clr. McGowan

"That the Manager present details of all Consultants contracted by this Council, their terms of reference, cost etc so that consideration can be given to redeploying our own competent staff to carry out some of this work instead of the possible layoff of either fulltime or contract staff."(C)

Housing and Building

25. Clr. A. Bonner

"That this Council expedite "Bye Laws" to address illegal parking of vehicles and caravans by members of the travelling community in Towns like Ballybofey/Stranorlar etc"(L)

Roads and Transportation

26. Clr. Reid

"That the speed sign be moved from above Milltown Bridge, Killygordon to the upper side of the new entrance to the new Red Hughes Gaelic Ground for safety reasons."(L)

QUESTIONS

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

GLENTIES ELECTORAL AREA

Corporate Services

27. Clr. Kelly

"What systems are in place by the Donegal County Council to counter-act misrepresentations made to the media on County Council matters?"(C)

Water, Environment and Emergency Services

28. Clr. Slowey

"How much was invested by Donegal County Council in the Water Services Investment Programme for the years 2003-2005 inclusive? Please give a detailed breakdown of the projects funded."(C)

29.Clr. Slowey

"How much toxic and hazardous waste was generated in Donegal in 2007 and will the Council list the top five producers and state the final destination of the waste in each case?"(C)

30.Clr. Alcorn

"What is the latest update on the Group Water Schemes, that were on the list for commencing in 2008 subject to funding being available?"(C)

31.Clr. M.T. Gallagher

"Is this Council aware that a household in Ardveen has to take water from public water supply in Dungloe by bottle to their home because they do not have a clean water supply, if so what plans are in place to rightify this despicable neglect?"(L)

Roads and Transportation

32.Clr. Alcorn

"When is it hoped to commence work on the new pier on Rutland Island, and whats the projected timescale of completing this project?"(L)

Community, Culture and Enterprise

33.Clr. M.T. Gallagher

"What progress has been made on the issue of the Gweebarra fishery following the motion passed unanimously by Donegal County Council?"(L)

INISHOWEN ELECTORAL AREA

Water, Environment and Emergency Services

34.Clr. Donaghey

"When will people from the Illies, Ballymagan be able to get Water Connections for new homes as planning permissions have been refused on these grounds within the last 18 months?"(L)

35.Clr. Donaghey

"What is the current position regarding the upgrading of Buncrana's outdated Sewerage Treatment Plant?"(L)

Housing and Building

36.Clr. Conaghan

"What is the current position regarding the proposed Housing Scheme for Newtowncunningham?"(L)

37.Clr. MacLochlainn

"Will Donegal County Council immediately facilitate the long held requests by community groups in the Buncrana area to avail of council owned land at Rockytown, Buncrana to progress their projects?"(L)

Roads and Transportation

38.Clr. Conaghan

"What Plans have the Council in place this winter regarding Road Safety regarding Public Lighting, Signage and Road gritting?"(C)

39.Clr. McDonald

"When will the Council provide a car park in Moville?"(L)

40.Clr. McDonald

"When will this Council take immediate steps to resurface the stretch of street between the Foyle Hotel and Ballynally Lane"(L)

41.Clr. MacLochlainn

"Will Donegal County Council honour its commitment to provide 12.5% of the cost of the improvement works at Greencastle Harbour?"(L)

LETTERKENNY ELECTORAL AREA

Corporate Services

42.Clr. Harvey

"Has this Council a timeframe to roll out the Joint Policing Committee's (JPC), that now all the guidelines have been put in place?"(C)

Roads and Transportation

43.Clr. Harvey

"Has this Council any plans to provide a Pedestrian Crossing in the Diamond Area of Raphoe?"(L)

44. Clr. Larkin

"Has there been any reply from the NRA about funding an extra lane at the front of the Mount Errigal Hotel in Letterkenny?"(L)

Community, Culture and Enterprise

45. Clr. Larkin

"Can the Council be updated on the Kelvin Project under Interreg?"(C)

DONEGAL ELECTORAL AREA

Finance

46. Clr. Pringle

"How much has been paid for outside consultants from the revenue budget in 2008?"(C)

Water, Environment and Emergency Services

47. Clr. Pringle

"How much is the monthly charge for the Group A Donegal Bay Waste Management Scheme contractor and how many extra claims have been made and paid?"(L)

STRANORLAR ELECTORAL AREA

Housing and Building

48. Clr. McGowan

"What consideration if any is the Council or the Dept of Environment and Local Government giving to supporting families threatened with home repossession, in light of the latest economic crisis and the fact that this Council will inevitably have to consider re-housing any families who are not able to meet their mortgage repayments?"(O)

Roads and Transportation

49. Clr. McGowan

"Why is there such a disparity on road maintenance carried out in the Finn Valley Area compared to other areas like the Donegal Area and Milford Areas which has been highlighted at most of the

Council Corporate Group and the Roads and Transportation SPC meetings over the last 3 or 4 years?"(L)

50. Clr. Reid

"What stage is the Ballybofey and Stranorlar ByPass at?"(L)

Water, Environment and Emergency Services

51. Clr. A. Bonner

"What plans does this Council have to provide Public Conveniences in "Twin Towns" as no such facilities exist in the Stranorlar electoral area and is a necessity for the area?"(L)

Corporate Services

52. Clr. A. Bonner

"When will Broadband (Council's) be available in Twin Towns as it must be 12 months since cables were installed?"

Community, Culture and Enterprise

53. Clr. Reid

"What is Donegal County Council doing to ensure the allocation of a Business park for the Twin Towns?"(L)

54. **MOTIONS FROM OTHER COUNCILS**

LIMERICK COUNTY COUNCIL

"That, Limerick County Council calls for a complete reversal of the inequitable cuts on Agriculture in the Budget 2008."

CLONES TOWN COUNCIL

"That Clones Town Council supports the two objectives of the Irish Lobby for Immigration Reform in the U.S.: 1. a path to legal status for the undocumented Irish in the U.S., and 2. a path to legal status for future Irish immigrants.

That we write to the Minister for Foreign Affairs, Mr Micheal Martin and the Irish Ambassador to the U.S. asking them to expedite a bi-lateral agreement with the U.S. Administration to address these issues.

That this motion be circulated to all Local Authorities North and South, seeking their support for this motion and asking them to write to Mr. martin.

The undocumented Irish Community in the U.S.A. is in deep difficulty.

Young Irish men and women cannot return to Ireland for normal family and social events, like marriages, christenings, anniversaries, funerals, etc. or to visit parents or siblings, because of the fear of not getting back into the country. Many have set up home, families and businesses. They contribute to the economic and social life of their communities.

A two-tier structure has emerged in Irish neighbourhoods over legal status.

Organisations such as GAA are unable to play games in Ireland because of visa issues, while Irish Immigration centres across the U.S. are reporting a surge in new arrivals.”

CLONES TOWN COUNCIL

“Clones Town Council calls on the Minister for Social and Family Affairs to relax the ‘Habitual Residency conditions’, for Irish citizens returning from the USA and other countries. These conditions can cause hardship for returning Immigrants some of whom can be sick or injured or even deported, these people can not avail of social welfare until they are back for two years.”

CLONES TOWN COUNCIL

“That Clones Town Council writes to Minister for Social and Family Affairs, Mary Hanafin and the Taoiseach Brian Cowen, requesting that the Fuel Allowance Scheme be doubled, and that the payment be extended to 34 weeks instead of the current 30 weeks.

We also request that the Living Alone Allowance be doubled, in line with the proposal from Age Action. That we circulate this motion to all Local Authorities.”

WATERFORD CITY COUNCIL

“Waterford City Council calls on the Minister for Health and the HSE to develop and implement a Stroke Strategy which would save up to 500 lives a year, and improve the rehabilitation of thousands of stroke sufferers who are left disabled unnecessarily.”

WATERFORD CITY COUNCIL

“The number of taxis operating in Waterford far outstrips demand. The over supply has resulted in those involved in the industry being unable to earn an acceptable return for their labour or their investment in spite of the huge amount of unsocial hours which are involved in operating a taxi.

Licences are being issued without due consideration being given as to whether or not there is a need for more taxis and particularly the devastating effect such a policy is having on existing owners. In order to somewhat rectify the situation this Council calls on the government to postpone the issuing of further taxi licences for a period of at least 2 years and at the end of that period a consultation process be entered into with representative of the industry.”

WATERFORD CITY COUNCIL

“That Waterford City Council calls on the Minister for Transport to transfer the licence issuing authority in respect of urban bus routes to Local Authorities with full devolution of powers in respect of routes, fares, frequency of services etc. including necessary funding, to ensure a user friendly and integrated public transport network.”

WATERFORD CITY COUNCIL

“Waterford City Council calls on the Minister for the Environment, Heritage and Local Government to improve the level of funding to Waterford City Council so that it can meet applications for urgent and necessary cases under the following Grants: Housing Aid for the Elderly, Mobility Aids Grant and Housing Adaptation Grant for people with a Disability”.

MONAGHAN TOWN COUNCIL

“That Monaghan Town Council, in recognition of the important social service involved and the voluntary participation of those engaged in the distribution of Meals-on-Wheels, approves the issuance of a display disc or discs to the Managers of the Scheme for motor vehicle display purposes while engaged in active distribution of meals to recipient citizens of our town, thereby excusing the vehicle owner/driver from the requirements of our pay and display pay parking regulations and, if adopted, agrees to circulate this motion for the attention of all City, Corporation and Town Councils throughout the State.”

SLIGO BOROUGH COUNCIL

“That this Borough Council calls on the Minister of the Environment and Local Government to implement a full restructure of the Elector of Registers where the PPS number is the sole basis that the register of electors is compiled and that adequate funding is supplied to each local authority to implement this

process a copy of this motion to be sent to all local authorities within the State’.

KILKENNY COUNTY COUNCIL

“That Kilkenny County Council fully supports the National Coalminers Group to establish a Statutory Compensation Tribunals for those who worked in the industry in Counties Kilkenny, Laois, Tipperary and Roscommon.”

SOUTH DUBLIN COUNTY COUNCIL

“That this Council discusses the mapping of the SDCC (a) Roads mapping – new alignments; new road layouts; new speed limits; new lanes etc. in order to assist GPS mobile communications updating. There is currently over an 18-month delay on this information as there is no centralized facility in Ireland on changing infrastructure – and that this recommendation be forwarded to each council.”

**MINUTES OF MEETING OF DONEGAL COUNTY COUNCIL, HELD
IN THE COUNTY HOUSE, LIFFORD ON 24th November, 2008.**

C/489/08 **MEMBERS PRESENT**

Clrs. G. Crawford, Mayor, D. Alcorn, L. Blaney, A. Bonnar, E. Bonner, J. Boyle, C. Brogan, B. Byrne, F. Conaghan, P. Doherty, R. Donaghey, M. T. Gallagher, C. Harvey, J. Kelly, D. Larkin, N. Mc Bride, M. Mc Donald, I. McGarvey, D. Mc Gonagle, P. Mc Gowan, B. Mc Guinness, P. Mac Lochlainn, B. O' Neill, T. Pringle, G. Reid, T. Slowey.

C/490/08 **APOLOGIES**

Apologies were received from Clrs. Harte, Kennedy and McEniff who were unable to attend the meeting. Best wishes for a speedy recovery was extended to Clr. Harte.

C/491/08 **OFFICIALS IN ATTENDANCE**

Mr M. McLoone, County Manager, Mr Liam Kelly, Director of Housing, Mr John McLaughlin, Director of Roads and Transportation, Mr Seamus Neely, Director of Water, Environment and Emergency Services, Mr Francie Coyle, Director of Planning and Economic Development, Mr Michael Heaney, Director of Community Culture and Enterprise, Mr Aidan McNicholas, Head of Finance, Mr Eunan Sweeney, Acting Director of Corporate Services and Meetings Administrator, Mr Brian Boyle, Head of Information Systems, Mr Gerry Richards, Senior Planner, Mr James Boyle, Senior Engineer, Mr Garry Martin, Senior Executive Officer, Community and Enterprise, Mr Liam Ward, Senior Executive Officer, Mr Simon Harron, Executive Planner, Ms Anne Marie Crawford, Staff Officer, Corporate Services.

C/492/08 **CONFIRMATION OF MINUTES OF ADJOURNED
MEETING OF DONEGAL COUNTY COUNCIL HELD
ON 28th OCTOBER, 2008**

On the proposal of Clr. Byrne, seconded by Clr. Conaghan, the Minutes of the Adjourned Meeting of Donegal County Council held on the 28th October, 2008 were adopted.

C/493/08 **CONFIRMATION OF MINUTES OF MEETING OF
DONEGAL COUNTY COUNCIL HELD ON 28th
OCTOBER, 2008**

On the proposal of Clr. Conaghan, seconded by Clr. Byrne, the Minutes of the Meeting of Donegal County Council held on the 28th October, 2008 were adopted.

C/494/08 CONFIRMATION OF MINUTES OF MEETING OF CULTURAL COMMITTEE HELD ON 8th JULY, 2008

On the proposal of Clr. McGowan, seconded by Clr. McGuinness, the Minutes of the Meeting of Cultural Committee held on the 8th July, 2008 were adopted.

C/495/08 CONFIRMATION OF MINUTES OF MEETING OF INISHOWEN ELECTORAL AREA COMMITTEE HELD ON 22nd JULY, 2008

On the proposal of Clr. Conaghan, seconded by Clr. McGuinness, the Minutes of the Meeting of Inishowen Electoral Area Committee held on the 22nd July, 2008 were adopted.

C/496/08 CONFIRMATION OF MINUTES OF MEETING OF DONEGAL PLACENAMES COMMITTEE HELD ON 2nd September, 2008

On the proposal of Clr. McDonald, seconded by Clr. Kelly, the Minutes of the Meeting of Donegal Placenames Committee held on the 2nd September, 2008 were adopted.

C/497/08 TAKING OF DECISION WITH REGARD TO PROPOSED ENVIRONMENTAL IMPROVEMENT SCHEME WORKS AT CILL CHARTHAIGH PHASE II.

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

On the proposal of Clr. Byrne, seconded by Clr. Pringle, it was resolved to approve the carrying out of works under Part XI of the Planning & Development Act, 2000, and Part 8 of the Planning & Development Regulations 2001, with regard to proposed Environmental Improvement Scheme works at Cill Charthaigh.

C/498/08 TO CONSIDER CONTENTS OF LETTER DATED 7th NOVEMBER, 2008 FROM THE DEPARTMENT OF THE ENVIRONMENT REGARDING VARIATION NO 1 OF THE COUNTY DEVELOPMENT PLAN 2006-2012

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

The County Manager informed the Council that general points in relation to the letter had been discussed by the Corporate Policy Group and that he was now seeking guidance on how to proceed with the matter. The right to reply, he noted, was a reserved function of the members. Members alluded to the fact that the policy had been drawn up to reflect the needs of the local indigenous population and that sufficient controls were in place to monitor its operation. The consensus was to have a draft response prepared and circulated to members for consideration, as this would afford members the opportunity to comment on and provide an adequate response to the queries raised by the Minister. The County Manager confirmed that the reply would outline the original intention in formulating the policy and the extent to which members were advised by the County Manager of the implications of adopting the policy.

C/499/08

TO CONSIDER MANAGERS REPORT ON
SUBMISSIONS ON THE DRAFT BALLYSHANNON
AND ENVIRONS LOCAL AREA PLAN 2008-2014

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

The County Manager advised that as a “connected person” to him had a vested interest in some of the lands outlined, the Manager’s Report would be dealt with by Mr. Francie Coyle, Director of Planning and Economic Development.

Submission Number 1- Anna Campbell in respect of lands at Carrickboy, Ballyshannon.

On the proposal of Clr.O’ Neill, seconded by Clr. Byrne, it was resolved to accept the County Manager’s recommendation and not amend the Draft Ballyshannon and Environs Local Area Plan 2009 - 2015 .

Submission Number 2- DoEHLG in respect of the entire plan area.

On the proposal of Clr. O’ Neill, seconded by Clr. Boyle it was resolved to accept the County Manager’s recommendation and:

- (1) Re-label the term ‘Historic Buildings’ to ‘structures of architectural heritage merit’.

(1.1) Reword Policy BH18 to;

‘It is the policy of the Council to ensure that historic buildings adding to the character of the streetscape, and located alongside the defined ‘Historic Buildings and Streetscape’ corridors, should not be damaged or demolished. There is a presumption in favour of the retention of these historic buildings’.

(2) Clr. O’ Neill proposed, seconded by Clr Boyle, that the Draft Ballyshannon and Environs Local Area Plan 2009 – 2015 be materially altered so as to introduce a new objective to identify an “Architectural Conservation Area” within the Town Centre.

(3) Reword Policy BH2 to include the following text in CAPITALS; ‘Policy BH2: It is the policy of the Council to require that works to a Protected Structure will only be permitted where it is clearly demonstrated proposed works will PROTECT, MAINTAIN AND enhance the character and setting of the Protected Structure’.

(4) Part 1

Reword Policy BH4 ‘Policy BH4: It is the policy of the Council to require planning permission for any alteration, change of use, or the replacement of any element of a Protected Structures where the character of the structure is affected. A grant of planning permission for the demolition of a protected structure will apply only in exceptional circumstances in accordance with Section 57(10)(b) of the Planning and Development Act, 2000’.

(4) Part 2

Delete Policy BH19.

(5) Reword the first paragraph on Page 44, from ‘Building conservation is a matter of ensuring that the qualities that define a place are maintained while change continues to happen, this concept is actively promoted by the Council’.

To:

‘Building conservation relates to the management of change brought about by maintenance, continued or new use, and

development of structures of architectural heritage merit by ensuring that the qualities that define the character of a structure or place are maintained while necessary change continues to happen. The concept of building conservation is actively promoted by the Council’.

(6)Reword Policy BH6 to; It is the policy of the Council to protect STRUCTURES on the Record of Protected Structures their setting and curtilage/attendant grounds, and to ensure development proposals do not threaten the special character of the Protected Structure’.

Submission No 3 - Anna Campbell in respect of lands at Carrickboy, Ballyshannon.

On the proposal of Clr.O’ Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager’s recommendation and not amend the Draft Plan.

Submission No 4 - William Smith in respect of the Erne/River/Estuary.

On the proposal of Clr.O’ Neill, seconded by Clr. Byrne, it was resolved to accept the County Manager’s recommendation and not amend the Draft Plan.

Submission No 5 - Hugh Mc Keeney in respect of the overall plan.

On the proposal of Clr.O’ Neill, seconded by Clr. Byrne, it was resolved to accept the County Manager’s recommendation and not amend the Draft Plan.

Submission No 6 - Jack Grimes Co/ Laurence Mc Mullin Associates in respect of The Mall Ballyshannon.

On the proposal of Clr.O’ Neill, seconded by Clr. Byrne, it was resolved to accept the County Manager’s recommendation and not amend the Draft Plan.

Submission No 7 - Mike Bermingham, HSE, in respect of The Knader Road/Shiel Hospital/Rock Home.

(A) On the proposal of Clr. O’ Neill, seconded by Clr. Boyle, it was resolved not to accept the County Manager’s recommendation. It was thus resolved to materially alter the Draft Ballyshannon and Environs Local Area Plan 2009 -

2015 in respect of submission 7(a) and rezone lands from “Established Development” to “Amenity”

(B) On the proposal of Clr. O’ Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager’s recommendation in respect of submission 7 (b) and materially alter the Draft Ballyshannon and Environs Local Area Plan 2009 - 2015 by amending the Land Use Zoning Objective from ‘Community / Education’ to ‘Community / Health / Education’ and rezoning lands from ‘Opportunity Site’ to ‘Community / Health / Education’

(C) Clr. O. Neill proposed, seconded by Clr. Boyle, and it was resolved, that the County Manager’s recommendation in relation to 7(c) be adopted.

Submission No 8 - Michael Mac Donagh in respect of lands at Ballyhanna.

On the proposal of Clr. O’ Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager’s recommendation and amend the land-use zoning legend in accordance with this submission.

Submission No 9 - Trustees of the Shiel Hospital in respect of lands at the Knader Road.

On the proposal of Clr. O’ Neill, seconded by Clr. Byrne, it was resolved to accept the County Manager’s recommendation and not amend the Draft Ballyshannon and Environs Local Area Plan 2009 - 2015.

Submission No 10 - Michael Mc Hugh, National Road Design Office in respect of the entire plan area.

On the proposal of Clr. O’ Neill, seconded by Clr. Byrne, it was resolved to accept the County Manager’s recommendation and not amend the Draft Ballyshannon and Environs Local Area Plan 2009 - 2015 in respect of submissions 10(1), 10(2), 10(3), 10(4) and 10(5).

On the proposal of Clr. O’ Neill, seconded by Clr. Byrne, it was resolved to accept the County Manager’s recommendation and materially alter the Draft Ballyshannon and Environs Local Area Plan 2009 - 2015 by identifying lands outlined in submission 10(6) for a new route corridor.

Submission No 11 – Department of Education and Science, Planning and Building Unit in respect of the entire plan area.

On the proposal of Clr. O' Neill, seconded by Clr. Byrne, it was resolved to accept the County Manager's recommendations in respect of submission 11 and materially alter the Draft Plan by: - Amending the Land Use Zoning Objective; "Opportunity Sites" to allow for educational uses. Introduce a new policy to support the redevelopment and expansion of all schools/educational and ancillary facilities throughout the town.

Submission No's 12 & 85 - October House Designs in respect of lands at Camp. Townland.

On the proposal of Clr. O' Neill, seconded by Clr. Byrne, it was resolved to accept the County Manager's recommendation in respect of submission 12(1) and introduce a new objective to facilitate access and the widening of the Ballure Lane.

On the proposal of Clr. O' Neill, seconded by Clr. Byrne, it was resolved not to accept the County Manager's recommendation in respect of submission 12(2) and thus materially alter the Draft Ballyshannon and Environs Local Area Plan 2009-2015 by extending the Plan Boundary and zoning the lands outlined to "Medium Density Residential"

On the proposal of Clr. O' Neill, seconded by Clr. Byrne it was resolved not to accept the County Manager's recommendation in respect of submission 12(3) and thus materially alter the Draft Ballyshannon and Environs Local Area Plan 2009-2015 by introducing a new access road with an entrance onto the Knader Road.

Submission No's 13 & 15 – Catherine Mc Loone in respect of lands at Abbeylands.

On the proposal of Clr. O' Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager's recommendation and materially alter the Draft Ballyshannon and Environs Local Area Plan 2009 - 2015 by rezoning lands from 'Amenity' at Abbeylands to 'Low Density Residential' on detached sites provided they are serviced by

a singular vehicular access road. The development proposal would be required to retain all mature trees and the boundary stone wall. In addition, a pedestrian footpath inside of the tree line would be required’.

Submission No 14 – Adam Leadley in respect of Portnason House.

On the proposal of Clr. O’ Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager’s recommendation in respect of Submission 14(1).

On the proposal of Clr. O’ Neill, seconded by Clr. Boyle, it was resolved not to accept the County Manager’s recommendation in respect of submission 14(2) and instead to amend zoning to “Opportunity” to include Retail Convenience as per Master Plan.

On the proposal of Clr. O’ Neill, seconded by Clr. Boyle, it was resolved to materially alter the Draft Ballyshannon and Environs Local Area Plan 2009-2015 to include the following: -

1. Rezone 6.5 acres of land for amenity, providing for two ponds, both surrounded by an area of mature woodland, and a footpath providing unrestricted public access through the land, providing access to these green areas and the foreshore.
2. Rezone 6.75 acres for tourism, including Portnason House and surrounding outbuildings. This zoning will also include public walkways continuing from open green amenity area, passing along the foreshore opening up onto the estuary.
3. Rezone 11.6 acres as opportunity sites. These are located either side of the entrance to Portnason House, fronting onto the main road. These two landscaped buffers flanking the entrance to Portnason House, effectively retaining the vista of the property from the main road (N15).
4. Rezone 2.7 acres of land to low density residential to the north of the proposed Opportunity Sites and the

previously approved development of 11 no. dwellings. The land is located to the north of an existing stonewall within an area of trees. Develop a 10 ft high stonewall and a wide buffer zone of mature trees between the proposed low-density area and Portnason House.

5. To introduce a new objective to support tourism related activities such as walking, equestrianism and marine leisure based activities.
6. To relocate the proposed indicative Marina to lands on the vicinity of Portnason House.
7. To introduce policy text to support the development of the attendant grounds and existing buildings for equestrian activities.
8. To introduce a new objective to support tourist and equestrian activities and to require the provision of a public walkway along the Erne estuary. Members acknowledged that there was an onus on the developer in question to construct the Public Walkway as per the Master plan.

Submission No's 16 & 61– Thomas Mc Geary & Adam Duffy together with Ballyshannon Business Chamber in respect of lands at Coolcholly.

Clr. O' Neill proposed, seconded by Clr. Boyle, not to accept the County Manager's recommendation and thus to materially alter the Ballyshannon Draft Local Area Plan 2009 –2015 by extending the plan boundary and zoning lands as "Opportunity Site No. 5" to include for some residential usage within those lands. The Director of Service advised against this course of action as it would be outside the envelope of the ByPass. The motion was adopted.

Submission No's 17-30

Sandra Mc Govern & Colm Mc Govern in respect of lands at Abbeylands

Bernadette McIntyre & Fiona McIntyre in respect of lands at Whitehill, Lower Abbey.

Michael Donagher & John Mc Intyre in respect of lands at Abbey.

Joan Fitzpatrick in respect of lands at Abbey & Whitehill

Marie Fitzpatrick in respect of the overall plan.

Brian Carroll & Anne Mc Govern in respect of lands at Lower Abbey.

Margaret Carroll & Stephen Fitzpatrick in respect of lands at Abbey Road.

Danny Mc Intyre in respect of lands at Whitehill and Abbeylands.

Moira McIntyre in respect of lands at the Abbey/Sheegus

On the proposal of Clr. O' Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager's recommendation and not amend the Draft Ballyshannon and Environs Local Area Plan 2009 - 2015.

Submission No 31– N.R.A in respect of the overall plan

On the proposal of Clr. O' Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager's recommendation and not amend the Draft Plan.

Submission No 32– Department of Communications, Energy and Natural Resources

On the proposal of Clr. O' Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager's recommendation and not amend the Draft Plan.

Submission No 33– Harley Newman Planning Consultants in respect of lands at Dunmuckrum.

On the proposal of Clr. O' Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager's recommendation.

It was proposed by Clr. O' Neill, seconded by Clr. Boyle, to accept in part the County Manager's recommendation in respect of Submission 33 and materially alter the Draft Ballyshannon and Environs Local Area Plan 2009 –2015 by rezoning lands from "Industry/Employment" along the Old Sligo Road to "Opportunity Site" subject to the inclusion of Retail Convenience. The Director of Service advised Council against the inclusion of Retail Convenience in the context of the Retail Planning Guidelines and application of the sequential test. The motion was adopted.

Submission No 34– Joyce Mc Ginley, in respect of lands at Abbeylands.

On the proposal of Clr.O’ Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager’s recommendation and not amend the Draft Plan.

Submission No 35 – Gerard Wymbs in respect of lands at the Abbey.

On the proposal of Clr. O’ Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager’s recommendation and not amend the Draft Plan.

Submission No 36 – Finola Mc Donald in respect of the entire plan area.

On the proposal of Clr.O’ Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager’s recommendations.

Submission No 37 – Gerard Wymbs in respect of lands at the Abbey.

On the proposal of Clr.O’ Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager’s recommendation.

Submission No 38 – Robert Nowlan in respect of the entire plan area.

On the proposal of Clr.O’ Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager’s recommendation and not amend the Draft Plan.

Submission No 39 – Steven Wymbs in respect of lands at the Abbey.

On the proposal of Clr.O’ Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager’s recommendation and not amend the Draft Plan.

Submission No 40 – Patrick Grimes in respect of the proposed development at the Mall.

On the proposal of Clr.O’ Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager’s recommendation.

Submission No 41 – Gerard Crowley, Property Manager in respect of the River Erne and associated ESB Lands.

On the proposal of Clr.O’ Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager’s recommendations in respect of Submission’s 41(1), 41(2), 41(3.1), 41(3.2), 41(4), 41(5.1), 41(5.2), 41(e),41(5.5), 41(5.6), 41(5.7),41(5.8)

On the proposal of Clr. O’ Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager’s recommendation in respect of Submission’s 41(c) & 41(5.3), and materially alter the Draft Ballyshannon and Environs Local Area Plan 2009 – 2015 by rezoning lands from “Amenity” to “Utilities”

On the proposal of Clr. O’ Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager’s recommendation in respect of Submission’s 41(d) & 41(5.4), and materially alter the Draft Ballyshannon and Environs Local Area Plan 2009 – 2015 by rezoning lands from “Tourism Related” to “Utilities”

Submission No 42 – Eamonn Mc Nulty in respect of lands at Coolchoolly

On the proposal of Clr.O’ Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager’s recommendation.

Submission No 43 – Paul Doherty, Architects in respect of lands at Beleek/Knader Road.

On the proposal of Clr. O’ Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager’s recommendation in respect of Submission No. 43 and materially alter the Draft Ballyshannon and Environs Local Area Plan 2009 – 2015 by rezoning these lands from” Amenity” to “Residential (Medium Density).

Submission No 44 – Ian Mc Gahern in respect of the entire plan area.

On the proposal of Clr.O’ Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager’s recommendation.

Submission No 45 – Allan Curran respect of lands at Coolcholly.

On the proposal of Clr. O’ Neill, seconded by Clr. Boyle, it was resolved not to accept the County Manager’s recommendation in respect of Submission 45(1) but instead to materially alter the Draft Ballyshannon and Environs Local Area Plan 2009 – 2015 and rezone lands from “Amenity” to “Medium Density Residential”.

On the proposal of Clr.O’ Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager’s recommendations in respect of Submission 45(2).

Submission No’s 46 & 90(3)– Allan Curran respect of lands at Coolcholly.

On the proposal of Clr. O’ Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager’s recommendation and materially alter the Draft Ballyshannon and Environs Local Area Plan 2009 – 2015 by rezoning these lands from “Amenity” to “Residential”(Medium Density)”.

Submission No 47– Patricia Mc Cafferty in respect of the entire plan area.

On the proposal of Clr.O’ Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager’s recommendations.

Submission No 48 - Abbey Bay Residents Association in respect of lands at Abbey Road.

Submission No 49 - Micheal Maguidhir in respect of land at Abbeylands.

Submission No 50 - Lorraine Maguire in respect of lands at Lower Abbey.

Submission No 51- Martina Maguire in respect of lands at Lower Abbeylands.

Submission No 52 – M. Flynn in respect of lands at the Abbey.

Submission No. 53 –MH Picken in respect of lands at the Abbey.

On the proposal of Clr.O’ Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager’s recommendations.

Submission No 54– Ballyshannon Business Chamber in respect of the entire plan area.

On the proposal of Clr.O’ Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager’s recommendations in respect of 54(1) to 54(4) and 54(6)

Clr. O’ Neill proposed, seconded by Clr. Boyle, not to accept the County Manager’s recommendation in respect of Submission No. 54(5) but instead to materially alter the Draft Ballyshannon and Environs Local Area Plan 2009 – 2015 by introducing a new objective to facilitate the development of a new roundabout at the Mart/Enniskillen Junction along the N15 National Primary Route.

The Director of Service advised that this was contrary to NRA Policy. The motion was adopted.

On the proposal of Clr.O’ Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager’s recommendation in respect of Submission No. 54(7) and introduce a new objective to encourage and facilitate Town Renewal/Environmental Improvement Schemes in the East Port Road, Bridgend, West Port Road, Assaroe and Allingham Road areas.

Submission No 55– Ballyshannon Business Chamber in respect of lands at Carrickboy.

On the proposal of Clr.O’ Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager’s recommendation in respect of Submission No. 55 and materially alter the Draft Ballyshannon and Environs Local Area Plan 2009 – 2015 by rezoning lands designated from “Bus/Rail Interchange Terminal” to both “Bus Interchange/Park and Ride” and “Retail Warehousing/Manufacturing (Non Convenience Sales).”

Submission No 56– Ballyshannon Business Chamber in respect of lands at Carrickboy.

On the proposal of Clr. O’ Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager’s recommendation in respect of Submission No. 56 and materially alter the Draft Ballyshannon and Environs Local Area Plan 2009 – 2015 by rezoning these lands from

“Opportunity Site” to “Retail Warehousing/Manufacturing (Non Convenience Sales)”

Submission No 57– Ballyshannon Business Chamber in respect of lands at Carrickboy.

On the proposal of Clr.O’ Neill, seconded by Clr. Boyle, it was resolved not to accept the County Manager’s recommendation in respect of Submission No. 57 but instead to materially alter the Draft Ballyshannon and Environs Local Area Plan 2009 – 2015 by extending the “Town Centre” designation south of the river, with the exclusion of the GAA park and associated car parking areas.

Submission No 58– Ballyshannon Business in respect of the River Erne

On the proposal of Clr.O’ Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager’s recommendation and introduce in the context of Policy OS4 a new objective to facilitate the development of a Riverside Park with Riverside Walkway and Information Boards with extensive Car Parking and Coach/Bus Parking.

Submission No 59 – Ballyshannon Business in respect of the lands at Carrickboy (West of Saimer Driver)

On the proposal of Clr.O’ Neill, seconded by Clr. Boyle, it was resolved not to accept the County Manager’s recommendation in respect of Submission No. 59 but instead to materially alter the Draft Ballyshannon and Environs Local Area Plan 2009 – 2015 by rezoning lands from “Residential ” to “Town Centre” with “Warehouse” and “Town Centre” zoning to lands immediately north of this site.

Submission No 60 – Ballyshannon Business Chamber in respect of the lands at Portnason.

On the proposal of Clr. O’ Neill, seconded by Clr. Boyle it was resolved to accept in part the County Manager’s recommendation in respect of Submission 60 and materially alter the Draft Ballyshannon and Environs Local Area Plan 2009 –2015 by rezoning lands from “Industry/Employment” along the Old Sligo Road to “Opportunity Site” subject to the inclusion of “Retail Convenience”.

Submission No 62 – Steven Quinn Architect, in respect of lands at Townparks.

On the proposal of Clr.O’ Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager’s recommendation.

Submission No 63 – Tullymore & Parkhill Residents Association in respect of the lands at Parkhill & Tullymore

On the proposal of Clr.O’ Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager’s recommendation.

Submission No’s 64 - Ports and Bridgend Development Association, in respect of the River Erne..

On the proposal of Clr.O’ Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager’s recommendation in respect of Submission 64(Part 1) and introduce in the context of Policy OS4 a new objective to facilitate the development of a Riverside Park with Riverside Walkway and Information Boards with extensive Car Parking and Coach/Bus Parking.

On the proposal of Clr. O’ Neill, seconded by Clr. Boyle it was resolved to accept the County Manager’s recommendation in respect of Submission 64 (Part 2) and introduce a new objective to encourage and facilitate Town Renewal/Environmental Improvement Schemes in the East Port Road, Bridgend, West Port Road, Assaroe & Allingham Road areas.

Submission No’s 65 - Ports and Bridgend Development Association, in respect of the Roundabout on the Bypass

On the proposal of Clr.O’ Neill, seconded by Clr. Boyle, it was resolved not to accept the County Manager’s recommendation in respect of Submission No. 65 (Part 1) but instead to materially alter the Draft Ballyshannon and Environs Local Area Plan 2009 – 2015 by introducing a new objective to facilitate the development of a new roundabout at the Mart/Enniskillen Junction along the N15 National Primary Route.

On the proposal of Clr. O’ Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager’s recommendation in respect of Submission 65 (Part 2) and

amend the Draft Ballyshannon and Environs Local Area Plan 2009 – 2015 so as to introduce a new objective to encourage and facilitate Town Renewal/Environmental Improvement Schemes in the East Port Road, Bridgend, West Port Road, Assaroe & Allingham Road areas.

Submission No 66 - Edmund McIntyre & Rossa Mc Cosker in respect of lands at Townparks/Carrickboy

On the proposal of Clr. O' Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager's recommendation in respect of Submission No. 66 and materially alter the Draft Ballyshannon and Environs Local Area Plan 2009 – 2015 so as to rezone lands from "Amenity" and "Industry/Employment" to "Strategic Opportunity Site. No. 3"

Submission No 67 - Frank Timoney in respect of lands at Portnason.

On the proposal of Clr. O' Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager's recommendation.

Submission No 68 - Brendan O' Reilly in respect of lands at College Street.

On the proposal of Clr. O' Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager's recommendation and materially alter the Draft Ballyshannon & Environs Local Area Plan 2009-2015 so as to rezone lands from 'Town Centre' to 'Opportunity Site' with the proviso that both pedestrian and vehicular access is provided to enable access into backlands.

Submission No 69 - Sean Nugent in respect of lands at East Rock.

On the proposal of Clr. O' Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager's recommendation and materially alter the Draft Ballyshannon & Environs Local Area Plan 2009-2015 so as to rezone lands from 'Residential/High Density' to 'Opportunity Site' and 'Town Centre' to include High Density Residential'.

Submission No 70 - Michael Finnan in respect of lands adjacent to the Mart.

On the proposal of Clr.O' Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager's recommendation in respect of Submission No. 70 and materially alter the Draft Ballyshannon and Environs Local Area Plan 2009 – 2015 by rezoning lands designated from “ Bus/Rail Interchange Terminal” to both “Bus Interchange/Park and Ride” and “Retail Warehousing/Manufacturing (Non Convenience Sales).”

Submission No's 71, 72 & 74 – Steven Quinn, Architect, in respect of lands at Camp and Abbeylands”.

On the proposal of Clr.O' Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager's recommendations.

Submission No 73(1) & (2) - Steven Quinn, Architect, in respect of lands at Tully, Townparks & Carrickboy.

On the proposal of Clr. O, Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager's recommendation and materially alter the Draft Ballyshannon & Environs Local Area Plan 2009 –2015 so as to rezone lands from “Amenity” and “ Industry/Employment” into “ Opportunity Site 3” and provide that access may also be achieved from the existing secondary road network.

Submission No 75 - Steven Quinn, Architect, in respect of lands at Carrickboy.

On the proposal of Clr. O' Neill, seconded by Clr. Boyle, it was resolved not to accept the County Manager's recommendation in respect of Submission 75(1) but instead to materially alter the Draft Ballyshannon & Environs Local Area Plan 2009-2015 so as to rezone lands from “ Industry /Employment” to “ Industry/Employment/Retail – Warehousing (Non Convenience Retail Park) and Town Centre”

On the proposal of Clr. O' Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager's recommendation in respect of Submissions 75(2), 75(3) & 75(4) and materially alter the Draft Ballyshannon & Environs Local Area Plan 2009-2015 so as to include a new indicative road link identified between 75(A) and (B) and a

new a new indicative road link identified between 75(D) and (E).

Submission No 76 - Steven Quinn, Architect, in respect of lands at Station Road, Ballynacrick..

On the proposal of Clr. O' Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager's recommendation and materially alter the Draft Ballyshannon & Environs Local Area Plan 2009-2015 in respect of Submission Nos. 76(1) and rezone lands from Industry/ Employment" to Industry/Employment/Retail –Warehousing (Retail Park – Non Convenience).

On the proposal of Clr. O' Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager's recommendation in respect of Submission No. 76(2) and materially alter the Draft Ballyshannon and Environs Local Area Plan 2009 – 2015 by rezoning lands from “ Bus/Rail Interchange Terminal” to both “Bus Interchange/Park and Ride” and from Industry/Employment” to “Industry /Employment/Retail – Warehousing (Retail Park – Non Convenience)”.

On the proposal of Clr. O' Neill, seconded by Clr. Boyle it was resolved not to accept the County Manager's recommendation in respect of Submission 76(3) and instead to materially alter the Draft Ballyshannon and Environs Local Area Plan 2009 – 2015 by rezoning lands from “Opportunity Site” to “ Industrial/Employment/Retail Warehousing” and “Town Centre”

Submission No's 77- 81 Steven Quinn, Architect, Brendan Drummand, Colin Drummond, Diarmuid & Maria Drummond, October House Designs in respect of lands at Abbeylands.

On the proposal of Clr.O' Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager's recommendation.

Submission No 82 – Michael Mc Grath in respect of lands at Carrigdun, Portnason.

On the proposal of Clr. O' Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager's recommendation in respect of Submission No's 82(1)

& 82(2) and materially alter the Draft Ballyshannon and Environs Local Area Plan 2009 – 2015 by identifying two new indicative access roads on the Land Use Zoning Map.

Submission No 83 – Michael Mc Grath in respect of lands at Carrigdun, Portnason.

On the proposal of Clr.O’ Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager’s recommendation.

Submission No 84 – October House Designs in respect of lands at Coolcholly.

On the proposal of Clr.O’ Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager’s recommendation, subject to the amendment of description of “Residential Development” and materially alter the the Draft Ballyshannon and Environs Local Area Plan 2009 – 2015 by rezoning lands from “Amenity” to “ Low Density Residential”.

Submission No’s 86 - 88 –Geraldine Mc Grath in respect of lands at Knader Road & Townparks, Nicholas and Ann Maloney in respect of lands at Abbeylands.

On the proposal of Clr.O’ Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager’s recommendation.

Submission No 89 – Mary King in respect of lands at Knader Road.

On the proposal of Clr.O’ Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager’s recommendation.

Submission No 90 – Ballyshannon Town Council in respect of the entire plan area.

On the proposal of Clr.O’ Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager’s recommendation and not amend the Draft Ballyshannon and Environs Local Area Plan 2009 –2015 in respect of Submission No’s 90(1), 90(6), 90(7) & 90(8).

On the proposal of Clr. O’ Neill, seconded by Clr. Boyle, it was resolved not to accept the County Manager’s

recommendation in respect of Submission No. 90(2) but instead to materially alter the Draft Ballyshannon and Environs Local Area Plan 2009 – 2015 and retain the Workhouse as an “Opportunity Site”

On the proposal of Clr. O’ Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager’s recommendation in respect of Submission No. 90(4) but instead to materially alter the Draft Ballyshannon & Environs Local Area Plan 2009-2015 so as to rezone lands from ‘Amenity’ and ‘Industry/Employment’ into ‘Strategic Opportunity Site 3’, and to provide that access may also be achieved from the existing secondary road network.

On the proposal of Clr. O’ Neill, seconded by Clr. Boyle, it was resolved not to accept, in part the County Manager’s recommendation in respect of Submission No. 90(5) but instead to materially alter the Draft Ballyshannon & Environs Local Area Plan 2009-2015 and rezone lands from “Industry Employment” along the Old Sligo Road to “Opportunity Site” subject to the inclusion of Retail Convenience.

Central Planning Unit Recommendations

CPU1- Lands at Abbey Island

On the proposal of Clr. O’ Neill, seconded by Clr. Boyle it was resolved not to accept the County Manager’s recommendation but instead to materially alter the Draft Ballyshannon & Environs Local Area Plan and rezone lands from at Rossnowlagh Link Road from “Amenity” to “Medium Density Residential”.

CPU2 –Lands at Whitehill, Abbeylands

On the proposal of Clr. O’ Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager’s recommendation

CPU3 – L 24851 Cotton Hill

On the proposal of Clr. O. Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager’s recommendation.

CPU4 – L 25351 New Link Road at Carrickboy.

On the proposal of Clr. O' Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager's recommendation and materially alter the Draft Ballyshannon & Environs Local Area Plan 2009-2015 so as to include an objective to widen this local road, to enable the future development of the adjacent lands and introduce an objective to provide a new link road at this location.

CPU5 – Amenity Lands – Cotton Hill/Bypass.

On the proposal of Clr. O' Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager's recommendation and materially alter the Draft Ballyshannon & Environs Local Area Plan 2009-2015 so as to rezone lands from "Residential" to "Amenity" alongside the national primary road verges to a maximum of 4 metres inside the boundary of Residential Zoned Areas.

CPU6 – Amenity Lands – Cotton Hill/Bypass.

On the proposal of Clr. O' Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager's recommendation and materially alter the Draft Ballyshannon & Environs Local Area Plan 2009-2015 so as to rezone these lands from "Residential Medium Density" to "Established Development"

CPU7 – Amenity Lands at Erne Dale

On the proposal of Clr. O' Neill, seconded by Clr. Boyle, it was resolved not to accept the County Manager's recommendation and to delete the said policy.

CPU8 – New Policy – Entire Plan Area

On the proposal of Clr. O' Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager's recommendations and amend the Ballyshannon & Environs Local Area Plan 2009-2015 to include the following textual changes: -

**To introduce text from the DCS 2008 – 2012
Reduction in Development Contribution Scheme Fees.**

E) Manufacturing/Internationally tradable services grant aided by IDA, Enterprise Ireland, County Enterprise Board, or other recognised local development agency. (50%)

F) Development in pilot enterprise and renewal areas (ERAs) (50%).

G) Development related to restoration/conservation of derelict properties part funded by International Fund and/or Special Support Programme for Peace and Reconciliation or included in Council's Register of Derelict Sites (25%).

H) **New** job creation indigenous industrial development (manufacturing) (50%).

CPU9 – New Policy – Entire Plan Area

On the proposal of Clr. O' Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager's recommendation and materially alter the Draft Ballyshannon & Environs Local Area Plan 2009-2015 By making the following textual amendment: -

“To amend the zoning objective ‘Retail/Warehousing’ to ‘Retail/Warehousing/Employment’”.

CPU10– Rail Infrastructure/N15 Bypass.

On the proposal of Clr. O' Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager's recommendation and materially alter the Draft Ballyshannon & Environs Local Area Plan 2009-2015 by making the following textual amendment: -

“To introduce an objective to facilitate the development of the rail link alongside the outside of the N15 Bundoran/Ballyshannon Bypass”.

CPU11– Opportunity Site/Former Milestone Hotels.

On the proposal of Clr. O' Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager's recommendation and materially alter the Draft Ballyshannon

& Environs Local Area Plan 2009-2015 by rezoning lands from “Town Centre” to “Opportunity Site” so as to provide for high quality mixed-use retail/office and residential uses within this strategic town centre site with associated car parking and through pedestrian linkages between Main Street and Market Street and a high quality landscaped pedestrianised inner courtyard.

CPUI2– Opportunity Site/Town Centre.

On the proposal of Clr. O. Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager’s recommendation and materially alter the Draft Ballyshannon & Environs Local Area Plan 2009-2015 by introducing a new objective to identify a new “Town Centre Architectural Conservation Area”.

CPUI4– Opportunity Site/Town Centre.

On the proposal of Clr. O’ Neill, seconded by Clr. Boyle, it was resolved to accept the County Manager’s recommendation and materially alter the Draft Ballyshannon & Environs Local Area Plan 2009 –2015 by introducing a new objective to facilitate the development of community/health/education facilities and associated Ancillary infrastructure within the vicinity of the Shiel Hospital.

On the proposal of Clr. O’ Neill, seconded by Clr. Boyle, it was resolved, that having considered the Draft Plan and the County Manager’s Report, to make the Ballyshannon and Environs Local Area Plan 2009-2015 subject to such Material Alterations and Amendments resolved at this meeting, and to publish said Plan in accordance with the Planning and Development Acts 2000-2006.

Mr. Francie Coyle, Director Planning and Economic Development thanked the staff in the Central Planning Unit for their commitment and dedication to the project. He also acknowledged the contribution of the Elected Members.

- C/500/08 ADJOURNMENT OF MEETING FOR LUNCH
On the proposal of Clr. Alcorn seconded by Clr. Padraig Doherty, it was resolved to adjourn the meeting to 2.45pm.
- C/501/08 TO ADOPT THE DRAFT DISABILITY IMPLEMENTATION PLAN 2009 – 2015
Members considered the report, circulated with the agenda in relation to the above.
On the proposal of Clr. Larkin, seconded by Clr. Conaghan, it was resolved to adopt the Draft Disability Implementation Plan 2009 – 2015.
Members acknowledged the excellent work carried out, and outlined the importance of adhering to the Barcelona Declaration.
- Mr Liam Kelly Director of Housing and Building responded to queries raised by members.
- C/502/08 TO APPROVE RAISING OF LOAN OF €5,000,000 TO FUND TENANT PURCHASE LOANS
Members considered the report, circulated with the agenda in relation to the above.
On the proposal of Clr. Larkin, seconded by Clr. Conaghan, it was resolved, in accordance with the provisions of the Local Government (No 2 Act 1960 and Section 27 of the Housing (Miscellaneous Provisions) Act, 1992, to authorize the borrowing of a loan in the sum of €5,000,000 from the Housing Finance Agency for the purpose of payment of Tenant Purchase Loans.
- C/503/08 TO AGREE DATES FOR THE STATUTORY BUDGET MEETING AND FOR THE REVIEW OF THE THREE YEAR CAPITAL PROGRAMME.
The Head of Finance informed members that the prescribed period for the holding of the 2009 Budget Meeting was the 24th November, 2008 to the 13th January, 2009.
On the proposal of Clr. Alcorn, seconded by Clr. Donaghey, it was resolved to hold a Special Meeting on Thursday 4th December, 2008 at 9.30am in the County House, Lifford to consider the Three Year Capital Budget Programme.
On the proposal of Clr. Conaghan, seconded by Clr. Mc Guinness, it was resolved to hold a Budget Workshop on

Friday 12th December, 2008 at 9.30am in the County House, Lifford.

On the proposal of Clr. Mc Garvey, seconded by Clr. Mc Guinness, it was resolved to hold the 2009 Budget Meeting on Friday 9th January, 2009 at 10.00am in the County House, Lifford.

C/504/08 TO APPROVE AGREEMENT TO PROVIDE FOR INTER AUTHORITY BORROWING/LENDING BETWEEN DONEGAL COUNTY COUNCIL, LETTERKENNY, BUNCRANA, BUNDORAN AND BALLYSHANNON TOWN COUNCILS FOR THE PERIOD 01st JANUARY 2009 TO 31st DECEMBER, 2009, IN ACCORDANCE WITH THE LOCAL GOVERNMENT ACT, 2001, SECTION 106, SUB SECTION 6, WHICH UPDATES PART 11 OF THE LOCAL GOVERNMENT (NO. 2) ACT, 1960.

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

On the proposal of Clr. Conaghan, seconded by Clr. Byrne, the Council approved an agreement to provide for Inter Authority borrowing/lending between Donegal County Council, Letterkenny, Bunrana, Bundoran, and Ballyshannon Town Councils for the period up to 31st December, 2009, in accordance with the Local Government Act, 2001, Section 106, Sub- Section 6 which updates part 11 of the Local Government (No 2) Act, 1960, subject to:-

- A maximum of €2 million for any one loan.
- Interest to be paid by the borrowing authority at the prevailing Bank Overdraft Rate.
- Repayment on three days notice.

C/505/08 TO APPROVE THE IMPLEMENTATION FROM 1st SEPTEMBER, 2008 OF THE REVISED PAY SCALES SANCTIONED BY THE DEPARTMENT OF THE ENVIRONMENT HERITAGE AND LOCAL GOVERNMENT UNDER SECTION 27.17 OF TOWARDS 2016.

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

On the proposal of Clr. Slowey, seconded by Clr. McGuinness, it was agreed to defer a decision on the matter until later in the meeting and to vary the order of business so as to allow members debate Item 1(b) on the Addendum to the County Manager's Report i.e. "Review of Public Spending and reductions in payroll costs"

The County Manager presented his report and advised that :-

- (i) 71 employees whose contracts would expire on or before December 31, 2008, or in early 2009, had received notice that their contracts would not be extended or renewed.
- (ii) 49 employees whose contracts would expire on or before March 31, 2009 (or whose contracts had been extended to that date) would receive notice that their contracts were unlikely to be extended beyond March 2009.
- (iii) The vast majority of the remaining 118 employees would receive a letter indicating that it was unlikely that their contacts would be extended beyond the expiry date of their contacts in 2009 or 2010. It was not intended to terminate any contract before its expiry date.

A lengthy debate ensued with members acknowledging the far reaching social and economic implications for all staff affected, the serious impact of the job losses on the Council as a whole and the effect on service provision.

A number of members voiced dissatisfaction with the manner in which the staff concerned had been informed of the impending job losses and noted that the elected members themselves had not been fully briefed on the developments. They requested that:

1. A letter be sent to all of the staff concerned apologizing for the brevity of the original correspondence.
2. An assessment of job cuts on services be undertaken and provided to members.
3. An examination of the current staffing structure be carried out.
4. Priority be given to basic service provisions in the 2009 Budget.
5. A review of all consultancy expenses be undertaken and consideration given to utilising in-house staff where practical.

6. Every effort be made to ensure that job losses impacted equally on all Public Service Centres and Headquarters.
7. An Early Retirement Scheme be considered.
8. Members concerns to be further addressed at the forthcoming Budget Workshop.

On the proposal of Clr. Mac Lochlainn, seconded by Clr. Slowey, it was resolved that a cross party delegation meet with the Minister for Finance, Brian Lenihan, T.D and the Minister for the Environment, Heritage and Local Government, John Gormley, T. D. to discuss the reduction in funding for Donegal County Council and the impact that this would have on staffing and the maintenance of services in 2009.

On the proposal of Clr. O' Neill, seconded by Clr. Mc Guinness, it was resolved to request An Tánaiste, Ms Mary Coughlan, T.D to meet with a cross-party delegation from the Council to discuss the proposed job losses.

Clr. Pringle, seconded by Clr. O' Neill, "That the Council waive implementation of the 2.5% pay increase from 1st September, 2008, sanctioned by the Department of the Environment, Heritage and Local Government under Section 27.17 of Towards 2016, and that the savings be used to employ staff."

An amendment was proposed by Clr. Conaghan, seconded by Clr. Slowey " That the 2.5% pay increase, effective from 1st September, 2008 and sanctioned by the Department of the Environment, Heritage and Local Government under Section 27.17 of Towards 2016", be approved for all eligible staff.

C/506/08

ADJOURNMENT OF MEETING.

On the proposal of Clr. Alcorn, seconded by Clr. Byrne, it was resolved to adjourn the remainder of the business of the meeting to 9.30am on Monday, 1st December 2008.