

08<sup>th</sup> April, 2008

TO ALL MEMBERS OF DONEGAL COUNTY COUNCIL
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The Meeting of Donegal County Council adjourned from Monday 31<sup>st</sup> March, 2008, will be held on Monday 14<sup>th</sup> April, 2008 at 11.00am in the Council Chamber, Lifford, to deal with the following remaining items:-

**Item 8(b)** That Donegal County Council approves entering into arrangements with Mayo County Council under Section 85 of the Local Government Act, 2001 whereby Mayo County Council shall perform on behalf of Donegal County Council those of its functions as Fire Authority, for the County of Donegal as set out in the agreement.

**Item 10** Mayor's Business

**Item 11** Manager's Report

**Item 12-68** Questions and Motions

**Eunan Sweeney**

E. Sweeney

Meetings Administrator

MINUTES OF ADJOURNED MEETING OF DONEGAL COUNTY  
COUNCIL HELD IN THE COUNTY HOUSE, LIFFORD ON 14<sup>TH</sup>  
APRIL 2008.

C/162/08     MEMBERS PRESENT

Clrs. J. Boyle, Mayor, D. Alcorn, L. Blaney, A. Bonner, E. Bonner, C. Brogan, B. Byrne, F. Conaghan, R. Donaghey, M.T. Gallagher, J. Kelly, D. Larkin, N. McBride, T. McDaid, M. McDonald, S. McEniff, I. McGarvey, D. McGonagle, P. McGowan, B. McGuinness, P. MacLochlainn, P. O'Dochartaigh, T. Pringle and J.J. Reid.

C/163/08     APOLOGIES

Apologies were received from Clrs. Crawford, Harte, Kennedy, O'Neill and Slowey who were unable to attend the meeting.

C/164/08     OFFICIALS IN ATTENDANCE

Mr. Michael McLoone, County Manager, Mr. Liam Kelly, Assistant County Manager/Director Housing and Building, Mr. Sean Sheridan, Director Corporate Services, Mr. Michael Heaney, Director Community, Culture and Enterprise, Mr. Chris Lyons, Director Water, Environment and Emergency Services, Mr. Gerry Richards, Senior Planner, Mr. Denis Kelly, Senior Executive Planner, Mr. Vincent Lynn, Senior Engineer, Mr. Bartley McGlynn, Senior Executive Officer, Mr. Joe Peoples, A/Meetings Administrator, Mr. Eugene Devenney, Staff Officer, Ms. Anne Marie Crawford, Staff Officer, Corporate Services.

C/165/08     ADJOURNMENT OF MEETING

On the proposal of Clr. Boyle, seconded by Clr. Brogan, it was resolved to adjourn the meeting for 10 minutes to allow members who had been in attendance at other meeting sufficient time to prepare.

C/166/08     SECTION 85 –MAYO COUNTY COUNCIL

Members requested further information in relation to the proposed agreement and resolved to defer a decision on the matter until this was available.

FRIENDS OF THE ELDERLY

The Mayor advised that documentation from "Friends of the Elderly" requesting information of the oldest working person in Ireland had been circulated to members. He asked that this information be passed on to all areas of the community.

FREEDOM OF THE COUNTY-RESOLUTION UNDER SECTION 74 OF LOCAL GOVERNMENT ACT 2001

On the proposal of Clr. Boyle, seconded by Clr. Alcorn, it was resolved to award the Freedom of the County to Mr. Phil Coulter in honour of his outstanding achievements in the field of music. It was agreed that the Civic Reception would be held at 2.00pm on Thursday 22<sup>nd</sup> May, 2008 in the Council Chamber, County House, Lifford.

USA TRIP 2008

Details in relation to the trip undertaken by the Mayor and Clr. Slowey were circulated.

VOTES OF SYMPATHY

Votes of sympathy were extended to the following:-

- Clr. Brendan Byrne on the death of his Mother, Bridget Byrne and his Aunt Mary Ellen O'Gara.
- Mr. Owenie Coyle (Roads Section –Glenties) on the death of his son, Tommy Coyle.
- Clr. Eunan Doyle, Ballyshannon Town Council on the death of his Father, Mr. Walter Doyle.
- Ms. Pauline McLaughlin, Veterinary Section on the death of her Father, Mr. Frank Devine.
- Ms. Elaine O'Donnell, SMT. Support on the death of her Father, Mr. Hugh O'Donnell.
- Mr. John McBride, Water, Environment & Emergency Services, Milford, on the death of his Father, Mr. John McBride.
- Ms. Marie McKendrick, Fire Station, Letterkenny on the death of her Mother, Ms. Mary McKendrick.
- Ms. Eva Browne, Lifford Library, on the death of her Father, Mr. Joe Browne.

- Mr. Tony Brogan, Housing, Stranorlar on the death of his Father, Mr. Drew Brogan.
- Mr. Eddie Ivers, Water and Environment, Carndonagh, on the death of his Mother Ms. Lilly Ivers.
- Mr. John McGuire, Ballyshannon Fire Brigade on the death of his Father, Mr. Charlie McGuire.
- Mr. Colm Cunningham, Killybegs Fire Brigade on the death of his Father, Mr. John Cunningham.
- The Family of the late Liam Kane, Ballyshannon Fire Station.
- Ms. Catherine Mulrine, County Manager's Office, on the death of her Uncle, Mr. Frank Mulrine.
- Mr. Barney McLaughlin, Community, Culture and Enterprise on the death of his Mother, Mary McLaughlin.
- Mr. Fitz Howard, Capital Building Programme on the death of his Mother, Ms. Clair Howard.
- Mr. Pat Mc Colgan, Inishowen Electoral Area on the death of his Mother.
- The Family of the late Clr. Philip Diggins, Buncrana Town Council
- The family of the late Dr. Frank Curran, Killybegs
- The family of the former President, Mr. Patrick Hillery.

### REFORM OF COMMON AGRICULTURE POLICY

Documentation from the I.F.A., circulated at the Mayor's request, outlined the farming community's concerns in relation to the current World Trade Organisations negotiations in Geneva.

On the proposal of Clr. McGowan, seconded by Clr. McBride, the following resolution was adopted:-

“That the position of the EU Trade Commissioner, Peter Mandelson in the WTO negotiations represents a grave and unacceptable threat to Irish farming, the food industry and employment in the Irish economy: we call on the Minister for Agriculture, the Minister for Foreign Affairs and the Taoiseach to assert Ireland's vital national

interest at the highest level in Europe by rejecting Mandelson's concessions."

VOTE CONGRATULATIONS

Congratulations was extended to Clr. Joe Kelly on the occasion of his recent marriage.

WORKSHOP BEACH MANAGEMENT

It was agreed that a workshop relating to beach management would be held on Monday 28<sup>th</sup> April, 2008 at 2.00pm in the County House, Lifford.

ERNE SHANNON CHALLENGE

The Mayor asked members for their support in relation to the above fund raising venture. He asked that they consider making a contribution from the members Development Fund. All monies raised, he noted, would go to the Donegal Hospice.

C/168/08

COUNTY MANAGERS' REPORT

Members considered the report, circulated with the agenda, and addendum circulated at the meeting.

COMMISSION ON TAXATION

It was agreed that the Corporate Policy Group would prepare a submission on behalf of Donegal County Council, with support from the County Manager, the Head of Finance and Directors of Service to fully reflect the views of the full Council as recorded in previous submissions as well as from the record of contributions made by all Elected Members at Budget Meetings/discussions in 2007 and 2008.

RURAL WATER PROGRAMME

Members advised that as in previous years works should be carried out on scheduled schemes with an additional application for funding forwarded to the Department of the Environment, Heritage and Local Government in due course. Members called on the Director of Water, Environment and Emergency Services to provide further clarification on the matter.

The County Manager agreed to keep the momentum going and report back to members at a later date.

*GWEEDORE SEWERAGE SCHEME*

It was agreed that an up to date report on the matter would be provided.

*KILLYBEGS SEWERAGE SCHEME*

The County Manager advised that existing commitments given to the Fish Processing Industry would be honoured.

*DUNGLOE/GLENTIES SEWERAGE SCHEME*

Clr. E. Bonner to be updated on the possibility of extending the schemes prior to the contract being completed.

*SOUTH LETTERKENNY SCHEME*

Clr. Larkin advised that three houses had been left out of the scheme. He asked that consideration be given to extending the scheme to include these dwellings given that the contractor concerned was still on site.

*SEWERAGE TREATMENT PLANT- LETTERKENNY*

Mr. Chris Lyons advised that it was intended to have the contractor on site next year. He agreed to further update Clr. Larkin in due course.

*MILFORD PORTLEAN UPGRADE*

Details in relation to the timescale for the satisfactory completion of works were requested.

*INADEQUATE WATER SUPPLY – INISHOWEN  
ELECTORAL AREA*

A number of members highlighted the fact that planning permission was being refused for dwellings close to the Fullerton Pollan Dam on the basis of an inadequate water supply. It was agreed that a review of the matter would take place.

*CLOSURE OF MALIN HEAD COASTGUARD STATION*

It was agreed to include this on the agenda for the next meeting with the Oireachtas members on Friday 18<sup>th</sup> April, 2008.

ANGLING ASSOCIATIONS

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

“That this Council once again request the County Manager to implement the Council decision of the 23<sup>rd</sup> April 2003 and engage in “full and meaningful consultations with the Angling Associations” and representatives in the Donegal Game Angling Federation so that a Donegal Angling Development Plan will be agreed with the full cooperation of all who can develop the angling potential of this county.”

Members were informed that:-

“The development of angling in Donegal is the primary responsibility of the Northern Regional Fisheries Board and the Loughs Agency as the appointed statutory bodies. Donegal County Council has no specific function in this other than to encourage all parties to develop the resource for the greater good of the county. Most of the better angling in the Loughs Agency area is in private ownership. The NRFB area has a large number of good state owned waters, some of which already have agreed management plans.

Following the Council decision of 23<sup>rd</sup> April, 2003 Mr. Kevin Bonner and Mr. Kevin O’Connor (Marine) requested the NRFB to invite all clubs in the county to examine one of the existing managed fisheries (Eske, Donegal Town) with a view to replicating this elsewhere. Following this, a number of clubs requested direct discussion with Kevin Bonner and a number of agreements have been reached in principle one of which has been ratified by NRFB (Gweebarra). NRFB has concluded that it is a matter for each individual club to decide whether it wishes to enter into discussions or not.

Agreement has also been reached with the North West Skippers Association for the marketing of sea angling and a specialist website has been established to facilitate this. ([www.donegalanglingholidays.com](http://www.donegalanglingholidays.com))

Clr. Reid took the Chair at this juncture so as to allow the Mayor attend another engagement.

A lengthy debate ensued with members expressing grave concern in relation to the lack of progress on the matter and the failure of Donegal County Council to assist in resolving the ongoing dispute.

Clr. Larkin stated that he was extremely unhappy with the reply that Donegal County Council had no function in the matter and called on the Director of Community, Culture and Enterprise to clarify this response. He called on the Minister for Fisheries, Food and Agriculture, Mary Coughlan and the Minister for Communications, Energy and Natural Resources to assist in the resolution of this matter.

Clr. E. Bonner asked that clarification be sought from the Fisheries Board in relation to the Water Framework Document and whether or not it was about catering for water quality or water angling.

In relation to funding he noted that €136,000 had been drawn down last year with a further €30,000 requested by the Fisheries Board. He enquired as to whether member's approval had been sought in relation to these monies. It was generally agreed that local anglers should be facilitated and that no one had the right to interfere with people who have fished these rivers for generations.

Members asked that the Director of Community Culture and Enterprise contact the Fisheries Board informing them of members concerns and that a full report on the matter be provided as soon as possible.

It was agreed that Donegal County Council should facilitate a meeting between all interested parties and in the interim suspend all funding and advertising on the DCC website until matters are resolved.

C/170/08

EMERGENCY WORKS AT BALLYRAINE-  
SEWERAGE

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

“I propose that this Council immediately take action to carry out emergency works at Ballyraine to prevent the spillage of raw sewerage onto the road at Ballyraine and that works needed to be done on overflow tanks be carried out.”

Members were informed that:-

“Works to re-direct overflows from main sewers in this area have been identified. Options are being considered to identify the most cost effective interim solution. It is intended to implement the preferred option as a matter of urgency.”

In response to a query from Clr. Brogan, Mr. Chris Lyons agreed to report back with an appropriate timescale for the commencement of works.

C/171/08

SEWERAGE SYSTEM ROCKFIELD NATIONAL SCHOOL

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

“That the Council contribute the 10% shortfall needed to upgrade the sewerage system at Rockfield National School, Ballyshannon. The Department of Education have sanctioned a grant to cover 90%” (Letter from Department forwarded to Director of Service).

Members were informed that:-

“Unfortunately no allocation is available for this purpose from any Council funded programme.”

C/172/08

CANCER RADIATION UNIT FOR THE NORTHWEST

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

“That this Council, as a matter of urgency, give 100% support to efforts being made on a cross border basis for a cancer radiation unit in the North West.”

There was unanimous support for Clr. McGarvey's motion. He called on Donegal County Council to make every effort to ensure that the people of Donegal do not have to travel to Dublin for cancer care.

Concern was expressed that the Health Service Executive were engaging with the private sector in relation to the provision of such care and the effect that this might have on equality of access to treatment.

He stated the possibility of providing cross border services needed to be progressed immediately and developed within an acceptable timeframe. He called on the Oireachtas members to progress this agenda.

C/173/08

ADJOURNMENT OF MEETING

On the proposal of Clr. McGowan, seconded by Clr. Alcorn, it was resolved to adjourn the remainder of the business of the meeting to 10.00am on Monday 28<sup>th</sup> April, 2008.