

**COMHAIRLE CHONTAE DHUN NA nGALL**

Oifig Riarthóir na  
gCruinnithe  
Aras an Chontae  
LEIFEAR  
20 Iúil 2010

Beidh Cruinniú Comhairle Chontae Dhún na nGall ar siúl Dé Luain 26 Iúil, 2010, 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)**

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**DONEGAL COUNTY COUNCIL**

Office of Meetings  
Administrator  
County House  
Lifford  
20<sup>th</sup> July, 2010

**NOTICE OF MEETING**

A Meeting of Donegal County Council will be held on Monday 26<sup>th</sup> July, 2010, at **12.00 noon in the County House, Lifford.**

**TO EACH MEMBER OF DONEGAL COUNTY COUNCIL**

**Dear Councillor**

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

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

**Yours sincerely**

**E. Sweeney**

**Meetings Administrator (County Secretary)**

## **AGENDA**

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

- a) Confirmation of Minutes of Adjourned Meeting of Donegal County Council held on the 14<sup>th</sup> June, 2010.
- b) Confirmation of Minutes of Special Meeting of Donegal County Council held on the 28<sup>th</sup> June, 2010.
- c) Confirmation of Minutes of Meeting of Donegal County Council held on the 28<sup>th</sup> June, 2010.
- d) Confirmation of Minutes of Annual General Meeting of Donegal County Council held on the 30<sup>th</sup> June, 2010.

### **2. Appointment of County Manager**

Appointment of Donegal County Manager as per recommendation of Public Appointments Commission.

## **MOTIONS**

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

### **GLENTIES ELECTORAL AREA**

#### **Housing and Building**

#### **3. Clr. Gallagher**

"That this Council discuss the economic, social and practical implications of the proposed Long Term Leasing Scheme." (C)

#### **Finance**

#### **4. Clr. Slowey**

"That this County Council set up a Value for Money Committee representing all political interests in conjunction with the Executive of this Council and report annually to the Members as initiated by the Fine Gael Party at our Annual Estimates Meeting in December 2009." (C)

### **INISHOWEN ELECTORAL AREA**

#### **Water Environment and Emergency Services**

#### **5. Clr. McLochlainn**

"That Donegal County Council changes the name of the Fullerton - Pollan Dam to the Eddie Fullerton Dam and erect directional signage for visitors to the dam on all key approach roads." (L)

6. Clr. Farren

"That Donegal County Council consider extending its byelaws regarding the use of jet skis to include high amenity beaches and to prohibit their use within 200 metres radius of said high amenity beaches and only to allow launching from specific designated sites." (C)

**Housing and Building**

7. Clr. McGuinness

"That this Council discuss its housing policy:

- a) Call on the Minister to allow us to purchase houses; and
- b) Allow applicants for S.I. houses to apply for planning permission in order to speed up the process." (C)

**LETTERKENNY ELECTORAL AREA**

**Roads**

8. Clr. McGarvey

"That this Council prepare a Plan to deal with the small bridges in the Letterkenny Area i.e. Bunlin, Meenatinney, Keadue, Kinnegar, Barrack, Ards road where a small amount of money would make such a difference to road users and could be done by our own Engineering Staff?" (L)

**Planning and Development**

9. Clr. Quinn

"That this Council reviews it's policies in relation to all future Housing Developments as a matter of urgency and that the revised policy will include as a baseline the following proposals:

(1).All Developers will lodge with Donegal County Council a Bond for each house/unit they intend to erect- the practise of roll-over Bonds will cease.

(2).The Bond will be of such value that it will be sufficient to address any potential short-comings in relation to Roads, Footpaths, Sewerage, Street-Lighting, Pavements and Water.

(3). A contract will be drawn up and signed by both the County Council and the Developer which clearly and un-ambiguously states that this Bond may be used by Donegal County Council to address issues of Non Compliance with the Planning Permission granted particularly with regard to Roads, Footpaths, Sewerage, Street-Lighting, Pavements and Water.

(4). The contract will clearly and un-ambiguously state that the Bond may be used by the County Council at any stage following the erection of the first half of the houses/units.

(5). The contract will clearly and un-ambiguously state that by using the Bond to address issues of Non compliance with the Planning Permission the County Council is not absolving the Developer of his or her obligations and that the Council can continue to pursue the Developer through the Courts if necessary.

(6). Any Developer successfully prosecuted for Non Compliance with Planning Permission will be debarred from tendering for the erection of Local Authority Housing in Donegal and Donegal County Council will not purchase any houses/apartments from him/her." (C)

## DONEGAL ELECTORAL AREA

### *Water Environment and Emergency Services*

10. Clr. Pringle

"That Donegal County Council debate the policy of charging the people of Donegal for access to the emergency services." (C)

### *Roads and Transportation*

11. Clr. McEniff

"That the Council remove the Ornamental Tree from its present position on Bundoran/Ballyshannon Bypass to the roundabout on the approach road to Bundoran." (L)

12. Clr. O'Neill

"That Donegal County Council discuss the merits of on-street Car Parking Charges in Ballyshannon with a view to abolishing these charges in the town." (L)

## STRANORLAR ELECTORAL AREA

### *Corporate*

13. Clr. McGowan

"That this Council discuss the new regulations relating to 3rd Level Education Grants as administered by the VEC and Donegal County Council with a view to providing information to the public and any other actions as agreed." (C)

14. Clr. McBrearty

"That the members of Donegal County Council call on the Minister for Justice to hold a public enquiry into the Garda Investigation of the Carrigans Post Office robbery and the circumstances into why An Post have taken the inhuman steps to terminate the postmistress's contract and to call on the Government to intervene and save her livelihood." (O)

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

Notice under Section 183 of the Local Government Act, 2001 to dispose by way of 50 year lease of lands at Main Street, Castlefinn, to the Castlefinn Tidy Towns Association.

16. **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 1 No. S.I. Cottage (60018) and Associated Site Works at Largnalore, Ballybofey.

17. **Finance**

To consider and note “Draft Unaudited Annual Financial Statement for 2009” including commentary by the County Manager and Head of Finance.

18. **Roads and Transportation**

- a) To resolve that the Bye-Laws for the regulation of certain Harbours in County Donegal, adopted at Council Meeting on the 28<sup>th</sup> June, 2010, shall come into operation on 1<sup>st</sup> September, 2010.
  
- b) To approve the list of schemes as per Donegal County Council’s application to the NRA and Department of Transport for low cost safety remedial works funding for 2011.

19. **Water Environment and Emergency Services**

- a) Water Rights Proposal Lough Nalughraman – To resolve to make the Water Rights Proposal known as Public/Private Water Supplies Schemes in South Donegal.

- b) Ballybofey/Stranorlar Leisure Centre
- To consent to the setting up of the Finn Valley Leisure Centre Ltd. as a Special Purpose Vehicle Company
  - To nominate members to the Board of Directors of Finn Valley Leisure Centre Ltd.

## **20. Community, Culture and Enterprise**

- a) To adopt Draft Donegal County Museum Education Policy and Action Plan 2010-2012.
- b) To adopt Draft Donegal County Museum Care of Collections Strategy and Action Plan 2010-2012.
- c) To adopt Draft Donegal County Museum Disaster Plan.
- d) To adopt Amended Donegal County Museum Exhibition Policy.
- e) To adopt Draft (Year 2010) Implementation Plan for Donegal County Museum – linked to Strategic Management Plan 2007-2011.

## **21. Corporate**

- a) To fill casual vacancies on the NWRCBG arising from the resignation of Councillors Cora Harvey and Frank McBrearty.

## **22. Endorsement of Confirmed Minutes**

- a) Endorsement of the Confirmed Minutes of Meeting of Glenties Electoral Area Committee held on 25<sup>th</sup> May, 2010.
- b) Endorsement of the Confirmed Minutes of Meeting of Stranorlar Electoral Area Committee held on the 9<sup>th</sup> March, 2010.
- c) Endorsement of the Confirmed Minutes of Meeting of Stranorlar Electoral Area held on the 18<sup>th</sup> May, 2010.
- d) To note Minutes of Corporate Policy Group Meetings held on the following dates:-
  - 23<sup>rd</sup> November, 2009.
  - 19<sup>th</sup> February, 2010.
  - 22<sup>nd</sup> March, 2010.
  - 19<sup>th</sup> April, 2010.
  - 24<sup>th</sup> May, 2010.
  - 21<sup>st</sup> June, 2010.

### **23. Conferences**

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.

- Parnell Summer School 2010 – The Role of Media in Politics and Society to be held from Sunday 8<sup>th</sup> to Friday 13<sup>th</sup> August, 2010 at the Avondale House and Forest Park, Rathdrum, Co. Wicklow.
- Training Seminar – Economic, Social and Cultural Rights in Public Administration to be held from Friday 13<sup>th</sup> to Sunday 15<sup>th</sup> August, 2010 at The Glenlo Abbey Hotel, Bushypark, Co Galway.
- Training Seminar – Waste Management Regulations Tyres and Waste Tyres Prohibition of Waste Disposal by Burning Obligations on Farmers The Insurance Issues to be held from Friday 20<sup>th</sup> to Sunday 22<sup>nd</sup> August, 2010 at the Kingsvalley Hotel, Merlin Park, Dublin Road, Galway City.
- Training Seminar – Water Conservation The Impact of the New EPA Guidelines on Planning Applications Are We at Risk? to be held from Friday 27<sup>th</sup> to Sunday 29<sup>th</sup> August, 2010 at the Carlton Atlantic Coast Hotel Westport, The Quay, Westport, Co. Mayo.
- AMAI 97<sup>th</sup> Annual Conference – Local Government for the Future to be held from Thursday 9<sup>th</sup> to Saturday 11<sup>th</sup> September, 2010 at the Inishowen Gateway Hotel, Bunrana, Inishowen, Co. Donegal.
- APSE – Financial Armageddon or Managed Transformation: Where next for local government’s front line? to be held Wednesday 8<sup>th</sup> and Thursday 9<sup>th</sup> September, 2010 at the Millennium Forum, Derry.
- 6<sup>th</sup> Annual Environment Ireland Conference – to be held Tuesday 14<sup>th</sup> September, 2010 at the Croke Park Conference Centre, Dublin.
- Respond Housing Association – Anti Social Behaviour – Symptoms, Solutions and Strategies, to be held Wednesday 15<sup>th</sup> September, 2010 at the Heritage Hotel, Portlaoise, Co Laois.

- Training Seminar – Planning Applications Professional Indemnity The essential guide for Public Representatives to be held from Friday 24<sup>th</sup> to Sunday 26<sup>th</sup> September, 2010 at the Glenlo Abbey Hotel, Bushypark, Co Galway.
- LAMA – Autumn Seminar “Local Government – Efficiency and Financing” to be held Friday 8<sup>th</sup> and Saturday 9<sup>th</sup> October, 2010 at the Listowel Arms Hotel, Listowel, Co. Kerry.

**24. Conference Reports**

Clr. David Alcorn – Promoting Growth and Jobs in Ireland’s Regions held Friday 16<sup>th</sup> April, 2010.

**25. Mayor’s Business**

**26. Manager’s Report**

**QUESTIONS**

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

**GLENTIES ELECTORAL AREA**

**Water Environment and Emergency Services**

**27. Clr. Gallagher**

"What is the up to date amount of group water schemes that have not been taken over by the Council?" (C)

**Housing and Building**

**28. Clr. Gallagher**

"Will this Council arrange an immediate meeting with the OPW to discuss a plan going forward for our bridges and waterways, including bridges in Fintown and Gweedore?" (C)

**Corporate**

**29. Clr. Slowey**

"When can the Elected Members of Donegal County Council expect to have the Independent Evaluation of the Audit Report placed before them regarding the contract entered into by former Manager, Michael McLoone with One Sigma Limited and related companies?" (C)

**30. Clr. Slowey**

"When will the Minutes of all Electoral Area Meetings and other staff details be brought up to date on the Council's website? Please note the last Electoral Area Minutes available for the Glenties Electoral Area are dated January 23rd 2007?" (C)

## INISHOWEN ELECTORAL AREA

### *Community Enterprise and Cultural*

31. Clr. MacLochlainn

"What progress has been made on arranging the meeting of all local relevant stakeholders to jointly promote Grianan of Aileach to tourists?" (L)

### *Planning and Economic Development*

32. Clr. MacLochlainn

"Does Donegal County Council have enough personnel to deal with planning enforcement and investigation cases in the Inishowen area and if they do not, what plans are in place to ensure that our statutory responsibilities are met within a reasonable timeframe?" (L)

### *Corporate*

33. Clr. McGuinness

"Give the number of engineers, technicians, overseers, road surface men and others employed in the Inishowen Area each year since 2000?" (L)

## LETTERKENNY ELECTORAL AREA

### *Roads and Transportation*

34. Clr. McGarvey

"Is Airtricity our supplier of service for Public Lighting and if so why can I get no reply from them when I leave a message regarding Public Lighting?" (O)

### *Water, Environment and Emergency Services*

35. Clr. McGarvey

"What are the projections for dealing with the sewerage problems in the Letterkenny Electoral Area?"

## DONEGAL ELECTORAL AREA

### *Planning and Economic Development*

36. Clr. Pringle

"When will an opportunity to alter the land use zonings in the Killybegs Local Area Plan arise?" (L)

37. Clr. McEniff

"When is it hoped to advertise the amendments to the Bundoran Environment Plan?" (L)

38. Clr. O'Neill

"Will Donegal County Council begin a review of the Casual Trading Bye-Laws as they are seriously outdated?" (C)

### **Water Environment and Emergency Services**

39. Clr. Pringle

"What progress has been made improving the availability of a refuse collection to the almost fifty per cent of the county's population that do not currently have a collection?" (C)

### **Roads and Transportation**

40. Clr. McEniff

"Can the Council inform me why there is a delay repairing the public lights at AIB Bank Bundoran which have not been in operation for the past 12 months?" (L)

### **Housing and Building**

41. Clr. O'Neill

"I request that I receive a full list of all properties that Donegal County Council are renting from the private sector across the County and the figures for each individual rental agreement?" (C)

## **STRANORLAR ELECTORAL AREA**

### **Community, Culture and Enterprise**

42. Clr. McBrearty

"What is the up to date on the purchase of the foreshore lease at Burtonport by Donegal County Council?" (C)

43. Clr. McBrearty

"Can I have a list of all the groups that have received funding in the SEA from the Council since the budget in December and is their any spare funding left for groups that may have missed out on the opportunity of benefiting for any spare monies that may still be there?" (C)

44. Clr. McGowan

"Please give a report on the criteria for bringing in a ban on On-Street Drinking in Convoy and any other area wishing to have such a ban?" (O)

**Roads and Transportation**

45. Clr. McGowan

"Please can a report be given on traffic calming in our Towns and Villages, outlining what regulations and criteria Donegal County Council is operating to as there seems to be no consistency through out the County or across the Country?" (C)

MINUTES OF MEETING OF DONEGAL COUNTY COUNCIL, HELD  
IN THE COUNTY HOUSE, LIFFORD ON 26<sup>TH</sup> JULY, 2010

C/396/10 MEMBERS PRESENT

Clrs. Cora Harvey, Mayor, D. Alcorn, L. Blaney, J. Boyle, C. Brogan, B. Byrne, G. Crawford, M. Doherty, P. Doherty, M. Farren, M.T. Gallagher, M. Harley, J. Harte, P. Mac Lochlainn, F. McBrearty, N. McBride, C. Mc Conalogue, S. McEniff, I. McGarvey, P. McGowan, B. O'Neill, T. Pringle, M. Quinn, J. Ryan and T. Slowey.

C/397/10 APOLOGIES

Apologies were received from Clr Seamus Ó Domhnaill.

C/398/10 OFFICIALS IN ATTENDANCE

Mr Seamus Neely, County Manager, Mr John McLaughlin, Director of Roads and Transportation, Mr Liam Ward, Acting Director of Corporate and Housing, Mr Michael Heaney, Director of Community Cultural and Planning, Mr Garry Martin, Acting Head of Finance, Mr Paul Kilcoyne, A/Director of Water, Environment and Emergency Services, Mr Eunan Sweeney, Meetings Administrator, Mr James Boyle, Senior Engineer, Ms Helena O Toole, Senior Planner, Mr Michael McGarvey, Senior Engineer, Ms Judith McCarthy, Museum Curator, Ms Kathleen Browne, Staff Officer.

C/399/10 CONFIRMATION OF MINUTES OF ADJOURNED MEETING OF DONEGAL COUNTY COUNCIL HELD ON THE 14<sup>TH</sup> JUNE, 2010

On the proposal of Clr. Crawford, seconded by Clr. McGowan, the Minutes of the Adjourned Meeting of Donegal County Council held on 14<sup>th</sup> June, 2010 were adopted.

C/400/10 CONFIRMATION OF MINUTES OF SPECIAL MEETING OF DONEGAL COUNTY COUNCIL HELD ON THE 28<sup>TH</sup> JUNE, 2010

On the proposal of Clr. Harley, seconded by Clr. Brogan, the Minutes of the Special Meeting of Donegal County Council held on 28<sup>th</sup> June, 2010 were adopted.

- C/401/10 CONFIRMATION OF MINUTES OF MEETING OF DONEGAL COUNTY COUNCIL HELD ON THE 28<sup>TH</sup> JUNE, 2010  
On the proposal of Clr. McBrearty, seconded by Clr. Byrne, the Minutes of the Meeting of Donegal County Council held on 28<sup>th</sup> June, 2010 were adopted.
- C/402/10 CONFIRMATION OF MINUTES OF ANNUAL GENERAL MEETING OF DONEGAL COUNTY COUNCIL HELD ON THE 30<sup>TH</sup> JUNE, 2010  
On the proposal of Clr. Byrne, seconded by Clr. Harley, the Minutes of the Annual General Meeting of Donegal County Council held on 30<sup>th</sup> June, 2010 were adopted.
- C/403/10 VARIATION OF ORDER OF BUSINESS  
On the proposal of Clr McGuinness, seconded by Clr McGowan, it was resolved to vary the order of business in order that Mayor's Business be taken next and Item 17 considered after Item 2.
- C/404/10 MAYORS BUSINESS

*INISHOWEN ACCIDENT VICTIMS*

The Mayor paid respects to those who lost their lives in the recent car accident in Inishowen – Hugh Friel, Mark McLaughlin, Paul Doherty, Ciaran Sweeney, P J McLaughlin, James McEleney, Eamonn McDaid and Damien McLaughlin. A minute silence was observed as a mark of respect to them.

The Mayor paid tribute to the emergency services and the clergy who were involved in dealing with the accident and its aftermath.

The Mayor acknowledged the letters of sympathy received from Waterford County Council, Omagh District Council and the Association of City and County Councils in relation to the tragedy.

She advised the Council that letters of condolences from Donegal County Council would be sent to the families.

Clr McGuinness, on behalf of Fine Gael, Clr McConalouge, on behalf of Fianna Fail, Clr MacLochlainn on behalf of Sinn Fein, Clr Farren on behalf of the Labour Party and Clr McGarvey on behalf of the Independents extended their condolences to the bereaved families and paid tribute to the work of the emergency services.

#### *PROPOSED CLOSURE OF ROCK AND LIFFORD HOSPITALS*

The Mayor advised that a request had been received from Mr John Hayes, HSE, that the proposed meeting with him be postponed until the review he was carrying out was completed. He advised that any submissions on the status of the hospitals would be welcomed.

#### *MEETING WITH NRDO*

The Mayor advised the members that the Director of Roads and Transportation, would follow up on this matter.

#### *MOBILE PHONE USAGE*

The Mayor reminded members of the rules in relation to mobile phone usage in the Council Chamber and sought compliance.

#### *STANDING ORDERS*

The Mayor requested that Members read the Standing Orders and bring any suggestions for changes back to the next meeting of the Council. She clarified the definition of “A point of Order” in the Standing Orders and asked that members have regard to same when seeking to raise points.

It was agreed to send a copy of the Standing Orders to all members.

#### C/405/10 APPOINTMENT OF DONEGAL COUNTY MANAGER AS PER RECOMMENDATION OF PUBLIC APPOINTMENTS COMMISSION

On the proposal of Clr Brogan, seconded by Clr Slowey, the following resolution was adopted:- “Donegal County

Council hereby resolves to appoint Mr James B. Neely (Seamus), Sarasota, Listillion, Letterkenny, Co. Donegal, to the Office of Donegal County Manager, in accordance with Section 6 of the Local Authorities (Officers and Employees) Act 1926 and Section 145 of the Local Government Act 2001, on and with effect from 28<sup>th</sup> July 2010, subject to Qualifications, declared by the Minister for the Environment, Heritage & Local Government for the Office of County Manager.”

The Mayor and Spokespersons for the various parties/groupings congratulated Mr Neely and assured him of their co-operation and assistance.

Mr Neely thanked the members for their kind words. He advised that it was a very special day for him, particularly having the opportunity to be present for his ratification as County Manager of his native county. He acknowledged the work of the previous County Managers and pledged to work with the members in interpreting and meeting the needs of the people of the county. He stated that he would apply his energy and leadership to taking his vision for County Donegal forward over the next number of years.

C/406/10 TO CONSIDER AND NOTE THE “DRAFT UNAUDITED ANNUAL FINANCIAL STATEMENT FOR 2009” INCLUDING COMMENTARY BY THE COUNTY MANAGER AND HEAD OF FINANCE

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

The, Acting Head of Finance, provided an overview of the report and advised that the report was necessary to allow the Local Government Auditor to publish the Audit Report.

The Manager advised the Council had had a challenging year it was in an improved position in relation to revenue balances. He indicated that an unprecedented number of staff had retired and the payment of unplanned for lump sums was reflected in the Revenue Account. He advised that the amount of rates and commercial water charges collected had increased and, in the case of commercial water rates, the accruals actually exceeded the amount for which bills issued

in the year. He advised that many businesses having difficulty paying their rates or water charges had worked out payment plans with the Council.

The Manager advised the meeting that the overdraft average in 2010 of €million was 25-35% lower than in 2009. He further advised that the increase in Capital Balances was largely due to changes in the interpretation of accruals. Potential receipts were no longer factored in. He assured the members that the Council was in a better position than in 2009.

The A/Head of Finance advised that the Council was in a strong position to manage its budget and that the aim was to bring in a balanced revenue budget for 2010.

A number of queries were dealt with in relation to capital balances, collection of commercial rates and other matters.

C/407/10 SUSPENSION OF STANDING ORDERS

Clr McGuinness proposed, seconded by Clr Slowey, and it was resolved to suspend Standing Orders to allow the meeting to carry on after 6pm in order to complete the agenda.

The Meetings Administrator suggested that it was premature at this early stage in the meeting to take such decision.

C/408/10 VARIATION OF ORDER OF BUSINESS

On the proposal of Clr Slowey, seconded by Clr M.T. Gallagher, it was resolved to vary the order of business to take items 15 to 24 (except 17) at this juncture.

C/409/10 DISPOSAL OF LANDS AT MAIN STREET CASTLEFINN BY WAY OF 50 YEAR LEASE TO THE CASTLEFINN TIDY TOWNS ASSOCIATION

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

On the proposal of Clr. McGowan, seconded by Clr. Harley, it was resolved to dispose, by way of 50 year lease, lands at Main Street, Castlefinn to Castlefinn Tidy Towns Association, in accordance with Section 211 of the Planning

& Development Act, 2000 and Section 183 of the Local Government Act, 2001.

C/410/10 TAKING OF DECISION WITH REGARD TO PROPOSED CONSTRUCTION OF 1 NO. SPECIFIC INSTANCE COTTAGE AT LARGNALORE, BALLYBOFEY

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

On the proposal of Clr. McBrearty, seconded by Clr. McGowan, the Council approved the carrying out of works under Part XI of the Planning and Development Act, 2000 and Part 8 of the Planning and Development Regulations 2001, with regard to the proposed construction of 1 No. Specific Instance Cottage (S.I. 60018) and Associated Site Works at Largnalore, Ballybofey, Co Donegal.

C/411/10 TO RESOLVE THAT THE BYE-LAWS FOR THE REGULATION OF CERTAIN HARBOURS IN DONEGAL, AS ADOPTED AT THE COUNCIL MEETING ON THE 28<sup>TH</sup> JUNE, 2010, COME INTO OPERATION ON 1<sup>ST</sup> SEPTEMBER, 2010

On the proposal of Clr Alcorn, seconded by Clr Doherty, the Council resolved that the Bye-Laws for the Regulation of certain Harbours in County Donegal, adopted at the Council Meeting on 28<sup>th</sup> June 2010, shall come into operation on 1<sup>st</sup> September 2010.

C/412/10 APPROVAL OF THE LIST OF SCHEMES AS PER DONEGAL COUNTY COUNCIL'S APPLICATION TO THE NRA AND DEPARTMENT OF TRANSPORT FOR LOW COST SAFETY REMEDIAL WORKS FUNDING FOR 2011

Members considered the report on the above matter which was circulated with the agenda. On the proposal of Clr Alcorn, seconded by Clr Doherty, the Council approved the list of schemes, as set down in the report circulated with the agenda, as Donegal County Council's application to the NRA and DoT for low cost safety remedial works funding for 2011.

C/413/10 TO RESOLVE TO MAKE THE WATER RIGHTS PROPOSAL

Members considered the report circulated with the agenda and revised report circulated at the meeting in relation to the above. On the proposal of Clr Slowey, seconded by Clr O' Neill, the Council resolved the making of water rights proposal known as Public/Private Water Supplies Scheme in South Donegal.

C/414/10 TO CONSENT TO THE SETTING UP OF THE FINN VALLEY LEISURE CENTRE LTD AS A SPECIAL PURPOSE VEHICLE COMPANY

Members considered the report circulated with the agenda in relation to the above. On the proposal of Clr Harley, seconded by Clr Harvey, the Council consented to the setting up of "Finn Valley Leisure Centre Ltd" SPV Company.

C/415/10 NOMINATION OF MEMBERS TO THE BOARD OF DIRECTORS OF FINN VALLEY LEISURE CENTRE LTD

Clr. Harley advised that at an earlier meeting of Stranorlar Electoral Area Committee it was recommended to increase the membership on the board of directors to 6, 4 members and two officials

On the proposal of Clr Harley, seconded by Mayor Harvey, the Council nominated Mayor Harvey, Clrs McGowan, McBrearty and Harley onto the Board of Directors of Finn Valley Leisure Centre Ltd. The County Manager, informed the meeting that the Council Officials he had nominated were Mr Paul Kilcoyne and Mr Bartley McGlynn.

C/416/10 ADOPTION OF DRAFT DONEGAL COUNTY MUSEUM EDUCATION POLICY AND ACTION PLAN 2010 – 2012

On the proposal of Clr Pringle, seconded by Clr McGuinness, the Council adopted the Draft Donegal County Museum Education Policy and Action Plan 2010-2012

C/417/10 ADOPTION OF DRAFT DONEGAL COUNTY MUSEUM CARE OF COLLECTIONS STRATEGY AND ACTION PLAN 2010-2012

On the proposal of Clr Pringle, seconded by Clr McGuinness, the Council adopted the draft Donegal Museum Care of Collections Strategy and Action Plan 2010-2012.

- C/418/10 ADOPTION OF DRAFT DONEGAL COUNTY MUSEUM DISASTER PLAN  
On the proposal of Clr Pringle, seconded by Clr McGuinness, the Council adopted the Draft Donegal County Museum Disaster Plan.
- C/419/10 ADOPTION OF THE AMENDED DONEGAL COUNTY MUSEUM EXHIBITION POLICY  
On the proposal of Clr Pringle, seconded by Clr McGuinness, the Council adopted the Amended Donegal County Museum Exhibition Policy.
- C/420/10 ADOPTION OF THE DRAFT (YEAR 2010) IMPLEMENTATION PLAN FOR DONEGAL COUNTY MUSEUM – LINKED TO STRATEGIC MANAGEMENT PLAN 2007 – 2011  
On the proposal of Clr Pringle, seconded by Clr McGuinness, the Council adopted the Draft (Year 2010) Implementation Plan for Donegal County Museum.
- C/421/10 FILLING OF CASUAL VACANCIES ON THE NWRCBG ARISING FROM THE RESIGNATION OF COUNCILLORS CORA HARVEY AND FRANK MCBREARTY  
On the proposal of Clr Slowey, seconded by Clr O Neill, the Council resolved that Clrs. Bernard McGuinness and John Ryan fill the casual vacancies on the NWRCBG.
- C/422/10 ENDORSEMENT OF THE CONFIRMED MINUTES OF MEETING OF GLENTIES ELECTORAL AREA COMMITTEE HELD ON 25 MAY, 2010  
On the proposal of Clr. Alcorn, seconded by Clr. Gallagher, it was resolved to endorse the Confirmed Minutes of Meeting of Glenties Electoral Area Committee held on the 25<sup>th</sup> May, 2010.
- C/423/10 ENDORSEMENT OF THE CONFIRMED MINUTES OF MEETING OF STRANORLAR ELECTORAL AREA COMMITTEE HELD ON 9<sup>TH</sup> MARCH, 2010  
On the proposal of Clr. Harley, seconded by Clr. McBrearty, it was resolved to endorse the Confirmed

Minutes of Meeting of Stranorlar Electoral Area Committee held on the 9<sup>th</sup> March, 2010.

- C/424/10 ENDORSEMENT OF THE CONFIRMED MINUTES OF MEETING OF STRANORLAR ELECTORAL AREA COMMITTEE HELD ON 18<sup>TH</sup> MAY, 2010  
On the proposal of Clr. McBrearty, seconded by Clr. Harley, it was resolved to endorse the Confirmed Minutes of Meeting of Stranorlar Electoral Area Committee held on the 18<sup>th</sup> May, 2010.
- C/425/10 TO NOTE MINUTES OF CORPORATE POLICY GROUP MEETING HELD ON THE 23<sup>RD</sup> NOVEMBER, 2009  
The Minutes of the Meeting of Corporate Policy Group held on the 23<sup>rd</sup> November, 2009 were noted.
- C/426/10 TO NOTE MINUTES OF CORPORATE POLICY GROUP MEETING HELD ON THE 19<sup>TH</sup> FEBRUARY, 2010  
The Minutes of the Meeting of the Corporate Policy Group held on the 19<sup>th</sup> February, 2010 were noted.
- C/427/10 TO NOTE MINUTES OF CORPORATE POLICY GROUP MEETING HELD ON THE 22<sup>ND</sup> MARCH, 2010  
The Minutes of the Meeting of the Corporate Policy Group held on the 22<sup>nd</sup> March, 2010 were noted.
- C/428/10 TO NOTE MINUTES OF CORPORATE POLICY GROUP MEETING HELD ON THE 19<sup>TH</sup> APRIL, 2010  
The Minutes of Meeting of the Corporate Policy Group held on the 19<sup>th</sup> April, 2010 were noted.
- C/429/10 TO NOTE MINUTES OF CORPORATE POLICY GROUP MEETING HELD ON THE 24<sup>TH</sup> MAY, 2010  
The Minutes of Meeting of the Corporate Policy Group of the 24<sup>th</sup> May, 2010 were noted.
- C/430/10 TO NOTE MINUTES OF CORPORATE POLICY GROUP MEETING HELD ON THE 21<sup>ST</sup> JUNE, 2010  
The Minutes of the Meeting of the Corporate Policy Group held on the 21<sup>st</sup> June, 2010 were noted.
- C/431/10 MINUTES OF CORPORATE POLICY GROUP MEETINGS

Members raised concerns at the length of time it took before Minutes of the Corporate Policy Group meetings came before the Council. The County Manager clarified the role of the Corporate Policy Group and assured the Council that the CPG did not have a decision making role in relation to the reserved function of the Council. The Meetings Administrator advised that the CPG was not a general committee of the Council and, therefore, its minutes were for noting and not adoption.

Members agreed that in future minutes of the Corporate Policy Group be brought before the Council on a monthly basis for noting.

C/432/10 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. Alcorn, seconded by Clr. McGowan, 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.
  3. Submission of a Conference Report
- Parnell Summer School 2010 – The Role of Media in Politics and Society to be held from Sunday 8<sup>th</sup> to Friday 13<sup>th</sup> August, 2010 at the Avondale House and Forest Park, Rathdrum, Co. Wicklow.
  - Training Seminar – Economic, Social and Cultural Rights in Public Administration to be held from Friday 13<sup>th</sup> to Sunday 15<sup>th</sup> August, 2010 at The Glenlo Abbey Hotel, Bushypark, Co Galway.
  - Training Seminar – Waste Management Regulations Tyres and Waste Tyres Prohibition of Waste Disposal by Burning Obligations on Farmers The Insurance Issues to be held from

Friday 20<sup>th</sup> to Sunday 22<sup>nd</sup> August, 2010 at the Kingsvalley Hotel, Merlin Park, Dublin Road, Galway City.

- Training Seminar – Water Conservation The Impact of the New EPA Guidelines on Planning Applications Are We at Risk? to be held from Friday 27<sup>th</sup> to Sunday 29<sup>th</sup> August, 2010 at the Carlton Atlantic Coast Hotel Westport, The Quay, Westport, Co. Mayo.
- AMAI 97<sup>th</sup> Annual Conference – Local Government for the Future to be held from Thursday 9<sup>th</sup> to Saturday 11<sup>th</sup> September, 2010 at the Inishowen Gateway Hotel, Buncrana, Inishowen, Co. Donegal.
- APSE – Financial Armageddon or Managed Transformation: Where next for local government’s front line? to be held Wednesday 8<sup>th</sup> and Thursday 9<sup>th</sup> September, 2010 at the Millennium Forum, Derry.
- 6<sup>th</sup> Annual Environment Ireland Conference – to be held Tuesday 14<sup>th</sup> September, 2010 at the Croke Park Conference Centre, Dublin.
- Respond Housing Association – Anti Social Behaviour – Symptoms, Solutions and Strategies, to be held Wednesday 15<sup>th</sup> September, 2010 at the Heritage Hotel, Portlaoise, Co Laois.
- Training Seminar – Planning Applications Professional Indemnity The essential guide for Public Representatives to be held from Friday 24<sup>th</sup> to Sunday 26<sup>th</sup> September, 2010 at the Glenlo Abbey Hotel, Bushypark, Co Galway.
- LAMA – Autumn Seminar “Local Government – Efficiency and Financing” to be held Friday 8<sup>th</sup> and Saturday 9<sup>th</sup> October, 2010 at the Listowel Arms Hotel, Listowel, Co. Kerry.

C/433/10 TO NOTE CONFERENCE REPORT

On the proposal of Clr. Slowey, seconded by Clr. Harvey, the following Conference Report was noted: -

Clr. David Alcorn – Promoting Growth and Jobs in Ireland’s Regions held Friday 16<sup>th</sup> April, 2010.

C/434/10 ADJOURNMENT OF MEETING

On the proposal of Clr McConalouge, seconded by Clr McGowan, the Council resolved to adjourn the meeting for a lunch break and resume at 2.20pm.

C/435/10 CALL ON THE COUNCIL FOR THE SETTING UP OF A  
VALUE FOR MONEY COMMITTEE

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

"That this County Council set up a Value for Money Committee representing all political interests in conjunction with the Executive of this Council and report annually to the Members as initiated by the Fine Gael Party at our Annual Estimates Meeting in December 2009."

Members were informed that:-

“Donegal County Council is required, in line with the requirements of the Local Government Act 2001, to prepare and consider its annual revenue budget in a particular format and process and requires the members of the Council to consider the proposed Budget and to resolve to adopt the Budget in a prescribed format. The Act also includes the role of the Corporate Policy Group in assisting in advising in the preparation of the Budget.

It should be noted that the Local Government (Business Improvement Districts) Act 2006 includes, as part of its establishing Audit Committees for Local Authorities, a function for those committees with regard to efficiency and value for money. In conjunction with the role of Internal Audit, areas of value for money and efficiency are considered as part of many audit reports. For example, during 2009 and 2010 to date, audits have been carried out on areas including Parking Fines and Charges, Civic Amenity Sites, Fixed Price Contracts, Development Levies Collection, Organizational Development and Regional Training Centre with all of these areas having substantial efficiency and VFM related aspects. These reports have been considered by the Audit Committee and have had reported to them, by the respective services, their responses and updates on issues raised in the various Audit reports.

On this basis, the purpose and role of a Value for Money Committee vis a vis the Audit Committee, and indeed the CPG, would have to be clearly defined as the Audit Committee has a clear role to deal with issues emerging

from audit reports, including value for money matters. The SPC's also have a role in recommending policy changes that may become necessary as a result of VFM Reports.

An option would be to have a report prepared, initially for consideration by CPG, on the roles of the existing committees and how a VFM Committee would impact on their work. It would be premature to establish a VFM Committee in advance of this.”

A number of members spoke in support of the motion:

The A/Head of Finance advised the members that the Executive supported the concept of Value for Money. He advised that a range of bodies including the CPG, SPCs and Audit Committee could contribute to the area of Value for Money. He advised that he would review how the current bodies were or were not working and bring a detailed report to the September Council Meeting.

Clr Slowey thanked members for their support for his motion and advised that he was happy to have this matter referred to the CPG to see how it could be set up.

C/436/10

DISCUSSION ON THE ECONOMIC, SOCIAL AND PRACTICAL IMPLICATIONS OF THE LONG TERM LEASING SCHEME

The Council agreed, with the consent of both Members, to take Clr. Gallagher's, and Clr. McGuinness's motions together.

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

"That this Council discuss the economic, social and practical implications of the proposed Long Term Leasing Scheme."

Members were informed that:-

“Social housing policy emanating from the Dept. of Environment, Heritage & Local Government is changing significantly at the present time. The issues underpinning these policy changes include; the changing demographic

profile of waiting lists (large percentage of single adults with no dependents), changes in the reasons that applicants require housing, the assessment criteria for establishing long term housing need under the 1988 Housing Act were no longer relevant and a recognition that traditional supply mechanisms no longer corresponded to the actual need. A 2005 NESC report advocated the development of a 'Lifecycle Approach' to meeting a persons housing need as opposed to the existing concept of a 'house for life' approach. This involves addressing the applicant's need at a point in time so as to facilitate the implementation of activation measures to reduce his/her dependency on state supports. The 2007 policy on developing sustainable communities highlighted the objective to meet individual accommodation needs in a manner that facilitates and empowers personal choice and autonomy. The above policy changes are included in the 2009 Housing Act and as a result Housing Authorities are having to change the way they manage housing provision as they move from being direct housing providers to providing a range of housing support mechanisms to applicants and essentially becoming regulators and enablers in the wider housing market.

Housing Authorities will have to be proactive rather than reactive to a persons housing need and will have to undertake ongoing assessment of both applicants and tenants needs. A consequence of this policy is that the traditional Capital Programme will be severely diminished from now on.

The Long Term Leasing (LTL) Scheme has been introduced to supplement the Rental Accommodation Scheme (RAS) and are now seen as the main drivers in the provision of Social Housing in line with the above policy changes. While the LTL scheme was always intended by the Dept. to be a key element of its evolving housing policy its introduction has been accelerated by the recent dramatic changes in the budgetary circumstances with the consequential oversupply of housing on the market. In general terms the economic, social and practical implications of the LTL scheme are seen to be positive resulting in: getting better value for money in the present economic climate, building sustainable communities through achieving better social inclusion,

catering for the 'lifecycle approach' of a persons housing needs, addressing the issue of oversupply on the housing market, helping to increase the standards of private rented accommodation and allowing housing authorities to be proactive in providing the most suitable social housing supports to its applicants.”

In proposing the motion, Clr. Gallagher suggested that the Long Term Leasing Scheme was another example of diluting the powers of local authorities. Clr. Harte proposed that copies of the brochure, circulated to members of the Housing SPC in relation to the scheme, be circulated to all members of the Council for their information and this was agreed. Clr. McBrearty proposed that a review of the Tenancy Handbook be carried out and it was agreed that this would be taken on board through the Housing SPC.

The Director of Housing & Corporate Services, advised that the scheme was now government policy and Donegal County Council had to implement it. He responded to queries raised by members and advised that an Incremental Purchase Scheme had recently been launched details of which were not yet available. He advised that the Council would have to be very careful with Tenancy Agreements in relation to the Long Term Leasing Scheme.

Clr. Gallagher thanked members for their support for her motion and advised that the Council needed to be very careful that everything was clearly stated in the Tenancy Agreement.

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

"That this Council discuss its housing policy:  
a) Call on the Minister to allow us to purchase houses; and  
b) Allow applicants for S.I. houses to apply for planning permission in order to speed up the process."

Members were informed that:-

“As previously reported, the housing capital allocation has reduced dramatically in the past two years and is expected to

be further reduced over the period 2011 to 2012. The 2010 allocation primarily covers existing commitments, the construction of a number of SI cottages and the acquisition of a small number of second hand houses (5 number) for special needs applicants. The main drivers for the provision of additional housing stock to meet the housing will be through a suite of non-construction options including the Social Housing Leasing Initiative and the Rental Accommodation Scheme. A separate fund has been allocated nationally outside the normal capital allocation to fund same. As already stated, there is no discretionary scope in the SHIP allocation to permit the Council to purchase houses. In relation to the SI programme, when an application is approved, the site is transferred to the Council before the SI can be constructed. The Council is advised by its legal advisor that in these circumstances a Part 8 Planning procedure is the appropriate method of compliance with the Planning Act.”

Clr McGuinness thanked members for their support of his motion, He formally proposed, seconded by Clr. M. Doherty, and it was resolved that applicants for SI houses be permitted to apply for planning permission to speed up the process.

C/437/10 VARIATION OF ORDER OF BUSINESS  
On the proposal of Clr McBrearty seconded by Clr McGuinness, it was resolved to Vary the Order of Business to take Clr McBrearty’s motion (item no 14) at this juncture.

C/438/10 CALL ON THE COUNCIL TO HAVE THE MINISTER FOR JUSTICE HOLD A PUBLIC ENQUIRY INTO THE GARDA INVESTIGATION OF THE CARRIGANS POST OFFICE ROBBERY AND THE CIRCUMSTANCES OF THE TERMINATION OF THE POSTMISTRESS’S CONTRACT BY AN POST  
On the proposal of Clr. McBrearty, seconded by Clr. Farren, the following motion was adopted:-

"That the members of Donegal County Council call on the Minister for Justice to hold a public enquiry into the Garda Investigation of the Carrigans Post Office robbery and the circumstances into why An Post have taken the inhuman

steps to terminate the postmistress's contract and to call on the Government to intervene and save her livelihood."

It was further agreed that a copy of the motion be forwarded to the Minister for Justice and copied to each of the Oireachtas members from Donegal. Clr McBrearty thanked the members for their support of his motion.

C/439/10 CALL TO HAVE THE NAME CHANGED FROM THE FULLERTON-POLLAN DAM TO THE EDDIE FULLERTON DAM AND TO HAVE DIRECTIONAL SIGNAGE ERECTED FOR VISITORS

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

"That Donegal County Council changes the name of the Fullerton - Pollan Dam to the Eddie Fullerton Dam and erect directional signage for visitors to the dam on all key approach roads."

Members were informed that:-

"The Fullerton Pollan Dam is the name by which the dam structure that impounds the Pollan tributaries of Owennasop river in central Inishowen is currently known. The reservoir created as a result of this impoundment does not, however, appear to have any official name. No access is permitted to the dam structure for the public on risk and health & safety grounds although there are panoramic viewing opportunities of the reservoir from the local northern approach roads. Fishing and boating on the reservoir is managed by the Bunrana Angling Association. It is suggested that there is potential for the development, marketing, and promotion of this area through a dedicated tourism project and it is suggested that any proposed signage is devised and located in conjunction with such a project."

In proposing the motion, Clr. MacLochlainn acknowledged the fondness and affection of the members for the late Eddie Fullerton and his family.

C/440/10 CALL TO HAVE THE BYE-LAWS REGARDING JET SKIS EXTENDED TO INCLUDE AMENITY BEACHES

AND TO PROHIBIT USE OF JET SKIS WITHIN 200 METRES OF SAID HIGH AMENITY BEACHES

On the proposal of Clr. Farren, seconded by Clr. McConalogue , the following motion was adopted:-

"That Donegal County Council consider extending its byelaws regarding the use of jet skis to include high amenity beaches and to prohibit their use within 200 metres radius of said high amenity beaches and only to allow launching from specific designated sites."

Members were informed that:-

“The Council have already invoked General Beach byelaws and Maritime Craft byelaws for those high amenity beaches that meet the EU Blue Flag criteria. These byelaws have been in place since 2009 and considerable work was involved in advance of their introduction which included media features/ notices and extensive public consultation. Prior to extending the byelaws to other beaches it is suggested that a review of the operation of the byelaws is first conducted and improvements, if any, implemented at the Blue Flag beaches in first instance.”

Several Members contributed to the debate and called for the Byelaws in relation to the use of Jet Skis to be reviewed, to select areas where jet skis can launch from and introduce a speed limit of 5 knots until the jet skis are 200 m from shore.

It was resolved on the proposal of Clr. Blaney, seconded by Clr. Farren, to hold a workshop later in the year to examine the operation of the current byelaws.

C/441/10 CALL ON THE COUNCIL TO PREPARE A PLAN TO DEAL WITH SMALL BRIDGES IN THE LETTERKENNY AREA

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

"That this Council prepare a Plan to deal with the small bridges in the Letterkenny Area i.e. Bunlin, Meenatinney, Keadue, Kinnegar, Barrack, Ards Road where a small

amount of money would make such a difference to road users and could be done by our own Engineering Staff?"

Members were informed that:-

“Repairs and improvements to bridges have been funded by the Council from a variety of state grants and our own resources over the last number of years. Following discussions with Councillors many of the bridges listed have been put forward for funding in 2010. Considering each in turn:

Bunlin:

This is a narrow bridge on a regional road. There are no structural issues with the bridge and its full replacement is beyond the resources of the County Council. Grant monies have been allocated to the bridge under the low cost accident scheme in 2010. These monies will be used to improve signage and lining at the bridge for the benefit of road users.

Meenatinney:

This is again a narrow bridge on a regional road. Again its full replacement is beyond the resources of the Council, however grant funding of €80,000 under the improvement grant in 2010 has been allocated jointly by Glenties and Letterkenny Electoral Areas to strengthen the existing bridge, procure land, do minor widening and replace the parapets.

Keadue:

This is again a narrow bridge on a regional road. Again its full replacement is beyond the resources of the Council, however improvement grant funding of €20,000 in 2010 has been allocated to improve and widen approaches to the bridge.

Kinnegar:

This is a narrow bridge on a narrow road. It has no particular accident history and unlike the other bridges has not had any allocation in 2010. It is considered relatively low priority given the traffic volumes on the road and its accident history. Its replacement could be considered under the specific grants scheme, however, the level of funding required for the improvement of the bridge and the surrounding roads would be high when compared to other more pressing road network problems.

#### Barrack and Ards Road:

These are again narrow bridges on local roads. Parapet walls have been damaged on the bridges and these shall be replaced in the coming month or so. Again their full replacement and the associated realignments are beyond the resources of the Council. They could be considered under the specific grants scheme, however, the level of funding required for the improvement of the bridge and the surrounding roads would be high when compared to other more pressing network problems.

In the interim, the area staff will review and, if necessary, install advance warning signage and or road markings to warn traffic.

The Department of Transport have written to the Council requesting submissions under the Specific Grants Scheme for 2011. It is intended to bring proposals to members under this scheme in the coming weeks at which time these and other bridges may be considered.”

Members raised various queries which were responded to by Mr John McLaughlin, Director of Services, Roads and Transportation.

C/442/10

#### CALL ON THE COUNCIL TO REVIEW IT'S POLICIES IN RELATION TO FUTURE HOUSING DEVELOPMENTS

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

“That this Council reviews it’s policies in relation to all future Housing Developments as a matter of urgency and that the revised policy will include as a baseline the following proposals:

(1). All Developers will lodge with Donegal County Council a Bond for each house/unit they intend to erect- the practise of roll-over Bonds will cease.

(2). The Bond will be of such value that it will be sufficient to address any potential short-comings in relation to Roads, Footpaths, Sewerage, Street-Lighting, Pavements and Water.

(3). A contract will be drawn up and signed by both the County Council and the Developer which clearly and un-ambiguously states that this Bond may be used by Donegal County Council to address issues of Non Compliance with the Planning Permission granted particularly with regard to Roads, Footpaths, Sewerage, Street-Lighting, Pavements and Water.

(4). The contract will clearly and un-ambiguously state that the Bond may be used by the County Council at any stage following the erection of the first half of the houses/units.

(5). The contract will clearly and un-ambiguously state that by using the Bond to address issues of Non Compliance with the Planning Permission the County Council is not absolving the Developer of his or her obligations and that the Council can continue to pursue the Developer through the Courts if necessary.

(6). Any Developer successfully prosecuted for Non Compliance with Planning Permission will be debarred from tendering for the erection of Local Authority Housing in Donegal and Donegal County Council will not purchase any houses/apartments from him/her.”

Members were informed that:-

“The Council's policy on the provision of Bonds is contained in the County Development Plan 2006-2012 including Appendix A "Development Guidelines and Technical

Standards". A review of the policy can be conducted within the context of the recently commenced Review of the County Development Plan which allows for detailed consideration and wide ranging consultation on all relevant matters with relevant stakeholders. The range of technical, practical and legal considerations which would require to be addressed in respect of this issue can be examined in the context of the ongoing Review."

In proposing his motion Clr Quinn advised that the Council needed a policy that was clear, unambiguous and enforceable. On the proposal of Clr Brogan, seconded by Clr McBrearty, it was resolved that a Workshop be held to discuss this matter, with all Directors of Services in attendance.

The Director of Community, Cultural and Planning Services, advised that the cross – directorate working system was a useful suggestion and he agreed to revert to the Council with proposals on how the Council could examine this issue.

Clr. Quinn thanked the members for their support and requested that the workshop take place at an early date.

C/443/10 DEBATE ON THE POLICY OF CHARGING FOR ACCESS TO THE EMERGENCY SERVICES BY THE PEOPLE OF DONEGAL

Clr. Pringle sought approval to amend the text of his motion by substituting "review the policy" for "debate the policy", and this was agreed.

On the proposal of Clr. Pringle , seconded by Clr. O'Neill, the amended motion was adopted:-

"That Donegal County Council review the policy of charging the people of Donegal for access to the emergency services."

Members were informed that:-

Section 35(3) of the Fire Services Act, 1981 empowers a fire authority to charge users or beneficiaries of a fire service for services provided. In Donegal, the charge for a domestic callout is 100 euro and the charge for a commercial callout is

based on the actual time and resources utilised plus 30% for equipment and administration. In the majority of cases, it is the beneficiary of the service that is billed. Exemptions apply for old age pensioners and recipients of social welfare subject to evidence being provided.

In proposing the motion, Clr. Pringle cited a number of the examples of charges that had given rise to difficulties and called on the members to discuss the revised charges and adopt a clear policy stating the exact circumstances where charges were applied.

In response, the County Manager called on anyone who needed the Fire Service to call them, He stated that discussions in relation to charges should take place after the service was delivered. He advised that the Council had initiated a review of charges for the 2011 budget. He further advised that the costs of the provision of the Fire Service and that any reduction in charges would have to be funded from elsewhere.

C/444/10 CALL TO HAVE THE ORNAMENTAL TREE IN BUNDORAN RELOCATED TO THE ROUNDABOUT ON THE APPROACH ROAD TO BUNDORAN

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

"That the Council remove the Ornamental Tree from its present position on Bundoran/Ballyshannon Bypass to the roundabout on the approach road to Bundoran."

Members were informed that:-

“It is our understanding that the artist would not want the sculpture to be moved from it’s present location and feels very strongly about the matter. The location is regarded as part of the setting for the sculpture, part of it's context. Should the Council wish to move the sculpture, it would be advisable that discussions be entered into with the Arts Officer, Ms. Terri Duffy.

Perhaps, it would be prudent to invite Ms Duffy to attend an Electoral Area meeting to discuss the proposal prior to making a decision.”

C/445/10 DISCUSSION OF THE ON-STREET CARPARKING CHARGES IN BALLYSHANNON

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

"That Donegal County Council discuss the merits of on-street Car Parking Charges in Ballyshannon with a view to abolishing these charges in the town."

Members were informed that:-

“On street car parking charges have been in existence in Ballyshannon for some time with income in the region of €10,000 per year being collected. This helps pay for the traffic warden. There are no charges for parking in car parks in Ballyshannon. Whereas the income for the parking is relatively low and does not cover the cost of the traffic warden the existence of charges helps regulate the on-street parking and for this reason alone it is recommended that it continue. In addition, the traffic warden is available to cover other towns under certain conditions.”

In proposing the motion Clr. O'Neill, advised the Council on the background to his motion and the difficulty in securing a public carpark for Ballyshannon. Mr John McLaughlin advised the meeting that some progress had been made on the development of a carpark for Ballyshannon. He called on members to look at alternatives rather than abolish the car parking charges today.

Clr. O'Neill agreed to defer implementation of the motion on the understanding that as and from 1<sup>st</sup> October 2010 the implementation of car parking charges in Ballyshannon would cease unless a report setting out final details in relation to the provision of a new car park for Ballyshannon was brought to the September Council Meeting.

C/446/10 DISCUSSION OF THE NEW REGULATIONS RELATING TO 3<sup>RD</sup> LEVEL EDUCATION GRANTS

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

"That this Council discuss the new regulations relating to 3rd Level Education Grants as administered by the VEC and Donegal County Council with a view to providing information to the public and any other actions as agreed."

Members were informed that:-

“As advised in report that accompanied the HEG Scheme 2010/11, adopted by the Council at the Adjourned Council Meeting on 14th June, the following is a summary of the Principal Changes:

1. Reckonable Income limits

The income limits for entitlement to all rates of support are to remain unchanged for students in receipt of the standard rates of grant. The income thresholds for families where two or more children are pursuing a course of study listed in the schemes also remain unchanged from the 2009 schemes.

The annual income threshold for the special rate of maintenance grant is being increased from €2,308 to €2,703 in line with the relevant social welfare comparators in order to ensure that students from families on the lowest incomes continue to qualify for maximum rates of grant.

2. Rates of Grant

In relation to the rates of maintenance grant, the current rates, as announced in Budget 2010, will continue to apply up to the end of 2010.

Since 2008, the rates of student grant are considered as part of the annual budget process in common with other welfare and income support measures. Therefore, any adjustment in the rates of student grant from January 2011 will be considered in the context of the forthcoming budget.

3. Student Service Charge & Maximum Fee Limit

The Student Service Charge is to remain unchanged - up to a maximum of €1,500. To date, no increase is approved for the maximum fee limit. If the maximum fee limit changes, the Department will issue formal notification by means of circular letter.

#### 4. Summary of the changes to terms and conditions of the Schemes.

Some social welfare allowances, including the Back to Education Allowance and the One Parent Family Payment (except where paid to the candidate) which had been excluded in the means-testing process, will be included as reckonable income in assessing eligibility for student grants.

- The income tax adjustment for farm stock relief will be disregarded in calculating reckonable income for means-testing purposes.
- The residency requirement in the State for grant eligibility will be increased from one year to three out of the past five years for the student.
- The duration of the break in studies required for re-entry as an independently assessed mature student will be increased from one year to three years.
- Wording in respect of certain categories in the Nationality clause have been updated.
- There have been changes in relation to the time limits for making an appeal (30 days).
- In addition, as previously announced in the Budget, from September 2010 all new applicants who are in receipt of the Back to Education Allowance for all schemes, and the VTOS allowances for those pursuing PLC courses, will be ineligible for maintenance grants

Clr. McGowan acknowledged the early issuing of the HEG Scheme and Application Forms which should assist the timely assessment of grant applications. Clrs O Neill, McBrearty and Slowey also spoke in support of this motion and acknowledged the work of the staff in the VEC and Donegal County Council in processing the grant applications and payments. Mr Eunan Sweeney, expressed his thanks to students, their families and Members of the Council for their understanding and patience, with delays in the processing of grant applications last year.

#### C/447/10 MANAGER'S REPORT

Members considered the Managers Report circulated with the agenda and addendum circulated at the meeting.

**The following Questions and Replies were noted:**

C/448/10 UPDATE ON THE NUMBER OF GROUP WATER SCHEMES THAT HAVE NOT BEEN TAKEN OVER BY THE COUNCIL

The following question was submitted by Clr. M.T. Gallagher :-

"What is the up to date amount of Group Water Schemes that have not been taken over by the council?"

Clr. Gallagher was informed that:-

"The Councils holds records relating to 1103 individual Group Water Supply Schemes. Of these 288 no. schemes have not proceeded, 250 schemes have been taken over, and 86 schemes have not yet commenced, leaving 479 that have not permanently been taken over. Of these 479 420 are on public sources leaving 59 that are on private sources. The rural water upgrade and takeover programme has focussed on 29 out of the 59 schemes which generally supply 50 persons or more."

C/449/10 MEETING WITH THE OPW TO DISCUSS A PLAN FOR THE COUNTY'S BRIDGES AND WATERWAYS PARTICULARLY BRIDGES IN FINTOWN AND GWEEDORE

The following question was submitted by Clr. M.T. Gallagher :-

"Will this Council arrange an immediate meeting with the OPW to discuss a plan going forward for our bridges and waterways, including bridges in Fintown and Gweedore?"

Clr. Gallagher was informed that:-

"Donegal County Council have been in regular contact with the OPW over the last three years regarding flood studies and relief works in Letterkenny and Raphoe. The Council have also responded to invitations by the OPW for funding for Coastal and Non-coastal Minor Flood Mitigation Programmes.

All replacement or improvement works to existing bridges are subject to a Section 50 approval from the OPW. The OPW are not otherwise involved in such works.

A comprehensive programme of inspecting all of the county's 1,424 bridges by (Road Design and Roads Area staff) is substantially complete. A parallel programme of inspecting a further 3,700 structures is also being progressed in-house. A further report with the findings of the inspections will be brought to the next meeting of the Roads SPC.”

C/450/10 TIMESCALE FOR THE PRESENTATION OF THE INDEPENDENT EVALUATION OF THE AUDIT REPORT REGARDING THE CONTRACT ENTERED INTO BY THE FORMER MANAGER MR MICHAEL MCLOONE WITH ONE SIGMA LIMITED AND RELATED COMPANIES

The following question was submitted by Clr. Slowey :-

"When can the Elected Members of Donegal County Council expect to have the Independent Evaluation of the Audit Report placed before them regarding the contract entered into by former Manager, Michael McLoone with One Sigma Limited and related companies?"

Clr. Slowey was informed that:-

“As Elected Members will recall, the former County Manager, Michael McLoone, presented a report on these services to a Special Meeting of Donegal County Council on March 1. Following the meeting the Mayor wrote to the Minister for Environment, Heritage and Local Government conveying recommendations which were adopted by the Council to deal with the value for money and procurement aspects of these services. The Minister replied on March 23, 2010 advising that the framework developed to introduce a new system of management (the Whole System of Work) would be furnished to the Transforming Public Service (TPS) office in the Department of the Taoiseach and would be considered by the Local Government Efficiency Review Group. The letter also stated that the Minister will consider

the matter of an independent examination regarding the procurement aspect.

While, in the intervening period, there has been further correspondence and engagement with the Ministers Office and the Local Government Efficiency Review Group, in relation to the potential use of the framework developed, there has been no further indication from the Department of the Environment, Heritage & Local Government as to when the Department might carry out an independent evaluation.”

C/451/10 UPDATING OF MINUTES OF ELECTORAL AREA MEETING AND STAFF DETAILS ON THE COUNCIL’S WEBSITE

The following question was submitted by Clr. Slowey:-

"When will the Minutes of all Electoral Area Meetings and other staff details be brought up to date on the Council's website? Please note the last Electoral Area Minutes available for the Glenties Electoral Area are dated January 23rd 2007?"

Clr. Slowey was informed that:-

“Arrangements are being made to bring the information on the website up to date in relation to the minutes of meetings of electoral area committees and the area based staffing and to ensure that this information is maintained up to date as a matter of routine.”

C/452/10 PROGRESS ON THE ARRANGING OF A MEETING WITH RELEVANT STAKEHOLDERS TO JOINTLY PROMOTE GRIANAN OF AILEACH TO TOURISTS

The following question was submitted by Clr.

MacLochlainn:-

"What progress has been made on arranging the meeting of all local relevant stakeholders to jointly promote Grianan of Aileach to tourists?"

Clr. MacLochlainn was informed that:-

“Heritage Tourism is a key resource for Co. Donegal and Grianan Aileach is recognised as a key asset in this context.

Grianan of Aileach is a National Monument in the care of the Office of Public Works and is protected under the National Monuments Acts (1930-2004).

The Council Heritage Officer is identifying and contacting key stakeholders (such as the Office of Public Works, National Monuments Service, Derry City Council, Derry Visitor and Convention Bureau, Inishowen Development & Fáilte Ireland) at present with a view to organising a meeting regarding their plans (if any) for promoting Grianan of Aileach. Key stakeholders will be asked to outline their roles as they see them in relation to Grianan of Aileach in advance of the proposed meeting.

This meeting will be arranged for September to involve the key stakeholders identified, with a view towards agreeing an integrated strategy highlighting the importance of this resource and agreeing the best way of promoting it to tourists, schools and other relevant target groups. The proposed strategy will ensure coordinated effort and best use of resources.

The Heritage Officer will report back to the Inishowen Electoral Area on progress.”

C/453/10

PLANNING ENFORCEMENT IN THE INISHOWEN ELECTORAL AREA

The following question was submitted by Clr. MacLochlainn :-

"Does Donegal County Council have enough personnel to deal with planning enforcement and investigation of cases in the Inishowen area and if they do not, what plans are in place to ensure that our statutory responsibilities are met within a reasonable timeframe?"

Clr. MacLochlainn was informed that:-

“There are currently 485 “live” planning enforcement files in Inishowen and these are at various stages of processing. This caseload is being managed according to the complexity and demands of the issues involved and the stage reached in

the enforcement process. Planning staff balance this work with ensuring delivery of the full spectrum of other planning work including applications, pre-planning, appeals, advice clinics, licences etc. and to date no planning application has gone by default. Post the recently endorsed Croke Park Agreement, Planning resources and their most effective deployment will, in common with other services, be examined to ensure their best use against organisational requirements.

(At present, a cross directorate Working Group to focus on the issue of unfinished estates is being established. Members will be kept updated on its progress)”

C/454/10 CLARIFICATION OF THE NUMBERS EMPLOYED IN THE INISHOWEN ELECTORAL AREA IN ENGINEERING AND TECHNICAL GRADES SINCE 2000

The following question was submitted by Clr. McGuinness :-

"Give the number of engineers, technicians, overseers, road surface men and others employed in the Inishowen Area each year since 2000?"

Clr. McGuinness was informed that:-

“The level of detail sought in relation to employees in the Inishowen Electoral Area is not readily available. It is understood from clarification received that the details sought relate primarily to the Roads Service. The figures set out in the table below, therefore, refer to staffing levels in the Roads and Transportation Directorate for the period 2005 to 2010. However similar information for all Directorates for the period 2000 to 2010 can be provided at a later date, if required.”

Grade	2005	2006	2007	2008	2009	2010
S.E.E.	0.5	0.5	0.5	0.5	0.5	0.5
Executive Eng.	2	2	2	2	2	2
Technician	0	0	0	0.5	1	0.5
R.S.S.	4	3	3	4	4	4
Foreman	3	4	4	4	4	4

Ganger	13	11	8	8	8	8
Multiskilled	29	29	23	23	20	19
Driver	3	3	3	3	3	1
TOTAL	54.5	52.5	43.5	45	42.5	39

C/455/10 AIRTRICITY AND PUBLIC LIGHTING MAINTENANCE  
QUERIES AND THEIR RESPONSE

The following question was submitted by Clr. McGarvey  
:-

"Is Airtricity our supplier of service for Public Lighting and if so why can I get no reply from them when I leave a message regarding Public Lighting?"

Clr. McGarvey was informed that:-

“Airtricity is Donegal's present supplier of service for public lighting. There has been some problems of communication with Airtricity. This is presently being addressed by Airtricity employing extra personnel. If specific concerns exist, the Senior Engineer in charge can help to have them addressed.”

C/456/10 PROJECTIONS FOR THE DEALING WITH SEWERAGE  
PROBLEMS IN LETTERKENNY

The following question was submitted by Clr. McGarvey  
:-

What are the projections for dealing with sewerage problems in the Letterkenny Electoral Area?

Clr. McGarvey was informed that:-

“Wastewater infrastructure is funded principally under two main programmes:- the Water Services Investment Programme and the Rural Water Programme. The Rural Water Programme is not funded to such an extent that it can deal in any substantial way with wastewater issues ahead of higher priority water infrastructure issues. The current Water Services Investment Programme 2010-2012 was published by the Department of Environment Heritage and local Government in 2010 following a Needs Assessment process carried out in consultation with Local Authorities in 2009. It

is understood that the Department prioritised wastewater contracts and schemes for inclusion on the programme with reference to active and threatened European Court cases, public health objectives, river basis management plan objectives, and Gateway economic objectives. The current WSIP lists the following in respect of the Letterkenny Electoral Area:- Letterkenny Sewerage Scheme DBO is listed as a contract to start; Letterkenny Sewerage scheme Network, Carrigart Sewerage Scheme, Kilmacrennan Sewerage Scheme, Milford Sewerage Scheme, Rathmullen Sewerage Scheme, and Ramelton Sewerage Scheme are all listed as schemes at Planning stage. Letterkenny Sewerage Scheme DBO will commence construction in 2010 but it is virtually certain that none of those schemes at planning stage will commence construction in the period 2010-2012.”

C/457/10 TIMEFRAME FOR AN OPPORTUNITY TO ALTER THE LAND USE ZONINGS IN THE KILLYBEGS LOCAL AREA PLAN

The following question was submitted by Clr. Pringle :-

"When will an opportunity to alter the land use zonings in the Killybegs Local Area Plan arise?"

Clr. Pringle was informed that:-

“The Killybegs Local Area Plan was adopted in 2008 and has a lifespan until 2014. The new Planning Act has a requirement that once the County Development Plan has been adopted (2012) that within one year all other Plans including Local Area Plans will have to be examined for consistency with the Development Plan. The Central Planning Unit is now engaged in the review of the County Development Plan, the review process having just been initiated. It is envisaged that the Killybegs situation will be address as required subsequent to the adoption of the Plan.”

C/458/10 ADVERTISING OF THE AMENDMENTS TO THE BUNDORAN ENVIRONMENT PLAN

The following question was submitted by Clr. McEniff :-

"When is it hoped to advertise the amendments to the Bundoran Environment Plan?"

Clr. McEniff was informed that:-

"It is understood that members wish to carry out a variation to the Bundoran and Environs Development Plan 2009-2015. It is not possible for the Central Planning Unit to undertake this from within existing resources at the present time due to the focus on the County Development Plan Review, which has now been initiated."

C/459/10 CALL FOR A REVIEW OF THE CASUAL TRADING BYE-LAWS

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

"Will Donegal County Council begin a review of the Casual Trading Bye-Laws as they are seriously outdated?"

Clr. O'Neill was informed that:-

"A review of the Casual Trading Bye-laws has not been included in the 2010 work programme. In the preparation of the Budget for 2011, consideration can be given to the allocation of resources to enable a review to be taken through the necessary procedural process, including public consultation and defence if necessary, of any appeal to the courts."

C/460/10 PROGRESS ON THE PROVISION OF REFUSE COLLECTION SERVICES TO FIFTY PER CENT OF THE COUNTYS' POPULATION THAT DO NOT HAVE A COLLECTION

The following question was submitted by Clr. Pringle :-

"What progress has been made improving the availability of a refuse collection to the almost fifty per cent of the county's population that do not currently have a collection?"

Clr. Pringle was informed that:-

“A study undertaken of waste collection service availability in 2007 concluded that the vast majority of households in the county have a waste collector passing their door. It was estimated that 85% of the county is serviced by a waste collection, leaving 15% of households not having a waste collection service passing their house entrance. The Letterkenny and Donegal electoral areas have the greatest coverage with 95% and 93% coverage respectively. The Milford and Stranorlar electoral areas have the lowest waste collection coverage with 66% and 70% coverage respectively.”

C/461/10 REPAIR OF PUBLIC LIGHTING AT THE AIB BUNDORAN

The following question was submitted by Clr. McEniff :-

"Can the Council inform me why there is a delay repairing the public lights at AIB Bank Bundoran which have not been in operation for the past 12 months?"

Clr. McEniff was informed that:-

“Problems have existed with the level of service in relation to public lights maintenance in County Donegal over the past year. These problems have recently been somewhat addressed with the employment of additional personnel by Airtricity. The lights in question have now been repaired and are working.”

C/462/10 LIST OF THE PROPERTIES RENTED BY DONEGAL COUNTY COUNCIL FROM THE PRIVATE SECTOR TOGETHER WITH INDIVIDUAL RENT FIGURES

The following question was submitted by Clr. O’Neill :-

"I request that I receive a full list of all properties that Donegal County Council are renting from the private sector across the county and the figures for each individual rental agreement?"

Clr. O’Neill was informed that:-

C/463/10 UPDATE ON THE PURCHASE OF THE FORESHORE LEASE AT BURTONPORT BY DONEGAL COUNTY COUNCIL

The following question was submitted by Clr. McBrearty :-

"What is the up to date on the purchase of the foreshore lease at Burtonport by Donegal County Council?"

Clr. McBrearty was informed that:-

“The purchase of Burtonport Foreshore Licence is included in the capital budget adopted by Donegal County Council. Implementation of this is subject to the availability of funding. A source of funding has not been identified as of yet.”

C/464/10 LIST OF THE GROUPS IN THE STRANORLAR ELECTORAL AREA THAT HAVE BENEFITED FROM FUNDING SINCE THE BUDGET IN DECEMBER AND THE BALANCE OF SPARE MONIES STILL AVAILABLE TO GROUPS WHO MAY NOT HAVE RECEIVED ANY FUNDING TO DATE

The following question was submitted by Clr. McBrearty :-

"Can I have a list of all the groups that have received funding in the SEA from the Council since the budget in December and is there any spare funding left for groups that may have missed out on the opportunity of benefiting for any spare monies that may still be there?"

Clr. McBrearty was informed that:-

“The Members of the Stranorlar Electoral Area approved the below listed allocations under the Development Fund initiative for 2010 at their March meeting.

DTI - Project Name	
Lifford Athletic	17,000
Castlefin LAT	14,000
Convoy Env Group	6,000
Basicc	20,000

Balor Theatre	20,000
Planet Youth	14,000
Raphoe Volt House	15,000
Junior Arch	1,000
Pride of Place	1,000
Total	108,000

Subject to all allocated groups drawing full allocations down, there are no reserve funds available at present.”

C/465/10 OUTLINE OF THE CRITERIA NECESSARY FOR THE IMPLEMENTATION OF A BAN ON ON-STREET DRINKING IN CONVOY

The following question was submitted by Clr. McGowan :-

"Please give a report on the criteria for bringing in a ban on On-Street Drinking in Convoy and any other area wishing to have such a ban?"

Clr. McGowan was informed that:-

**“THE PROCESS FOR PASSING A BYE-LAW CAN BE SUMMARISED AS FOLLOWS:**

A draft bye-law, consideration of submissions, and the making, amending or revoking of the bye-law are reserved functions.

It must be agreed at Electoral Area Meeting that a Bye-Law will be developed– Minutes of Meeting go to full Donegal County Council Meeting for approval.

The Draft Bye-Law is drawn up and goes to Electoral Area Mtg for approval – Draft Bye-Law then goes to full Donegal County Council Mtg for approval.

Details of the Draft Bye-Law must be publicised in at least one local paper not less than 2 months before a local authority makes a Bye-Law.

The advertisement must include all details relating to the proposed Bye-Law including the submission period, which shall not be less than 1 month.

Copy of the proposed Bye-Law must be made available to the public at the appropriate Public Services Centre or Council offices. A fee may be charged for a copy but it should not exceed the reasonable cost of copying it.

All submissions must be considered within 7 days of the close of submission period. Submissions will be considered and amendments, if necessary, will be made to the Draft Bye-Law.

The Bye-Law then goes to the Electoral Area Meeting for approval – the Bye-Law goes to full Donegal County Council Meeting for approval.

The Bye-law comes into effect on the day specified in the Bye-Law but not less than 30 days after its making.

Once the Bye-Law is made, notice of its making is to be publicised locally in one or more newspapers and also in the Iris Oifigiuil. The notice shall include the general purpose of the Bye-Law, date on which it comes into force, availability of a copy, fee for copy etc.

The Bye-Law should be added to the local authorities Register of Bye-Laws.

Appropriate signage should be erected locally advertising the Bye-Law.”

C/466/10 REPORT ON TRAFFIC CALMING IN OUR TOWNS AND VILLAGES OUTLINING THE REGULATIONS AND CRITERIA AS OPERATED BY DONEGAL COUNTY COUNCIL

The following question was submitted by Clr. McGowan :-

"Please can a report be given on traffic calming in our Towns and Villages, outlining what regulations and criteria Donegal County Council is operating to as there seems to be no consistency through out the county or across the country?"

Clr. McGowan was informed that:-

“Traffic Calming measures in Donegal are based upon the National Standards and Guidelines set out in the Department of Transport document "Traffic Management Guidelines" 2004. This document covers all aspects of Traffic Calming including

- Road Safety
- Consultation
- Monitoring
- Speed management
- Traffic Calming
- Traffic Calming for New Residential Roads
- Facilities for Pedestrians, Cyclists and Motorcyclists
- Facilities for Mobility Impaired People”

This concluded the business of the meeting.

**Certified:** \_\_\_\_\_  
**Mayor.**

**Date:** \_\_\_\_\_