

COMHAIRLE CHONTAE DHUN NA nGALL

Oifig Riarthóir na
gCruinnithe
Aras an Chontae
LEIFEAR
20 Eanáir 2009

Beidh Cruinniú Comhairle Chontae Dhún na nGall ar siúl Dé Luain, 26 Eanáir, 2009, ag **12.00 meán lae in Áras an Chontae, Leifear**

DO GACH BHALL DEN CHOMHAIRLE

A Chara

Iarrtar ort a bheith i láthair ag an chruinniú seo den Chomhairle. Ta Clár an chruinnithe leis seo.

Beidh Clár Orduithe an Bhainisteora Contae le feiceáil ag an gcruinniú.

Mise, le meas

A. MacSuibhne

Riarthóir Cruinnithe(RÚNAI CHONTAE)

DONEGAL COUNTY COUNCIL

Office of Meetings Administrator
County House
Lifford
20th January, 2009

NOTICE OF MEETING

A Meeting of Donegal County Council will be held on Monday 26th January, 2009 at **12.00 noon in the County House, Lifford.**

TO EACH MEMBER OF DONEGAL COUNTY COUNCIL

Dear Councillor

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

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

Yours sincerely

E. Sweeney

Meetings Administrator (County Secretary)

AGENDA

1. Confirmation of Minutes

- a) Confirmation of Minutes of Meeting of Donegal County Council held on the 24th November, 2008. (to be circulated)
- b) Confirmation of Minutes of Adjourned Meeting of Donegal County Council held on the 1st December, 2008. (to be circulated)
- c) Confirmation of Minutes of Special Meeting of Donegal County Council held on the 4th December, 2008. (to be circulated)
- d) Confirmation of Minutes of Meeting of Islands Committee held on the 15th July, 2008.
- e) Confirmation of Minutes of Meeting of Glenties Electoral Area Committee held on the 16th September, 2008.
- f) Confirmation of Minutes of Meeting of Donegal Electoral Area Committee held on the 17th September, 2008.
- g) Confirmation of Minutes of Rural Water Monitoring Committee held on the 1st October, 2008.

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

- a) To approve the carrying out of works with regard to Proposed Construction of 1 No. Slow Sand Filter containing 3 no. beds with ancillary works at the existing Milford Water Treatment Works Site in the townland of Aghanursan, Milford, Co. Donegal as part of the Fanad Regional Water Supply Scheme.
- b) To approve the carrying out of works with regard to Proposed Road Realignment Ballybofey to Fintown Phase 1
- c) To approve the carrying out of essential remedial work to Portsalon Pier, Portsalon.

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

Notice under Section 183 of the Local Government Act, 2001 to dispose of land at Eleven Ballyboes, Greencastle to Mr Daniel McIntyre.

4. Planning and Economic Development

- a) To consider the proposed Draft Bundoran and Environs Development Plan 2010-2016 for public consultation purposes.
- b) To note the report on the application by ESB Networks & Eirgrid to An Bord Pleanála under the Strategic Infrastructure Act, 2006.
- c) Nomination of 2 Directors, Abbey Centre, Ballyshannon

5. Corporate

- a) To adopt amendments to Standing Orders
- b) To resolve pursuant to Section 51(3) of the Local Government Act, 2001 to dissolve the General Purposes Committee.
- c) To note obligation on members under (Part 15) of the Local Government Act, 2001 Ethics Framework to submit a declaration of interest by the 28th February, 2009.
- d) To note obligation on members under the Local Elections (Disclosure of Donations and Expenditure) Act 1999, as amended, to submit a donation statement by the 31st January, 2009.
- e) To approve attendance at the Annual St Patrick's Day celebrations in the USA.

6. Water Environment and Emergency Services

- a) That this Council approve, subject to the sanction of the Minister for Environment, Heritage and Local Government, the raising of a Capital Loan in the amount of €2.6907 million for the purpose of completing the County Donegal Non-Domestic Metering Project and meeting the non-domestic matching funding portion of major projects listed on the Water Services Investment Programme 2007-2009.

- b) That this Council approve, subject to (a) above, the allocation of all non-domestic loans approved to date by the Council in the total sum of €19,119,726 (€9,099,026 + €7,330,000 + €2,690,700) in accordance with the included tables (1 and 2)
- c) That this Council approves, subject to the sanction of the Minister for Environment, Heritage and Local Government, the raising of a capital loan in the amount of €1 Million for the purpose of carrying out capital works associated with the implementation of the Council's Waste Management Plan, as outlined in the 3-Year Capital Programme 2009 - 2011.
- d) Presentation on River Basin District Management Plan.

7. Housing and Building

To adopt Traveller Accommodation Programme 2009-2013.

8. Conferences

Authorisation of representation at a seminar, meeting or event under Section 142 (5) of Local Government Act, 2001 and S.I. No 668 of 2006, Local Government (Expenses of Local Authority Members) Regulations 2006:-

a) **HOME**

- The Institute of Professional Training T/A Kadenza Consultancies Ltd Training Seminar for Councillors “Effective Communications for Councillors” to be held from Friday 30th January to Sunday 1st February, 2009 at the Clonea Strand Hotel, Clonea, Dungarvan, Co. Wexford.
- Association of Municipal Authorities of Ireland Spring Seminar 2009 to be held Friday 13th and Saturday 14th February, 2009 at the Clanree Hotel, Letterkenny.
- Mid West Regional Authority 15th Annual Conference “Ireland’s Water” – What Is The Real Cost? to be held Thursday 19th February and Friday 20th February, 2009 at the Woodlands House Hotel, Adare, Co. Limerick.
- North-South Confederation of Councillors Training Seminar “Review and Reform of Local Government in Ireland, North and South” to be held Friday 20th and Saturday 21st February, 2009 at the Bellingham Castle Hotel, Co. Louth.

- The County Wexford 1916 Trust ‘Women of 1916’ to be held Saturday 21st February, 2009 at the Riverside Park Hotel, Enniscorthy, Co. Wexford.
- Third Sector Forum “Maximising Your Vote Tactics, Strategies and techniques for the 2009 elections” to be held Thursday 26th February and Friday 27th February, 2009 at the Red Cow Moran Hotel, Naas Road, Clondalkin, Dublin 22.
- Disability Federation of Ireland “Count Me In” to be held Tuesday 3rd March, 2009 at the Hilton Dublin Kilmainham, Inchicore Road, Kilmainham, Dublin 8.
- International Local Government Convention Ireland 2009 “Driving Sustainable Job-Creation and Economic Recovery” to be held from Tuesday 3rd March to Friday 6th March, 2009 at the INEC Conference Centre, Killarney.
- Rattoo Heritage Society “17th Annual Kerry Environmental Recognition Conference” to be held from Wednesday 4th March to Sunday 8th March, 2009 at The Golf Hotel, Ballybunnion, County Kerry.
- Infrastructure Ireland 2009 “4th Annual All-Island Infrastructure Investment Conference” to be held Wednesday 11th March and Thursday 12th March, 2009 at The Waterfront Hall, Belfast.

b) **ABROAD**

- NASC Members and Liaison Officers Briefing Programme to be held Wednesday 4th March and Thursday 5th March, 2009 in the Conference Centre at the NASC office in Brussels.
- Island Of Ireland Partnership – Filming of Television Programme from the Menin Gate on the 7th March, 2009.

9. Mayor’s Business

10. Manager’s Report

MOTIONS

- (L) Local
- (C) County

(O) Other

INISHOWEN ELECTORAL AREA

Community, Culture and Enterprise

11. Clr. MacLochlainn

"That Donegal County Council immediately lead up a strategic initiative to maximise the tourism potential of Grianan of Aileach in partnership with the OPW and Duchas and to give An Grianan its place in our national heritage." (L)

Corporate Services

12. Clr. McGuinness

"That this Council discuss the unemployment crisis in the County." (C)

13. Clr. Conaghan

"That Donegal County Council provides an outreach service to South Inishowen now that Manorcunningham is to be included in the Inishowen Electoral Area." (L)

Roads and Transportation

14. Clr. McGonagle

"That the few men employed by Donegal County Council in the Roads Service in the Clonmany area be kept more often in the area than moved to outside areas." (L)

LETTERKENNY ELECTORAL AREA

Roads and Transportation

15. Clr. Harvey

"That this council erect warning signs on Lifford Bridge as a pre warning to motorists that there is a pedestrian crossing ahead (at the hospital)." (L)

Planning and Economic Development

16. Clr. Brogan

"That this council investigate and report back in full to a council meeting on the restrictive practice proposed for site assessments and that this Council confirms that it will accept reports with planning applications from qualified people as this was never approved by Donegal County Council." (C)

Water, Environment and Emergency Services

17. Clr. Larkin

"That this council furnish the Chamber with a full mineral analysis and procedures being used in the change of source of water in Letterkenny, especially focusing on the Bomany and New Mills areas." (L)

DONEGAL ELECTORAL AREA

Community, Culture and Enterprise

18. Clr. Kennedy

"That Donegal County Council give its full support to Donegal Town for its hosting of the last stage of Rally Ireland on 1st Feb 2009." (L)

Housing and Building

19. Clr. O'Neill

"That this Council address the requirement for the urgent provision of Social Housing in Ballyshannon." (L)

20. Clr. McEniff

"That Donegal County Council purchase available apartments in Ballyshannon for Social Housing." (L)

MILFORD ELECTORAL AREA

Water, Environment and Emergency Services

21. Clr. McGarvey

"That Donegal Co Co review the present system of water rates on Community Halls, Church Halls and all such facilities that are being run on a voluntary or semi voluntary basis." (C)

Housing and Building

22. Clr. McBride

"That this council promote turn-key housing developments which in turn will help create much needed employment in our county." (C)

Community, Culture and Enterprise

23. Clr. Blaney

"That this Council officially name the Ramelton Recreation and Amenity Area Project as "The Dave Gallaher Park"." (L)

STRANORLAR ELECTORAL AREA

Roads and Transportation

24.Clr. Reid

"That this Council erect traffic lights at Mc Clays Corner and that this council will under take a review of road signage in the towns of Ballybofey and Stranorlar" (L)

GLENTIES ELECTORAL AREA

Corporate Services

25.Clr. Slowey

"That this County Council discuss the availability of Broadband in Donegal and the contribution of this Local Authority to its provision." (C)

26.Clr. Gallagher

"That this Council resolves to call on the Government to implement a stimulus package focusing on labour intensive public infrastructure such as investment in school buildings, hospitals and transportation programmes;

Reopen credit streams to small enterprises through sources such as the European Investment Bank's 15 billion Small Business Operational Fund, support Irish manufacturers and producers to access more export markets outside of Britain and the US through the promotion of businesses support centre's; Reform County Enterprise Board schemes with increased employment grants, stock grants, cash flow support grants, internal efficiency supports, knowledge development supports, and the removal of matching fund requirement;

To attract Foreign Direct Investment in our renewable energy sector with a specific regional cluster renewable energy policy for the North-West region; Establish a national task force to focus on areas

With manufacturing jobs under threat and to provide proposals to combat such losses within 3 months of its establishment; Reduce the VAT rate by 2% immediately with the overall goal of harmonising the VAT rate across the island; Ensure that no foreclosures take place on properties of people who get into financial difficulties as a result of the economic downturn for the duration of the Guarantee Scheme with the banks which is two years;" (O)

27.Clr. Alcorn

"That Donegal Co Co discuss the Voting Register of Electors, with a view of having all names printed in alphabetical order." (C)

Water, Environment and Emergency Services

28. Clr. Kelly

"That Donegal County Council endeavours to meet fully the recycling and environment targets set out by the Donegal Waste Management Plan, by National Government, and by EU directives and retain the staff necessary to achieve these targets." (C)

QUESTIONS

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

INISHOWEN ELECTORAL AREA

Roads and Transportation

29. Clr. MacLochlainn

"What progress has been made in delivering safe pedestrian crossings in the village of Muff?" (L)

30. Clr. Conaghan

"Can the Council provide public lighting at Inch Pier?" (L)

31. Clr. McGonagle

"Will the Council continue their policy on drainage due to the inclement weather?" (C)

Community, Culture and Enterprise

32. Clr. MacLochlainn

"When will a dedicated council officer be appointed to manage the development of council land at Rockytown, Buncrana in partnership with the local community groups?" (L)

33. Clr. McGuinness

"Will the Council convene a meeting with all relevant bodies North and South of the Border to support the future of the Greencastle/Magilligan Car Ferry?" (L)

34. Clr. Conaghan

"What assistance can be given to the provision of a library for the Newtowncunningham area?" (L)

Corporate Services

35. Clr. McGuinness

"Will the Council circulate a new internal directory to members?"
(C)

Water, Environment and Emergency Services

36. Clr. McGonagle

"When will Malin Sewerage Scheme be operational?" (L)

LETTERKENNY ELECTORAL AREA

Roads and Transportation

37. Clr. Harvey

"Will this council follow through on its commitments to transfer a plot of land to an individual in Ballylast, Castlefin, on the transfer of land under section 183 of the Local Government Act 2001?" (L)

Water, Environment and Emergency Services

38. Clr. Brogan

"When will works start on sewage problems at Ballyraine that have been causing the road to be flooding and closed to traffic in the last year and ensuring that all damaged caused will be repaired immediately?" (L)

Roads and Transportation

39. Clr. Brogan

"Can this council have an up to date report on what progress has been made on Phase 3 of the N56 Mountaintop to Termon from Bluebanks to Kimacrennan?" (L)

40. Clr. Larkin

"Will the council include the funding for a pedestrian crossing at the Aura Letterkenny Regional Sports Centre in the DCS budget for the Letterkenny Area?" (L)

Water, Environment and Emergency Services

41. Clr. Larkin

"Will this council open talks with Letterkenny Town Council about that Local Authority running the new Civic Amenity Site in Letterkenny?" (L)

DONEGAL ELECTORAL AREA

Water, Environment and Emergency Services

42. Clr. Kennedy

"Why is the Fire Service not responding to 999 calls made when a persons property is being flooded?" (C)

43. Clr. Kennedy

"Why is the Fire Service not being turned out to RTA's (Road Traffic Accidents) when the Ambulance Service has been called in line with most Fire services throughout the Country?" (C)

Roads and Transportation

44. Clr. Byrne

"Can this council apply to Roinn Na Gaeltachta for matching funds for Carrick Street in addition to the 100,000 earmarked in the restoration grants 2009?" (L)

45. Clr. Byrne

"Can this council now make arrangements to remove the fallen rock at Doonalt, Glencolumcille on the R263 as priority?" (L)

46. Clr. O' Neill

"Will this Council ask the NRDO to immediately review the situation regarding the lack of directional signage for Ballyshannon, along the Ballyshannon/Bundoran By-Pass. At several junctions there are No Signs indicating Ballyshannon?" (L)

47. Clr. O' Neill

"What is the up to date position regarding the Proposed New Car Park for Ballyshannon Town Centre?" (L)

48. Clr. McEniff

"What is the up to date position re Lennox's Bridge on the Bundoran - Kinlough Road?" (L)

Housing and Building

49. Clr. McEniff

"Can a solid fuel range instead of an oil fired one be installed in S.I. 6228 currently under construction at Laghey Barr?" (L)

MILFORD ELECTORAL AREA

Water, Environment and Emergency Services

50. Clr. McGarvey

"What was the cost of all services to this Council that were provided from outside this jurisdiction?" (C)

51. Clr. McGarvey

"When will the obsolete Sewerage Treatment Plant in Kilmacrennan problems be dealt with as it is causing serious problems with pollution and is affecting adjacent property?" (L)

52. Clr. McBride

"What is the up to date situation regarding the funding application for the upgrade of the Churchill water project?" (L)

Planning and Economic Development

53. Clr. McBride

"How much has been collected in development charges in the Milford Electoral area in the last 5 years, where has the money been spent, and how much is outstanding?" (L)

STRANORLAR ELECTORAL AREA

Roads and Transportation

54. Clr. Reid

"In view of the recent decisions regarding the Twin Towns Bypass, have the council any plans to undertake a review of the traffic management in the Ballybofey - Stranorlar area?" (L)

GLENTIES ELECTORAL AREA

Corporate Services

55. Clr. Slowey

"How much money is outstanding at the end of 2008 to Donegal County Council under the Non Domestic Water Metering Project. The total amount outstanding at the end of 2008 and the outstanding amounts per Electoral Area please?" (C)

56. Clr. Alcorn

"When will powers be delegated to the various Area Managers dealing with Water Charges, to have write offs done when there is genuine error in accounts?" (C)

Roads and Transportation

57. Clr. Slowey

"Can Donegal County Council maintain the full staff compliment at the National Roads Design Office in Donegal Town in 2009 so as to allow this Council progress N.R.A. projects in Donegal into the future?" (C)

Housing and Building

58. Clr. Kelly

"Does this County Council intend to introduce the Local Authority Mortgage with the support of the Affordable Home Partnership which was made available since November 2008 to first time buyers under the Government Equity Initiative?" (C)

59. Clr. Kelly

"In light of the recent turmoil in Mortgages and the undisclosed number of repossessions by the banks, what percentage and number of Donegal County Council's clients in the various housing schemes are in arrears to the end of 2008?" (C)

Water, Environment and Emergency Services

60. Clr. Alcorn

"How does Donegal County Council intend to continue the most essential work of Litter Wardens in the various areas of this County in 2009?" (C)

61. **MOTIONS FROM OTHER COUNCILS**

Laois County Council

"That as a consequence of the sharp fall in house prices and difficulties obtaining credit, the members of this Council are calling on the Minister for the Environment and Local Government to bring forward a new scheme of affordable housing. The present scheme is no longer affordable for many people who should be able to use it to purchase a home".

Limerick County Council

"That, Limerick County Council call on the Minister for Education and Science not to introduce Third Level Fees for students and that we call on the Taoiseach to replace the Minister for Education following his refusal to reverse budget cutbacks in education, and that this motion be circulated to every local authority in the country.

Macroom Town Council

“ That Macroom Town Council call on the Government to reverse the education cut-backs as outlined in the Budget in view of the adverse effect it will have on teachers, parents and students alike

Tralee Town Council

“That Tralee Town Council would request that the Minister for Health introduce a 24 hour 7 day social work service nationwide as soon as possible in line with the recommendations of the Committee of the United Nations Convention on the Rights of the Child”.

**MINUTES OF MEETING OF DONEGAL COUNTY COUNCIL, HELD
IN THE COUNTY HOUSE, LIFFORD ON 26th JANUARY 2009**

C/15/09

MEMBERS PRESENT

Clrs. G. Crawford, Mayor, D. Alcorn, L. Blaney, A. Bonner, E. Bonner, J. Boyle, C. Brogan, B. Byrne, F. Conaghan, P. Doherty, R. Donaghey, M.T Gallagher, J. Harte, C. Harvey, J. Kelly, J. Kennedy, D. Larkin, N. Mc Bride, M. Mc Donald, S. Mc Eniff, I. McGarvey, D. Mc Gonagle, P. Mc Gowan, B. Mc Guinness, P. Mac Lochlainn, B. O' Neill, T. Pringle, G. Reid, T. Slowey

C/16/09

OFFICIALS IN ATTENDANCE

Mr. Michael McLoone, County Manager, Mr. L. Kelly, Assistant County Manager, Director of Housing, Mr. Francie Coyle, Director of Planning and Economic Development, Mr. Sean Sheridan, Director Corporate Services, Mr. John Mc Laughlin, Director Roads and Transportation, Mr. Aidan Mc Nicholas, Head of Finance, Mr. Michael Heaney, Director Community Culture and Enterprise, Mr. Seamus Neely, Director Water, Environment and Emergency Services, Mr. Brian Boyle, Head of Information Systems, Mr. Liam Ward, Senior Executive Officer, Ms Helena O' Toole, Senior Planner, Mr. Gerry Richards, Senior Planner, Mr. James Boyle, Senior Engineer, Mr Michael Mc Garvey, Senior Engineer, Mr. Gary Martin, Senior Executive Officer, Mr. Simon Harron, Executive Planner, Mr. Joe Peoples A/Meetings Administrator, Ms. Anne Marie Crawford, Staff Officer, Corporate Services.

C/17/09

**CONFIRMATION OF MINUTES OF MEETING OF
DONEGAL COUNTY COUNCIL HELD ON 24th
NOVEMBER, 2008**

On the proposal of Clr. Larkin, seconded by Clr. Byrne, the Minutes of the Meeting of Donegal County Council held on the 24th November 2008, were adopted.

- C/18/09 CONFIRMATION OF MINUTES OF ADJOURNED MEETING OF DONEGAL COUNTY COUNCIL HELD ON 1st DECEMBER 2008
On the proposal of Clr. McGarvey, seconded by Clr. Byrne, the Minutes of the Adjourned Meeting of Donegal County Council held on the 1st December 2008, were adopted.
- C/19/09 CONFIRMATION OF MINUTES OF SPECIAL MEETING OF DONEGAL COUNTY COUNCIL HELD ON 4th DECEMBER 2008
On the proposal of Clr. Larkin, seconded by Clr. Mc Garvey, the Minutes of the Adjourned Meeting of Donegal County Council held on the 4th December 2008, were adopted.
- C/20/09 CONFIRMATION OF MINUTES OF MEETING OF ISLANDS COMMITTEE HELD ON 15th JULY 2008
On the proposal of Clr. Mc Garvey, seconded by Clr. Larkin, the Minutes of the Meeting of the Islands Committee held on 15th July, 2008 were adopted.
- C/21/09 CONFIRMATION OF MINUTES OF MEETING OF GLENTIES ELECTORAL AREA COMMITTEE HELD ON 16th SEPTEMBER 2008
On the proposal of Clr. Slowey, seconded by Clr. Byrne, the Minutes of the Meeting of the Glenties Electoral Area Committee held on 16th September, 2008 were adopted.
- C/22/09 CONFIRMATION OF MINUTES OF MEETING OF DONEGAL ELECTORAL AREA COMMITTEE HELD ON 17th SEPTEMBER 2008
On the proposal of Clr. Mc Eniff, seconded by Clr. Byrne, the Minutes of the Meeting of the Donegal Electoral Area Committee held on 17th September, 2008 were adopted.
- C/23/09 CONFIRMATION OF MINUTES OF MEETING OF RURAL WATER MONITORING COMMITTEE HELD ON 1st OCTOBER, 2008
On the proposal of Clr. Larkin, seconded by Clr. Byrne, the Minutes of the Meeting of the Rural Water Monitoring Committee held on 1st October, 2008 were adopted, subject to further clarification by the Director of Service in relation to the accuracy of Minute 08/40(ii).

C/24/09 TAKING OF DECISION WITH REGARD TO PROPOSED CONSTRUCTION OF 1 NO SLOW SAND FILTER CONTAINING 3 NO. BEDS WITH ANCILLARY WORKS AT THE EXISTING MILFORD WATER TREATMENT WORKS SITE IN THE TOWNLAND OF AGHANURSAN, MILFORD, CO. DONEGAL.

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

On the proposal of Clr. Mc Garvey, seconded by Clr. Larkin, the carrying out of works under Part XI of the Planning & Development Act, 2000 and Part 8 of the Planning & Development Regulations 2001, with regard to the construction of 1 No Slow Sand Filter containing 3 No. Beds with Ancillary Works at the Milford Water Treatment Works Site was approved.

C/25/09 TAKING OF DECISION WITH REGARD TO PROPOSED ROAD REALIGNMENT - BALLYBOFEY TO FINTOWN PHASE 1

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

On the proposal of Clr. Crawford, seconded by Clr. Slowey, the carrying out of works under Part XI of the Planning & Development Act, 2000 and Part 8 of the Planning & Development Regulations 2001, with regard to the proposed Road Realignment – Ballybofey to Fintown Phase 1 was approved.

C/26/09 TAKING OF DECISION WITH REGARD TO THE CARRYING OUT OF ESSENTIAL REMEDIAL WORK TO PORTSALON PIER

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

On the proposal of Clr. Larkin, seconded by Clr. Mc Garvey, 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 Portsalon Pier was approved.

C/27/09

DISPOSAL OF LAND AT ELEVEN BALLYBOES
GREENCASTLE ,TO MR DAVID MCINTYRE
DRUMAWEIR, GREENCASTLE

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

On the proposal of Clr. Mc Gonagle, seconded by Clr. Byrne, it was resolved to transfer a plot of land at Eleven Ballyboes, Greencastle to Mr. David Mc Intyre, in accordance with Section 211 of the Planning & Development Act, 2000 and Section 183 of the Local Government Act, 2001.

C/28/09

TO CONSIDER THE PROPOSED DRAFT BUNDORAN
AND ENVIRONS DEVELOPMENT PLAN 2010 – 2016
FOR PUBLIC CONSULTATION PURPOSES

On the proposal of Clr. Mc Eniff, seconded by Clr. O' Neill , it was resolved to publish the Draft Bundoran and Environs Development Plan and Environmental Report in accordance with the Planning and Development Acts 2000 – 2006.

C/29/09

TO NOTE REPORT ON APPLICATION BY ESB
NETWORKS & EIRGRID TO AN BORD PLEANALA
UNDER THE STRATEGIC INFRASTRUCTURE ACT,
2006

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

Clr. Slowey advised that the proposed development of the 110kv overhead line would have specific implications for infrastructural development in the county. The level of security in place in the event of damage to public roads he noted was insufficient. The Security Deposit/ Bond required by the Council should now he affirmed be raised to between one and two million euro.

Concern was expressed in relation to the status of the planning permissions granted within the 110kv Route Corridor.

C/30/09

NOMINATION OF TWO DIRECTORS – ABBEY
CENTRE BALLYSHANNON

Members considered the report, circulated with the agenda, in relation to the above. On the proposal of Clr. O' Neill, seconded by Clr. Mc Eniff, it was resolved to appoint Mrs. Valentine O' Kelly and Mr. Diarmuid Keon as Directors to the Abbey Centre Management Company Ltd. Members advised that Donegal County Council should have some form of representation on the Board of Directors. F. Coyle advised that the Council has already agreed to confine the membership to six Directors with financial, business, marketing and artistic backgrounds/skills and he requested that the matter be deferred. On the proposal of Clr. Mc Guinness, seconded by Clr. Mc Eniff, Clr. Barry O' Neill was selected as the third nominee. Mr. Francie Coyle, Director of Service agreed to check whether or not a third nomination could be accommodated, and revert to members in due course.

C/31/09

TO ADOPT AMENDMENTS TO STANDING ORDERS

Members considered the report, circulated with the agenda, in relation to the above. Mr. Joe Peoples, A/Meetings Administrator drew members attention to Standing Order No. 94, noting that on advice from the Council Solicitor it was now recommended that it be revoked. On the proposal of Clr. Conaghan, seconded by Clr. Larkin, it was resolved to adopt the amendments to Standing Orders as per the request and to revoke Standing Order 94.

C/32/09

TO RESOLVE PURSUANT TO SECTION 51(3) OF THE
LOCAL GOVERNMENT ACT, 2001 TO DISSOLVE THE
GENERAL PURPOSES COMMITTEE

On the proposal of Clr. Conaghan, seconded by Clr. Byrne it was resolved to dissolve the General Purposes Committee pursuant to Section 51(3) of the Local Government, Act 2001.

C/33/09

TO NOTE OBLIGATION ON MEMBERS UNDER (PART
15) OF THE LOCAL GOVERNMENT ACT, 2001 ETHICS
FRAMEWORK.

Mr. Joe Peoples, A/Meetings Administrator reminded members of their obligation to submit a declaration of interest by the 28th February, 2009.

C/34/09 TO NOTE OBLIGATION ON MEMBERS UNDER LOCAL ELECTIONS(DISCLOSURE OF DONATIONS AND EXPENDITURE) ACT 1999 AS AMENDED, TO SUBMIT A DONATION STATEMENT BY THE 31ST JANUARY 2009.

Mr. Joe Peoples, A/Meetings Administrator reminded members of their obligation to submit a donation statement by the 31st, January 2009.

C/35/09 TO APPROVE ATTENDANCE AT THE ANNUAL ST PATRICKS'S DAY CELEBRATIONS IN THE USA

On the proposal of Clr. Conaghan, seconded by Clr. Mc Eniff, it was agreed that the Mayor, Deputy Mayor, (or their nominees) and an official to be nominated by the County Manager should represent Donegal County Council at the St Patrick's Day celebrations in the USA.

C/36/09 THAT THIS COUNCIL APPROVE, SUBJECT TO THE SANCTION OF THE MINISTER FOR THE ENVIRONMENT, HERITAGE AND LOCAL GOVERNMENT THE RAISING OF A CAPITAL LOAN IN THE AMOUNT OF €2.6907 MILLION FOR THE PURPOSE OF COMPLETING THE COUNTY DONEGAL NON-DOMESTIC METERING PROJECT AND MEETING THE NON DOMESTIC MATCHING FUNDING PORTION OF MAJOR PROJECTS LISTED ON THE WATER SERVICES INVESTMENT PROGRAMME 2007 – 2009

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

A number of issues were raised namely:

- That the raising of this loan represented an overrun on the overall cost of the project.
- Concern in relation to the value for money aspect of the programme.
- Request for a review of the standing charge for water supplied to the Non – Domestic Sector.
- Need for review of the meter reading process.

- How Standing Charges in Donegal compared with those in other Local Authorities.

The Director of Water, Environment and Emergency Services clarified that approval was being sought to regularise funding for the capital code and elicit approval from the Department prior to the capital loan being drawn down. €1,785,700 million of the €2.6million requested was he noted required to co-fund schemes already in operation. He stressed that monies were not being sought because of an overrun in the programme but rather to finance an extension to the contract to allow for additional metering in Group Water Schemes.

The County Manager reminded members that much work had been done on the projects outlined in Table 1 of the report and monies expended to date had been carried on overdraft. Thus there was he advised a necessity now to go to the Department and seek approval for the raising of a capital loan.

The overall position which was set out in the 2009 Budget is that it will cost in excess of €1million to provide water services to the Non – Domestic Sector and the charges being proposed would result in an income of €million, a shortfall of €million.

In order to continue to maintain the provision of the services it is crucial that the Council realises this income and in that context any reduction in the Standing Charge would need a corresponding increase in the volumetric charge.

He noted that it had been agreed previously to review hardship cases on a case by case basis.

On the proposal of Clr. Mc Eniff, seconded by Clr. Mc Garvey the raising of a capital loan in the amount of €2,690,700 for the purpose of completing the County Donegal Non-Domestic Metering Project and meeting the Non-Domestic matching funding portion of major projects listed on the Water Services Investment Programme 2007 – 2009 was approved.

C/37/09

THAT THIS COUNCIL APPROVE, SUBJECT TO THE ABOVE, THE ALLOCATION OF ALL NON-DOMESTIC LOANS APPROVED TO DATE BY THE COUNCIL IN THE TOTAL SUM OF €19,119,726 (€9,099,026

+€7,330,000 + €2,690,700) IN ACCORDANCE WITH THE INCLUDED TABLES (1 & 2)

On the proposal of Clr. Conaghan, seconded by Clr. Slowey the allocation of all non-domestic loans approved to date by the Council in the total sum of €19,119,726 (€9,099,026 + €7,330,000 + €2,690,700) in accordance with the included tables (1 & 2) was approved.

C/38/09

THAT THIS COUNCIL APPROVE, SUBJECT TO THE SANCTION OF THE MINISTER FOR THE ENVIRONMENT , HERITAGE AND LOCAL GOVERNMENT THE RAISING OF A CAPITAL LOAN IN THE AMOUNT OF €1 MILLION FOR THE PURPOSE OF CARRYING OUT CAPITAL WORKS ASSOCIATED WITH THE IMPLEMENTATION OF THE COUNCIL'S WASTE MANAGEMENT PLAN, AS OUTLINED IN THE THREE YEAR CAPITAL PROGRAMME 2009-2011

On the proposal of Clr. Conaghan , seconded by Clr Larkin it was resolved to approve subject to the sanction of the Minister for the Environment, Heritage and Local Government the raising of a capital loan in the amount of €1 million for the purpose of carrying out capital works associated with the implementation of the Council's Waste Management Plan, as outlined in the 3 -Year Capital Programme 2009-2011.

It was agreed that the Director of Water, Environment and Emergency Services would come back to members with specific information on the financial provision for Civic Amenity Sites in the county in the 2009 Budget.

C/39/09

PRESENTATION ON RIVER BASIN DISTRICT MANAGEMENT PLAN.

The Mayor welcomed Mr. Donal Casey, Senior Chemist and Ms Grace Glasgow, R.P.S to the meeting.

Addressing members Mr. Casey advised that the driving force behind the Draft River Basin Management Plan was the Water Framework Directive which came into effect on the 22nd December 2000. This he noted advocated a sustainable programme of management for all rivers, canals, lakes reservoirs, coastal and transitional waters in the region. The aim he advised was to promote good water quality for future generations. Part of this initiative involved the roll out of River Basin Management Plans with the North Western

RBMP due for adoption in October 2009. The Draft North Western RBMP had been published in December 2008 with emphasis on a number of key objectives.

It was acknowledged that there were specific issues affecting Donegal particularly in relation to rural housing, the establishment of protected areas including Margratifera, the development of Waste Water Treatment for towns and villages, the progression of forestry development and ongoing management of same.

In conclusion, Mr. Casey outlined the timeframe for the adoption of the River Basin Management Plan together with details of the Stakeholder Consultation Process.

Members thanked Mr. Casey and Ms Glasgow for a most informative presentation. It was acknowledged that the implementation of the plan would have widespread implications for the entire planning process and in particular the development of one-off housing. They proceeded to outline specific examples in their respective electoral areas, highlighting the need to make adequate provision for water and sewerage services, together with the development of proper drainage systems in all future development.

Concern was expressed that a number of environmental issues and the whole area of amenity provision could possibly be curtailed by the implementation of the Water Framework Directive.

Issues such as crossborder co-operation and the difficulties with the transborder transportation and treatment of waste were also highlighted.

Members welcomed the informative and detailed presentation.

C/40/09

ADOPTION OF TRAVELLER ACCOMMODATION
PROGRAMME 2009 – 2013

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

On the proposal of Clr. Larkin, seconded by Clr. Conaghan, it was resolved that the Traveller Accommodation Programme 2009 – 2013 be referred back to the Local

Traveller Accommodation Consultative Committee for consideration before reverting to the full Council.

C/41/09

CONFERENCE ATTENDANCE

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. Conaghan, seconded by Clr. Alcorn, 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.
- The Institute of Professional Training T/A Kadenza Consultancies Ltd Training Seminar for Councillors “Effective Communications for Councillors” to be held from Friday 30th January to Sunday 1st February, 2009 at the Clonea Strand Hotel, Clonea, Dungarvan, Co. Wexford.
 - Association of Municipal Authorities of Ireland Spring Seminar 2009 to be held Friday 13th and Saturday 14th February, 2009 at the Clanree Hotel, Letterkenny.
 - Mid West Regional Authority 15th Annual Conference “Ireland’s Water” – What Is The Real Cost? to be held Thursday 19th February and Friday 20th February, 2009 at the Woodlands House Hotel, Adare, Co. Limerick.
 - North-South Confederation of Councillors Training Seminar “Review and Reform of Local Government in Ireland, North and South” to be held Friday 20th and Saturday 21st February, 2009 at the Bellingham Castle Hotel, Co. Louth.

- The County Wexford 1916 Trust ‘Women of 1916’ to be held Saturday 21st February, 2009 at the Riverside Park Hotel, Enniscorthy, Co. Wexford.
- Third Sector Forum “Maximising Your Vote Tactics, Strategies and techniques for the 2009 elections” to be held Thursday 26th February and Friday 27th February, 2009 at the Red Cow Moran Hotel, Naas Road, Clondalkin, Dublin 22.
- Disability Federation of Ireland “Count Me In” to be held Tuesday 3rd March, 2009 at the Hilton Dublin Kilmainham, Inchicore Road, Kilmainham, Dublin 8.
- International Local Government Convention Ireland 2009 “Driving Sustainable Job-Creation and Economic Recovery” to be held from Tuesday 3rd March to Friday 6th March, 2009 at the INEC Conference Centre, Killarney.
- Rattoo Heritage Society “17th Annual Kerry Environmental Recognition Conference” to be held from Wednesday 4th March to Sunday 8th March, 2009 at The Golf Hotel, Ballybunnion, County Kerry.
- Infrastructure Ireland 2009 “ 4th Annual All-Island Infrastructure Investment Conference” to be held Wednesday 11th March and Thursday 12th March, 2009 at The Waterfront Hall, Belfast.

On the proposal of Clr. Mc Gowan, seconded by Clr. Byrne, attendance at the following conference was also approved:-

“Information and Communication Technologies for Councillors” at the Glendalough Hotel, Glendalough, Co Wicklow from Friday 6th February to Sunday 8th February 2009.

On the proposal of Clr. Mc Eniff, seconded by Clr. Alcorn, it was resolved that two no. members to be selected by lot could attend the following conferences.

- NASC Members and Liaison Officers Briefing Programme to be held Wednesday 4th March and Thursday 5th March, 2009 in the Conference Centre at the NASC office in Brussels.

- Island Of Ireland Partnership – Filming of Television Programme from the Menin Gate on the 7th March, 2009.

C/42/09

ADJOURNMENT OF MEETING FOR LUNCH

On the proposal of Clr. Larkin, seconded by Clr. Mc Garvey, it was resolved to adjourn the meeting to 2.45pm.

C/43/09

MAYOR'S BUSINESS

Votes of Sympathy

Clr. Mc Garvey on the death of his brother, Norman Mc Garvey.

Clr. Alcorn on the death of his uncle.

Olive Gillespie on the death of her mother Sarah Jane Goudie.

Majella Tunney on the death of her mother Kati Toner.

Lifford Army Barracks

The Mayor noted that the winding down of the army base in Lifford would get underway on Tuesday 27th January, 2009 with the members of the 28th Infantry Battalion A Company vacating Lifford Barracks. Army Personnel had he noted over the years contributed significantly to the economic and social development of the area. The building vacated by the army was he noted a valuable asset and one which should be utilised as soon as possible.

There was a possibility he noted that the premises could be used by the Gardai as part of the rural policing initiative.

He asked also that Donegal County Council make contact with the Department of Defence in relation to the utilisation of the vacant buildings and that a report on the matter be brought to a future meeting of the Council.

Tullyowen Junction –R265

The Mayor expressed concern in relation to the state of the road in the vicinity of the junction. He asked that a breakdown of the total amount spent to date on the project be

provided. He asked that a report on the matter be provided for the next Council Meeting.

Butt Hall Project

Congratulations was extended to the Butt Hall Committee on winning the Best Arts Building Category at the recent LAMA Awards.

Donegal GAA Team

Congratulations was extended to the Donegal GAA Team on winning the Mc Kenna Cup.

Best Wishes

Best wishes were extended to Paul Gallagher. Members wished him a speedy recovery from his recent accident.

Congratulations was also extended to Clr. Kennedy and his wife Stephanie on the birth of their baby son.

C/44/09

COUNTY MANAGER'S REPORT

The County Manager outlined for members the main aspects of his report.

C/45/09

MAXIMISING TOURISM POTENTIAL OF GRIANAN OF AILEACH

On the proposal of Clr. McLochlainn, seconded by Clr. McGonagle, the following motion was adopted:-

"That Donegal County Council immediately lead up a strategic initiative to maximise the tourism potential of Grianan of Aileach in partnership with the OPW and Duchas and to give An Grianan its place in our national heritage."

Members were informed that:-

“Donegal County Council have previously had discussions with the Office of Public Works with regard to tourism development in this area and the importance that Grianan of Aileach has as a major attractor for the area. The Council will continue to pursue a partnership approach to identify opportunities for this area. This can be done in the context of an existing working group looking at opportunities for development in the context of the adjacent Inch Levels.

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 Office of Public Works has plans to redesign the entrance gate from the car park to Grianan of Aileach to improve disabled access to the site. This work is planned for 2009.

A proposal has gone forward from the Office of Public Works for National Monuments (such as Grianan of Aileach) which are not staffed but are considered accessible to be included in the main 'Heritage Sites of Ireland' guide for 2009-2010. Information included in the guide would include a photograph, brief historical overview and description of National Monument, and access advice.

The National Monuments Service of the Department of the Environment, Heritage & Local Government is hoping to get an academic article on Grianan of Aileach published in one of the archaeology journals. It is also in discussions with 'Archaeology Ireland' magazine to produce an information booklet insert in one of its magazines. The information booklet could also be printed separately and distributed locally."

Clr. MacLochlainn welcomed the reply and requested that Dr Joe Gallagher, Heritage Officer follow up on the various strategies outlined in the reply.

C/46/09

UNEMPLOYMENT CRISIS IN THE COUNTY

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

"That this Council discuss the unemployment crisis in the County."

Members were informed that:-

"In December 2008, there were 15,264 persons signing on the Live Register in County Donegal and this represented an increase of 6,157 persons (or 68% increase) from December 2007. The largest annual increase in the numbers signing on was in the Ballybofey Local Office (111%), Buncrana

Local Office (93.2%); Ballyshannon Local Office (66.9%) and the Donegal Town Local Office (69.4%). (See Table 7 attached document). In December 2008 there were 3,796 persons under 25 years of ages on the Live Register and 11,468 persons over 25 years of age.

It is important to note that the Live Register is not designed specifically to measure unemployment (i.e. it includes part-time workers, seasonal and casual workers entitled to Jobseekers Benefit or Allowance). However, in the absence of more timely data it is a useful indicator of the decline in economic activity within the county.

The Census 2006 provides the most comparable data on economic activity at national, regional, county and subcounty level. It highlights that the Unemployment Rate for County in 2006 (@12.9%) was the highest rate for all counties in State and the second highest out of all the 39 Local Authorities within the State (after Limerick City). (See Table 10 & Table 11 attached Vide Appendix 1).

Finally, disaggregating the numbers at work (56,670 persons in 2006) by broad industrial sector would indicate that most important sectors in employment terms for County Donegal in 2006 are also those that have been the hardest hit by the current downturn in activity. These were in the Construction Sector (14.3% of the workforce), the Wholesale and Retail Trade Sector (13.6% of the workforce) and Health & Social Work Sector (12% of the workforce).”

It was agreed on the proposal of Clr. M.T. Gallagher, seconded by Clr. Harvey that the following motion in the name of M.T. Gallagher be taken together with Clr. McGuinness’s motion:-

"That this Council resolves to call on the Government to implement a stimulus package focusing on labour intensive public infrastructure such as investment in school buildings, hospitals and transportation programmes;

Reopen credit streams to small enterprises through sources such as the European Investment Bank's 15billion Small Business Operational

Fund, support Irish manufacturers and producers to access more export markets outside of Britain and the US through the promotion of businesses support centre's; Reform County Enterprise Board schemes with increased employment grants, stock grants, cash flow support grants, internal efficiency supports, knowledge development supports, and the removal of matching fund requirement;

To attract Foreign Direct Investment in our renewable energy sector with a specific regional cluster renewable energy policy for the North-West region; Establish a national task force to focus on areas With manufacturing jobs under threat and to provide proposals to combat such losses within 3 months of its establishment; Reduce the VAT rate by 2% immediately with the overall goal of harmonising the VAT rate across the island; Ensure that no foreclosures take place on properties of people who get into financial difficulties as a result of the economic downturn for the duration of the Guarantee Scheme with the banks which is two years.”

It was generally agreed that the unemployment situation in the county had reached crisis point and now necessitated a collective approach by all of the agencies involved. A lengthy debate ensued with members stressing the need for clear and concise action together with the introduction of a range of specific measures to tackle the problems at ground level.

A range of initiatives were discussed including:-

- Provision by the Banking System of a Fund Aid Package for small businesses.
- Development of adequate support mechanisms for the small business sector.
- Initiation of Retraining and Up-Skilling packages by FAS and the Institutes of Technology.

- Widespread promotion of the Tourism Project.
- An analysis of the Value for Money aspect of goods and services provided within the county.
- Maximisation of our natural resources and the active promotion of Green Energy Initiatives.
- Continued promotion of entrepreneurship in the county.
- Active promotion on the benefits of living and working in Donegal.
- Harmonisation of the Tax and VAT rates to stimulate the local economy.

Responding to members concerns the County Manager advised that each Directorate within the Council was reviewing the matter but that budgetary constraints would impact on the provision of goods and services over the coming year. Measures to reform the Public service would he noted also impact on the situation. He reminded those present that one of the major objectives of Budget 2009 had been the need to create specific support strategies for the promotion of sustainable jobs.

Clr. Conaghan, in his capacity as Chair of the C.D.B., advised that a Special Meeting of the County Development Board would take place shortly at which the ongoing unemployment crisis and a range of items relevant to job creation would be discussed. All Members were welcome to attend. It was agreed to include the "Unemployment Crisis" as a regular feature on future agendas.

C/47/09

WARNING SIGNS – LIFFORD BRIDGE RE:
PEDESTRIAN CROSSING

On the proposal of Clr. Harvey, seconded by Clr. Crawford, the following motion was adopted:-

"That this council erect warning signs on Lifford Bridge as a pre warning to motorist that there is a pedestrian crossing ahead (at the hospital)."

Members were informed that:-

“The cross border HEART project and Disability Funding provided funding for enhancements at Lifford Roundabout the Pedestrian Crossing at Lifford Hospital. The lights were installed before Christmas 2008. Appropriate advance warning signage shall be erected as part of the completion works for the project.”

C/48/09 HOSTING OF LAST STAGE OF RALLY IRELAND 1ST FEBRUARY 2009

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

"That Donegal County Council give its full support to Donegal Town for it's hosting of the last stage of Rally Ireland 1st Feb 2009."

Members were informed that:-

“Donegal County Council have, through a combination of Peace II funds in late 2008, to a value of some €50,000 and through the Development Fund Initiative funds for 2009, as agreed by the local area committee, to a value of some €20,000, provided direct financial support to the hosting of the Rally Ireland Event in Donegal Town on 1st February 2009. The Donegal Electoral members are also providing additional support through their Members Development Funds.

In addition to this, various Council services, and with particular reference to the Roads Directorate, are assisting with logistical arrangements including the putting in place of barriers, general clean ups etc to ensure the safe running of the event.”

Clr. Kennedy thanked the management and staff of Donegal County Council for their support. The staging of the event would he noted provide priceless advertising for the county and promote tourism development in the county.

C/49/09 ADJOURNED COUNCIL MEETING

On the proposal of Clr. Conaghan, seconded by Clr. E. Bonner, it was resolved to adjourn the remainder of the business to 10.00am on Monday, 9th February, 2009.

