

**COMHAIRLE CHONTAE DHUN NA nGALL**

Oifig Riarthóir na  
gCruinnithe  
Aras an Chontae  
LEIFEAR  
20 Meán Fómhair, 2011

**FOGRA CRUINNITHE**

Beidh Cruinniú Comhairle Chontae Dhún na nGall ar siúl Dé Luain, 26 Meán Fómhair, 2011, ag **11.00 r.n. 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**

**Liam Mac a'Bhaird**  
**Riarthóir Cruinnithe Gníomhach**

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**DONEGAL COUNTY COUNCIL**

Office of Meetings Administrator  
County House  
Lifford

20<sup>th</sup> September, 2011

**NOTICE OF MEETING**

A Meeting of Donegal County Council will be held on Monday 26<sup>th</sup> September, 2011, at **11.00am 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.

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

**Yours sincerely**

**Liam Ward**  
**A/Meetings Administrator**

## **AGENDA**

### **1. Confirmation of Minutes**

- a) Confirmation of Minutes of Adjourned June Meeting of Donegal County Council held on the 25<sup>th</sup> July, 2011.
- b) Confirmation of Minutes of Meeting of Donegal County Council held on the 25<sup>th</sup> July, 2011.

## **MOTIONS**

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

### **INISHOWEN ELECTORAL AREA**

#### **Finance**

### **2. Clr. Canning**

"That Donegal County Council refrain from collecting any charge that may be imposed on owners of Septic Tanks that are working properly, as this is a discriminative form of collecting revenue." (C)

#### **Water and Environment**

### **3. Clr. Murray**

"That this Council recognises the need to upgrade many septic tank systems in Ireland in order to meet the 1975 and 1991 European Directives on waste water but affirms that the Directives should not be used as a mechanism to raise revenue from struggling home owners in rural communities and calls for:

- The costs of works on septic tanks which need to be upgraded, to be grant aided from central Government funds such as waste water capital programmes.
- A system, similar to that in the north of Ireland, where a desludging service is provided yearly, free of charge to homeowners financed by the Department of Environment.
- A programme to be put in place to protect our ground water and surface water, based on the information gathered in the recent River Basin Management Plans and that a hierarchy of threats to our ground water and

surface water status be put in place, including threats posed by septic tanks. (C)

## LETTERKENNY ELECTORAL AREA

### *Housing and Corporate*

4. Clr. Larkin

"That the council call on the Minister to stop immediately the practice that excludes successful housing applicants from receiving a grant for furnishing their accommodation that has been allocated to them under the long term leasing programme." (O)

5. Clr. Quinn

"That this Council notes the hardships being suffered by the marginalised in this county, particularly those with disabilities as a result of the recent budget cuts and calls on this Government to ensure when framing this year's budget that these cuts are reversed." (O)

### *Water and Environment*

6. Clr. McGarvey

"That Donegal County Council address the issue of EU regulations of Septic Tanks in our County, also all Sewage Treatment plants and Waste disposal." (C)

### *Community, Enterprise and Culture*

7. Clr. Brogan

"That this council through the office of County Manager establish a business forum comprising of business leaders to formulate a strategy with regard to future development of the county particularly from a job creation perspective outlining current barriers which exist and recommendations to eliminate same, and that the forum be used as a vehicle to advise start up business and offer ongoing advice to existing business." (O)

### *Planning and Economic Development*

8. Clr. M. McBride

"That this Council consider the removal or amendment of Section 47 of the current County Development Plan as Section 47 when first introduced was designed to protect residents in rural areas from inflated property prices driven by holiday home and cross border market." (C)

## DONEGAL ELECTORAL AREA

### *Roads and Transportation*

9. Clr. McEniff

"That the Council takeover the road at Tullycullion as marked on the attached map." (L)

10. Clr. Boyle

"That this Council discuss the urgent need to advance plans to reconstruct Tir Chonaill Bridge in Donegal Town and also Fintra Bridge near Killybegs." (L)

### *Finance and Emergency Services*

11. Clr. O'Neill

"That this Council discuss the difficulties facing business rate payers in the County in light of the current economic climate, and that a working group of members and officials be formed to address in particular the Commercial Rates in advance of the end of year budget." (C)

## STRANORLAR ELECTORAL AREA

### *Housing and Corporate*

12. Clr. McBrearty

"Calling on Donegal County Council to supply members with the appropriate legal advice on the legality of Motions passed at full Council Meetings and that the legal advice will clearly show what standing motions have when passed." (C)

13. Clr. Harvey

"That Donegal County Council call on this Government to immediately amend the Redundancy Payment Acts 1967-2007 as to ensure that an employer is legally obliged to sign the RP50 upon dismissal and if he/she fails to do so that an increased penalty should be enforced and also recognise that the current waiting time for the employment appeal tribunal is excessive and call for the hearings to be expedited." (O)

### *Finance and Emergency Services*

14. Clr. McGowan

"That this Council discuss the Family Home Bill on Families facing severe mortgage difficulties that was supported by all opposition parties and Independent Senators, and had the full backing of the Free Legal Aid Centre (FLAC) and the New Beginning Group, as there is widespread recognition from interest groups and politicians alike that this Bill would give strong legal protection to families facing the prospect of losing their homes because of mortgage difficulties." (O)

## GLENTIES ELECTORAL AREA

### *Planning and Economic Development*

#### 15. Clr. Alcorn

"That the Old Derrybeg Chapel, Derrybeg, Co Donegal be listed as a protected structure in the records of Donegal County Council." (L)

### *Housing and Corporate*

#### 16. Clr. Ó Domhnaill

"That this Council enforce a policy whereby all representations received from elected Councillors are replied to or acknowledged within 10 working days of being received." (C)

#### 17. Clr. Slowey

"That this Council discuss the Broadband Metropolitan Area Networks put in place in Donegal, this to include the individual cost of each network, when it was put in place, the cost to the Council of each project, its present status and what are the plans for each of these networks for the future." (C)

### *Finance and Emergency Services*

#### 18. Clr. M.T. Gallagher

"That this Council include an allocation for the island communities in the annual budget on a yearly basis." (C)

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

Notice under Section 183 of the Local Government Act, 2001 to dispose of prefabricated structure presently at Meenashammer, Trusk, Ballybofey to Ms Bridget McKelvey and Mr Patrick McMenamin.

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

- a) To approve carrying out of works with regard to the construction of an extension to the Ice House at Burtonport Pier including a ticket office, toilet block with 2no. fully accessible toilets, a shower room and storeroom.
- b) To approve the carrying out of works with regard to Phase 1 of Sliabh Liag Improvement Scheme at Croaghlin, Cappagh, Shanbally, Ummerawirrinan, Lergadaghtan, Aghragh and Carrick Lower, Co. Donegal.

### **21. Finance and Emergency Services**

- a) To consider 'Audited Annual Financial Statement for 2010' including commentary by the County Manager and Head of Finance."
- b) To note Local Government Audit Report, including where appropriate County Manager's Response, on Audited Accounts of Donegal County Council for year ending 31<sup>st</sup> December, 2010.

### **22. Roads and Transportation**

- a) To approve recommendations contained in the Winter Service Report September, 2011.
- b) To approve Specific Improvement Grant Application 2012.
- c) To approve the 2012 Plant Purchase Programme.
- d) To resolve that the one-way traffic system in Lifford be implemented.

### **23. Corporate**

- a) To fill casual vacancy on the Local Travellers Accommodation Consultative Committee arising from the resignation of Clr. Dessie Larkin.
- b) To fill casual vacancy on the Islands Committee arising from the resignation of Clr. Dessie Larkin.

### **24. Community and Enterprise**

To approve membership of the Interreg IVA River Links Project Steering Committee.

**25. Endorsement of Confirmed Minutes**

- a) Endorsement of the Confirmed Minutes of Donegal Electoral Area Committee Meeting held on the 12<sup>th</sup> May, 2011.
- b) Endorsement of the Confirmed Minutes of Glenties Electoral Area Committee Meeting held on the 12<sup>th</sup> July, 2011.
- c) Endorsement of the Confirmed Minutes of Island Committee Meeting held on the 12<sup>th</sup> July, 2011.

**26. Authorisation of Representation at a Seminar, Meeting or Event**

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

Conferences:-

- Building the Who Global Network 2011 1<sup>st</sup> International Conference on Age-Friendly Cities to be held from Wednesday 28<sup>th</sup> to Friday 30<sup>th</sup> September, 2011 in the Burlington Hotel, Dublin.
- Greystones Town Council in association with Ards Borough Council and the La Touche Legacy Committee 2011 Autumn Seminar “Local Democracy – A Vision for the Future” to be held from Friday 30<sup>th</sup> September to 2<sup>nd</sup> October, 2011 in the Charlesland Golf and Country Club Hotel, Greystones, Co. Wicklow.
- Elected Members Training Seminar – European Waste Water Laws Irish Governments decision to Licence Septic Tanks to be held from Friday 30<sup>th</sup> September to Sunday 2<sup>nd</sup> October, 2011 in the Mill Park Hotel, The Mullins, Donegal Town.
- Kerry Life Education Ltd In Partnership With The Southern Regional Drugs Task Force ”Substance Misuse – A Health or Criminal Justice Issue” to be held

Thursday 6<sup>th</sup> and Friday 7<sup>th</sup> October, 2011 in the Europe Hotel and Resort, Killarney, Co. Kerry.

- TJK Conferences Ltd – Local Government and Planning Seminar for Councillors to be held from Friday 7<sup>th</sup> to Sunday 9<sup>th</sup> October, 2011 at the Patrick Punch Hotel, Limerick.
- Elected Member’s Training Seminar – New Government Regulations and how they affect the Domestic Home to be held from Friday 7<sup>th</sup> to Sunday 9<sup>th</sup> October, 2011 in the Kingsvalley Hotel, Merlin Park, Dublin Road, Galway City.
- Elected Member’s Training Seminar – Social Housing Assessment Regulations 2011 to be held from Friday 14<sup>th</sup> to Sunday 16<sup>th</sup> October, 2011 at the Carlton Atlantic Coast Hotel Westport, The Quay, Westport, Co. Mayo.
- Professional Development for Councillors – Developing Leadership – 21 Ways to Win With People to be held from Friday 14<sup>th</sup> to Sunday 16<sup>th</sup> October, 2011 in the Westport Plaza Hotel, Westport, Co. Mayo.
- Local Government Housing Conference 2011 – Ghost Estates – The Role Of Local Authorities? to held Thursday 20<sup>th</sup> October, 2011 in the Royal Marine Hotel, Dun Laoghaire, Co Dublin.
- Elected Member’s Training Seminar – The Role of the Regional Authority in the operation of and policy making in Local Government to be held Friday 21<sup>st</sup> to Sunday 23<sup>rd</sup> October, 2011 in the Kingsvalley Hotel, Merlin Park, Dublin Road, Galway City.
- Celtic Conferences Professional Event Organisers – Optimising Taxation Allowances & Benefits and Revenue On-Line Service Workshop to be held from Saturday 22<sup>nd</sup> to Monday 24<sup>th</sup> October, 2011 in Glendine, Tawnies Upper, Clonakilty, West Cork.

## **27. Conference Reports**

### **Clr. Patrick McGowan**

Rebuilding Confidence in Urban and Rural Communities 24<sup>th</sup> and 25<sup>th</sup> March 2011 in Tullamore Court Hotel, Co. Offlay.

**Clr. Dessie Larkin**

Donegal Live 22<sup>nd</sup> May 2011 Iveagh Garden Dublin.

**Clr. Martin Farren**

Elected Members Responsibilities Indemnity from Liabilities of Decisions of the Body Corporate from 10<sup>th</sup> to 12<sup>th</sup> June, 2011 in Kingsvalley Hotel Galway City.

**Clr. Terence Slowey**

Elected Members Seminar from 10<sup>th</sup> to 12<sup>th</sup> June, 2011 in Kingsvalley Hotel, Galway City.

**Clr. Paul Canning**

Local Government Promoting Renewable Energy The Advantages of Solar Power from 19<sup>th</sup> to 21<sup>st</sup> August 2011 in the Manor West Hotel, Tralee, Co. Kerry.

**Clr. Terence Slowey**

The Advantages of Solar Power from 19<sup>th</sup> to 21<sup>st</sup> August, 2011 in Manor West Hotel, Tralee.

**28. Mayor's Business**

**29. Manager's Report**

**QUESTIONS**

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

**INISHOWEN ELECTORAL AREA**

**Housing and Building**

**30. Clr. Canning**

"When will the houses that are being built by Donegal County Council in Newtowncunningham be ready for occupation?" (L)

**31. Clr. Canning**

"Has a list of people been identified for occupation of these dwellings or is it still open to the public to apply?" (L)

**LETTERKENNY ELECTORAL AREA**

**Housing and Corporate**

**32. Clr. Larkin**

“Has there been any direction given by Minister Penrose to how Donegal is to finance its unfunded balance in the housing capital budget?” (C)

33.Clr. McGarvey

"Will our 5 members appointed to the HSE Regional Board consider non attendance until they are given a role in decision making for Health Service to our County?" (O)

**Water and Environment**

34.Clr. Larkin

"What service (and at what cost) will the people of Letterkenny receive under the new arrangements in our civic amenity sites?" (L)

35.Clr. Quinn

"When does Donegal County Council intend commencing the much needed and long awaited Water Treatment Scheme at Gartan Lake?" (L)

**Community, Enterprise and Culture**

36.Clr. Brogan

Will Donegal County Council erect signs at entrances to the County at Bundoran, Lifford, Bridgend, and Muff indicating “Welcome To Donegal” as these signs would send out a message of welcome to visitors and tourists to our county?" (C)

**Roads and Transportation**

37.Clr. Brogan

"Has this Council any plans to take on temporary workmen on the roads sections to help maintain our roads as agreed by this Council?" (C)

38.Clr. Quinn

"Will Donegal County Council as a matter of urgency carry out repairs to the footpaths in Rathmullan?" (L)

39.Clr. McGarvey

"Will our Road Section improve space at the Barrack Bridge and remove the Sign that only allows one vehicle at a time to cross as this is a very busy Road?" (L)

40. Clr. M. McBride

"I refer to the decision made at the June 2011 Council Meeting to write to Minister Phil Hogan requesting permission to remove the moratorium on recruitment by Donegal County Council, a request which I believe was granted, and now ask for further information and clarification on the matter as Donegal County Council has subsequently only recruited two employees in the Stranorlar Area?"  
(O)

**DONEGAL ELECTORAL AREA**

**Roads and Transportation**

41. Clr. McEniff

"Can I have a copy of the Local Roads (Numbered) for the whole Donegal Area?" (L)

**STRANORLAR ELECTORAL AREA**

**Roads and Transportation**

42. Clr. McBrearty

"What extra provisions are in place for SEA if we are hit with extreme weather conditions over the winter months and does the council have sufficient stocks of salt available for the SEA if we suffer similar problems as we had over the past two winters?" (L)

43. Clr. McGowan

"Please give details of the submission sent to the Department of Environment, Community and Local Government and also to Minister Phil Hogan TD outlining the serious condition of the roads in the Stranorlar Electoral Area as discussed/agreed by the Full Council?"  
(L)

44. Clr. Crawford

"What is the present status of the application to improve flood prevention measures in Raphoe?" (L)

45. Clr. Crawford

"What is the outcome of the investigation into possible road safety improvements at Quarry Road Porthall and what has been the delay in responding to my initial query?" (L)

46. Clr. Harvey

"Is this Council going to erect proper signage in Drumkeen as advised by myself in correspondence with the roads directorate and at recent electoral area meetings- Signs on the main road directing to the chapel, the school and St Bridgets Well, and children at play signs?" (L)

**Housing and Corporate**

47. Clr. McBrearty

"What is the current position with staffing levels in SEA for Housing Maintenance and will the council be filling the vacant maintenance craftsman position?" (L)

**Planning and Economic Development**

48. Clr. McGowan

"I ask that Donegal County present any plans for village renewal schemes in the County and give an update on schemes which were prioritised and due to commence when funding was identified, such as Castlefin and Convoy where public consultation meetings had begun and Draft plans agreed?" (C)

**Water and Environment**

49. Clr. Crawford

"Will this Council make application to the Department of Environment for a sewerage treatment plant for St Johnston?" (L)

**Community, Enterprise and Culture**

50. Clr. Harvey

"Has this council made any progress on the Alcohol Charter of Recognition and when will the subgroup of the County Development meet to pursue this issue?" (O)

**GLENTIES ELECTORAL AREA**

**Roads and Transportation**

51. Clr. Alcorn

"In view of several road closures recently due to roadworks, mostly on regional roads, what advance notice do the County Council have to give the public when this is happening?" (C)

*Housing and Corporate*

52. Clr. Alcorn

"Because of the decrease in housing repair applications, what is the age limit of applicants and their wife or partner when applying for older people grant scheme, and is there an age limit on Adaption Grants or Disability Grants?" (C)

53. Clr. M.T. Gallagher

"How many applications has this council received under the long-term leasing scheme (in the County and each electoral area)?" (C)

54. Clr. Slowey

"Who authorised and signed off on each and every payment to the companies listed below who were employed to provide services to Donegal County Council under the stewardship of former County Manager, Michael McLoone. Please list the date and amount of each payment, a copy of each invoice. Where any payments made in advance, and if so who authorised and signed off on these advance payments, when were they made and what reason is this Council now giving for paying for services in advance. Were invoices subsequently provided to this Council for advance payments and will the Council provide copies of these invoices.

The Companies in question are:

1. One Sigma Ltd.
2. Xtender Teo
3. Agility Ltd.
4. Instream Ltd.
5. Coretech Ltd.
6. Donegal Citizen's Information Service. (C)

55. Clr. Slowey

"Will Donegal County Council provide copies of all reports and Internal Memos from both the former County Manager, Michael McLoone and Members of Staff of Donegal County Council and or any other parties which relate to the "Procurement and Value for Money: Organisational Development" and the six companies listed in question 54. In addition will Donegal County Council outline where these payments for this project were listed in the Book of Estimates

each year, the total cost of the project to date, and why a Councillor like myself was completely unaware of this very significant amount of expenditure despite being a Member of Donegal County Council for the past 10 years?" (C)

**Community, Enterprise and Culture**

56. Clr. Ó Domhnaill

"Can Donegal County Council ensure that the Magheroarty Village renewal proposal is progressed with a view to funding or part funding this project?" (L)

57. Clr. Ó Domhnaill

"Can a study be carried out to ensure that all relevant signage on the Hornhead scenic route is renewed or erected where needed?" (L)

**Water and Environment**

58. Clr. M.T. Gallagher

"Has this council had any update on the Glenties and Dungloe Sewage Scheme?"(L)

**MINUTES OF MEETING OF DONEGAL COUNTY COUNCIL, HELD  
IN THE COUNTY HOUSE, LIFFORD ON 26<sup>TH</sup> SEPTEMBER, 2011**

**C/325/11**     MEMBERS PRESENT

Clrs. Noel McBride, Mayor, D. Alcorn, L. Blaney, J. Boyle, C. Brogan, B. Byrne, J. Campbell, P. Canning, G. Crawford, M. Doherty, P. Doherty, R. Donaghey, M. Farren, M.T. Gallagher, M. Harley, C. Harvey, D. Larkin, F. McBrearty, M. McBride, S. Mc Eniff, I. McGarvey, P. McGowan, J. Murray, S. Ó Domhnaill, B. O'Neill, M. Quinn, J. Ryan, T. Slowey.

**C/326/11**     OFFICIALS IN ATTENDANCE

Mr Seamus Neely, County Manager, Mr Liam Ward, Director of Housing and Corporate, A/Meetings Administrator, Mr John McLaughlin, Director of Roads and Transportation, Mr Garry Martin, Head of Finance and Director of Emergency Services, Mr Joe Peoples, A/Director of Water and Environment, Mr Michael McGarvey, Divisional Manager, Community Culture & Enterprise, Mr Vincent Lynn, Senior Engineer, Mr James Boyle, Senior Engineer, Ms Annemarie Crawford, Staff Officer, Corporate Services.

**C/327/11**     ADJOURNMENT OF MEETING

On the proposal of Clr. Mc Brearty, seconded by Clr. Quinn, it was resolved to adjourn the meeting to allow Members conclude the Special Meeting in relation to the update on the testing of Whole System of Work.

**C/328/11**     ADJOURNMENT OF MEETING

On the proposal of Clr. O' Neill, seconded by Clr. Alcorn, it was resolved to take a ten minute recess.

**C/329/11**     CONFIRMATION OF MINUTES OF ADJOURNED  
MEETING OF DONEGAL COUNTY COUNCIL HELD ON  
25<sup>TH</sup> JULY, 2011

On the proposal of Clr. Byrne, seconded by Clr. Alcorn, the Minutes of the Adjourned Meeting of Donegal County Council held on 25th July, 2011 were adopted.

C/330/11 CONFIRMATION OF MINUTES OF MEETING OF DONEGAL COUNTY COUNCIL HELD ON 25<sup>TH</sup> JULY, 2011.

On the proposal of Clr. Mc Garvey, seconded by Clr. Mc Gowan, the Minutes of the Meeting of Donegal County Council held on 25th July, 2011 were adopted.

C/331/11 VARIATION IN THE ORDER OF BUSINESS

On the proposal of Clr. Mc Eniff, seconded by Clr Byrne, it was resolved to vary the order of business and deal with Item 20(b) at this juncture.

C/332/11 TO APPROVE CARRYING OUT OF WORKS WITH REGARD TO PHASE 1 OF SLIABH LIAG IMPROVEMENT SCHEME AT CROAGHLIN, CAPPAGH, SHANBALLY, UMMERAWIRRINAN, LERGADAGHTAN, AGHRAGH AND CARRICK LOWER, CO. DONEGAL

Members considered the report circulated with the agenda, together with revised report circulated on the day from Ms Clíodhna Campbell, Senior Executive Engineer, in relation to the above.

On the proposal of Clr. Byrne, seconded by Clr. Boyle, 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 Phase 1 of Sliabh Liag Improvement Scheme at Croaghlin, Cappagh, Shanbally, Ummerawirrinan, Lergadaghtan, Aghragh and Carrick Lower was approved.

C/333/11 VARIATION IN THE ORDER OF BUSINESS

Clr. O' Neill proposed, seconded by Clr. Mc Brearty, that the order of business be varied to deal with Item 21.

A number of members expressed the view that such a variation would detract from the overall consideration of the motions submitted for the September Council Meeting, as the topics concerned each had their own specific urgency.

Clr Brogan thus proposed, seconded by Clr. Mc Eniff, that the meeting continue as per the order on the agenda.

A show of hands taken by the Meetings Administrator resulted in 10 voting for the variation with 13 voting against.

The Mayor advised that he intended to proceed with the business of the meeting as per the order on the agenda.

C/334/11 SEPTIC TANK CHARGE

On the proposal of Clr Mc Eniff, seconded by Clr. Quinn, it was resolved to take Items 2, 3, and 6 together as they dealt collectively with a range of issues surrounding the new Septic Tank Charge.

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

**"That Donegal County Council refrain from collecting any charge that may be imposed on owners of Septic Tanks that are working properly, as this is a discriminative form of collecting revenue."**

Members were informed that:-

"No detail in relation to the administration of the proposed charges has been made available as yet. It should be noted that the Council will be obligated to administer this or, indeed, any scheme in line with statutory requirements or DECLG regulations".

On the proposal of Clr. Murray, seconded by Clr Quinn, the following motion was adopted:-

**"That this Council recognises the need to upgrade many septic tank systems in Ireland in order to meet the 1975 and 1991 European Directives on waste water but affirms that the Directives should not be used as a mechanism to raise revenue from struggling home owners in rural communities and calls for:**

- **The costs of works on septic tanks which need to be upgraded, to be grant aided from central Government funds such as waste water capital programmes.**
- **A system, similar to that in the north of Ireland, where a desludging service is provided yearly, free of charge to homeowners financed by the Department of Environment.**
- **A programme to be put in place to protect our ground water and surface water, based on the information gathered in the recent River Basin Management Plans and that a hierarchy of threats to our ground water and surface water status be put in place, including threats posed by septic tanks.**

Members were informed that:-

“It is understood that the Government will shortly publish legislation in response to the European Court of Justice ruling in respect of the registration and inspection regime for septic tanks in Ireland. In a recent statement the Minister for the Environment Community and Local Government provided some indication about the contents of the draft legislation generally as follows:-

The legislation will provide for a proportionate and risk-based approach to inspections. Inspections are likely to be targeted to sensitive areas, for example, where drinking water sources or habitats are likely to be, or have been, impacted upon. Where septic tanks are working properly and are being maintained impact for householders will be minimal. The first stage will be for householders with septic tanks and other on-site systems to register details of their system with the relevant local authority and a national register will be compiled and held by the EPA. Householders will be required to pay a modest registration fee (a fee of no more than €50 is envisaged) and will not be required to re-register their systems for 5 years. The revenue generated will support the delivery of a national inspection plan which will be developed by the EPA and its roll-out will be managed by the local authorities. While inspections would be

concentrated on areas with higher risk to the environment and public health, they will also be carried out in lower risk areas but at a lower rate. Inspections may give rise to householders being advised to improve the maintenance of their systems or, in more serious situations, may require the upgrading or remediation of the treatment system. Until inspections commence in 2013 it is difficult to predict what proportion of existing septic tanks will require remedial work”.

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

**"That Donegal County Council address the issue of EU regulations of Septic Tanks in our County, also all Sewage Treatment Plants and Waste disposal."**

“It is understood that the Government will shortly publish legislation in response to the European Court of Justice ruling in respect of the registration and inspection regime for septic tanks in Ireland. In a recent statement the Minister for the Environment Community and Local Government provided some indication about the contents of the draft legislation generally as follows:-

The legislation will provide for a proportionate and risk-based approach to inspections. Inspections are likely to be targeted to sensitive areas, for example, where drinking water sources or habitats are likely to be, or have been, impacted upon. Where septic tanks are working properly and are being maintained impact for householders will be minimal. The first stage will be for householders with septic tanks and other on-site systems to register details of their system with the relevant local authority and a national register will be compiled and held by the EPA. Householders will be required to pay a modest registration fee (a fee of no more than €50 is envisaged) and will not be required to re-register their systems for 5 years. The revenue generated will support the delivery of a national inspection plan which will be developed by the EPA and its roll-out will be managed by the local authorities. While inspections would be concentrated on areas with higher risk to the environment and

public health, they will also be carried out in lower risk areas but at a lower rate. Inspections may give rise to householders being advised to improve the maintenance of their systems or, in more serious situations, may require the upgrading or remediation of the treatment system. Until inspections commence in 2013 it is difficult to predict what proportion of existing septic tanks will require remedial work.

With regard to sewerage treatment plants there is already substantial legislation in place governing the licensing and improvement of such facilities but substantial investment is required either through an enhancement of the existing funding arrangements or by the proposed Water Ireland entity”.

Members expressed concern that the new legislation would place a severe financial burden on rural dwellers. The need for careful consideration by both the EPA and Donegal County Council prior to the implementation of any such legislation was widely acknowledged.

Such a charge it was claimed was a punitive form of taxation on rural communities.

Members were in agreement that clarification was required at national level given the current level of uncertainty in the community.

A number of issues were raised namely,

- That the initiation of the charge would lead to a pronounced urban/rural divide.
- Overall the burden would fall on rural dwellers many who could not afford to replace Septic Tanks.
- That Donegal County Council needed to ensure that its own house was in order before implementing such a charge.
- A situation could emerge whereby it would become a privilege to live in the county.
- Fears that the charge would increase on a yearly basis.
- Donegal County Council in danger of becoming a collecting agency for National Government.

- Clarity requested in relation to legal issues and the costs to Local Authorities.
- What exactly the registration fee would do, how it would be collected and the overall collection cost.
- Burden placed on homeowners and low income families.

Clr. O' Neill advised that it had been made clear in recent weeks that the charge would be €50 and not €300 as originally stated. The initiation of the charge was, he affirmed, necessary given that this country currently paid €26,000 per day in fines to Europe and non compliance with the relevant directives would result in a €2.7m fine by 2015. Overall the aim, he advised, was to raise awareness on environmental issues, reduce fines in the long-term and ultimately ease the burden on the county's ratepayers.

Mr. Joe Peoples, Acting Director Water, Environment, and Emergency Services stated that it would at this stage be inappropriate to speculate on the matter until inspections commenced in 2013.

It was unanimously agreed to circulate the motions to the Minister for the Environment, Community and Local Government, together with all other Local Authorities.

C/335/11 PRACTISE OF EXCLUDING SUCCESSFUL HOUSING APPLICANTS FROM RECEIVING A GRANT FOR FURNISHING THEIR ACCOMMODATION.

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

"That the council call on the Minister to stop immediately the practice that excludes successful housing applicants from receiving a grant for furnishing their accommodation that has been allocated to them under the long term leasing programme."

Members were informed that:-

“The Council is aware that this is a major issue nationally which is presently the subject of ongoing discussions between the Department of the Environment, Community & Local Government and the Department of Social Protection. It is understood that an instruction has issued to stop the practice of making Exceptional Needs Payments to Council applicants who are offered a leased unit of accommodation.

The impact of this revised practice on behalf of the Dept. of Social Protection has been brought to the attention of the Housing Department in Donegal. However, the Council is not in a position to put alternative mechanisms in place to address this difficulty due to the funding implications of such an initiative”.

Clr Larkin expressed concern that the policy was preventing those most in need from accepting suitable accommodation. He asked that members be fully briefed in relation to the refusal policy. Noting that the matter had been discussed by the Housing SPC, and further clarification sought, he enquired as to whether any form of response had been received from the Minister for Housing & Planning together with the Oireachtas Members in the county. It would he advised also be practical to discuss the implications at workshop level.

Clr. Quinn alluded to correspondence circulated to Deputy Pádraig Mac Lochlainn re exceptional needs payments which categorically confirmed that assistance was not available to long-term leasing applicants.

It was generally agreed that clarity was needed in relation to roll out of the scheme with the suggestion being made that Donegal County Council should look at the possibility of making monies available to finance exceptional needs payments.

Mr. Liam Ward, Director of Housing and Corporate responding to members concerns advised that he had met in recent weeks with the Area/Divisional Managers to assess how best to proceed with the matter on a county-wide basis. The reality was

he affirmed, that the Long Term Leasing and the Rental Accommodation Schemes were now the only options available for providing accommodation in the county. He agreed to seek further clarity from the Department of Social Protection in relation to the current refusal policy. Donegal County Council, he noted, was not in a position to step into the impasse as there were significant funding implications.

It was further agreed that the ongoing situation in relation to a number of houses in Milford would be looked at as a matter of urgency, given the unique set of circumstances in operation at this location.

C/336/11 ADJOURNMENT FOR LUNCH

On the proposal of Clr. Slowey, seconded by Clr. Harley, it resolved to break for lunch until 2.30pm.

C/337/11 MAYOR'S BUSINESS

The Mayor reminded Members that the upcoming Charity Football Match involving the Local Media and County Council Members would take place at 5.30pm on Friday 7<sup>th</sup> October, 2011 at Bonagee.

C/338/11 VARIATION IN THE ORDER OF BUSINESS

On the proposal of Clr. Larkin, seconded by Clr. Harley, it was resolved to vary the order of business and deal with Item 22(a) at 5.00pm.

C/339/11 CALL FOR THE GOVERNMENT TO REVERSE THE CUTS IN THIS YEAR'S BUDGET THAT ARE BEING SUFFERED BY THE MARGINALISED ESPECIALLY THOSE WITH DISABILITIES

On the proposal of Clr. Quinn, seconded by Clr. Gallagher, the following motion was adopted:-

"That this Council notes the hardships being suffered by the marginalised in this county, particularly those with disabilities as a result of the recent budget cuts and calls on this Government to ensure when framing this year's budget that these cuts are reversed."

Clr. Quinn noted that those most disadvantaged were now paying the price for the bank bailout. The purpose of the motion he advised was simply to highlight members concerns and raise awareness of the issues.

C/340/11 CALL FOR THE ESTABLISHMENT OF A BUSINESS FORUM BY THIS COUNCIL THROUGH THE OFFICE OF COUNTY MANAGER

It was agreed to defer the following motion submitted by Clr. Brogan to the end of the meeting.

"That this council through the office of County Manager establish a business forum comprising of business leaders to formulate a strategy with regard to future development of the county particularly from a job creation perspective outlining current barriers which exist and recommendations to eliminate same. The forum could be used as a vehicle to advise start up business and offer ongoing advice to existing business."

C/341/11 CALL FOR THIS COUNCIL TO REMOVE OR AMEND SECTION 47 OF THE COUNTY DEVELOPMENT PLAN

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

"That this Council consider the removal or amendment of Section 47 of the current County Development Plan as Section 47 when first introduced was designed to protect residents in rural areas from inflated property prices driven by holiday home and cross border market."

Members were informed that:-

“The possible application of a legal agreement under S.47 of the Planning & Development Act [2000-2010] is proposed under draft policy RH-P-1 [Chapter 5, Draft County Donegal Development Plan 2012-2018.

The inclusion of this provision, where a condition in relation to the occupancy of a rural dwelling is applied, may require in

particular instances the additional completion of a S47 legal agreement and is proposed in the Draft Plan as an appropriate mechanism required by legislation to ensure that genuine rural housing need is safeguarded.

In preparation for the presentation to the Councillors of the Draft County Development Plan and the associated Manager's Report at the November Council Meeting a number of workshops have been scheduled to take place in advance of the Council meeting. This will afford Members the opportunity to examine and consider the Draft Plan in detail and inform the decisions to be taken at the end of November."

Clr. Mc Bride cited the need to amend the policy prior to the introduction of the new County Development Plan, noting that the policy itself was outdated and hindered landowners from selling rural properties.

A serious anomaly it was acknowledged, existed in that once a bank took over a particular property in a rural location the Section 47 clause was no longer applicable. This it was acknowledged was unfair and discriminatory.

A number of members were of the opinion that the policy should be dispensed with as it offered little justice to a genuine person who wanted to live in a rural area.

Clr. Larkin however cited the need for caution noting that the policy had been introduced in the first place to discriminate positively in favour of those young people who wanted to remain in their own areas. In a similar vein he noted that the Holiday Home quota was also in need of review.

Members queried whether or not the banks applied to the Council for the lifting of a Section 47 Agreement or whether the initial request was made by the property owner. It was essential, they added, that the general public were made aware of the process.

The County Manager informed members that a previous challenge to the policy had been defeated, thus determining its constitutional status.

In conclusion Clr. Mc Bride thanked all who had supported the motion, asking for further clarification on the range of issues raised. The matter it was acknowledged warranted further debate at the next round of Draft County Development Workshops planned for November.

C/342/11 THAT THE COUNCIL TAKEOVER THE ROAD AT TULLYCULLION

On the proposal of Clr. Mc Eniff, seconded by Clr. O' Neill, the following motion was adopted:-

"That the Council takeover the road at Tullycullion as marked on the attached map." Vide Appendix 1

Members were informed that:-

“Over the past number of years the County Council has had difficulty taking over further county roads due to pressure on maintenance budgets. Furthermore there are guidelines and a policy to comply with in relation to takeover of roads such as minimum width, length and condition of road. Other requirements include the provision of as constructed maps, identification of services, location of gullies, manholes, etc. Reports from other Council sections are also required. In the first instance the matter should be discussed and approved at Electoral Area Level.”

It was agreed that the matter would be debated at area level and a report brought before the Council.

C/343/11 DISCUSSION ON THE NEED TO ADVANCE PLANS TO RECONSTRUCT THE TIR CHONAILL BRIDGE IN DONEGAL TOWN AND ALSO FINTRA BRIDGE NEAR KILLYBEGS

On the proposal of Clr. Boyle, seconded by Clr. Byrne, the following motion was adopted:-

"That this Council discuss the urgent need to advance plans to reconstruct Tir Chonaill Bridge in Donegal Town and also Fintra Bridge near Killybegs."

Members were informed that:-

“This matter was discussed at the recent Donegal Electoral Area meeting and it was agreed to have these bridges included in next years Specific Improvement funding for advancement in assessment, costing and design. This work was identified as priority number 2 on the list with the completion of the Killybegs Industrial Road given priority 1.

These bridges have now been included in the report to the council which with the members approval will be submitted to the Department of Transport for funding for 2012.”

Clr. Boyle advised that works were urgently required on the Tir Chonaill Street Bridge given the important linkage into the south west of the county, as well as the impact on the entire economic and social aspect of the area.

Fintra Bridge he confirmed, should have been progressed with the Industrial Road, Killybegs as one single project.

The continued development of the Sliabh Liag Project, he advised, warranted adequate infrastructural investment and would be significantly enhanced by the reconstruction of these two bridges.

Members asked that the technical design element and the Part 8 procedure in respect of Tir Chonaill Street Bridget be progressed alongside planning requirements for Fintra Bridge so as to enhance the level of investment for the Industrial Road, Killybegs and the Sliabh Liag Project.

Mr. John Mc Laughlin, Director of Roads and Transportation agreed to check the status of both projects and provide clarity re

the inclusion of both at No.1 in last years Specific Improvement Grant application.

He agreed to provide clarification on same to the Donegal Electoral Area Committee. He informed Clr. Boyle that his request to have the work done in house could be examined in consultation with the Bridge Engineer.

C/344/11 CALL FOR A DISCUSSION ON THE DIFFICULTIES FACING RATE PAYERS OF THE COUNTY AND THE FORMATION OF A WORKING GROUP OF MEMBERS AND OFFICIALS TO ADDRESS COMMERCIAL RATES IN ADVANCE OF THE END OF YEAR BUDGET

On the proposal of Clr. O' Neill, seconded by Clr. Mc Brearty, the following motion was adopted:-

"That this Council discuss the difficulties facing business rate payers in the County in light of the current economic climate, and that a working group of members and officials be formed to address in particular the Commercial Rates in advance of the end of year budget."

Members were informed that:-

“A gross figure, including arrears, amounting to €29.9 million falls for collection in Donegal for 2011. The 2011 charges amounted to €20.9 million and reflected reductions in the annual multiplier of 3% in 2010 and a further 3.5% in 2011. Some €13 million has been collected year to date from a total of 2,916 customers representing some 4,000 accounts. Efforts are ongoing to maintain buoyancy in this area by identifying and having valued new properties.

The collection of commercial rates continues to be a major challenge given the current economic climate that businesses are operating in Staff are continuing to engage proactively with customers to make payment plans as required and to deal with all cases on a case by case basis. Practically all of the larger commercial customers are making payments to their accounts with many accounts paid up to date. Additional resources are being applied to assist all debtors, including ratepayers, in

having access to staff to discuss and agree payment proposals commensurate with each business' situation.

The value and number of properties for write-off, as a result of premises, for example, being vacant/for rent, reverting to domestic, etc, will not be quantified until the RA16 process which takes place each January. This figure is likely to be substantial for 2011, given the depressed levels of economic activity across a range of sectors at present.

It should be noted that the Council is not permitted by statute to make any decisions publicly on proposals for Income or Expenditure in respect of the 2012 Draft Revenue Budget prior to commencement of the prescribed period and also having given the required notice publicly and to the Members of the Council.

Commercial rates income forms a substantial contribution, on an annual basis, to the Councils Revenue Budget and any consideration that could result to a reduction in this income area, as part of the 2012 Revenue Budget process, given likely pressures on other income areas for 2012, (both exchequer based and locally sourced), may inevitably require a commensurate reduction in expenditure on service areas.”

Clr. O’ Neill noted that all businesses in the county were struggling at present and that the payment of commercial rates was only one of the many difficulties being encountered. He said that it was imperative that the Minister for Environment, Community and Local Government together with the Department of Finance were contacted with regard to additional funding under the Equilisation Fund so as to ensure that adequate resources were made available to Local Authorities.

A Special Incentive Scheme he advised was required to provide some form of incentive for new businesses and would go some way to dealing with the large number of vacant units across the county.

A number of issues were raised including:-

- The fact that the Stranorlar Electoral Area was somewhat disadvantaged in that it could not strike a rate of its own.
- The need for a dramatic overhaul of the Commercial Rates System.
- That Donegal County Council needed to maintain positive interaction with its customers, backed up with adequate representation on the ground.
- Incentives for fledgling businesses.

Mr. Garry Martin, Head of Finance, Director of Emergency Services welcomed the realism of the debate and highlighted the mutual dependency that existed between Donegal County Council and its customers.

The challenges he confirmed were immense but the authority had no choice but to operate on the basis that expenditure equalled income. Commercial rates he advised made up a significant portion of the Council's income but it was also necessary to debate the matter in the context of other areas of expenditure. He noted that there was much positive engagement between the Council and its customers.

He would he affirmed, welcome engagement with Members through the CPG and the workshop process so as to ascertain the best way of obtaining a balanced budget.

The County Manager stated that contact had already been made with the Principal Officer in the Department of the Environment, Community and Local Government re Donegal County Council's needs for 2012.

It was noted that preliminary preparations for Budget 2012 had been initiated as far back as June. Responding to calls for some form of external assistance, he advised, that it would not be necessary at present to solicit external advice.

It was thus agreed to hold a workshop on Monday 17<sup>th</sup>, October, 2011 to initiate discussion in relation to the 2012

Budget, with specific focus on the difficulties being faced by ratepayers in the County.

C/345/11 LEGALITY OF MOTIONS WHEN PASSED BY DONEGAL COUNTY COUNCIL

The following motion was submitted by Clr. Mc Brearty:-

"Calling on Donegal County Council to supply members with the appropriate legal advice on the legality of Motions passed at full Council Meetings and that the legal advice will clearly show what standing motions have when passed."

Members were informed that:-

“The functions and remit of Local Authorities are wide and varied. The legislation underpinning the Council’s mandate is spread over a multiplicity of acts and regulations. These can be broken down largely between on the one hand provisions setting out the framework (split as between reserved and executive functions etc.) and defining the rules for the workings of Local Government as contained in the Local Government Acts and on the other hand legislation dealing with delivery of particular services (e.g. the Planning Acts, the Water Services Acts and so on)

The former (Local Government Acts) have been largely consolidated in the Local Government Act, 2001 (as since amended) which replaced most of the previous legislation.

The remit and functions of the Council can be broken down into three broad areas –

- (i)making of policy
- (ii)delivery of a service
- (iii)representation

As to (i) above, the making of policy is generally part of the reserved functions of the Council Members. There is usually a process to be followed which culminates in the adoption of the final policy as a statutory item of business on the agenda for a

Council Meeting. The process for adoption of particular policies may be governed by specific legislation (an example of which would be the making of a Development Plan). The legality of such policy would depend on the Council acting within its remit and following the prescribed procedures.

Specific Motions brought forward by the Elected Members will sometimes be to express the Members' intent or view on a particular issue but more typically will require some action to be done (or even perhaps not done). The legality and/or implementation of such Motions would have to be considered under the following headings –

- (a) Is the action sought to be done something within the remit of the Council?
- (b) Has the Motion been properly brought forward and passed in accordance with the requirements of the Local Government Acts and the Council's Standing Orders.
- (c) A Motion could not require the doing of an act which would be unlawful under any other legislation or at common law.
- (d) Is the Motion consistent with previously established policy of the Council? If not, it could only be properly passed and implemented if the policy were changed after going through the required procedure for such change.
- (e) Is there a budget available for the carrying out of the act/works involved? If not, a motion while properly passed may be incapable of implementation.

Section 152 (3) of the Local Government Act, 2001 requires the Manager to give to the Elected Council such advice and assistance as shall be reasonably required of him by the Members and they then must have regard to that advice/assistance. Such advice/assistance can be of an administrative, technical or legal nature and is sought routinely from time to time. If there is a specific legal issue raised which cannot be answered by the Council's staff at a meeting and which the Members resolve is of sufficient importance to procure a specific legal opinion on the issue from the County Solicitor, that would be arranged in the ordinary course."

After a prolonged and heated debate Clr. Mc Brearty advised that he wished to withdraw the motion.

C/346/11 TAKING OF DECISION WITH REGARD TO THE CONSTRUCTION OF AN EXTENSION TO THE ICE HOUSE AT BURTONPORT PIER INCLUDING A TICKET OFFICE, TOILET BLOCK WITH 2NO. FULLY ACCESSIBLE TOILETS, A SHOWER ROOM AND STOREROOM

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

On the proposal of Clr. Alcorn, seconded by Clr. Gallagher, 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 construction of an extension to the Ice House at Burtonport Pier including a ticket office, toilet block with 2no. fully accessible toilets, a shower room and storeroom.

C/347/11 APPROVAL OF SPECIFIC IMPROVEMENT GRANT APPLICATION 2012

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

Mr. John Mc Laughlin, Director Roads and Transportation advised, that there was a slight error in Table 2 of the report and that the “R236” should read the “R265”.

After considerable debate in relation to the position of Project No 13 - Clamperland Bridge and a proposal from Clr. Larkin, seconded by Clr. Mc Brearty, that it be elevated to Number 1, it was agreed to retain the priority listing as outlined in the Director of Roads and Transportation’s Report dated 20<sup>th</sup> September, 2011.

On the proposal of Clr. M. Doherty, seconded by Clr. Ryan, the Specific Improvement Grant Application for 2012 was approved.

C/348/11 APPROVAL OF THE 2012 PLANT PURCHASE PROGRAMME

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

On the proposal of Clr. Brogan, seconded by Clr. Larkin, it was resolved to approve the 2012 Plant Purchase Programme.

C/349/11 SUSPENSION OF STANDING ORDERS

On the proposal of Clr. M. Doherty, seconded by Clr. Alcorn, it was resolved with the agreement of all Members present in accordance with Standing Order No. 29 to suspend Standing Order No 3 and continue with the debate on Winter Maintenance after 6.00pm

C/350/11 DATE FOR ADJOURNED COUNCIL MEETING

On the proposal of Clr. Brogan, seconded by Clr. Alcorn, it was resolved that the remaining business be adjourned to 10.00am on Monday 10<sup>th</sup> October, 2011.

C/351/11 APPROVAL OF RECOMMENDATIONS CONTAINED IN THE WINTER SERVICE REPORT SEPTEMBER, 2011

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

A lengthy debate ensued with Members outlining a wide range of issues. These included:-

- Concern re lack of treatment and access issues on the roads into Raphoe.
- Access issues Ballybofey/Stranorlar, particularly in relation to schools and businesses.
- Errors on Inishowen EA Map to be corrected.
- Early use of Snowploughs, Snow-blowers and where these will be positioned.
- Co-ordination of efforts with the Town Councils.
- Query as to whether all stores and covered stockpiles are at capacity at present.
- Clarity on access issues for emergency service personnel.
- Animal Welfare issues.

- Enquiry as to whether Blue Routes could be funded out of Maintenance Monies.
- Need for general public to be adequately informed in relation to all aspects of Winter Maintenance.
- Important that community assistance is embraced at an early stage using in particular the local media to get the message across.
- Highlighted the need for additional salt storage space.
- Enquiry as to whether 18000 tonnes of salt would be sufficient to do all routes.
- Identified the need to liaise at this juncture with the emergency services in relation to any assistance that might be required in terms of manpower and equipment.
- Clarity as to the use of Emergency Call Centre over holiday period 2011/2012.
- Need to promote alternative solutions, i.e. the use of snow tyres etc.
- Ability of Donegal County Council to purchase its own supplies of salt.
- Concern expressed that Stranorlar Electoral Area Members had not been consulted in relation to the programme.
- Noted that Blue Routes often served areas of significant population, places of employment, and schools and therefore required adequate treatment.
- Query as to what guarantee existed in relation to Red Routes being kept open.
- Query as to the possibility of the Green Routes being salted once per day in periods of severe weather.
- Need for PR Campaign.
- Number of Drivers per lorry and whether the service would be on a 24 hour basis.
- Volunteer co-operation exceptional during the previous winter.
- Possibility of introducing a Salt Bin Scheme as promoted by Cavan County Council.

Members advised that the following routes were worthy of specific attention in the 2012 Road Maintenance Programme.

### **Donegal Electoral Area**

- Route 20(d) Carrick to Glencolmcille needed to be included.
- Need for pre-treatment on the Carrick to Glen Road

### **Glenties Electoral Area.**

- Regional Road Airport-Mullaghaduff.
- Rannafast Road
- Back of Errigal Road
- Ardara-Narin-Portnoo-Rosbeg
- Glen Road, Annagry

### **Stranorlar Electoral Area**

- Liscooley Footpaths.
- Areas in the vicinity of Schools Ballybofey/Stranorlar
- Kilross –Raphoe

### **Letterkenny Electoral Area**

- Churchill to Gartan Road
- Kilmacrennan – Churchill

### **Inishowen Electoral Area**

- Buncrana to Carndonagh Road
- Drumfries to Carndonagh

The Mayor at this juncture proposed that the Director of Roads and Transportation be allowed to address the meeting and following his deliberation that the matter be deferred and discussed as the first item of business at the Adjourned Council Meeting on the 10<sup>th</sup> October. Clr. Murray seconded, the proposal.

Members of the Stranorlar Electoral Area re-affirmed concerns that they had not been adequately briefed in relation to the programme and called for an opportunity to consider this matter at Electoral Area Level.

Clr. Farren proposed, seconded by Clr. Mc Garvey, that the Director of Roads and Transportation, Mr. John Mc Laughlin

together with Mr. Vincent Lynn, Senior Engineer be allowed to address the meeting in relation to the ongoing concerns.

The Director of Roads and Transportation affirmed that it was not a case of trying to push the programme through but rather the necessity of maintaining a balanced approach to the situation.

Donegal County Council he advised, had to date received a considerable share of its NRA salt allocation for 2011 with arrangements in place to draw down a further allocation should weather conditions deteriorate. The plan he confirmed covered all of the roads included in last years programme.

Mr. Vincent Lynn, Senior Engineer outlined the necessity of getting the plan to the NRA as quickly as possible. It would he advised not be possible to cover all the routes requested by Members. The number of lorries available, staffing resources and salt stocks would also he affirmed determine the level of service available.

The Director provided a detailed update in relation to each of the issues raised by the Elected Members during the discussion.

It was agreed that a meeting would be arranged with the Stranorlar Electoral Area Members to consider the implications of the Winter Maintenance Plan for the Finn Valley Area.

C/352/11 MANAGER'S REPORT

The County Manager informed Members that a delegation from Donegal County Council was scheduled to attend a Joint Oireachtas Committee Meeting on the Environment, Transport, Culture and Gaeltacht on Tuesday 27<sup>th</sup> September, 2011.

He advised Members that a copy of any documentation supplied to the Committee would be made available for their information.

This concluded the business of the Meeting.