

COMHAIRLE CHONTAE DHUN NA nGALL

Oifig Riarthóir na
gCruinnithe
Aras an Chontae
LEIFEAR
20 Deireadh Fómhair 2009

Beidh Cruinniú Comhairle Chontae Dhún na nGall ar siúl Dé Máirt, 27 Deireadh Fómhair, 2009, 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
20th October, 2009

NOTICE OF MEETING

A Meeting of Donegal County Council will be held on Tuesday 27th October, 2009, at **12.00 noon in the County House, Lifford.**

TO EACH MEMBER OF DONEGAL COUNTY COUNCIL

Dear Councillor

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

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

Yours sincerely

E. Sweeney

Meetings Administrator (County Secretary)

AGENDA

1. Confirmation of Minutes

Confirmation of Minutes of Meeting of Donegal County Council held on the 28th September, 2009.

2. Planning and Economic Development

a) Consideration of Manager's Report on the Material Alterations to the Draft Bundoran & Environs Development Plan 2010-2016 and to make new plan.

b) To consider correspondence dated 22nd September, 2009 from the Minister for the Environment, Heritage and Local Government regarding Local Builders Policy, as adopted in Variation No.1 To Donegal County Development Plan 2006-2012.

3. 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 construction of 4 no. social housing units and associated site works and play area within existing housing development at Abbotts Wood, Carndonagh as part of the 2008-2011 Housing Programme.

4. Corporate

I. Establishment and Election of Members to the Islands Committee.

II. Establishment and Election of Members to the Placenames Committee.

III. Establishment and Election of Members to the Rural Water Monitoring Committee

- 3 Elected members
- 2 Representatives - Group Water Schemes Sector
- 2 Representatives - Rural Organisations.

IV. Establishment and Election of Members to Coiste Na Gaelige

V. Establishment and Election of Members to Audit Committee

- Two serving or former Members
- Three external nominees.

VI. Election of Members to the Joint Policing Committee 14 No. (At least 2 per Electoral Area).

VII. To fill vacancy on the Disability Strategy Group arising from the resignation of Clr. Ian McGarvey.

VIII. Election of Member to Strabane Lifford Development Commission

5. Endorsement of Minutes

- a) Endorsement of the Confirmed Minutes of Special Meeting of Stranorlar Electoral Area Committee held on the 14th May, 2009.
- b) Endorsement of the Confirmed Minutes of the Meeting of Letterkenny Electoral Area Committee held on the 15th July, 2009.
- c) Endorsement of the Confirmed Minutes of the Meeting of Stranorlar Electoral Area Committee held on the 16th July, 2009.
- d) Endorsement of the Confirmed Minutes of the Meeting of Donegal Electoral Area Committee held on the 22nd July, 2009.
- e) Endorsement of the Confirmed Minutes of the Special Meeting of Donegal Electoral Area Committee held on the 8th September, 2009.
- f) Endorsement of the Confirmed Minutes of the Corporate Policy Group Meeting held on the 21st September, 2009.

6. Housing and Building

To approve the recommendations in respect of the Housing Adaption Grants Schemes for Older People and People with a Disability.

7. 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

- LAMA – Annual Winter Seminar 2009 to be held Friday 6th and Saturday 7th November, 2009 at the Carlton Castleroy Park Hotel, Dublin Road, Limerick.
- Shannon Development – Dynamic Regions – Future Directions in Regional Development to be held Friday 6th November, 2009 in the Thomond Park Stadium, Limerick City.
- Northern Ireland Policing Board – DPP Annual Conference to be held Tuesday 17th November, 2009 in the Grand Ballroom, Slieve Donard Hotel, Newcastle.
- Clare Tourist Council – “Promoting Partnership in Tourism” 21 Years of Progress to be held from Thursday 26th to Saturday 28th November, 2009 in the Falls Hotel, Ennistymon, Co Clare.

Superior Training

- Public Policy Making and the Councillor (Beyond Local Issues) to be held from Friday 30th October to Sunday 1st November, 2009 at the Carlton Atlantic Hotel, Westport, Co. Mayo.

ACE Training and Management

- Time Management, Media and IT Skills Conference to be held from Friday 6th to Sunday 8th November, 2009 at the Creggan Hotel, Athlone, Co. Westmeath.

Esperanza Enterprises

- Local Government Ethics in Public Life Your Responsibility to be held from Friday 13th November to Sunday 15th November, 2009 at the Sligo Park Hotel, Pearse Road, Sligo.

Kandenza Consultancies

- Health and Safety, Drugs and Alcohol Abuse, Anti-Social Behaviour impact on A&E Departments to be held from Friday 30th October to Sunday 1st November, 2009 at the Carraig Hotel, Main Street, Carrick-on-Suir, Co. Tipperary.
- Local Governance Seminar “Council Budgets 2010” to be held from Friday 20th to Sunday 22nd November, 2009 at the Silver Tassie Hotel, Letterkenny, Co. Donegal.

- Local Governance Seminar “Finance Budgets for 2010 plus” to be held from Friday 27th to Sunday 29th November, 2009 at the Carlton Millrace Hotel, Bunclody, Co. Wexford.

8. Conference Reports

- Clr. Thomas Pringle – Irelands Water What is the Real Cost held Thursday 19th and Friday 20th February, 2009.
- Clr. Noel McBride, together with Clrs. Kennedy and Harte - Building Energy Regulation held on Friday 13th March, 2009.
- Clr. Noel McBride, together with Clrs. Blaney, Crawford, McGowan, and E. Bonner – Association of County and City Councils held Thursday 2nd April, 2009.
- Clr. Noel McBride, together with Clrs. McDonald, Donaghey and Harte – Planning & Development Control held Monday 20th April, 2009.
- Clr. Rena Donaghey – MacGill Summer School held Sunday 19th July, 2009.
- Clr. Gerry Crawford – Cllr. Training Seminar held Friday 3rd July, 2009.
- Clr. Terence Slowey – Planning and European Law held from Friday 4th to Sunday 6th September, 2009.
- Clr. Gerry Crawford – A.M.A.I. held Wednesday 9th September, 2009.

9. Deputations

Reception of deputation from the Irish Offshore Operators Association. (3.00pm)

10. Mayor’s Business

11. Manager’s Report

12. Motions from Other Councils

LIMERICK COUNTY COUNCIL

“That, the Department of An Taoiseach be requested, in the interests of value for money, to eliminate the employment of Consultants, abolish all Quangos and cut back unnecessary regulatory requirements in relation to Health and Safety so that the monies saved could be used to supplement roads allocations, and that the motion be circulated to all local authorities for support.”

LIMERICK COUNTY COUNCIL

“That, Limerick County Council calls on the Government to take the necessary steps to have the Christmas bonus reintroduced for people in receipt of Old Age Pensions.”

DUBLIN CITY COUNCIL

“Calls on the Department of Finance to introduce an appeals mechanism for customers who feel they are being unfairly treated by the banks and calls on the government to ensure that that the tax payers investment in various banks is properly utilised.”

SOUTH TIPPERARY COUNTY COUNCIL

“I call on this Council to write to the Minister for Education and Science expressing opposition to the proposals relating to the re-introduction of third level tuition fees. I strongly urge that each and every member of South Tipperary County Council will fully support the Student Support Bill.”

WATERFORD COUNTY COUNCIL

“That Waterford County Council requests the Government to continue to support the Rural Transport Initiative. Waterford County Council further asks the County Secretary to inform the Minister for Finance and all Local Authorities of this Resolution.”

KILDARE COUNTY COUNCIL

“That this council notes with concern the proposed transfer of control over the allocation of all roads funding for local authorities away from the Minister for Transport, thus diminishing the Minister’s role and lessening the public accountability which should be inherent in any system which involves the disbursement of such significant sums of money.”

CARLOW COUNTY COUNCIL

“Carlow County Council calls on the Government to support the Family Resource Centre Programme and in particular, Family Resource Centres based in County Carlow. We support the three campaign principles of the Family Resource Centre National Forum which are:

1. The Family Resource Centre programme delivers a value-for-money support for families across Ireland. At times of financial hardship, the services of Family Resource Centres

will be needed more than ever. Rather than considering closing or reducing the FRC programme, it should be developed and expanded.

2. The Family Support Agency is the best vehicle to deliver the Family Resource Centre Programme and the Agency should be maintained.
3. If any changes are to be made to the FRC programme or Family Support Agency, the Family Resource Centre National Forum must be consulted on the way forward.”

MUINEBHEAG TOWN COUNCIL

“Muinebheag Town Council would urge all Town Councils and County Councils to support the Family Resource Centre Programme in all our areas. The Family Resource Centre Programme delivers a value for money support for families across Ireland. Unfortunately, at times of financial hardship, their services will be needed more than ever. Rather than considering closing or reducing the FRC programme, it should be developed and expanded.”

SHANNON TOWN COUNCIL

“That Shannon Town Council calls on the government to set up a separate redress scheme for women detained in Magdalene laundries as demanded by the survivors and that this demand be circulated to all Local Authorities”.

CLONMEL BOROUGH COUNCIL

“That Clonmel Borough Council calls on the Government and Minister for Social and Family Affairs to reverse the decision not to pay the Christmas bonus to Social Welfare recipients.”

**MINUTES OF MEETING OF DONEGAL COUNTY COUNCIL, HELD
IN THE COUNTY HOUSE, LIFFORD ON 27th OCTOBER, 2009**

- C/498/09 MEMBERS PRESENT
Clrs. B. Byrne, Mayor, D. Alcorn, L. Blaney, J. Boyle, C. Brogan, G. Crawford, M. Doherty, P. Doherty, R. Donaghey, M. Farren, M.T. Gallagher, M. Harley, J. Harte, C. Harvey, D. Larkin, P. MacLochlainn, N. Mc Bride, C. McConalogue, S. McEniff, I. McGarvey, P. Mc Gowan, B. McGuinness, S. O'Domhnaill, B. O' Neill, T. Pringle, M. Quinn, J. Ryan, T. Slowey.
- C/499/09 APOLOGIES
Apologies were received from Clr. McBrearty who was unable to attend the meeting.
- C/500/09 OFFICIALS IN ATTENDANCE
Mr. Michael McLoone, County Manager, Mr Sean Sheridan, Director Corporate Services, Mr. John Mc Laughlin, Director Roads and Transportation, Mr. Francie Coyle, Director of Planning and Economic Development, Mr Garry Martin, S.E.O. Community, Culture and Enterprise, Mr Patrick McLaughlin, S.E.O., Housing, Mr Bartley McGlynn, S.E.O., Finance, Mr Simon Harron, Executive Planner, Mr Joe Peoples, A/Meetings Administrator, Ms. Anne Marie Crawford, Staff Officer, Corporate Services.
- C/501/09 CONFIRMATION OF MINUTES
On the proposal of Clr. Larkin, seconded by Clr. Crawford, the minutes of the Meeting of Donegal County Council held on the 28th September, 2009 were adopted.
- C/502/09 CONSIDERATION OF MANAGERS REPORT ON THE MATERIAL ALTERATIONS TO THE DRAFT BUNDORAN AND ENVIRONS DEVELOPMENT PLAN 2010-2016 AND TO MAKE NEW PLAN
Clr. Mc Eniff advised that he had an interest in some of the lands concerned and thus withdrew from the meeting at this juncture.
Members considered the report circulated with the agenda in relation to the above.
Clr. Brogan asked for clarification in relation to the status of Policy RTC4 and RTC6. He stated that he was of the opinion

that Members had consented to the deletion of RTC4 and the inclusion of RTC6.

Mr. Francie Coyle, Director Planning and Economic Development informed the meeting that both items had been considered in the context of the Manager's Report presented to Members at the Council Meeting held on the 20th July, 2009, with the minutes of the meeting recording the inclusion of Policy RTC4 and no consensus being reached in relation to the proposal to delete Policy RTC6.

Responding to a request for the minutes to be amended he affirmed that it would not be possible to do so at this stage and that any changes to the Plan would have to be by way of a variation.

Thus on the proposal of Clr. Brogan, seconded by Clr. Byrne it was resolved to delete Policy RTC4 and include Policy RTC6 in the Draft Bundoran and Environs Development Plan 2010 –2016 and to proceed to initiate the process of varying the plan to reflect this.

MA001, MA004, MA005, MA006, MA007, MA008, MA010, MA011

Members agreed with the County Manager's recommendations and unanimously agreed that there be no change to the Draft Bundoran and Environs Development Plan 2010 –2016 in respect of the Material Alteration outlined above.

MA002 & MA003

Members agreed with the County Manager's recommendations in respect of the above Material Alterations and resolved that there be no change to the Draft Bundoran and Environs Development Plan 2010-2016 with the exception of the following: -

- On the proposal of Clr. Brogan, seconded by Clr. Byrne it was resolved to materially alter the Draft Bundoran and Environs Development Plan 2010-2016 to include section within the Final Plan for adoption on SEA Process and Procedures.
- On the proposal of Clr. Brogan , seconded by Clr. Byrne it was resolved to include a list of SACs in the Draft Plan.

MA009

On the proposal of Clr. Brogan, seconded by Clr. O' Neill it was resolved to materially alter the Draft Bundoran and Environs Development Plan 2010-2016 and amend the land use zoning map accordingly.

On the proposal of Clr. O' Neill, seconded by Clr. Byrne it was resolved to make the Material Alterations to the Draft Bundoran and Environs Development Plan 2010-2016 and amend the plan accordingly, and having considered the amendments and the Manager's Report together make the Bundoran and Environs Development Plan 2010-2016, in accordance with Section 12(10) of the Planning & Development Acts 2000-2007.

C/503/09 CONSIDERATION OF CORRESPONDENCE DATED 22ND SEPTEMBER, 2009 FROM THE MINISTER FOR THE ENVIRONMENT, HERITAGE AND LOCAL GOVERNMENT REGARDING LOCAL BUILDERS POLICY AS ADOPTED IN VARIATION NO.1 TO DONEGAL COUNTY DEVELOPMENT PLAN 2006-2012
Members considered the report circulated with the agenda in relation to the above. On the proposal of Clr. Brogan, seconded by Clr. Slowey it was resolved to delete the "Local Builders Policy" from the County Development Plan 2006-2012 and advise the Minister for the Environment, Heritage and Local Government of the timescale involved.

C/504/09 ATTENDANCE BY MEMBERS OF THE KILLYBEGS DROP IN CENTRE
The Mayor welcomed a group from the Killybegs Drop in Centre to the meeting. Their visit he advised would afford the Group an opportunity to see local democracy in action.

C/505/09 TAKING OF DECISION WITH REGARD TO PROPOSED CONSTRUCTION OF 4 NO. SOCIAL HOUSING UNITS AND ASSOCIATED SITE WORKS AND PLAY AREA WITHIN EXISTING HOUSING DEVELOPMENT AT ABBOTTS WOOD, CARNDONAGH AS PART OF THE 2008-2011 HOUSING PROGRAMME
Members considered the report, circulated with the agenda, in relation to the above.

On the proposal of Clr. Donaghey, seconded by Clr. Larkin, 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 the proposed construction of 4 no. social housing units and associated site works and play area within existing housing development at Abbots Wood, Carndonagh, was approved.

C/506/09 ESTABLISHMENT AND ELECTION OF MEMBERS TO THE ISLANDS COMMITTEE

On the proposal of Clr. Brogan, seconded by Clr. Slowey it was resolved to seek nominations from the Glenties and the Letterkenny Electoral Area Committees, with the matter scheduled to come before Members again at the November Council Meeting.

C/507/09 ESTABLISHMENT AND ELECTION OF MEMBERS TO THE COISTE LOGAINMNEACHA/THE PLACENAMES COMMITTEE

On the proposal of Clr. Brogan, seconded by Clr. Slowey, it was resolved that each Electoral Area Committee would select one number member to sit on the Coiste Logainmneach/Placenames Committee, and that the matter would be further considered at the November Council Meeting.

C/508/09 ESTABLISHMENT AND ELECTION OF MEMBERS TO THE RURAL WATER MONITORING COMMITTEE

Members were informed that Paragraph 18, Schedule 10 of the Local Government Act, 2001 applied in this instance.

On the proposal of Clr. Brogan, seconded by Clr. Larkin, it was resolved, in accordance with Section 51 of the Local Government Act, 2001 to establish the County Committee for Rural Water Monitoring with the following membership:-

4 Elected Members

2 Representatives-Group Water Schemes

2 Representatives-Rural Organisations

No group was formed.

Clr. Donaghey was proposed by Clr. Brogan, seconded by Clr. Larkin.

Clr. Brogan was proposed by Clr. Brogan, seconded by Clr. Larkin.

Clr. Mc Brearty was proposed by Clr. Brogan, seconded by Clr. Larkin.

Clr. M. Doherty was proposed by Clr. Brogan, seconded by Clr. Slowey.

As there were no other candidates proposed, the Mayor declared Clrs Donaghey, Brogan, Mc Brearty, and M. Doherty elected to the four positions on the County Committee for Rural Water Monitoring.

Representatives - Group Water Schemes

Ms Mairead Diggins ,Tullydish No. 1 GWS was proposed by Clr. Brogan, seconded by Clr. Donaghey.

Mr. Joe Brannigan, Owenteskna GWS was proposed by Clr. Brogan, seconded by Clr. Donaghey.

As there were no other candidates proposed, Ms Mairead Diggins, and Mr. Joe Brannigan were elected to the two number Group Water Scheme Positions on the County Committee for Rural Water Monitoring.

Representatives –Local Rural Organisations

Mr. George O’ Hagan was proposed by Clr. Brogan, seconded by Clr. Donaghey.

Mr. James O’ Donnell was proposed by Clr. Brogan, seconded by Clr. Donaghey.

As there were no other candidates proposed, Mr. James O’ Donnell, and Mr. George O’ Hagan were elected to the two number Local Rural Organisations positions on the County Committee for Rural Water Monitoring

C/509/09

ESTABLISHMENT AND ELECTION OF MEMBERS TO COISTE NA GAELIGE

Members were informed that Paragraph 18, Schedule 10 of the Local Government Act, 2001 applied in this instance. On the proposal of Clr. Alcorn, seconded by Clr. Byrne it was resolved in accordance with Section 51, of the Local Government Act, 2001 to establish Coiste na Gaeilge with a membership of 9 Elected Members. The Mayor sought

nominations from Members interested in serving on the committee.

No Group was formed

Clr. Alcorn was proposed by Clr. Byrne, seconded by Clr. Brogan.

Clr. Byrne, was proposed by Clr. Alcorn, seconded by Clr. Brogan.

Clr. M. T. Gallagher was proposed by Clr. Harvey, seconded by Clr. Mac Lochlainn.

Clr. O' Domhnaill was proposed by Clr. Alcorn, seconded by Clr. Brogan.

Clr. P. Doherty was proposed by Clr. Alcorn, seconded by Clr. Harley.

Clr. Pringle was proposed by Clr. Alcorn, seconded by Clr. Byrne.

Clr. Boyle was proposed by Clr. Slowey, seconded by Clr. Harley.

Clr. Quinn was proposed by Clr. Mac Lochlainn, seconded by Clr. Gallagher.

As there were no other candidates proposed, the Mayor declared Clrs Alcorn, Byrne, Gallagher, O' Domhnaill, Boyle, Pringle, P. Doherty and Quinn elected to Coiste na Gaeilge.

C/510/09 ESTABLISHMENT AND ELECTION OF MEMBERS TO AUDIT COMMITTEE

Members were informed that following the Local Elections it was necessary to re-establish the Audit Committee and that this Committee would consist of (a) two serving or former Councillors and (b) three external members(to be nominated by the County Manager)

Mr. Joe Peoples, A/ Meetings Administrator advised that Standing Order 101 would apply.

Mr. Francis Conaghan was proposed by Clr. Brogan, seconded by Clr. Mc Eniff.

Mr. Enda Bonner was proposed by Clr. Brogan, seconded by Clr. Mc Eniff.

Clr. Martin Harley was proposed by Clr. Slowey, seconded by Clr. Mc Bride.

A vote was taken in accordance with Standing Order 101 and resulted in the following:-

Francis Conaghan	12 votes
Enda Bonner	20 votes
Clr. Harley	8 votes

Spoiled Votes	1
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The Mayor declared Mr. Enda Bonner and Mr. Francis Conaghan elected to the Audit Committee.

Members suggested that the Committee consider the provision of bi-annual reports.

C/511/09 ESTABLISHMENT AND ELECTION OF MEMBERS TO THE JOINT POLICING COMMITTEE

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

The Mayor read into the record the following nominations which had been agreed at Electoral Area level:-

Inishowen Electoral Area

Clr. B. Mc Guinness
Clr. M. Doherty
Clr. C. Mc Conalogue

Donegal Electoral Area

Clr. S. Mc Eniff
Clr. T. Pringle

Stranorlar Electoral Area

Clr. F. Mc Brearty
Clr. P. Mc Gowan
Clr. G. Crawford

Letterkenny Electoral Area

Clr. L. Blaney
Clr. N. Mc Bride
Clr. M. Quinn

Glenties Electoral Area

Clr. D. Alcorn

Clr. S. O'Domhnaill
Clr. M.T. Gallagher

On the proposal of Clr. Brogan, seconded by Clr. Byrne it was resolved to elect Clrs. Alcorn, Blaney, Crawford, M. Doherty, Gallagher, Mc Brearty, Mc Bride, Mc Conalogue, Mc Eniff, Mc Gowan, Mc Guinness, O' Domhnaill, Pringle and Quinn to the Donegal Joint Policing Committee.

C/512/09 TO FILL VACANCY ON THE DISABILITY STRATEGY GROUP ARISING FROM THE RESIGNATION OF CLR. IAN MCGARVEY

Clr. Donaghey was proposed by Clr. Brogan, seconded by Clr. Larkin.

Clr. Ryan was proposed by Clr. Slowey, seconded by Clr. M. Doherty.

A show of hands taken by the Meetings Administrator resulted in 13 votes for Clr. Donaghey and 7 votes for Clr. Ryan.

The Mayor declared Clr. Donaghey elected to fill the vacancy on the Disability Strategy Committee arising from the resignation of Clr. Ian Mc Garvey.

C/513/09 ESTABLISHMENT AND ELECTION OF MEMBERS TO STRABANE LIFFORD DEVELOPMENT COMMISSION

Members were informed that there was one position available on the Strabane –Lifford Development Commission.

Clr. Crawford was proposed by Clr. Brogan, seconded by Clr. Mc Eniff.

Clr. Harley was proposed by Clr. M. Doherty, seconded by Clr. Ryan.

In accordance with Standing Orders a show of hands was taken by the Meetings Administrator resulting in 14 votes for Clr. Crawford and 7 votes for Clr. Harley.

The Mayor declared Clr. Crawford elected as Representative to the Strabane-Lifford Development Commission.

- C/514/09 ENDORSEMENT OF THE CONFIRMED MINUTES OF SPECIAL MEETING OF STRANORLAR ELECTORAL AREA COMMITTEE HELD ON 14th MAY, 2009
On the proposal of Clr. McGowan, seconded by Clr. Harvey, it was resolved to endorse the confirmed Minutes of Special Meeting of Stranorlar Electoral Area Committee held on the 14th May, 2009.
- C/515/09 ENDORSEMENT OF THE CONFIRMED MINUTES OF MEETING OF LETTERKENNY ELECTORAL AREA COMMITTEE HELD ON 15th JULY, 2009
On the proposal of Clr. Larkin, seconded by Clr. McBride, it was resolved to endorse the confirmed Minutes of Meeting of Letterkenny Electoral Area Committee held on the 15th July, 2009.
- C/516/09 ENDORSEMENT OF THE CONFIRMED MINUTES OF MEETING OF STRANORLAR ELECTORAL AREA COMMITTEE HELD ON 16th JULY, 2009
On the proposal of Clr. Harvey, seconded by Clr. Harley, it was resolved to endorse the confirmed Minutes of Meeting of Stranorlar Electoral Area Committee held on the 16th July, 2009.
- C/517/09 ENDORSEMENT OF THE CONFIRMED MINUTES OF MEETING OF DONEGAL ELECTORAL AREA COMMITTEE HELD ON 22nd JULY, 2009
On the proposal of Clr. McEniff, seconded by Clr. Pringle, it was resolved to endorse the confirmed Minutes of Meeting of Donegal Electoral Area Committee held on the 22nd July, 2009.
- C/518/09 ENDORSEMENT OF THE CONFIRMED MINUTES OF SPECIAL MEETING OF DONEGAL ELECTORAL AREA COMMITTEE HELD ON 8th SEPTEMBER, 2009
On the proposal of Clr. O'Neill, seconded by Clr. Boyle, it was resolved to endorse the confirmed Minutes of Special Meeting of Donegal Electoral Area Committee held on the 8th September, 2009.

C/519/09 ENDORSEMENT OF THE CONFIRMED MINUTES OF CORPORATE POLICY GROUP HELD ON 21st SEPTEMBER, 2009

On the proposal of Clr. Byrne, seconded by Clr. Pringle, it was resolved to endorse the confirmed Minutes of Corporate Policy Group held on the 21st September, 2009.

C/520/09 TO APPROVE THE RECOMMENDATIONS IN RESPECT OF THE HOUSING ADAPTION GRANTS SCHEME FOR OLDER PEOPLE AND PEOPLE WITH DISABILITY

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

Mr. Patrick Mc Laughlin, S.E.O outlined the main aspects of his report and advised that the Corporate Policy Group had approved the recommendations subject to drylining being retained as a separate item under the Housing Aid for Older People Scheme and that this be facilitated at a level of €500. A lengthy debate ensued with Members generally welcoming the report. It was acknowledged that a co-ordinated approach was required and that the way forward was through collaboration with groups such as the E.S.I.

A number of issues were raised namely:

- That new cost estimates should be sought in respect of the 430 applications on hand.
- That every effort should be made to clear all applications received before the 29th July, 2009.
- That the Insulation Grants Process be speeded up as it is currently paid too late in the year.
- That considerable thought needed to be given to the management of our own resources and the provision of matching funding in the forthcoming budget preparations.

Mr. Mc Laughlin proceeded to respond to a range of queries raised by the Members.

Clr. Larkin proposed, seconded by Clr. Brogan, that the Council resolve to approve the following recommendation s in respect of the Housing Adaptation

Grants Schemes for Older People and People with a Disability: -

“(a)That Grants already on hand be now processed and approved where appropriate, in line with the revised Standard Costings, as set out in the appendices to the report, with drylining being retained as a separate item under the Housing Aid for Older People Scheme and that this be facilitated at a level of €500.

(b) That where such approvals are issued, they will contain a proviso that Payment of the Grant will not be made until 2010 at the earliest”.

Clr. Mc Guinness advised that he had major concerns in relation to the endorsement of the report and called for the application process to be reopened in order to provide a clear and more definitive picture of the funding required over the coming year.

Clr. Mc Guinness thus proposed, seconded by Clr. Mc Garvey that the resolution be amended as follows:

“(a)That Grants already on hand be now processed and approved where appropriate, in line with the revised Standard Costings, as set out in the appendices to the report. (with drylining being retained as a separate item under the Housing Aid for Older People Scheme at a level of €500.

(b) Where approvals are issued, they will contain the proviso that payment of the Grant will not be made until 2010 at the earliest, with of these subject to the Council resuming acceptance of new applications under the scheme, albeit no processing of same to take place until the position as regards funding is decided”.

The County Manager advised that the decision was ultimately a matter for the Members. The matter he affirmed required careful consideration and needed to be considered within the framework of the 2010 Budget preparations. Donegal County Council he noted had an excellent track record in providing grants to the elderly and disabled, and that provision had been made to deal with hardship/emergency cases.

In accordance with Standing Orders a vote was taken firstly in relation to the amendment.

This resulted in 13 voting for, 11 voting against, with 1 abstention.

Those voting in favour were:-

Clrs. Boyle, M. Doherty, P. Doherty, Farren , Harley, Harte, Mc Bride, Mc Garvey, Mc Guinness, O' Neill, Quinn, Ryan and Slowey. (13)

Those voting against were;-

Clrs, Alcorn, Blaney, Brogan, Byrne, Crawford, Donaghey, Larkin, Mc Eniff, Mc Gowan, O' Domhnaill, and Pringle. (11)

The Mayor declared the amendment carried.

C/521/09

CONFERENCES

Having noted the revised arrangements under Section 142 5(d) of the Local Government Act, 2001, introduced by the Local Government (Expenses of Local Authority Members) Regulations 2006 and directives issued by the Minister in that regard, on the proposal of Clr. Brogan, seconded by Clr. Mc Eniff, it was resolved to authorise any member if he/she so wished to attend the following conferences, subject to the normal procedures:-

1. Individual members not exceeding their annual budget for attendance at conferences.
 2. Payment of expenses for attendance to be conditional on the member furnishing documentary evidence of attendance.
- LAMA – Annual Winter Seminar 2009 to be held Friday 6th and Saturday 7th November, 2009 at the Carlton Castleroy Park Hotel, Dublin Road, Limerick.
 - Shannon Development – Dynamic Regions – Future Directions in Regional Development to be held Friday 6th November, 2009 in the Thomond Park Stadium, Limerick City.

- Northern Ireland Policing Board – DPP Annual Conference to be held Tuesday 17th November, 2009 in the Grand Ballroom, Slieve Donard Hotel, Newcastle.
- Clare Tourist Council – “Promoting Partnership in Tourism” 21 Years of Progress to be held from Thursday 26th to Saturday 28th November, 2009 in the Falls Hotel, Ennistymon, Co Clare.

Superior Training

- Public Policy Making and the Councillor (Beyond Local Issues) to be held from Friday 30th October to Sunday 1st November, 2009 at the Carlton Atlantic Hotel, Westport, Co. Mayo.

ACE Training and Management

- Time Management, Media and IT Skills Conference to be held from Friday 6th to Sunday 8th November, 2009 at the Creggan Hotel, Athlone, Co. Westmeath.

Esperanza Enterprises

- Local Government Ethics in Public Life Your Responsibility to be held from Friday 13th November to Sunday 15th November, 2009 at the Sligo Park Hotel, Pearse Road, Sligo.

Kandenza Consultancies

- Health and Safety, Drugs and Alcohol Abuse, Anti-Social Behaviour impact on A&E Departments to be held from Friday 30th October to Sunday 1st November, 2009 at the Carraig Hotel, Main Street, Carrick-on-Suir, Co. Tipperary.
- Local Governance Seminar “Council Budgets 2010” to be held from Friday 20th to Sunday 22nd November, 2009 at the Silver Tassie Hotel, Letterkenny, Co. Donegal.
- Local Governance Seminar “Finance Budgets for 2010 plus” to be held from Friday 27th to Sunday 29th November, 2009 at the Carlton Millrace Hotel, Bunclody, Co. Wexford.

C/522/09 TO NOTE VARIOUS CONFERENCE REPORTS

On the proposal of Clr. Slowey, seconded by Clr. Crawford, Members noted the following Conference Reports:-

- Clr. Thomas Pringle – Irelands Water What is the Real Cost held Thursday 19th and Friday 20th February, 2009.
- Clr. Noel McBride, together with Clrs. Kennedy and Harte - Building Energy Regulation held on Friday 13th March, 2009.
- Clr. Noel McBride, together with Clrs. Blaney, Crawford, McGowan, and E. Bonner – Association of County and City Councils held Thursday 2nd April, 2009.
- Clr. Noel McBride, together with Clrs. McDonald, Donaghey and Harte – Planning & Development Control held Monday 20th April, 2009.
- Clr. Rena Donaghey – MacGill Summer School held Sunday 19th July, 2009.
- Clr. Gerry Crawford – Cllr. Training Seminar held Friday 3rd July, 2009.
- Clr. Terence Slowey – Planning and European Law held from Friday 4th to Sunday 6th September, 2009.
- Clr. Gerry Crawford – A.M.A.I. held Wednesday 9th September, 2009.

C/523/09 ADJOURNMENT FOR LUNCH

On the proposal of Clr. Byrne, seconded by Clr. Brogan, the Members agreed to adjourn the meeting for lunch.

C/524/09 DEPUTATION FROM THE IRISH OFFSHORE OPERATORS ASSOCIATION

The Mayor welcomed Mr. Fergus Cahill, Chairman Irish Offshore Operators Association and Mr. Padraig McCluskey, Communications Advisor, Shell Exploration and Production Ireland, Ltd to the Meeting.

Mr. Cahill outlined the conditions necessary for the formation of oil and gas noting that the probability of finding Hydrocarbons was 20%. An explanation of current drilling procedures was also provided

It was acknowledged that Irish Offshore Exploration was a high risk business with the overall cost in 2008 amounting to €200 million. To date he noted there had been no commercial crude oil finds off the Irish Coast and indeed

Ireland's exploration success rate had been consistently low. It was acknowledged that there were a number of key challenges facing the industry namely the harsh offshore metocean conditions and the fact that much of the activity was in deepwater. Other factors such as the limited availability and high cost of equipment, the mobilization and demobilization of equipment together with the difficulty in attracting capital and equipment from other more successful deepwater regions were deemed to be major drawbacks. With regard to security of supply it was noted that Ireland was at the nether regions of the supply network a factor which had major implications for our gas demand and indigenous supply network. Mr. Cahill stated that there was at present intense international competition for exploration funds. He proceeded to provide a comparative analysis of the Exploration trends in the UK, Norway and Ireland. There were he affirmed ongoing gas supply issues and an urgent need for additional storage capacity. Over the past year he noted that there had been considerable exploration and development work, with substantial local expenditure in Donegal, Mayo, Shannon Foynes and Cork.

In conclusion it was noted that the industry needed:

- Stable fiscal terms which recognized the realities of Irish Offshore Operations.
- A stable, streamlined and supportive regulatory regime, consistent with international best practice.
- Effective supporting infrastructure.

Members welcomed the informative and enlightening Presentation. Mr. Cahill responded directly to a number of queries raised by the Members.

C/525/09

MAYOR'S BUSINESS

Cultural Committee

The Mayor asked Members to submit their nominations for the Cultural Committee to the County Secretary's Office so that the Committee could be reconstituted at the November Council Meeting.

Vote of Congratulations

The Mayor requested that a vote of congratulations be forwarded to the following:-

- Organising Committee of Fleadh Cheoil na Carraige 2009
- CLG Aodh Rua on their centenary celebrations.

C/526/09 MANAGERS REPORT

Mr. Sean Sheridan, Director of Corporate Services in the absence of the County Manager updated Members in relation to the operation of the NPPR Charge.

Members advised that there were a number of inconsistencies in relation to the operation of the scheme and thus called for the provision of clearer guidelines.

They outlined the necessity of maintaining adequate records particularly in relation to general queries. It was suggested that ESB Meter usage could be used as a yardstick measure to determine occupancy.

Clr. Slowey asked that a listing of all property owners who had registered their properties be compiled and distributed on an Electoral Area basis. This it was acknowledged needed to be considered within the context of current data protection legislation.

The County Manager on his return to the meeting acknowledged Member's concerns and advised that a dedicated radio campaign was now being undertaken in Scotland and Northern Ireland so as to update property holders on the operation of the scheme. There was he affirmed no provision to defer payment and if there was any doubt as to the inclusion of a particular property it would be in the best interests of the owner to declare the property initially and then seek a determination on same.

A number of Members he noted had expressed concern that the NPPR information leaflet had not been printed locally. Donegal County Council he advised operated under specific Procurement and Purchasing Guidelines and local companies were fully aware of this tendering policy which was non discriminatory in nature.

C/527/09 MOTIONS FROM OTHER COUNCILS

On the proposal of Clr. Quinn seconded by Clr. Mac Lochlainn, the Council endorsed the following motions: -

LIMERICK COUNTY COUNCIL

“That, Limerick County Council calls on the Government to take the necessary steps to have the Christmas bonus reintroduced for people in receipt of Old Age Pensions.”

CLONMEL BOROUGH COUNCIL

“That Clonmel Borough Council calls on the Government and Minister for Social and Family Affairs to reverse the decision not to pay the Christmas bonus to Social Welfare recipients.”

A number of Members voiced dissatisfaction with the current method for dealing with Motions from other Councils and felt that given the serious nature of many of these resolutions it would be more appropriate to include them on the agenda with Members own Notices of Motion. It was suggested that the matter be referred back to the Corporate Policy Group for further consideration.

The following motions from other authorities were noted:-

LIMERICK COUNTY COUNCIL

“That, the Department of An Taoiseach be requested, in the interests of value for money, to eliminate the employment of Consultants, abolish all Quangos and cut back unnecessary regulatory requirements in relation to Health and Safety so that the monies saved could be used to supplement roads allocations, and that the motion be circulated to all local authorities for support.”

DUBLIN CITY COUNCIL

“Calls on the Department of Finance to introduce an appeals mechanism for customers who feel they are being unfairly treated by the banks and calls on the government to ensure that that the tax payers investment in various banks is properly utilised.”

SOUTH TIPPERARY COUNTY COUNCIL

“I call on this Council to write to the Minister for Education and Science expressing opposition to the proposals relating to the re-introduction of third level tuition fees. I strongly urge that each and every member of South Tipperary County Council will fully support the Student Support Bill.”

WATERFORD COUNTY COUNCIL

“That Waterford County Council requests the Government to continue to support the Rural Transport Initiative. Waterford County Council further asks the County Secretary to inform the Minister for Finance and all Local Authorities of this Resolution.”

KILDARE COUNTY COUNCIL

“That this council notes with concern the proposed transfer of control over the allocation of all roads funding for local authorities away from the Minister for Transport, thus diminishing the Minister’s role and lessening the public accountability which should be inherent in any system which involves the disbursement of such significant sums of money.”

CARLOW COUNTY COUNCIL

“Carlow County Council calls on the Government to support the Family Resource Centre Programme and in particular, Family Resource Centres based in County Carlow. We support the three campaign principles of the Family Resource Centre National Forum which are:

1. The Family Resource Centre programme delivers a value-for-money support for families across Ireland. At times of financial hardship, the services of Family Resource Centres will be needed more than ever. Rather than considering closing or reducing the FRC programme, it should be developed and expanded.
2. The Family Support Agency is the best vehicle to deliver the Family Resource Centre Programme and the Agency should be maintained.
3. If any changes are to be made to the FRC programme or Family Support Agency, the Family Resource Centre National Forum must be consulted on the way forward.”

MUINEBHEAG TOWN COUNCIL

“Muinebheag Town Council would urge all Town Councils and County Councils to support the Family Resource Centre Programme in all our areas. The Family Resource Centre Programme delivers a value for money support for families

across Ireland. Unfortunately, at times of financial hardship, their services will be needed more than ever. Rather than considering closing or reducing the FRC programme, it should be developed and expanded.”

SHANNON TOWN COUNCIL

“That Shannon Town Council calls on the government to set up a separate redress scheme for women detained in Magdalene laundries as demanded by the survivors and that this demand be circulated to all Local Authorities”.

This concluded the business of the meeting.

Certified: _____
Mayor.

Date: _____

