

**COMHAIRLE CHONTAE DHUN NA nGALL**

Oifig Riarthóir na  
gCruinnithe  
Áras na Chontae  
Leifear

10 Deireadh Fómhair, 2006

**FOGRA CRUINNITHE**

Beidh Cruinniú Comhairle Chontae Dhún na nGall, a bhí ar athró ó 25 Meán Fómhair 2006 ag dul ar aghaidh Dé Luain, 16 Deireadh Fómhair 2006, ag **10.00 ag Arás an Chontae, Leifear**

**DO GACH BHALL DEN CHOMHAIRLE**

**A Chara**

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

Beidh Clar Orduithe an Bhainisteora Contae le feiceal ag an gcruinniú.

**Mise, le meas**

**A. MacSuibhne**

**Riarthóir Cruinniú (RUNAI CHONTAE)**

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**DONEGAL COUNTY COUNCIL**

Office of Meetings Administrator  
County House  
Lifford

10<sup>th</sup> October 2006

**NOTICE OF MEETING**

The Meeting of Donegal County Council, adjourned from 25<sup>th</sup> September, 2006 will be held on Monday 16<sup>th</sup> October, 2006 at 10.00am, in the County House, Lifford.

**TO EACH MEMBER OF DONEGAL COUNTY COUNCIL**

**Dear Councillor**

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

**Yours sincerely**

**E. Sweeney**

**Meetings Administrator (County Secretary)**

## AGENDA

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

1. **Confirmation of Minutes**
  - (a) Confirmation of Minutes of Special Meeting of Donegal County Council held on the 10<sup>th</sup> July, 2006.
  - (b) Confirmation of Minutes of Adjourned Special Meeting of Donegal County Council held on the 11<sup>th</sup> July, 2006.
  
4. **Taking of decision pursuant to Planning & Development Act, 2000 (Part XI), and Planning & Development Regulations, 2001 (Part 8)**
  - (p) To approve the carrying out of works with regard to proposed Road Realignment R263 & L1285 Killybegs Carpet Factory Junction.

## MOTIONS

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

### STRANORLAR ELECTORAL AREA

#### *Corporate Services*

13. Clr. J.J. Reid  
“That the council proceed to build the One Stop Shop in Ballybofey without the H.S.E.” (L)

#### *Roads & Transportation Services*

14. Clr. P. McGowan  
“That this Council carry out a Safety Audit in relation to Council Tenants and others having to walk along the road from Liscooley Villas towards Liscooley Village.”

### GLENTIES ELECTORAL AREA

#### *Water, Environment & Emergency Services*

15. Clr. B. O’Domhnaill  
“That Donegal County Council enact a bye-law prohibiting unauthorised camping and caravan parking at the Magheraroarty Beach area in conjunction with the local residents/landowners.” (L)

#### *Corporate Services*

16. Clr. Pearse Doherty  
“That the elected members of Donegal County Council register our dissatisfaction with the current situation that temporary road workers have found themselves in where overtime rates are not being paid to them for the overtime that they are working.” (C)

### **Roads & Transportation Services**

17. Clr. D. Alcorn  
“That this Council discuss progress being made (if any) between the Planning and Roads Sections of Donegal County Council in dealing with the damage being done to the County Council Roads in this County.” (C)

### INISHOWEN ELECTORAL AREA

### **Roads & Transportation Services**

18. Clr. P. MacLochlainn  
“That this Council lead up an initiative to erect bus shelters across the county in consultation with School Management Boards and Parent Committees and that the erection and maintenance of these bus shelters would be financed by business advertisements as is the case in the six counties.” (C)
19. Clr. M. McDonald  
“That this Council would include in their estimates for the continuing and enhancement of Moville Green and Shore Walk, given it's rising popularity with both locals and visitors and use that money to get matching funding from other sources.” (L)
20. Clr. B. McGuinness  
“That the Council provide money in the 2007 estimates to introduce byelaws and plans for Culdaff Beach and Environs including Bunagee Pier and Culdaff Bay.” (L)

### **Community, Enterprise & Cultural Services**

21. Clr. F. Conaghan  
“That this Council discuss the report on the Inter-departmental Working Group and make a submission to same on the forthcoming budget and N D P review.” (O)

## LETTERKENNY ELECTORAL AREA

### **Planning & Economic Development Services**

22. Clr. D. Larkin  
“That this Council re-introduce monthly planning meetings between area and local planners and members of the local Electoral area.” (C)

### **Water, Environment & Emergency Services**

23. Clr. T. McDaid  
“That this Council allocate financial support in next years budget to Donegal Pet Rescue who are working in partnership with Donegal County Council, on a voluntary basis to address important issues such as the education of pet owners in the county and a neutering service to curtail the levels of unwanted pets.” (C)

## DONEGAL ELECTORAL AREA

### **Planning & Economic Development Services**

24. Clr. S. McEniff  
“That the County Council support the creation of a village from the town boundary to Lennox's Bridge including the Rock Road to the Moy Road, Bundoran and at Drumacrin from the town boundary to Rathmore Crossroads, Bundoran.” (L)

## MILFORD ELECTORAL AREA

### **Water, Environment & Emergency Services**

25. Clr. I. McGarvey  
“To request that the Department make the necessary funding available to deal with the serious problem of untreated Sewage in the Milford Electoral Area.” (L)

**Roads & Transportation Services**

26. Clr. L. Blaney  
“That Donegal County Council furnish a date for a final report on value for money on the re-alignment of R246 road at Cratlagh Wood and alleged missing timber.” (L)

QUESTIONS

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

STRANORLAR ELECTORAL AREA

**Corporate Services**

27. Clr. Alice Bonner  
“Will this Council give its urgent priority to the Stranorlar One Stop Shop as its evident that funding for the H.S.E. office accommodation is not forthcoming and the site will be reverting back to the Butt Hall Committee?”(L)
28. Clr. P. McGowan  
“Will the Council Corporate Services provide an update on my Motions and Questions in 2006?” (O)

**Finance**

29. Clr. Alice Bonner  
“Will this Council make provisions in the years estimates to exempt all Community buildings (e.g. Sporting, Scouts etc) from Rates and Development Charges, as its putting undue pressure on Volunteers, who are presently in a minority, and who need to be focusing on our youngsters and any funding is badly needed to improve and enhance facilities with their capacities?” (C)

**Roads & Transportation Services**

30. Clr. J.J. Reid  
“What is envisaged time scale of the proposed Ballybofey/Stranorlar by-pass?” (L)

31. Clr. J.J. Reid  
“Have the council any plans to re-negotiate a more binding contract with the ESB?” (C)
32. Clr. P. McGowan  
“Considering a structural assessment of Castlefin Bridge in 2004 indicated the Bridge was unsafe, what actions has the Council taken to replace the Bridge or to improve the structure?” (L)

#### GLENTIES ELECTORAL AREA

##### *Water, Environment & Emergency Services*

33. Clr. B. O’Domhnaill  
“Can a Bottle/Bring Bank Facility be put in place in Loch An Luir Village?” (L)
34. Clr. Pearse Doherty  
“Have the council identified the problem that is resulting in bad odours emitting from the Convoy Sewerage Scheme, if so, what are they, and what steps within what proposed timeframe are the Council taking to rectify this problem?” (L)
35. Clr. D. Alcorn  
“Why have I not received replies to my urgent questions submitted by me to Director of Services regarding my request for update on Burtonport Sewerage Scheme, and query on Teelin Water Scheme? (L)

### **Housing & Building Services**

36. Clr. Pearse Doherty  
“What actions have Donegal County Council taken to implement a motion proposed by Clr. Pearse Doherty and adopted by Donegal County Council on the 30th January 2006 calling on the council "to amend its current housing policy to facilitate returning emigrants the majority of them elderly, and that it leads a inter agency group made up of Donegal County Council, The Health Service Executive, the Department of Social Welfare, the V.E.C. and other relevant bodies to ensure that there is joined up approach to meet the needs of returning emigrants that have fallen upon difficult time while away from home and whose needs are more than a council house?” (C)
37. Clr. D. Alcorn  
Why is there such a long delay with S.I. Housing applications under the following headings:-  
(a) In getting Engineers Report on suitability of Sites  
(b) The delay in having contracts signed for these houses  
(c) The delay from when the house commences until they are completed? (C)

### INISHOWEN ELECTORAL AREA

### **Roads & Transportation Services**

38. Clr. P. MacLochlainn  
“When will the decision of Donegal County Council to construct traffic lights and a pedestrian crossing at the Malin Rd junction in Merville be implemented?” (L)
39. Clr. P. MacLochlainn  
“When will funding be found to erect lighting on the approach road to Buncrana, the second largest town in the county, from the North West Golf Links to Ballymacarry roundabout?”(L)

40. Clr. M. McDonald  
“To ask this Council further to the meeting in McNamara's Hotel in September 2004 and a motion passed by Deputy Keaveney for one way traffic system, what action has been taken to deal with outstanding issues in Moville relating to road safety and traffic management?” (L)
41. Clr. M. McDonald  
“To ask this Council when the footpath to Moville Community College will be completed and the road started?” (L)
42. Clr. F. Conaghan  
“What is the current status of the following three items presented to this Council in this years Budget Book page 36? Road Maintenance: Additional €60,000, Public Lighting €1,050,000, and Development Charges €2,000,000” (C)
43. Clr. F. Conaghan  
When will the proposed improvement works be carried out at Killyverry Junction (N13) Newtoncunningham? (L)

### *Corporate Services*

44. Clr. B. McGuinness  
“Why is there such a delay in appointing a housing engineer for the Inishowen Electoral Area?” (L)

### *Community & Enterprise*

45. Clr. B. McGuinness  
“Why has the Council not sought a meeting with the Chief Superintendent of An Garda Siochana as agreed at the September Meeting of the Council 2005?” (O)

## LETTERKENNY ELECTORAL AREA

### *Water, Environment & Emergency Services*

46. Clr. D. Larkin  
“Will the Council give a timetable for the role out of Labbadish/Drumoghill G.W.S?” (L)
47. Clr. D. Larkin  
“May I have an update on Lagan Phase III?” (L)
48. Clr. G. Crawford  
“Fire Service Cover. What call out procedures and 'cover' arrangements are in place in the event of a fire or Road Traffic Accident in the border areas of Donegal?” (C)

### *Corporate Services*

49. Clr. G. Crawford  
“What has been the progress of a motion in my name to provide Heart defibrillators in the County House, Lifford and the Public Service Centres in the County?” (C)

## DONEGAL ELECTORAL AREA

### *Water, Environment & Emergency Services*

50. Clr. S. McEniff  
“What is the up to date position in relation to the laying of the New Water Mains on the Kinlough Road, Bundoran?” (L)

## MILFORD ELECTORAL AREA

### Corporate Services

51. Clr. I. McGarvey  
“What is the position in regard to the alleged variation in rates being paid to Council Workers as appeared in the Local Press recently?” (C)

### Water, Environment & Emergency Services

52. Clr. I. McGarvey  
“Why has the proposed new Water Main not been laid to the Portlean area as the area has suffered bursts and disruptions continuously over a long period?” (L)
53. Clr. L. Blaney  
“When does this Council expect to open a Civic Amenity Site in Milford?” (L)

54. MOTIONS FROM OTHER COUNCILS

#### CASHEL TOWN COUNCIL

“That Cashel Town Council support the call for an Annual Commemoration of the Irish Famine to be known as “Memorial Day” to honour the memory of the victims who died and the emigrants who gave so much to the world.”

#### LIMERICK COUNTY COUNCIL

“That, Limerick County Council calls on Bus Éireann to make provision and initiate plans to have wheelchair accessible coaches provided on all inter-urban and long distance commuter routes as part of fleet replacement within the company.”

#### FERMOY TOWN COUNCIL

“That Fermoy Town Council reaffirms its advocacy of having waste taxed at the point of entry in preference to the present situation where waste is taxed at the point of disposal.”

### EDENDERRY TOWN COUNCIL

- “That the Government provide more funding for the upkeep of our country roads, so that they can be made safer for motorists.”
- “In the interest of safety on our roads, that the use of loose chippings be discontinued and for a better and safer road surface to be used.
- “The setting up of ‘training areas’ for learner drivers in order that they can experience in a controlled atmosphere, road hazards such as potholes, a slippery surface or fog.”

MINUTES OF ADJOURNED MEETING OF DONEGAL COUNTY  
COUNCIL HELD ON 16<sup>TH</sup> OCTOBER, 2006 IN THE COUNTY  
HOUSE, LIFFORD.

C/582/06     MEMBERS PRESENT

Clrs. E. Bonner, Mayor, D. Alcorn, L. Blaney, J. Boyle, B. Byrne, F. Conaghan, Pearse Doherty, R. Donaghey, J. Harte, D. Larkin, T. McDaid, M. McDonald, S. McEniff, I. Mc Garvey, D. McGonagle, P. McGowan, B. McGuinness, P. MacLochlainn, B. O'Domhnaill, B. O'Neill, T. Pringle, J.J. Reid, T. Slowey.

C/583/06     OFFICIALS IN ATTENDANCE

Mr. Michael McLoone, County Manager, Mr. Liam Kelly, Assistant County Manager/Director Housing and Building. Mr. John Mc Laughlin, Director Roads and Transportation, Mr. Michael Heaney, Director of Community, Enterprise & Cultural Development, Mr. Sean Sheridan, Director Corporate Services, Mr. Paul Kilcoyne, Senior Engineer, Water, Environment & Emergency Services, Mr Gerry Richards, Senior Planner, Mr. Eunan Sweeney, Meetings Administrator, Ms. Anne Marie Crawford, Staff Officer.

C/584/06     APOLOGIES

Apologies were received from Clrs. A. Bonnar, C. Brogan, G. Crawford, J. Kennedy, N. McBride and Padraig O'Dochairtaigh who were unable to attend the meeting.

C/585/06     CONFIRMATION OF MINUTES OF SPECIAL MEETING  
OF DONEGAL COUNTY COUNCIL HELD ON 10<sup>TH</sup>  
JULY 2006

On the proposal of Clr. McGarvey, seconded by Clr. McEniff, the Minutes of Special Meeting of Donegal County Council held on the 10<sup>th</sup> July 2006, were adopted.

C/586/06 CONFIRMATION OF MINUTES OF ADJOURNED MEETING OF DONEGAL COUNTY COUNCIL HELD ON THE 11<sup>TH</sup> JULY 2006

On the proposal of Clr. Conaghan, seconded by Clr. Alcorn, the Minutes of Adjourned Meeting of Donegal County Council held on the 11<sup>th</sup> July 2006, were adopted. Members were advised that any queries in relation to the operation of the new County Development Plan would be clarified through the workshop process.

C/587/06 TAKING OF DECISION WITH REGARD TO PROPOSED ROAD REALIGNMENT R263 & L1285 KILLYBEGS CARPET FACTORY JUNCTION

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

On the proposal of Clr. Byrne, seconded by Clr. O'Neill, the carrying out of works under Part XI Planning & Development Act, 2000 and Part 8 of the Planning & Development Regulations 2001, with regard to proposed Road Realignment R263 & L1285 Killybegs Carpet Factory Junction, was approved.

**MOTIONS**

C/588/06 CREATION OF VILLAGE FROM TOWN BOUNDARY, BUNDORAN TO LENNOX BRIDGE

Members agreed to Clr. McEniff's request to have his motion brought forward and dealt with at this juncture.

“That the County Council support the creation of a village from the town boundary to Lennox's Bridge including the Rock Road to the Moy Road, Bundoran and at Drumacrin from the town boundary to Rathmore Crossroads, Bundoran.”

This motion was moved on the proposal of Clr. McEniff, seconded by Clr. O'Neill.

Members were informed in a reply by the Director of Planning & Economic Development that:-

“The creation of any new village would in planning terms, be most appropriately considered through the preparation of

a Local Area Plan. Priority listings for Local Area Plans have already been agreed at Electoral Area Level and a new village plan for this area is not programmed in this Listing. In this case however, the area is adjacent to the Bundoran Development Plan boundary, and should be considered in the broader context of a Bundoran and Environs Development Plan, which is not due to be prepared until at 2008, and will have to be a joint Plan made by both the Town Council and the County Council. If however a local group is willing to sponsor such a plan I will have the merits of such a proposal considered.”

The motion was adopted.

C/589/06 SAFETY AUDIT IN RELATION TO LISCOOLEY VILLAGE

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

“That this Council carry out a Safety Audit in relation to Council Tenants and others having to walk along the road from Liscooley Villas towards Liscooley Village.”

Members were informed that:-

“Arrangements would be made to have this carried out by our Road Design Section.”

C/590/06 DAMAGE BEING DONE TO COUNTY COUNCIL ROADS

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

“That this Council discuss progress being made (if any) between the Planning and Roads Sections of Donegal County Council in dealing with the damage being done to the County Council Roads in this County.”

Members were informed that:-

“Damage being done to weak County Roads as a result of granting of Planning Permission for developments was of huge concern to the Roads Section of Donegal County

Council. This has been highlighted on many occasions by our Roads Area Engineers where recently restored roads have been damaged by delivery lorries to construction sites.

The Road Area Engineers have found it very difficult to get others to repair roads that have been damaged as a result of heavy lorries delivering construction materials to sites along weak and narrow roads. There have been some cases where delivery lorries have reduced their loads and used alternative routes but this is difficult to enforce.

A meeting between the planners and roads engineers will be held in October to discuss this matter.”

Members outlined the need for proper enforcement of planning regulations and expressed concern at the ongoing problems caused by multiple development.

Mr. Francie Coyle, Director, Planning and Economic Development noted in relation to urban generated lands, developers would have to provide the necessary infrastructure up front. He also called for members co-operation in situations where the road was not reinstated, advising that in such instances bonds should be forfeited. The Mayor asked the Roads Section to note that in many instances road reinstatement was not carried out satisfactorily by Donegal County Council.

C/591/06 BUS SHELTERS

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

“That this Council lead up an initiative to erect bus shelters across the county in consultation with School Management Boards and Parent Committees and that the erection and maintenance of these bus shelters would be financed by business advertisements as is the case in the six counties.”

Members were informed that:-

“The County Council have co-operated with such initiatives in the past and would be prepared to co-operate with a proposal such as this in the future. However Roads Section would not see their role as leading out on such a proposal to

construct and maintain bus shelters at this time. A possible way forward would be to approach a funding agency such as CLAR to part fund such a proposal and have Schools apply to have Bus Shelters erected at their schools in the same way as the School Flashing lights were administered. Business advertisements might be able to counter fund such a proposal.”

Clr. MacLochlainn called for Donegal County Council to take leadership on this issue and advised that he was unhappy with the reply received from the Roads Section.

C/592/06

MOVILLE GREEN AND SHORE WALK

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

“That this Council would include in their estimates for the continuing and enhancement of Movice Green and Shore Walk, given it's rising popularity with both locals and visitors but its look of neglect and use that money to get matching funding from other sources.”

Members were informed that:-

“In the past, the Council has included monies for the maintenance of Movice Green in the Annual Budget adopted by Council. It is anticipated that this will be repeated in 2007.

Regarding, monies for the shore walk and other enhancements, in the past there has been no specific allocation made in adopted budgets. Any expenditure has had to come out of general maintenance monies for the local area which had to be prioritised locally among various maintenance activities.

As part of this motion and the Budget 2007 process, there will be an opportunity to discuss and decide if the funding method will remain as in past years or if a new item will be introduced to the Budget Book.

Regarding matching monies from other sources, this will be encouraged and any options under CLAR, Peace, etc will be

explored as they arise and it is expected that this can be pursued regardless of how the Council handles its method of funding.”

C/593/06 INTER-DEPARTMENTAL WORKING GROUP

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

“That this Council discuss the report on the Inter-Departmental Working Group and make a submission to same on the forthcoming budget and N D P review.”

Members were informed that:-

“The County Manager, as part of his report to Members at the meeting of 25<sup>th</sup> September would provide an update on the status and role of the IDG.”

Clr. Conaghan outlined the necessity of focusing on the contents of the report, and keeping the general public fully informed on all the issues involved.

Members highlighted the fact that Transport 21 had contained a glaring omission, namely the provision of a Letterkenny – Derry Link, and called for a submission to be made to the Inter Departmental Working Group emphasising the importance of developing this link.

It was agreed that Donegal County Council should seize the opportunity provided by the I.D.W.G. and take decisive action on the key elements involved, particularly now that financial packages would be available as part of the Northern Ireland peace dividend.

Clr. Conaghan advised that it was essential to keep the momentum going through focusing on our own County Development Plan and being proactive in contributing to the review of the National Development Plan.

A number of key issues were highlighted any members as being critical for future development. These were as follows:

- Giving major priority to the development of a motorway.
- Operating a Regionalisation Policy, with Donegal County Council as the key player.

- Maintaining a focus on the educational aspect of development .
- Promotion of Special Tax Incentives for businesses in the county.
- Continued roll out of Broadband.
- Thorough examination of all areas of access to the County.

The County Manager informed members that much had been achieved over the past seven years, and noted that by the end of 2006 approximately 6000 new jobs would have been created in the county. He agreed to revert to the council with an assessment of the top priorities for the county, within the context of the next scheduled review of the Capital Programme which would give members the chance to highlight various projects to the I.D.W.G.

Mr. McLoone advised that meetings had taken place with cross border groups in relation to spatial planning. The emphasis now, Mr. McLoone advised, was on examining road priorities for West Ulster whilst encouraging both the Department of Transport in Northern Ireland and the N.R.A to focus on spatial planning and development objectives in their spending priorities.

C/594/06 MONTHLY PLANNING MEETINGS

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

“That this Council re-introduce monthly planning meetings between area and local planners and members of the local area members.”

Members were informed that:-

“The Planning Service is committed to reviewing the interaction with Members on all aspects of Planning and has indicated its willingness to bring forward measures when the new team resources are in place. The issue can be discussed at the workshop on 9<sup>th</sup> October to establish the principal issues and preferences.”

Members whilst recognising the severe pressure that the planning service was under, advocated clearly that changes in the delivery of the service were required.

The key issues were deemed to be:-

1. Lack of enforcement particularly in relation to unauthorised development, and the obvious need for a dedicated Enforcement Officer.
2. Limited access to the Planning Service for members and the general public.
3. The need for monthly Planning Meetings.
4. Inadequate staffing complement.
5. Provision of a clearly defined system to deal with members

Mr. Francie Coyle, Director Planning and Economic Development stressed that the service was indeed under severe pressure, given that there had been in the region of 9000 planning applications this year to date. This, he advised, had placed an extraordinary burden on planning staff. The service itself, he added, was unlike any other given the short timeframe applicable to the decision process. He highlighted that the work put into the service's web based facility was the best in the country.

Mr. Coyle agreed that the staffing compliment was inadequate but arrangements had been made he added to recruit 12 additional employees. He called on members to be reasonable with their demands and agreed to look at the introduction of monthly planning meetings.

Clr. Larkin advised that he was aware of much of the excellent work carried out by the service, however, there was a clear need to improve access for both members and the general public. He said that he would expect monthly meetings until such time as alternative access arrangements were in place.

The County Manager affirmed that whilst members were entitled to give direction, the immediate focus was on resource issues. It would he noted take some time to deal with these matters. In the meantime, it would be possible he

added to look at the volume and pattern of representations. Representations and requests for meetings could also be left with administration staff, he noted.

It was agreed to assess the situation on the ground and come back within a month with proposals for dealing with the situation on an electoral area basis.

Mr. Francie Coyle, Director Planning and Economic Development agreed to investigate communication problems highlighted by members.

C/595/06 DONEGAL PET RESCUE

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

“That this Council allocate financial support in next years budget to Donegal Pet Rescue who are working in partnership with Donegal County Council, on a voluntary basis to address important issues such as the education of pet owners in the county and a neutering service to curtail the levels of unwanted pets.”

Members were informed that:-

“Great work is being done by Donegal Pet Rescue in the animal welfare and re-homing sphere. As volunteers they are prepared to work in this area and to provide education about responsible pet ownership. This is regarded as a major contribution to reducing stray and unwanted animals. Donegal County Council has worked in co-operation with Donegal Pet Rescue since their inception and Donegal Pet Rescue currently avail of a discounted system for placing and recovering dogs from the Dog Shelter. It should be pointed out, however, that some 57% of the dogs handled at the shelter (2005 figs --665 out of 1162.) were handed in by their owners either because of old age or some fatal character flaw which would render them unsuitable for re-homing. Donegal County Council are favourably disposed towards the work of the Donegal Pet Rescue group and consideration of financial support will be taken in the context of the overall 2007 Dog Control budget.”

Members were in agreement that Donegal Pet Rescue should be invited to give a presentation on the current status of their work within the county.

C/596/06 UNTREATED SEWAGE IN THE MILFORD ELECTORAL AREA

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

“To request that the Department make the necessary funding available to deal with the serious problem of untreated Sewage in the Milford Electoral Area.”

Members were informed that:-

“It is recognised that much work needs to be done in all Electoral Areas including the Milford Electoral Area on improving existing wastewater treatment and collection infrastructure. The means by which funding is made available for such works is through direct grants from the Department of the Environment Heritage and Local Government under programmes such as the Water Services Investment Programme (Major Capital and Serviced Land Initiatives), and the Rural Water Programme (Group Schemes and Small Schemes). The Rural Water Programme is the most flexible and the one which the Council has more control over, but it also has more limited funding. The Water Services Investment Programme funds larger schemes but it is tightly controlled by the Department, is bureaucratic and cumbersome in operation, and the Council has limited control over it. Some recent improvements have been introduced by the Department in response to discussions between it and the City and County Managers Association and further improvements are planned. Without such improvements progress on major schemes will continue to be slow.”

Clr. McGarvey brought to the members attention a number of photographs which highlighted the seriousness of the situation in the Milford Electoral Area.

He called on the Inter Departmental Working Group to assess the lack of progress on the matter and provide some sort of solution in the interim.

C/597/06 REALIGNMENT OF R246 ROAD AT CRATLAGH WOOD

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

“That Donegal County Council furnish a date for a final report on value for money on the re-alignment of R246 road at Cratlagh Wood and alleged missing timber.”

Members were informed that:-

“Donegal County Council has been investigating this matter for some time. A draft report was produced earlier this year and as a result of it, further investigations were conducted and are nearly complete. At this time, it is expected that the final report will be finished by the end on the year.”

Clr. Blaney stated that the general public were now of the opinion that this matter had been swept under the carpet. A number of members expressed concern at the lengthy delay in completing this report. The Director Roads and Transportation acknowledged these concerns and advised that the reason for the delay would become clear as soon as the report was finalised and distributed.

C/598/06 SCHEDULE OF MEETINGS.

Members agreed the following Schedule of Meetings/Workshops:-

- General Purposes Committee Meeting to be held on Monday 23rd October 2006 at 2.00pm in the County House, Lifford.
- Planning Workshop to be held at 10.00am on Thursday 2<sup>nd</sup> November 2006 in the County House, Lifford
- Special Meeting of Donegal County Council to be held on Monday 6<sup>th</sup> November 2006 at 3.00pm in the County House Lifford.

- Workshop - Quarterly Review Capital Programme to be held at 10.00am on Tuesday 7<sup>th</sup> November in the County House, Lifford.

C/599/06 ONE STOP SHOP IN BALLYBOFEY

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

“That the Council proceed to build the One Stop Shop in Ballybofey without the H.S.E.”

Members were informed in a written reply from the Director of Corporate Services that:-

“The Council is committed to the provision of a Public Services Centre for Ballybofey.

Currently the HSE is investigating the likely priority which the Public Service Centre can be given on their Capital programme.

In the event that it is unlikely that the HSE will be in a position to commit a high priority to the project, the option of the Council procuring this accommodation on its own can be explored. The agreement of the HSE and a revised land agreement with the Butt Hall Committee will be required, if the Council is to take a lead role. I have spoken to Local Health Office Manager, HSE, for Donegal about a meeting between the Council, the HSE and the Butt Hall Committee and he will revert to me about this meeting following consultation with the Committee.”

The County Manager advised that if the HSE was not in a position to take the lead than Donegal County Council would. Details in relation to the provision of the site had to be further clarified. He agreed to come to members at a later date with a range of funding options.

C/600/06 UNAUTHORISED CAMPING & CARAVAN PARKING  
AT MAGHERAROARTY BEACH AREA

It was agreed that this motion would be taken in conjunction with Clr. McGuinness's motion on Bye-Laws and plans for Culdaff. (No. 20 on the agenda).

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

“That Donegal County Council enact a bye-law prohibiting unauthorised camping and caravan parking at the Magheraroarty Beach area in conjunction with the local residents/landowners.”

Members were informed that:-

“Guidelines regarding Local Authority Bye-Laws, recently issued to Local Authorities by the DoEHLG in conjunction with commencement of Part 19 of the Local Government Act 2001, describe the circumstances for making bye-laws, the legislative basis and procedures for their enactment. The following is a quotation from the guidelines:-

“Section 199 (2)(b) specifically prohibits the making of bye-laws in relation to the control of activities or nuisances for a purpose as respects which provision for that particular purpose is made by or under any other enactment or may be made under such enactment”

There are other enactment's available for the prohibition of unauthorised parking of temporary dwellings, namely Prohibition Orders under Section 31 of the Local Government (Sanitary Services) Act 1948, as amended by Section 113 of the Environmental Protection Agency Act, 1992.

The Council will consider the appropriateness of this and other enactment's to deal with the situation and report back to the Electoral Area Committee. Reports and maps will be sought from the area staff clearly identifying the location and the circumstances.”

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

“That the Council provide money in the 2007 estimates to introduce byelaws and plans for Culdaff Beach and Environs including Bunagee Pier and Culdaff Bay.”

Members were informed that:-

“The purpose of this motion is to develop a plan, which would identify a series of objectives, some of which may need bye-laws to achieve. In the absence of the plan the appropriateness of bye-laws as a tool for implementation is uncertain.

Culdaff is on a list of areas prioritised for the preparation of Local Area Plans. It is unlikely to be dealt with in 2007 as there are many other areas placed higher on the list. Such a plan would be needed to identify the issues for which regulations are needed.”

It was generally agreed that Donegal County Council should be more proactive in the roll out of Beach Management Plans, and that provision for same should be made in the 2007 budget. The need for effective co-ordination of works was also highlighted, particularly in relation to the regulation of jet skis, litter management, unauthorised camping etc. Members were of the opinion that the success of such a plan was dependent on proper consultation with the local community.

Mr. Paul Kilcoyne, Senior Engineer, accepted that co-operation among services was required and noted that the most effective way of dealing with the issues highlighted was to take cognisance of the Rossnowlagh Beach Management Plan.

The County Manager advised that a report dealing with the issues raised would be brought to the next General Purposes Committee Meeting.

Clr. McGuinness called for the introduction of Beach Wardens, and noted the need for effective backup from the Planning Enforcement Officer.

C/601/06 OVERTIME RATES FOR TEMPORARY ROAD WORKERS

Motion in the name of Clr. Pearse Doherty:-

The Mayor informed Clr. Pearse Doherty that he was ruling the motion out of order under Standing Orders as it fell within the functions of the County Manager.

“That the elected members of Donegal County Council register our dissatisfaction with the current situation that temporary road workers have found themselves in where overtime rates are not being paid to them for the overtime that they are working.”

The County Manager advised that whilst he respected the right of members to be briefed on the performance of certain functions the matter itself was an executive function. He was, he noted conscious, of representations made to members but that it was within his remit to enter into discussions with unions and staff organisations.

Clr. Doherty stated that the purpose of his motion was simply to register member's disappointment with the matter. In reply, the County Manager outlined the necessity of not politicising the matter as this would fundamentally undermine the structures for dealing with industrial relations issues.

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

C/602/06 STRANORLAR ONE STOP SHOP

The following question was submitted by Clr. Alice Bonner:-

“Will this Council give its urgent priority to the Stranorlar One Stop Shop as its evident that funding for the H.S.E. office accommodation is not forthcoming and the site will be reverting back to the Butt Hall Committee. There is an opportunity for the Butt Hall Committee to lead out on the project?”

Clr. Alice Bonner was informed that:-

“The Council is committed to the provision of a Public Services Centre for the Stranorlar electoral area, in conjunction with the Health Service Executive. The HSE is currently investigating the procurement implications of having this Project financed by a third party. In the event that that this procurement method is in keeping with existing legal regulations, it would seem prudent to acquire the accommodation along with the HSA.

In the event that the HSA is not in a position to proceed consideration can be given by the Council to other procurement options. It is still a requirement, that the Council has to obtain approval from the DOEHLG, in the event that the Council has to borrow funds to undertake the Project.”

C/603/06 UPDATE ON MOTIONS AND QUESTIONS IN 2006

The following question was submitted by Clr. McGowan:-

“Will the Council Corporate Services provide an update on my Motions and Questions in 2006?”

Clr. McGowan was informed that:-

“As in previous years, the Corporate Services Directorate will co-ordinate the preparation of an update report on all motions and questions in conjunction with the presentation of the Draft Budget for 2007.”

C/604/06 EXEMPTION OF ALL COMMUNITY BUILDINGS  
FROM RATES AND DEVELOPMENT CHARGES

The following question was submitted by Clr. Alice Bonner:-

“Will this Council make provisions in the years estimates to exempt all Community buildings (e.g. Sporting, Scouts etc) from Rates and Development Charges, as its putting undue pressure on Volunteers, who are presently in a minority, and who need to be focusing on our youngsters and any funding is badly needed to improve and enhance facilities with their capacities?”

Clr. Alice Bonner was informed that:-

**“Commercial Rates**

The rateable status of all properties in the county is determined by the Office of the Commissioner of Valuation. The Valuation Office issue valuation certificates for all properties deemed rateable following a determination process carried out solely by that office. Once a valuation certificate is issued, the Council is obliged to issue a rate demand to the occupier of the property in accordance with the certificate. The question of exemptions for rateable purposes in respect of business activity in a particular property is also solely dealt with by the Valuation Office.

Since the implementation of the 2001 Valuation Act only where there is a material change of use in respect of a particular property can a revision by the Valuation Office of a property previously valued be considered and progressed.

Our practice has been to encourage occupiers of commercially rated properties, who may be seeking, exemption as they are a community group engaged in activities with a volunteer input and/or have a charitable status/purpose, to apply to the valuation office for revision together with payment of the necessary fees given on the face of it there would appear to be a material change of use. It should be noted that charitable status under the taxation laws and exemptions from payment of taxes therein does not

extend to the levying and collection of Commercial rates. Once a Valuation is determined for a particular property a demand for payment (Valuation x Multiplier approved by Elected Members) must issue in accordance with current legislative provisions.

In practice the Valuation Office are very likely to take into account issues such as operation of a licensed bar in a property, organisation of functions with a charge at the door and so forth to arrive at a valuation using their methodology. This is reasonable given the need for equity with other businesses in the levying of Commercial Rates. It is important that full information is provided by the occupier of a property to the Valuation office when applying for a valuation or revision thereof and to exhaust all appeal mechanisms within the timeframes available in this regard. The Rates area of the Debtors Management section in Finance can provide details to Elected Members of this process if required.

It is therefore not possible to issue a blanket exemption for all community groups etc. However the Council deals with individuals on a case by case basis and seeks to avoid hardship for the Ratepayer at all times in terms of allowing payments to be made over a period and /or facilitating within reason individual dealings with the Valuation office and so on.

**Development Levies/Contributions:**

The following is an extract –Section 8- from the recently revised Development Contribution Scheme 2006 –2007 document approved by the Elected Members.

**“8. EXEMPTIONS**

1. The following categories of development will be exempted from the requirement to pay development contributions under the Scheme:

- Agriculture developments
- Private house extensions
- Graveyards
- Registered charitable institutions

- Replacement dwelling on previously fully serviced site where standard charge previously paid for the dwelling.
- Non-commercial community centres, youth centres and similar non-commercial community related developments, including football club facilities.
- Structures included on the Record of Protected Structures.
- Social and affordable housing units, including those which are provided in accordance with an agreement made under Part V of the Act (as amended under the Planning & Development (Amendment) Act, 2002) or which are provided by a voluntary or co-operative housing body, which is recognised as such by the Council.
- Change of use where applicant can demonstrate that there would be no additional loading on established services.
- Primary and Post Primary Schools and third level schools/colleges.
- Initial afforestation as set out in the Planning & Development Regulations 2001.
- Developments listed under Article 157 of the Planning & Development Regulations, 2001.
- A single charge only shall apply to developments, which provide for a temporary mobile home on the site where permanent development permission has been granted.”

C/605/06

BALLYBOFEY/STRANORLAR BYPASS

The following question was submitted by Clr. Reid:-

“What is envisaged time scale of the proposed Ballybofey/Stranorlar by-pass?”

Clr. Reid was informed that:-

“The Environmental Impact Statement for this scheme is currently being updated following NRA approval to proceed earlier this year. It is expected that the Compulsory Purchase Order and Environmental Impact Statement for this scheme will be published in November 2006 and, subject to An Bord Pleanala approval, construction will start towards the end of 2008.”

C/606/06 CONTRACT WITH THE ESB

The following question was submitted by Clr. Reid:-

“Have the council any plans to re-negotiate a more binding contract with the ESB?”

Clr. Reid was informed that:-

“Ultimately the council will need to procure a contract for the maintenance and management of its public lighting stock. The successful tenderer to that procurement cannot be predetermined, as any such process must be open and transparent. Before any such procurement takes place the council will need put controls in place in relation to its existing stock.

Firstly, the council needs to complete a stock take of its existing lights. This is ongoing at present, with road design undertaking a survey of existing lights on public roads and the housing estate takeover completing a survey of lights recently taken over in housing estates.

Secondly, the council will need to implement a co-ordinated or centralised system of control of lights being erected. Currently lights are erected under the following works:-

- Public Lighting Programme
- Councillor Programme
- NRA Route Lighting Programme
- Housing Estate Construction and Takeover
- NRA and other Capital Work Improvements involving lights

Currently, each of these programmes operate independently of one another, often with area engineers trying to co-ordinate using very sparse and infrequent information.

Centralising/Co-ordinating these programmes will allow the council to better manage this valuable stock (conservative est. €6.2m) with an annual running cost of circa €900k. It will also allow the council to implement improvements including developing policy's such as "white light" and "light pollution".

The co-ordination and management of the stock will allow the council to set performance requirements for servicing public lights. Public procurement will allow the council to achieve best value for money for these performance requirements.

Any long term contract that the council would enter into with the ESB, without going through procurement, would be against EU competition rules, and would be counter productive in value for money.”

C/607/06 CASTLEFIN BRIDGE

The following question was submitted by Clr. McGowan:-

“Considering a structural assessment of Castlefin Bridge in 2004 indicated the Bridge was unsafe, what actions has the Council taken to replace the Bridge or to improve the structure?”

Clr. McGowan was informed that:-

“Donegal County Council recently applied to the DOEHLG for special funding to be made available for Castelfinn Bridge. Various bridge strengthening, bridge widening and bridge replacement options are all currently being considered by the Design Consultants employed by Donegal County Council. In order to determine the extent and cost of necessary strengthening works to the Bridge, a Trial Pit was organised by the Design Consultants in August 2006. A detailed report outlining the various bridge options will be presented to the Stranorlar Electoral Area Committee in October 2006.”

C/608/06 BOTTLE/BRING BANK FACILITY IN LOCH AN LUIR VILLAGE

The following question was submitted by Clr. O'Domhnaill:-

“Can a Bottle/Bring Bank Facility be put in place in Loch An Luir Village?”

Clr. O'Domhnaill was informed that:-

“Donegal County Council has a full set of four bring banks that could be delivered to Loch an Lúir if a suitable site is available. Bring banks are immediately available for green glass, brown glass, clear glass and mixed can recycling.

The main considerations when selecting a bring bank site include:-

- Space for servicing by an articulated lorry.
- Overhead ESB/Eircom lines.
- Access and parking for the public.
- Lighting.
- Additional space to allow for further expansion of services.

If Clr. B. O'Domhnaill or a local Tidy Towns/Community Group has a proposed site for locating bring banks in Loch an Lúir the Council's Recycling Officer will gladly meet them to discuss its suitability.”

C/609/06 CONVOY SEWERAGE SCHEME

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

“Have the Council identified the problem that is resulting in bad odours emitting from the Convoy Sewerage Scheme, if so, what are they, and what steps within what proposed timeframe are the Council taking to rectify this problem?”

Clr. Pearse Doherty was informed that:-

“Convoy Sewerage Scheme is currently on the Water Services Investment Programme 2005-2007 as a Serviced Land Initiative Scheme and as a Major Capital Scheme to

advance through planning. It is also listed on the Small Schemes Priorities Revised Programme 1994-1999. The works nearing completion at present involve upgrading of a section of trunk gravity main, construction of inlet works, screens and grit removal plant, stormwater handling facilities, and improved sludge handling facilities. De-sludging of tanks and temporary works associated with the sludge plant upgrade gave rise to odours recently but this nuisance is temporary and will be rectified when the full phase 1 upgrade is commissioned. This commissioning is expected to take place in early October 2006. Further works to provide full secondary treatment are proposed which will be funded under the Serviced Land Initiative and Major Capital programme. These works are expected to take place in 2007.”

C/610/06 UPDATE ON BURTONPORT SEWERAGE SCHEME & QUERY ON TEELIN WATER SCHEME

The following question was submitted by Clr. Alcorn:-

“Why have I not received replies to my urgent questions submitted by me to Director of Services regarding my request for update on Burtonport Sewerage Scheme, and query on Teelin Water Scheme?”

Clr. Alcorn was informed that:-

“The questions concerning Burtonport Sewerage Scheme were contained in letter dated 10<sup>th</sup> August 2006 which was received by the Council on 22<sup>nd</sup> August 2006. The questions asked for clarification of four points raised in Department letter dated 8<sup>th</sup> June 2006 and whether the Council had replied to same. A reply dated 22<sup>nd</sup> September 2006 has now issued. In summary the Department have stated that they consider that the scheme proposed for implementation by the Council in the Preliminary Report submitted in April 2002 is too extensive, i.e. it 'does not demonstrate value for money and therefore cannot be justified in its present form'. The Council has not replied to the Departments letter as a fundamental review of the scheme now has to take place. This will be done at the earliest possible opportunity. A reply on the Teelin water supply issue has also issued. This confirms that in August 2006 the Council wrote to the

Department enquiring if the Department would consider funding further mains replacement in Teelin. A reply is awaited.”

C/611/06 MOTION PROPOSED BY CLR. PEARSE DOHERTY  
AND ADOPTED BY DONEGAL COUNTY COUNCIL  
ON THE 30<sup>TH</sup> JANUARY 2006

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

“What actions have Donegal County Council taken to implement a motion proposed by Clr. Pearse Doherty and adopted by Donegal County Council on the 30th January 2006 calling on the council "to amend its current housing policy to facilitate returning emigrants the majority of them elderly, and that it leads a inter agency group made up of Donegal County Council, The Health Service Executive. The Department of Social Welfare, the V.E.C. and other relevant bodies to ensure that there is joined up approach to meet the needs of returning emigrants that have fallen upon difficult time while away from home and whose needs are more than a council house?”

Clr. Pearse Doherty was informed that:-

“The Council already facilitates elderly emigrants wishing to return to Donegal under its existing policy both in terms of its Social and Voluntary housing programmes. This is done in conjunction with the Safe Home Programme, which has a co-ordinating role in relation to services provided by welfare agencies for emigrants. They assess applicants against the eligibility criteria, compile a list of eligible candidates and liaises with individual voluntary housing bodies and local authorities in relation to accommodation in projects. To qualify for accommodation, applicants must be elderly persons who emigrated from Ireland to another country and be either in existing social housing (e.g. local authority, housing association, etc) or private rented accommodation in their country of residence, and their circumstances must be such that they could not provide suitable accommodation for themselves out of their own resources on returning to this country.

A number of persons have already been successfully housed by the Council through the Safe Home Programme and it is believed that a continuation of the working relationship with the Safe Home Programme, given their remit, is the best means to address the needs of returning emigrants by the Council under both its voluntary and social housing programmes.

The Council are aware of Inter Departmental discussions that are taking place at National level in terms of the holistic needs of returning emigrants and the outcome of those discussions are awaited.

The motion as submitted is being tabled at the next meeting of the Housing Strategic Policy Committee for consideration in the context of any further changes that are considered necessary to existing policies, which as stated, already facilitate returning emigrants.

C/612/06

#### S.I. HOUSING APPLICATIONS

The following question was submitted by Clr. Alcorn:-

“Why is there such a long delay with S.I. Housing applications under the following headings:-

- (a) In getting Engineers Report on suitability of Sites
- (b) The delay in having contracts signed for these houses
- (c) The delay from when the house commences until they are completed?”

Clr. Alcorn was informed that:-

- a) Engineers Reports on Suitability of Sites. A detailed report on site suitability is now required in order to avoid lengthy delays at the planning and site transfer stages of the process. It involves amongst other things, site investigation, provision of easements for sight lines, ROW's and wayleaves for access and water connections, surface water drainage and foul sewage treatment options. It is a detailed review which will as stated avoid delays at the later stages of the process and allow for a more comprehensive set of contract documents to be prepared. When these criteria were introduced it was envisaged that the SI applications in

each area would be prioritised in consultation with the Elected Members and only those on the current years programme would be assessed in this manner. This has not occurred with the result that all applications are now receiving the same priority and this has led to resource issues and delays in some areas notably in the Glenties E.A. which has by far the highest number of SI applications.

- b) The delay in having contracts signed for these houses. Once tenders are received they have to be checked and validated. It is normal for contractors to tender for a number of SI's at the same time. Post Tender meetings are now held with all the relevant tenderers to ascertain:
1. previous performance on contracts.
  2. the capacity to execute the contracts taking their existing workload into account.
  3. Compliance with the Registered Employers Agreement. this element of the process can lead to delays as contractors are required to be registered with the Construction Federation approved pension scheme, have adequate insurances, demonstrate competency required under the Health and Safety legislation etc. A lot of smaller contractors take time to register and become compliant under these headings.

This is not an exhaustive list but the introduction of this process while initially leading to some delays will in the longer term give a more efficient process in the appointment of contractors and subsequent administration of contracts. Again in areas of high SI activity there are resource issues which should be addressed as part of the current BLG review.

- c) The delay from when the house commences until they are completed. There are undoubtedly delays with some contracts due mainly to ambiguities relating to water supply, wayleaves, treatment plants etc. It is intended that the more detailed site suitability reports mentioned in:-
- (a) above and the criteria for selection of suitable contractors mentioned at

(b) above will lead to the more efficient administration of the contracts and hence the timely completion of same. There is still a need for a comprehensive review of the entire SI process and a determination made as to whether or not the process is to be decentralised to the area offices. Decisions can then follow as to the proper resources to be deployed on an area by area basis.”

C/613/06 MALIN RD JUNCTION, MOVILLE

The following question was submitted by Clr. MacLochlainn:-

“When will the decision of Donegal County Council to construct traffic lights and a pedestrian crossing at the Malin Rd junction in Moville be implemented?”

Clr. MacLochlainn was informed that:-

“A dedicated left-turn lane on the R238 (Carndonagh Road) in Moville was constructed as part of the Moville EIS Phase 2 Project, which was completed in recent months. Updated traffic counts were conducted at the R238/R241 junction in Moville in August 2006. These counts are being analysed by the Road Design Office at present, and the various options for improved traffic management in the area are being explored. A Report of the findings will be presented to the Inishowen Electoral Area Committee at a Workshop on 17th October 2006.”

C/614/06 ERECT LIGHTING ON THE APPROACH ROAD TO BUNCRANA

The following question was submitted by Clr. MacLochlainn:-

“When will funding be found to erect lighting on the approach road to Buncrana, the second largest town in the county, from the North West Golf Links to Ballymacarry roundabout?”

Clr. MacLochlainn was informed that:-

“A survey of street lighting in all towns and villages in the County is being carried out by the Electoral Areas and the Road Design office. The survey relates to the Infill and Extension Programme. It is expected that the said programme will primarily relate to areas inside speed limits. The Buncrana to Lisfannon Road is outside the speed limit and would require special examination and justification and this can be done in the context of the overall study.”

C/615/06 ROAD SAFETY AND TRAFFIC MANAGEMENT IN MOVILLE

The following question was submitted by Clr. McDonald:-

“To ask this Council further to the meeting in McNamara's Hotel in September 2004 and a motion passed by Deputy Keaveney for one way traffic system, what action has been taken to deal with outstanding issues in Moville relating to road safety and traffic management?”

Clr. McDonald was informed that:-

“A dedicated left-turn lane on the R238 (Carndonagh Road) in Moville was constructed as part of the Moville EIS Phase 2 Project, which was completed in recent months. Updated traffic counts were conducted at the R238/R241 junction in Moville in August 2006. These counts are being analysed by the Road design Office at present, and the various options for improved traffic management in the area are being explored. A Report of the findings will be presented to the Inishowen Electoral Area Committee at a Workshop on 17th October 2006.”

C/616/06 FOOTPATH TO MOVILLE COMMUNITY COLLEGE

The following question was submitted by Clr. McDonald:-

“To ask this Council when the footpath to Moville Community College will be completed and the road started?”

Clr. McDonald was informed that:-

“The footpath to Moville Community College will be surfaced in the next few weeks. Land purchase negotiations are ongoing and the progress on the road widening is

dependent on the completion of these negotiations. A regulating bitmac coat can be placed on the existing road surface if necessary in the meantime.”

C/617/06 CURRENT STATUS IN THIS YEARS BUDGET BOOK  
PAGE 36

The following question was submitted by Clr. Conaghan:-

“What is the current status of the following three items presented to this Council in this years Budget Book page 36? Road Maintenance: Additional €60,000, Public Lighting €1,050,000, and Development Charges €2,000,000.”

Clr. Conaghan was informed that:-

“The additional €60,000 is being allocated to the Roads’ areas on a pro-rata mileage basis. Some areas have already committed part of this allocation to surface dress macadams outside the 50 km speed limits as directed by the DOE.

Some monies was spent in early spring patching roads with the patchmaster machine. These costs will be deducted pro rata from the Areas in which the machine operated.

The balance will be spent on road maintenance as prioritised with the members at the Electoral Area Meetings. Generally, in the past it has been difficult to stretch maintenance monies to the later part of the financial year and it is expected that these funds will help in this regard also.

A countywide public lighting improvement programme is being prepared at present which will concentrate on infill lighting inside the speed limits. A sum of €250,000 is being used for these works while the balance of €800,000 is required for the running of existing public lights.

Priorities are presently being sought from each area for works to be carried out amounting to a total of €2m based on the amount of Development Charges collected in the respective Electoral areas. As soon as this is to hand and details are available on the amounts available in each area, a countywide programme will be put to the Members.”

C/618/06 KILLYVERRY JUNCTION (N13)  
NEWTONCUNNINGHAM

The following question was submitted by Clr. Conaghan:-

“When will the proposed improvement works be carried out at Killyverry Junction (N13) Newtoncunningham?”

Clr. Conaghan was informed that:-

“This is funded as part of the second tranche of NRA funded low cost accidents schemes and notification of it's release was received in the past few weeks. The works at Killyverry Junction on the N13 will be begin in a few weeks time and constitutes signage, road markings and improvement of vision lines.”

C/619/06 APPOINTING A HOUSING ENGINEER FOR THE  
INISHOWEN ELECTORAL AREA

The following question was submitted by Clr. McGuinness:-

“Why is their such a delay in appointing a housing engineer for the Inishowen Electoral Area?”

Clr. McGuinness was informed that:-

“The position of Housing Engineer for the Inishowen Electoral Area became vacant when the existing post holder was assigned on a temporary promotion to project manage the Donegal Regional Broadband Programme. Various options were explored to fill the resulting vacancy in Housing, Inishowen but as Engineering panels were not in place, it was not possible to make an appointment and to deal with the consequential vacancies.

Applications have been invited to establish the required panels and it is proposed to set up an interview panel to interview the eligible candidates in the near future. It is proposed to make an appointment to the Housing Inishowen vacancy when this process is complete.”

C/620/06 MEETING WITH THE CHIEF SUPERINTENDENT OF AN GARDA SIOCHANA

The following question was submitted by Clr. McGuinness:-

“Why has the Council not sought a meeting with the Chief Superintendent of An Garda Siochana as agreed at the September Meeting of the Council 2005?”

Clr. McGuinness was informed that:-

“A date for such a meeting has been requested of An Garda Siochana. In addition to the issues raised by Clr. McGuinness regarding the levels of Gardai in the county a range of further issues have been identified as indicated below through the Local Area Team Process now taking place in various towns and villages in the county including Newtowncunningham, Castlefin, Glencolmcille and Ballyshannon.

- Safety/Security of the elderly
- Road Safety/Unsafe Driving
- Lack of Garda presence in rural areas
- Potential extension of Policing Committees beyond Letterkenny
- Drugs
- Anti-Social Behaviour
- Potential linkages to support youth projects
- Implications of proximity to border

It is proposed that these and other issues raised by the Members could form the agenda for such a meeting with An Gardai Siochana.

The Council is requested to decide the form and level of representation for this meeting.

C/621/06 LABBADISH/DRUMOGHILL G.W.S.

The following question was submitted by Clr. Larkin:-

“Will the Council give a timetable for the role out of Labbadish/Drumoghill G.W.S?”

Clr. Larkin was informed:-

“Labadish/Drumoghill Group Water Supply Scheme is being advanced in parallel with the Lagan Phase III major capital scheme and in this regard tenders for the Group scheme have been sought and are due to be returned in October 2006. The scheme will then be listed for funding under the Rural Water Programme for 2007. Subject to sufficient funds being available in the 2007 Department allocation for new Group Schemes, the scheme will proceed to construction in 2007 in parallel with the Lagan III scheme.”

C/622/06 LAGAN PHASE III

The following question was submitted by Clr. Larkin:-

“May I have an update on Lagan Phase III?”

Clr. Larkin was informed that:-

“With reference to the letter from the Department dated 23<sup>rd</sup> June 2006 and received by Donegal County Council on 27<sup>th</sup> June 2006 the Council have asked its consultants to comply with the above as soon as possible and invite tenders on the Lagan Desert Phase 3 and Desertegny Stage 1 Contract 3 schemes. It is expected that tenders will be invited in October 2006. Following receipt of tenders the Council will then be in a position to request approved costs under the new procedures set out in Circular L01/06. The department has not yet approved a budget or the Water Services Pricing Policy report for this scheme and progress to construction stage depends on this. Finally, the construction stage approved cost will be determined by the department before construction commences and the council will be responsible for any increased costs arising during the course of construction.

C/623/06 FIRE SERVICE COVER

The following question was submitted by Clr. Crawford:-

“Fire Service Cover. What call out procedures and 'cover' arrangements are in place in the event of a fire or Road Traffic Accident in the border areas of Donegal?”

Clr. Crawford was informed that:-

***“Call out Procedure:***

The brigades, which comprise approx. 145 firefighters, are based at 16 stations throughout the county, including Aranmore. Three additional border brigade areas are covered for first call by Northern Ireland brigades at Derry, Strabane and Irvinestown. Persons requesting Fire or Emergency service dial 999 or 112.

Eircom direct these calls to N.I. Fire & Rescue Service HQ in Lisburn or to our new Communications/Call-out centre in Castlebar depending on the location along the border in Donegal.

***Cover arrangements:***

Each group of Townlands has a Pre Determined Attendance (PDA) for first, second and third Brigade as may be necessary, and the relevant brigades are alerted as required.

Both of the above arrangements are being reviewed at present by the Fire Authorities in border counties in co-operation with the NI Fire & Rescue Service in order to develop the best available service for the citizens.

C/624/06 HEART DEFIBRILLATORS

The following question was submitted by Clr. Crawford:-

“What has been the progress of a motion in my name to provide Heart defibrillators in the County House, Lifford and the Public Service Centres in the County?”

Clr. Crawford was informed that:-

“The Council is currently in contact with suppliers of the equipment. Provision for the purchase of equipment will be made in the Draft Budget for 2007.”

C/625/06 NEW WATER MAINS ON THE KINLOUGH ROAD, BUNDORAN

The following question was submitted by Clr. McEniff:-

“What is the up to date position in relation to the laying of the New Water Mains on the Kinlough Road, Bundoran?”

Clr. McEniff was informed that:-

“Replacement and upgrading of watermains at Church Road Bundoran has been proposed for some time but the main difficulty has been securing adequate funding for the works. Given that the Roads Service have plans to upgrade the road in this area a price is being sought from the Roads Service contractor to determine if the works can be carried out economically and under one of the current funding programmes.”

C/626/06 VARIATIONS IN RATES BEING PAID TO COUNCIL WORKERS

The following question was submitted by Clr. McGarvey:-

“What is the position in regard to the alleged variation in rates being paid to Council Workers as appeared in the Local Press recently?”

C/627/06 PORTLEAN WATER MAIN

The following question was submitted by Clr. McGarvey:-

“Why has the proposed new Water Main not been laid to the Portlean area as the area has suffered bursts and disruptions continuously over a long period?”

Clr. McGarvey was informed:-

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

Funding for this work under other funding programmes will also be investigated.”

C/628/06 CIVIC AMENITY SITE IN MILFORD

The following question was submitted by Clr. Blaney:-

“When does this Council expect to open a Civic Amenity Site in Milford?”

Clr. Blaney was informed:-

“The Part 8 Planning process for the Milford Civic Amenity site is to come before the Council at the September 2006 meeting. If the planning is passed by the Council the tender documents will be prepared and tendering is estimated to take place in 2006. Construction work is expected to commence in the first quarter of 2007 with an envisaged construction period of 6 months. The official opening of the site is expected to take place in the third quarter of 2007.”

C/629/06 MOTIONS FROM OTHER COUNCILS

Members noted the following motions from other Councils:-

CASHEL TOWN COUNCIL

“That Cashel Town Council support the call for an Annual Commemoration of the Irish Famine to be known as “Memorial Day” to honour the memory of the victims who died and the emigrants who gave so much to the world.”

LIMERICK COUNTY COUNCIL

“That, Limerick County Council calls on Bus Éireann to make provision and initiate plans to have wheelchair accessible coaches provided on all inter-urban and long distance commuter routes as part of fleet replacement within the company.”

FERMOY TOWN COUNCIL

“That Fermoy Town Council reaffirms its advocacy of having waste taxed at the point of entry in preference to the

present situation where waste is taxed at the point of disposal.”

#### EDENDERRY TOWN COUNCIL

- “That the Government provide more funding for the upkeep of our country roads, so that they can be made safer for motorists.”
- “In the interest of safety on our roads, that the use of loose chippings be discontinued and for a better and safer road surface to be used.
- “The setting up of ‘training areas’ for learner drivers in order that they can experience in a controlled atmosphere, road hazards such as potholes, a slippery surface or fog.”

This concluded the business of the meeting.