

COMHAIRLE CHONTAE DHUN NA nGALL

Oifig Riarthóir na
gCruinnithe
Áras na Chontae
Leifear

De Mairt 8 Feabhra 2004

FOGRA CRUINNITHE

Beidh Cruinniú Comhairle Chontae Dhún na nGall, a bhí ar athró ó 31 Eanáir 2005 ag dul ar aghaidh Dé Luain, 14 Feabra 2005, ag **09.30 ag Arás an Chontae, Leifear**

DO GACH BHALL DEN CHOMHAIRLE

A Chara

Iarrtar ort bheith i lathair ag an gcruinniú seo den Chomhairle. Ta Clar an Cruinnithe le seo.

Beidh Clar Orduithe an Bhainisteora Contae le feiceal ag an gcruinniú.

Mise, le meas

A. MacSuibhne
Riarthóir Cruinniú (RÚNAI CONTAE)

DONEGAL COUNTY COUNCIL

Office of
Meetings
Administrator
County House
Lifford

08th February, 2005

NOTICE OF MEETING

The Meeting of Donegal County Council, adjourned from 31st January, 2005 will be held on Monday 14th February, 2005, at 09.30am, 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.

Yours sincerely

E. Sweeney
Meetings Administrator

(PLEASE NOTE THAT ITEMS HAVE RETAINED THEIR ORIGINAL AGENDA NUMBERS SO AS TO CORRESPOND WITH REPORTS ALREADY ISSUED FOR THE JANUARY MEETING)

AGENDA

4. **Taking of decision pursuant to Planning & Development Act, 2000 (Part XI), and Planning & Development Regulations, 2001 (Part 8).**
 - (b) To approve the carrying out of works with regard to 2 no. houses at Greencastle

8. **Roads Programme**
 - (a) To adopt the Marine Programme of Works, 2005
 - (b) To adopt the Winter Maintenance Policy
 - (c) To adopt Updated Priority List for Coastal Protection 2003-2006.

9. **Housing Programme**

To adopt the Draft Traveller Accommodation Programme 2005-2008, subject to recommendations set out in the Manager's Report.

11. **Conferences**
 - (e) NASC-European Briefing Programme to be held in Conference Centre at the NASC Office, Brussels on 2nd –3rd March, 2005.

12. ***Cathaoirleach's Business***

13. ***Manager's Report***

MOTIONS

(C) County

- (L) Local
- (O) Other

DONEGAL ELECTORAL AREA

Water, Environment & Emergency Services

14. Clr. Byrne
“That this Council prioritise plans to improve the Glencolumbkille Fire Station in line with similar improvements to Fire Stations throughout the county. Ensuring equal opportunity and priority is given to this strategically important station and the personnel who man it.” (L)

Roads & Transportation

15. Clr. McEniff
“That the Council extend the speed limit another 30 metres on the Donegal Town side of Pettigo.” (L)

Miscellaneous

16. Clr. Pringle
“That Donegal County Council mark the 100th Anniversary of the foundation of Sinn Fein.” (O)

STRANORLAR ELECTORAL AREA

Corporate Services

17. Clr. A. Bonner
“That this Council supports and establishes a Women’s Council similar to that of our Youth Council, to given women an understanding of the political structures and a platform to raise their concerns etc.” (C)

GLENTIES ELECTORAL AREA

Planning & Economic Development

18. Clr. Pearse Doherty
“That this Council call on all mobile phone operators to introduce an all Ireland rate at no extra cost to their customers and that this policy be reflected in the County Development Plan” (C)

Roads & Transportation

19. Clr. Alcorn
“When roadworks are being carried out by this Council i.e. restoration programme and surface dressing etc, that we retain the exiting width and leave the hardshoulder side of road safe.” (C)

20. Clr. Slowey
“That this Council immediately put in place a comprehensive system backed up by legal enforcement to ensure that all hedges bordering our roads are cut.” (C)

Community, Culture & Enterprise

21. Clr. O’Domhnaill
“That Donegal County Council pursue with the Government, the need for Tax Incentive Business Development Scheme for Donegal” (C)

INISHOWEN ELECTORAL AREA

Roads & Transportation

22. Clr. Conaghan
“That this Council look seriously at the Bridgend-Buncrana road in the context of the County Development Plan Review, particularly in light of the new speed limits.” (L)
23. Clr. Donaghey
“That this Council through the County Tourism Committee, erect proper tourist information signage at the gateways to

the county and that this be in place for the incoming tourist season.” (C)

24. Clr. MacLochlainn
“That Donegal County Council ensure that it is in a position to provide the necessary matching funding to progress marine projects across the county in 2005 including Islands, Gaeltacht, ICBAN, Capital DCMNR Projects and the design and preparation of agreed projects.” (C)

Water, Environment & Emergency Services

25. Clr. McGuinness
“That the Council review its policy on Blue Flag beaches and include Kinnegoe Bay in this years scheme.” (L)
26. Clr. McGonagle
“That the Council reply promptly to queries from the Department of Environment about each stage of Major Capital Schemes.” (C)

LETTERKENNY ELECTORAL AREA

Community, Culture & Enterprise

27. Clr. McDaid
“That this Council makes representations to the Department of Community, Rural & Gaeltacht Affairs to extend the R.A.P.I.D. Programme to Donegal.” (C)

Roads & Transportation

28. Clr. Crawford
“That this Council explore options for the development of a centre of excellence at the Big Isle, Letterkenny to establish an Academy of Motoring Skills in conjunction with the Department of Environment, Heritage and Local Government, Motor Insurance Companies, Gardai Siochanna etc.”(C)

MILFORD ELECTORAL AREA

Housing

29. Clr. McGarvey
“That people from each county who were forced to emigrate for economic reasons, are allowed to apply for L.A. Housing in areas where they previously left.” (C)

Finance

30. Clr. McBride
“That this Council through its Finance Department set up a Committee (to include members) which should look at alternative means of raising revenue which would reduce the impact on business, who have been the target of sharp and excessive rate increases yearly.” (C)

Roads & Transportation

31. Clr. Blaney
“That Donegal County Council hold a public consultation meeting in Kilmacrennan with a view to constructing a bypass for the town in conjunction with the re-aligning works on the N56.”(L)

QUESTIONS

(C) County

(L) Local

(O) Other

DONEGAL ELECTORAL AREA

Roads & Transportation

32. Clr. Byrne
“What plans has this Council to improve and widen Fintragh Bridge?” (L)
33. Clr. Byrne
“Can this Council provide for a comprehensive plan to improve signage (directional etc.) in the Kilcar Glencolmbkille area in the course of 2005 as a priority?” (L)

Water, Environment & Emergency Services

34. Clr. Pringle
“When will the Killybegs Sewer Scheme commence?” (L)
35. Clr. Pringle
“How much have the consultants on the Commercial Water Metering Programme been paid to date?” (L)

STRANORLAR ELECTORAL AREA

Water, Environment & Emergency Services

36. Clr. A. Bonner
“Can considerations be given to providing facilities for paper recycling for the business people in the Stranorlar Electoral Area in the new Civic Amenity Site in Stranorlar?” (L)
37. Clr. A. Bonner
“What is the up to date position on the Stranorlar Swimming Pool and can I have a schedule for 2005 on this project?” (L)

GLENTIES ELECTORAL AREA

Planning & Economic Development

38. Clr. Pearse Doherty
“How many in the past two years single housing planning applications have been subject to the condition that they would have to lay a 4” water main, and where in the County Development Plan does it allow this policy to be enacted sometimes to the cost of €20,000 to the applicant.” (C)

Corporate Services

39. Clr. Pearse Doherty
“Does this Council propose to review the Electoral Area Boundaries, and if so, when?” (C)

Water, Environment & Emergency Services

40. Clr. Alcorn
“When will the Council have suitable Civic Amenity Site for Dungloe (The present bottle bank and plastic paper banks are completely inadequate.” (L)
41. Clr. Slowey
“When can we expect that all drinking water supplies in Donegal will comply with the potable water standards laid down?” (C)
42. Clr. O’Domhnaill
“What is the up to date position on the Gortahork/Falcarragh Water Supply Scheme; has the supply improved, has the water quality improved over the past number of years?” (L)

Housing

43. Clr. Alcorn
“Why is there such a long delay in payment to building contractors erecting S.I. houses ? (because of this the Council will find it difficult obtaining contractors?)” (C)

Roads & Transportation

44. Clr. Slowey
“Will Donegal County Council now review all the speed limits across the county to ensure that the correct limits are in place on all our roads?” (C)
45. Clr. O’Domhnaill
“Can the Council ensure that the road into Ranafast be improved and that the road surface works on the Bun a Bhaile county road be carried out i.e. removal of rock at (Danny Neddy Frank’s); inclusion of lay bys and improvement of vision lines?” (L)

INISHOWEN ELECTORAL AREA

Roads & Transportation

46. Clr. Conaghan
“What action will the Council take to address concerns about traffic calming on Nurses Lane at Tooban?” (L)
47. Clr. Conaghan
“When will works commence on the Causeway at Inch Island?” (L)
48. Clr. Donaghey
“To ask this Council, given the number of new traffic islands through this county if they would introduce a policy to have reflector bands placed around the base of all traffic islands and that lighting on such islands would be provided in the interest of safety.” (C)
49. Clr. MacLochlainn
“What is the status of road works being carried out at Cratlagh Wood on the main Milford to Carrigart Road, specifically in relation to land purchased on the existing Cratlagh Wood to the right (Major Perry’s land), together with monies spent and allocated towards the upgrading of the road?” (L)

50. Clr. McGonagle
“What is the position regarding bridge repairs and improvements in Inishowen?” (L)
51. Clr. McGonagle
When will the problem with access to Five Fingers Beach at Lagg be dealt with?” (L)

Housing

52. Clr. McGuinness
“Will the Council advertise to purchase land for housing in close proximity to rural schools?”(C)
53. Clr. MacLochlainn
“How many units of Affordable Housing does Donegal County Council intend to construct in Inishowen in 2005?” (L)

Water, Environment & Emergency Services

54. Clr. McGuinness
“What action do the Council propose to take (a) to provide a reservoir for the Culdaff area (b) reduce the lime content of the water in this scheme which is causing serious damage to heating systems and appliances?” (L)
55. Clr. Donaghey
“When will Tullydish 1 Group Water Scheme be taken over as the majority of members are becoming increasingly unhappy and say they are encountering problems?” (L)

LETTERKENNY ELECTORAL AREA

Planning & Economic Development

56. Clr. McDaid
“When will the Planning & Economic Development Unit present the Local Area Plans for the towns of Lifford, Raphoe, St. Johnston & Manorcunningham to this Council for consideration by members?” (L)

Housing

57. Clr. McDaid
“Will this Council refer the Draft Accommodation Programme for Travellers 2005-2008 back to the Local Traveller Accommodation Consultative Committee for more meaningful consultation?” (C)
58. Clr. Crawford
“What efforts have been made to secure much needed land for housing in St. Johnston?” (L)

Roads & Transportation

59. Clr. Crawford
“What is the delay in having the long overdue roads works carried out from Deele Cottage to the Church in Raphoe?” (L)

MILFORD ELECTORAL AREA

Roads & Transportation

60. Clr. McGarvey
“When will the Bridge across Mulroy start and what is the projected cost?” (L)
61. Clr. Blaney
“Can this Council explain the delay in implementing the Councillors Public Lighting Programme as it is currently taking 2 years plus to have lights erected?” (C)

Water, Environment & Emergency Services

62. Clr. McGarvey
“What progress is being made for Waste Management on a county wide basis?” (C)
63. Clr. Blaney
“What does Donegal County Council intend doing about the rate of progress in Water and Sewerage Schemes in the County and in particular in the Milford Electoral Area?” (L)

Miscellaneous

64. Clr. McBride
“Are there any means that this Council can use to request the Department of Foreign Affairs to bring pressure to bear on the American Government to grant an amnesty to the so-called “illegal Irish immigrants” living in America.” (O)

MOTIONS FROM OTHER COUNCILS

65. CARRICK ON SUIR TOWN COUNCIL
“That each Council would request a report from the recycling company that processes the recycling materials collected within their administrative areas, detailing the recycling process, usage at the end product and/or eventual destinations of such materials.”
66. BALBRIGGIN TOWN COUNCIL
“That we Balbriggan Town Council call on the Minister for Justice Equality and Law Reform to return all asylum seeking unaccompanied children under the age of 18 to their country of origin at immigration point.”
67. MACROOM TOWN COUNCIL
“That local authorities would be allowed to register for VAT so they could claim VAT rebates on their various inputs.”
68. KERRY COUNTY COUNCIL
“That the discount of 3% per annum, subject to maximum of 30% allowed to tenants who purchase their local authority houses be extended to a lower rate for a further 20 years.”
69. TIPPERARY COUNTY COUNCIL
“Calling on the Government and An Post to sustain the Post Office network both urban and rural and to automate non – automated offices.”
70. WATERFORD CITY COUNCIL
“That Waterford City Council calls on the Minister for Justice, Equality & Law Reform to consider the introduction of mandatory custodial sentences for those who have been convicted of rape or other serious forms of sexual abuse.”

71.

LEITRIM COUNTY COUNCIL

“That we the members of Leitrim County Council call on the Minister for Communications, Marine and Natural Resources, Mr. Noel Dempsey, T.D., to immediately sit down with management and unions of An Post, with a view to putting in place a funding package in order for the company to meet its public obligation.”

MINUTES OF ADJOURNED MEETING OF DONEGAL COUNTY
COUNCIL HELD IN THE COUNTY HOUSE, LIFFORD ON 14TH
FEBRUARY, 2005

- C/54/05 MEMBERS PRESENT
Clrs. P. McGowan, Cathoairleach, D. Alcorn, L. Blaney, A. Bonner, E. Bonner, J. Boyle, C. Brogan, B. Byrne, F. Conaghan, G. Crawford, Pdraig Doherty, Pearse Doherty, R. Donaghey, J. Harte, D. Larkin, N. McBride, M. McDonald, S. McEniff, I. McGarvey, D. McGonagle, B. McGuinness, P. MacLochlainn, B. O'Domhnaill, T. Pringle, J.J. Reid and T. Slowey.
- C/55/05 APOLOGIES
Apologies were received from Clr. McDaid who was unable to attend the meeting.
- C/56/05 OFFICIALS IN ATTENDANCE
Mr. Michael McLoone, County Manager, Mr. Liam Kelly, Assistant County Manager/Director Housing, Mr. Sean Sheridan, Director Corporate Services, Mr. Jim Holohan, Director Water, Environment & Emergency Services, Mr. John McLaughlin, Director Roads & Transportation, Mr. Aidan McNicholas, Head of Finance, Mr. Vincent Lynn, Senior Engineer, Marine, Mr. Brian Cullen, Senior Executive Technician, Marine, Mr. Joe Peoples, Meetings Administrator, Ms. AnnMarie Crawford, S.O. Corporate Services.
- C/57/05 TAKING OF DECISION WITH REGARD TO 2 NO. HOUSES AT GREENCASTLE
Members agreed to defer consultation of this item until Clrs. McGuinness and McDonald were in attendance.
- C/58/05 TO ADOPT MARINE PROGRAMME OF WORKS 2005
Members considered the report, circulated with the agenda, together with motion no. 24 submitted by Clr. MacLochlainn as agreed at the Council Meeting held on the 31st January, 2005.

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

“That Donegal County Council ensure that it is in a position to provide the necessary matching funding to progress marine projects across the county in 2005 including islands, gaeltacht, ICBAN, Capital DCMNR projects, and the design and preparation of agreed projects.”

Members were informed that the proposals for the spending of the monies provided in the Adopted Budget 2005 for the marine section had been distributed to the Members for consideration at this meeting. Due to budget constraints, there was a limited amount of money available for matching funding on marine projects.

Every effort would be made to pursue 100% funding, however, in the past, it had been difficult to obtain these types of grants without a commitment from the Council to part-fund. This had resulted in the Council previously borrowing roughly €10 million to provide matching monies for much needed marine infrastructure and now, it was difficult for the Council to raise more matching monies at this time.

Clr. MacLochlainn advised that there were many issues to be resolved within the marine sector, particularly the whole issue of dredging. He highlighted the fact that there was not sufficient matching funding for essential maintenance works. Thus, he confirmed the need existed to prioritise funding. Members agreed that marine, leisure and inshore fishing needed to be developed.

Clarification was requested on the level of funding already available to the county and the Council's current position in relation to a loan of €10.2m.

Clr. MacLochlainn noted that Donegal had distinct advantage in having Mr. Pat The Cope Gallagher as Minister for the Marine. The way forward, he affirmed might be to lobby for 100% grant aid.

The County Manager informed members that the current commitment of €30,000 per year was used to secure a 10m loan, thus funding €30m worth of development.

The present position, was, he stated, that the Council was not allowed to borrow any money for matching funding.

One option that could be explored was the Development Contribution Scheme, he added, with the revenue budget being used for dredging and maintenance works.

Mr. John McLaughlin, Director Roads & Transportation said that every effort would be made to obtain matching funding.

Some concern was expressed that the pursuit of 100% funding would perhaps damage Donegal County Council's reputation as a forward thinking local authority and create an unhealthy reliance on grant aid. It was also noted that the €7m currently outstanding in development charges could be used in some way to fund such projects.

On the proposal of Clr. O'Domhnaill, seconded by Clr. MacLochlainn, it was resolved that a delegation should meet with the Minister for the Marine, Mr. Pat the Cope Gallagher to discuss the needs of the Marine Sector in Donegal and related funding issues.

On the proposal of Clr. Conaghan, seconded by Clr. Larkin, the Marine Programme of Works 2005, was adopted.

C/59/05

TO ADOPT WINTER MAINTENANCE POLICY

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

On the proposal of Clr. Larkin, seconded by Clr. McGarvey, it was resolved to adopt the Winter Maintenance Policy as outlined and agreed :-

- To the inclusion of the priority routes shown on the attached maps
- That Donegal County Council proceed with the modernising and upgrading of salt spreading machines
- That Donegal County Council continues to build purpose built salt barns at the locations mentioned in the report and in particular makes a decision in principle to find new salt depots from the Non National Discretionary

Maintenance Budget at Carndonagh, Milford and Fintown.

- That Donegal County Council continues a training programme for its operatives, supervisors and engineers.

Clr. Larkin queried whether the Met Eireann report on inclement weather conditions would be available.

C/60/05 TO ADOPT UPDATED PRIORITY LIST FOR COASTAL PROTECTION.

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

A number of queries were raised, namely the need to include the following projects on the Coastal Protection

Programme:-

1. Malin Head – Across from Portmore Pier
2. Swilly View Houses, Inch
3. Carrickfin

Mr. Vincent Lynn, Senior Engineer, Marine Programme, advised that the list circulated contained an updated list of projects in order of priority and that the above projects could be added to the list. It was essential that no monies were turned down in respect of this programme.

On the proposal of Clr. Alcorn, seconded by Clr. Conaghan, the updated Priority List for Coastal Protection 2003-2006 was approved.

C/61/05 TO ADOPT DRAFT TRAVELLER ACCOMMODATION PROGRAMME 2005-2008

Members considered the report, circulated with the agenda, together with report from Mr. Liam Kelly, Director Housing, in relation to the above.

Clr. MacLochlainn requested that the matter be deferred, as a more definitive partnership approach was needed. The extension of time would also, he stated allow more discussion to take place on a number of outstanding issues.

Mr. Liam Kelly informed members that meaningful discussion had taken place and that the project was now ready to move forward.

Clr. Larkin also requested that the matter be deferred.

Clr. Pringle stated that the deadline for the adoption of the programme was the 30th April and that the matter could be included on the agenda for the March Council Meeting, thus allowing more time for meaningful consultation.

Members agreed to defer the adoption of the Draft Travellers Accommodation Programme to the March Council Meeting.

C/62/05

NASC – EUROPEAN PROGRAMME DUE TO BE HELD ON THE 2ND – 3RD MARCH, 2005 AT THE NASC OFFICE, BRUSSELS.

On the proposal of Clr. Conaghan, seconded by Clr. Larkin, it was agreed that there would be no representation from Donegal County Council at the NASC- European Briefing Programme due to be held on the 2nd – 3rd March, 2005 at the NASC Office, Brussels.

C/63/05

CATHAOIRLEACH'S BUSINESS

- The Cathaoirleach welcomed the outcome of the recent court case involving the County Manager, and acknowledged the value of the continuing good relations between the members of Donegal County Council and the media at large.
- Referring to the recent deputations which had met with An Taoiseach, Bertie Ahern and the Minister for Enterprise, Trade & Employment, Mr. Michael Martin, the Cathaoirleach informed members that any decision on the setting up of a special initiative would now be a matter for Minister Martin to recommend to the cabinet.
- The visit of the Minister for Environment, Heritage and Local Government, Mr. Dick Roche to the Carndonagh Public Service Centre was welcomed. This had been an opportunity for the Minister to look at the roll out of new services in terms of the value for money aspect and performance levels indicators. The Cathaoirleach advised that the Council had raised the funding potential for the Stranorlar office with the Minister.

- On the proposal of Clr. Larkin, seconded by Clr. McGarvey, it was resolved that each member would donate €100 from the Members Development Fund towards the purchase of a fishing boat for one of the many fishing communities affected by the Tsunami disaster in South East Asia.
- The Cathaoirleach informed members that a meeting was due to be held in Castlebar on the 15th February in relation to the reduction of speed limits adjacent to schools. The proposed legislation, would, he added only provide for a reduction of the limit to the next lowest level. Members expressed some concern at the delay in adjusting speed limits.

Mr. John McLaughlin, Director Roads & Transportation informed members that the Council Solicitor was in the process of preparing advice on the implications of raising speed limits. It was a matter for the Department of Environment, Heritage and Local Government he confirmed, to consider feedback from local authorities and he asked members to note that where changes were required, the road concerned needed to conform to specific design standards. Mr. McLaughlin stated that any comments or feedback could be directed to Mr. Michael McGarvey, Senior Engineer, Roads.

Clr. Conaghan expressed concern that the guidelines would be set before members had an opportunity to discuss the issues involved.

Mr. McLaughlin, in reply, noted that there would not be prolonged consultation and that the issue would be whether or not the roads concerned met the specific standards by more than 15%.

CIVIC AMENITY SITE, STRANORLAR

- The Cathaoirleach stated that a contractor had been appointed, subject to, the usual insurance regulations, and that the project was expected to be completed by the 20th July. Members raised a number of issues, namely:-

1. The possibility of Civic Amenity Sites catering for small businesses and working in conjunction with Local Chambers of Commerce
2. The need to inform the general public of facilities offered by Civic Amenity Sites, specifically in terms of a general press release.
3. What efforts had been made to service areas with no access to Civic Amenity Sites.

Mr. Jim Holohan, Director Water, Environment & Emergency Services, confirmed that consultants had been appointed to review the Waste Management Plan and that a number of issues would be teased out during the review. He accepted that the title Civic Amenity Site was confusing and outlined plans to rename such sites as Recycling Centres. There was also a limit, he stated, to what recycling centres could achieve. The way forward, Mr. Holohan added was through kerbside collection.

The Cathaoirleach requested that a workshop be scheduled to discuss the matter further, and that the item also be considered by the Water, Environment & Emergency Services SPC.

C/64/05

MANAGER'S REPORT

Mr. McLoone outlined the main points of his report and addendum.

- The County Manager thanked members for their support and expressions of confidence in his recent claim for libel damage and other reliefs against the publishers of the Donegal Democrat. Staff reputations, he affirmed, had been vindicated.
Clr. Conaghan stated that it was important that members acknowledge the personal stress such actions had placed on the County Manager and Mr. Eunan Sweeney, Meetings Administrator.
- Mr. McLoone outlined the outcome of the meeting of the cross party delegation from Donegal County Council with a number of Government Ministers in Minister Michael Martin's office on the 18th February, 2005, to discuss a cross border approach to investment in

infrastructure priorities. It was, he advised, agreed that such an initiative needed to be mainstreamed across the main spending departments as well as the Spatial Planning Unit of the Department of Environment, Heritage and Local Government. The concept of one Minister or department taking a lead role in the initiative with a small support team was also discussed. It was generally agreed that the setting up of a special initiative and the form it should take would now be a matter for Minister Martin to recommend to the Taoiseach and the Cabinet.

The County Manager thanked all of those involved in the preparation of the presentation, Mr. Michael Heaney, Director Community, Culture and Enterprise, Mr. Gary Martin, S.E.O., Ms. Loretta McNicholas, Manager Research & Policy Unit and Ms. Rosita McFadden, Research Assistant. The invaluable contribution from each of the various directorates was also noted.

- The County Manager informed members that the Housing Needs Assessment 2005 was being carried out at present and that the Information Services in each of the Public Service Centres would provide assistance to the public in filling out the relevant forms, when completed the exercise would provide a clear handle on the extent of the need and consequently help to inform decisions about the Building Programme.
- The pace of progress on the Water Services Investment Programme often gave rise to contention, Mr. McLoone stated. The City and County Managers Association had recently, he added, reviewed the performances of all local authorities and had examined procedures on both local authority and departmental sectors so as to provide some form of benchmarking process for Major Capital Water Services Schemes. Adequate staffing structures were now, he advised, in place within Donegal County Council for this programme; and the Director of Water, Environment & Emergency Services, Mr. Jim Holohan would bring a comprehensive report on each scheme on the list and its stage development to members.

Members agreed at this juncture to discuss motion no. 26 submitted by Clr. McGonagle, as it dealt with the Major Capital Services Programme.

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

“That this Council reply promptly to queries from the Department of the Environment about each stage of Major Capital Schemes.”

Members were informed that every effort was made to deal promptly with queries raised by the DEHLG in connection with the roll out of the Major Capital Water Services Programme. There were occasions when the nature of the query involved further work that could not have been anticipated in advance. In the case of some recent “approvals” onerous conditions had been applied which necessitated a review of the scope and funding of the scheme in question in the context of their Waste Services Pricing Policy, as that a larger proportion of the scheme cost would require local funding. It was the aim of the Water Services section to maximise the DEHLG grant and minimise the Councils counterpart-funding requirement.

Other queries may refer to technical design matters which had to be referred back to the Council’s consultants. This may occur a year or more after the original documents had been submitted for approval and the consultant might have a difficulty in responding instantly. The programme was managed actively and every effort was made to expedite progress.

Clr. McGonagle highlighted the lengthy delay in progressing schemes such as the Malin Sewerage Schemes and the Merville Sewerage Scheme. It was essential, he added, that Donegal County Council should not be found wanting in this process, particularly now that non compliant schemes would lose funding.

Members commented on a range of schemes throughout the county, and stated that they were frustrated at the apparent lack of progress.

The County Manger asked those present to note that initiatives taken by this Council in the mid 90's in relation to cohesion funding had been responsible for the progression of the Killybegs and Gweedore Sewerage Schemes. He acknowledged that there had been delays in the last few years, particularly with moving such schemes through the various stages of development.

Mr. Jim Holohan, Director Water, Environment & Emergency Services stated that he to was frustrated with the pace of such schemes. He cited the case of the Malin Sewerage Scheme where final approval of the preliminary report has resulted in the attachment of a number of specific conditions effectively rendering the scheme meaningless. This now necessitated the scheme being re packaged into three phases so as to obtain different levels of funding.

- Clr. Reid enquired as to whether or not the County Manager was satisfied that value for money was being achieved in terms of the roll out of broadband. Mr. McLoone advised that replies in relation to this aspect of the service would have to come from the individual consumers involved. Donegal County Council, could, he added, only provide the infrastructure, it was up to the market to provide the service. He agreed to bring back to members a full report on the rollout of broadband.

C/65/05

IMPROVEMENTS TO GLENCOLMCILLE FIRE STATION

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

“That this Council prioritise plans to improve Glencolumbkille Fire Station in line with similar improvements to Fire Stations throughout the county, ensuring equal opportunity and priority is given to this strategically important station and the personnel who man it.”

Members were informed that the replacement of the Fire Station at Glencolmcille formed part of Donegal County Council's renewal programme for thirteen Fire Stations. A design team headed by Rhatigan & Company, Sligo had been appointed to Design and Supervise the construction of the following stations:-
Stranorlar, Glencolmcille, Merville, Gweedore, Dungloe and Glenties.

A Fire Station Design Model had been prepared and it was proposed by the Council to use this model for each of the towns, including the Glencolmcille Station.

A suitable site for a new Fire Station at Glencolmcille would be required. Following approval of the selected site the Council needed approval in principle from the Department to proceed to planning.

The Department of the Environment, Heritage and Local Government funded the fire station replacement programme and its progression was dependant on approvals from the Department.

Currently the DOEHLG had given approval for a 3 Bay Fire Station to go to construction at Killybegs and for detailed designs to be prepared for fire stations at Glenties and Dungloe. Sites had been approved for these two stations and the Council granted approval under Part 8 of the Planning Act at the meeting on 27th September, 2004. The agreed programme of fire station replacement also included Merville, Bundoran, Ballyshannon, Stranorlar and Gweedore.

Clr. Byrne called for a firm commitment on the site selection and stressed the importance of strategically locating the station. Members highlighted the rural location of the area and the need for improved facilities. Mr. Jim Holohan, Director Water, Environment & Emergency Services said that he would take members comments on board and that there would be no problem prioritising the Glencolmbkille fire station on the list, with the members agreement.

C/66/05

EXTENSION OF SPEED LIMIT ON DONEGAL TOWN
SIDE OF PETTIGO.

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

“That the Council extend the speed limit another 30 metres on the Donegal Town side of Pettigo.”

Members were informed that the Council had completed a review of all speed limits countywide in the later part of 2004. This review resulted in the speed limit on the Donegal Road from Pettigo begin extended by 265m to what was deemed to be the safest and most appropriate location, given existing development and road conditions. This concluded with the adoption of the new speed limit bye-laws in December, 2004.

The Roads Department would review all speed limits across the county to ensure that the adopted limits were in place on the county’s roads in accordance with the recent review and metrication as per the “Road Traffic Act, 2004.”

There were no plans to extend this speed limit beyond the new adopted location at this time. Any future changes to speed limits would be required to follow a new process which the Department of Transport would be issuing guidelines for shortly.

Mr. John McLaughlin, Director Roads & Transportation agreed to go back and review Clr. McEniff’s submission and reminded members that their comments on the review of speed limits were required by the end of the week.

C/67/05

100TH ANNIVERSARY OF SINN FEIN

Clr . Pringle proposed, seconded by Clr. MacLochlainn, that the following motion be adopted:-

“That Donegal County Council mark the 100th anniversary of Sinn Fein.”

Clr. Pringle stated that all of the political parties present had their historical roots in Sinn Fein. One of its founding members, he added, Seamus McManus had been a Donegal man. He requested that the Community, Culture

& Enterprise Section investigate the options available to mark the occasion.

A number of members advised that the motion was inappropriate at this time and not a matter for the County Council to decide. They indicated that they would have no problem supporting the motion if Sinn Fein was prepared to disassociate itself from the IRA.

Clr. Larkin stated that he did not have a problem with the motion and requested that the 90th Anniversary of the 1916 Rising and the foundation of Sinn Fein be marked in some way by the County Museum.

Clr. Conaghan stated that the Fianna Fail position was that the motion was not appropriate to the chamber.

The County Manager confirmed that there no reply as the motion was outside the functions of local Government.

Clr. MacLochlainn reminded those present that the Sinn Fein members were here today because of their public mandate. He stated that the Sinn Fein leadership had worked extremely hard to move away from armed conflict and that the motion in itself was intended to be conciliatory. He outlined the need from members to work together, especially on a cross border basis.

Clr. Pringle said that members had often debated motions which had nothing to do with the Council, and that the motion should stand and be adopted by the Council.

On the proposal of Clr. Pringle, seconded by Clr. MacLochlainn, the following motion was put to the meeting by the Cathaoirleach and a recorded vote taken by the Meetings Administrator:-

“That Donegal County Council mark the 100th Anniversary of Sinn Fein.”

The vote resulted in 4 for, 19 against with 1 abstention.

Those voting in favour were:-

Clrs. Pearse Doherty, Larkin, MacLochlainn and Pringle
(4)

Those voting against were:-

Clrs. Alcorn, Blaney, A. Bonner, E. Bonner, Boyle,
Brogan, Byrne, Conaghan, Crawford, Pdraig Doherty,
Donaghey, Harte, McBride, McDonald, McGonagle,
McGowan, O'Domhnaill, Reid and Slowey (19)

Clr. McGarvey abstained.

The Cathaoirleach declared the motion lost.

C/68/05

ESTABLISHMENT OF A WOMEN'S COUNCIL

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

“That this Council supports and establishes a Women’s
Council similar to that of our Youth Council, to give
women an understanding of the political structures and a
platform to raise their concerns.”

Members were informed that current mechanisms in place
throughout Donegal to support women included the
Donegal Women’s Network, the Gender Equality Project
and various other support services including the Women’s
Centre in Letterkenny, Inishowen Women’s Outreach and
the Second Chance Education Project for Women.

Although each project provided very specific supports
(health, education etc.) both the Donegal Women’s
Network and the Gender Policy Project concentrated on
trying to strengthen the voice of women in society.

The Donegal Women’s Network provided networking
support and guidance to women’s groups throughout the
county. The Network was also the lead agency in the CDB
Gender Policy Project which sought to support women’s
participation in all aspects of life. Each of the above
named projects were funded through a plethora of
different funding measures including the Equality for
Women Measure, Government Departments, Local

Development Companies, Statutory Bodies and local fundraising.

As the Youth Council was a democratically elected forum with candidates coming from the various schools in the county it would not be an appropriate model for the establishment of a Women's Council. Rather it was felt that the existing structure through the Donegal Women's Network and associated initiatives provided a forum through which issues of concern could be raised on an ongoing basis.

Clr. A. Bonner stated that the current structures were not sufficient and that a greater gender balance was required if more women were to get involved in local government. A number of members complimented Clr. Bonner on putting forward the motion, highlighting the need to get appropriate funding if the leadership role of women was to be recognised.

Clr. Donaghey noted that there were very few women in Senior Management positions within Donegal County Council.

Clr. Larkin advised that a Women's Forum might provide a better option.

In conclusion Clr. Bonner advised that the matter could be progressed further through the sub committee structure of the Council.

C/69/05

MOBILE PHONES- ALL IRELAND RATE

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

“That this Council call on all mobile phone operators to introduce an all Ireland rate at no extra cost to their customers and that this policy be reflected in the County Development Plan.”

Members were informed that the issue of standardisation of costs for mobile telephones was not a planning consideration and the planning legislation only provided for the assessment of development on the planning impacts as established under the policies contained in the

County Development Plan, 2000 and as set out in the Planning & Development Act, 2000.

Clr. Pearse Doherty highlighted the ongoing problems with cross over networks and the excessive charges levied on consumers. The most effective solution to the problem was, he noted, an all Ireland tariff. Any solution, he added, would require extensive lobbying of the Mobile Phone Operators.

Clr. Larkin called for O2 and Vodafone to be invited into the chamber to address members on the matter.

Clr. E. Bonner advised that the buffer zone for network coverage should be located on the other side of the border.

Clr. Pearse Doherty requested that a copy of the motion be sent to all local authorities north and south of the border and to the Department of Communications.

C/70/05

RESTORATION PROGRAMME AND SURFACE DRESSING

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

“When roadworks are being carried out by this Council i.e. restoration programme and surface dressing etc., that we retain the existing width and leave the hardshoulder side of the road safe”

Members were informed that due to the nature of the Counties existing road system it was sometimes very difficult to properly restore the surface by adding a consistent pavement layer of material without actually widening the road. This was particularly relevant in bog rampart type roads which were being strengthened. Every effort would be made to leave such roads safe after Restoration / Surfacing by filling along the sides where this was possible.

Clr. Alcorn praised the Road Department for the standard of work carried out. He requested that the Director of Roads & Transportation, Mr. John McLaughlin ensure that

such works were carried out as soon as practically possible, and called for laybys to be provided where necessary on all roads.

C/71/05

CUTTING OF HEDGES BORDERING ROADS

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

“That this Council immediately put in place a comprehensive system backed up by legal enforcement to ensure that all hedges bordering our roads are cut.”

Members were informed that over the past number of years the County Council had adopted a number of methods of encouraging people to have their hedges cut. There was no doubt that under the 1993 Roads Act the primary responsibility for cutting hedges lay with the owner/ occupier of the adjacent land.

In the hedgecutting policy document adopted by the Council in May 2003 several methods were recommended in relation to getting cooperation with landowners in relation to hedge cutting including - verbal requests, advertisement campaigns and warning notices. In the event that these were not heeded then the Council had the option of prosecuting offenders and it was expected that this would happen in the not too distant future.

In general, the Council were satisfied with the progress that was being made throughout the county on hedgecutting since the adoption of the policy and the co-operation of the vast majority of landowners must be acknowledged in this regard. However, it was also acknowledged that there had been some exceptional cases.

Clr. Slowey called for an effective mechanism to be put in place to ensure such work was carried out. He stated that an inventory of landowners should be drawn up so as to enable non-compliant owners to be identified. This task, he noted, would possibly be carried out by students during the summer months.

C/72/05

TAX INCENTIVE BUSINESS DEVELOPMENT
SCHEME FOR DONEGAL

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

“That Donegal County Council pursue with the Government the need for a Tax Incentive Business Development Scheme for Donegal”

Members were informed that the recently adopted update and review of the Donegal Employment Initiative Taskforce Report indicated that the establishment of a specific tax designation for a sector or area of investment would be one mechanism through which Donegal could be differentiated for the purposes of business establishment or expansion either through indigenous based business or through foreign direct investment. Consideration must be given to which specific sector or area should be considered in this context as the objective would be to identify a particular sector or area that would have a material difference on employment, job creation and economic development in the County. Similarly a robust case outlining the clear basis and logic for identifying such a sector would require preparation.

It was recommended that the Economic Development Forum of the County Development Board as part of their targeted areas for development be asked to pursue this initiative, with the objective of identifying an area for preparing the business plan for same for consideration by the Council and the County Development Board.

Clr. O'Domhnaill called for a refocusing of efforts, with regard to job creation given the unprecedented number of job losses in the county and the decline of many traditional industries.

Clr. E. Bonner requested that the motion be forwarded to the Ministers who met with the delegation from Donegal County Council on the 08th February, 2005.

C/73/05

BRIDGEND-BUNCRANA ROAD

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

“That this Council look seriously at the Bridgend - Buncrana Road in the context of the County Development Plan Review particularly in light of the new speed limits.”

Members were informed that the Roads & Transportation Directorate, in conjunction with the Planning & Economic Development Service, were currently reviewing all strategic routes throughout the county as part of the County Development Plan review. Consideration would be given to preserving and improving the carrying capacity of this important route, which had an AADT (Annual Average Daily Traffic) of 8000. The Road Design Department hoped to complete the design of the Buncrana Inner Relief Road, to complete the Route Selection stage of the Buncrana Outer Relief Road, and to progress the design of the Burnfoot By-Pass this year.

At one stage, consideration was given to seeking that the Buncrana to Bridgend Road be classified as a National Road. However, the belief was held that more funding would be available for this road as a Regional Road and therefore the matter was not pursued at that time.

In a separate exercise, the Roads Department would identify and review sections of the Regional Road Network where it might be appropriate to increase the Speed Limit from the recently introduced 80kph.

C/74/05

ERECTION OF PROPER TOURIST INFORMATION SIGNAGE

On the proposal of Clr. Donaghey, seconded by Clr. McDonald, the following motion was adopted:-

“That this Council through the County Tourism Committee erect proper Tourist Information Signage at the gateways to the county and that this be in place for the incoming tourist season “

Members were informed that the proposal in this instance would be submitted to the Tourism Sectoral Forum of the County Development Board who would be asked to liaise with the relevant statutory authorities including the National Roads Authority and Donegal County Council to identify areas where such signage might be needed and in conjunction with these bodies to identify the costs associated with same and to identify any available budgets that might assist in the implementation and putting in place of such signage.

C/75/05

REVIEW OF POLICY ON BLUE FLAG BEACHES

The following motion was proposed by Clr. Slowey, seconded by Clr. McBride, on behalf of Clr. McGuinness:-

“That the Council review its policy on Blue Flag Beaches and include Kinnagoe Bay in this years scheme”

Members were informed that the Water & Environment SPC discussed the matter of Blue Flag Beaches in March 2002. It was also discussed by the General Purposes Committee in June 2002. These discussions were informed by a Good Practice Guide for Rural Beach Management developed by Donegal County Council with the support of the EU Life – Environment Programme. The Council decided on a list of beaches that we would strive to retain or achieve Blue Flag status.

It was further decided that the Council would develop a process through which candidate beaches for Blue flag would be screened. This process was to involve dialogue with the local community, an examination of the likely impacts and the sustainability of Blue Flag status and best beach management practice for the particular beach. The Council had initiated a pilot project on beach management at Rossnowlagh as part of a cross border initiative involving Benone Strand in County Derry. The project was ongoing under the Community and Enterprise Service, and had involved extensive consultation with local and visiting beach users. The Council expected to receive a report on the findings of that pilot project later in 2005. On receipt of this report it was proposed to re-visit the matter at SPC.

Kinnago Beach was not on the list of beaches approved by the council for Blue Flag. If it were to become a candidate it would need to be subject of dialogue with the local community and examination of likely impacts and sustainability of Blue Flag status and best beach management practice for the particular beach. Bathing water quality analysis was required over a season (May to September) followed by an application to the Department of Environment, Heritage and Local Government for Designated Bathing Area status. Once this status was achieved an application could be made to An Taisce for Blue Flag status. No provision had been made in the current year's budget for this process.

C/76/05

EXTENSION OF R.A.P.I.D. PROGRAMME TO DONEGAL

The following motion was proposed by Clr. Pringle, seconded by Clr. Larkin, on behalf of Clr. McDaid:-

“That this Council make representations to the Department of Community, Rural & Gaeltacht Affairs to extend the R.A.P.I.D. Programme to Donegal”

Members were informed that the R.A.P.I.D. programme “revitalising areas by planning, investment and development” was a Government initiative currently targeting 45 disadvantaged urban areas throughout Ireland. The programme aimed to ensure that priority attention as given to tackling the special concentration of poverty and social exclusion within these 45 designated areas through targeting state resources available under the National Development Plan. The programme also called on Government departments and State agencies to bring about better co-ordination and closer integration in the delivery of services. There were two strands of the Programme – Strand 1 targets 25 urban areas while Strand 2 targets 20 provincial towns around the country. None of the projects were situated in Co Donegal.

Recent discussions with the Department of Community, Rural & Gaeltacht Affairs had indicated that there were no plans to invite applications for a further strand of RAPID nor to review the current operation. However, it was felt in the context of recent studies outlining the comparative deprivation that County Donegal had in comparison to other parts of the country that a case could be made for Donegal or areas therein to be prioritised for this or a similar programme. This matter had been discussed at some length within the County Development Board and at its most recent meeting on the 25th January, 2005 it was agreed that a request would be made for a deputation from Donegal to meet with the Minister for Community, Rural & Gaeltacht Affairs to make the specific case for a R.A.P.I.D. Programme in Donegal. This meeting would outline the present situation and the difficulties being found by the county including the comparative deprivation figures for Donegal making the case for the prioritisation of Donegal for any expansion of the RAPID programme.

C/77/05

ESTABLISHMENT OF ACADEMY OF MOTORING SKILLS

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

“That this Council explore options for the development of a centre of excellence at the Big Isle, Letterkenny to establish an Academy of Motoring Skills in conjunction with the Department of the Environment, Heritage & Local Government - Motore Insurance Companies, Gardai Siochanna etc.

Such a centre would provide a safe and supervised facility to enable young people and others to develop their driving skills, it could also provide facilities for off road testing of rally cars which are in much demand in this county and Northern Ireland.”

It was understood that options for the utilisation of the Big Isle site were under review with the members at present and this proposal could be considered in that context.

Clr. Crawford outlined the need for a safe and supervised facility which would also offer road testing facilities for rally cars. He requested that the Council actively pursue the options available for establishing such a centre. He also acknowledged the merits of providing formal recognition for those who might take part in the programme, specifically in terms of lower insurance premiums.

Clr. Reid however advised that this site had been earmarked some years ago for the development of an airport and that he was concerned how such a centre would operate in the long term.

Clr. Crawford requested that a report on the matter be presented to members by mid summer.

C/78/05

APPLICATIONS FOR LOCAL AUTHORITY
HOUSING

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

“That people from each county who were forced to emigrate for economic reasons are allowed to apply for L.A. Housing in areas where they previously left.”

Members were informed that a similar motion had been considered by the previous Council in March 2004 i.e.:-

“That Donegal County Council consider applications for housing for Donegal Natives who presently reside outside the county and that a number of houses be provided in future Council house Estates for returned emigrants particularly those who are Elderly and may be suffering hardship”

The reply to the motion was as follows:

“Donegal County Council in conjunction with the Voluntary Housing Sector assists in the provision of accommodation for elderly emigrants wishing to return to Donegal.

The Safe Home Programme, St Brendan's Village, Mulranny, County Mayo which already has a co-ordinating role in relation to services provided by welfare agencies for emigrants co-ordinate arrangements in relation to accommodation provided for emigrants under this scheme. It assesses the applicants against the eligibility criteria, compile a list of eligible candidates and liaise with individual voluntary housing bodies and local authority in relation to accommodation in projects.

To qualify for accommodation provided under the amended terms of the Scheme, applicants must be elderly persons who emigrated from Ireland to another country and be either in existing social housing (e.g. local authority, housing association, etc) or private rented accommodation in their country of residence, and their circumstances must be such that they could not provide suitable accommodation for themselves out of their own resources on returning to this country.

Apart from this assistance through the voluntary sector, given the extent of the Council's existing waiting list it is unlikely that Council housing would be available for this purpose until applicants are resident in the county."

At the meeting the members referred the matter to the Housing SPC who considered it at its last meeting prior to the local elections. The Committee decided to invite a representative of the Safe Home Programme to address a future meeting.

As the SPCs had not been formed under the new Council, the matter was not progressed any further.

It was agreed that much could be done within Donegal County Council to alleviate this problem. The success of the Safe Home Programme in County Mayo was also acknowledged.

Mr. Liam Kelly, Director Housing, advised that there had been much debate on the matter previously with a number of issues raised. He agreed to refer the matter back to the Housing S.P.C. and come back to members before the end of the year with an update.

C/79/05

RAISING REVENUE TO REDUCE IMPACT ON
BUSINESS AFFECTED BY RATE INCREASES

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

“That this Council through its Finance Department set up a Committee (to include members) which should look at alternative means of revenue which would reduce the impact on businesses, who have been the target of sharp and excessive rate increases yearly”

Members were informed that the former Minister for Environment, Heritage and Local Government Mr. Martin Cullen initiated a new study in relation to the funding of Local Government and appointed Consultant's Indecon Ltd to undertake same. The outcome of this matter was expected later in 2005. For your information the key outputs from the study would include the following. (Source County Managers Report Draft Budget 2005)

‘Project future expenditure and income of local authorities having regard to existing and emerging demands;

Appraise the existing system of funding and spending and assess alternatives and options to ensure a sustainable funding system and financial situation for local authorities over the medium to long term, including the potential for rationalisation of expenditure;

Examine and identify potential adjustments in service delivery arrangements by the local government system having regard to considerations of economy, administrative and financial efficiency and effectiveness; and

Make recommendations on the approaches most favoured.’

The current difficulties with locally raised funding for General Purposes was its relatively narrow base. When coupled with developments in connection with implementation of the 'Polluter Pays Principle' and

progress required towards 'Economic Cost Recovery' for certain services i.e. Water Charging it was accepted can lead to severe implications for commercial businesses. Local Authorities power to levy general charges for Non Commercial consumers, except for Domestic Waste was discontinued from 1st January 1997 and replaced by Central Government Grant.

Local Government Services were provided largely on the basis of statutory provisions which could include also for the levying of charges and their determination usually as an Executive function discharged by the County Manager (in County Donegal the County Manager consults with the Elected Members in raising levels of Water, Landfill, Fire, Housing Rents etc.). In some instances such as for Planning Fees these were determined under statute by the Minister and could not be varied by a Local Authority. This was the background to the Council's application a number of years ago requesting the Minister to raise the level of Planning Fees to those levels pertaining in the neighbouring jurisdiction. In the event Department Officials did not entertain this request nor others given the impending Funding Study which would have widened the taxation base by the inclusion of Holiday Homes for service and other charges. The Council were utilising all current possible sources of income under statute in financing Council operations.

Development Levies:

Levies for Development purposes could not be used for general purposes and must be applied for the provision of services - assets - to allow for the particular Development to proceed.

Having set out the above it considered that the establishment of a committee of Elected Members and officials was premature having regard to the awaited Funding Study report and the subsequent Governments decisions with respect to same. It was a matter for the Government and they alone to make the decision as to how Local Government is funded. It was successive Governments who in the past abolished Domestic Rates, introduced Service Charges and subsequently abolished

them.

Donegal County Council like all Local Authorities had to work within the limitations of the existing provisions. To this end, the Council's efforts concentrated on widening the customer bases within the provisions of current legislation. New business properties were identified by Council Revenue Collectors and others and listed for valuation by the office of the Commissioner for Valuation. The time lag for the issuing of a first Rates Bill was usually of the order of 2 years from listing of the property for valuation.

It was expected that based on experiences in other Local Authorities it might be possible to widen the customer base for Water Charging in tandem with the Non Domestic Metering Project due to be completed by the end of 2006.

The Council's Decentralisation Project had as one of its aims the improvement of Revenue Collection which included ensuring all rateable commercial properties and all water (commercial) consumers using Donegal County Council sources were in fact included in the Council's database.

Clr. McBride advised that if this Council was to continue working on its current narrow income base then the obvious solution was to pursue central funding initiatives. The business people of the county had already, he noted, been severely targeted.

Members were informed that a delegation had already met with the Minister for the Environment, Heritage and Local Government to discuss funding issues. The outcome of these discussions, it was noted, was still pending.

The County Manager stated that the outcome of the Endecon Report was expected in late 2005 and the members should wait for publication of the report before taking any further steps.

Clr. McBride agreed to take on board the Manager's comments.

C/80/05

CONSTRUCTION OF BY-PASS IN KILMACRENNAN

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

“That Donegal County Council hold a Public Consultation meeting in Kilmacrennan with a view to constructing a by-pass for the town in conjunction with the re-aligning works on the N56”

Members were informed that Public Consultation formed an integral part of the NRA's National Roads Project Management procedures and was carried out at specified times during the development of a major project. It was understood that NRA would make an allocation to begin Planning and Design for the next section of the N56 from Coolboy to Kilmacrennan in 2005 and this project would be progressed in accordance with the Project Management procedures which would include public consultation. It had not yet been determined if this would include a bypass of Kilmacrennan or not

Members of the Milford Electoral Area outlined the need for the people of Kilmacrennan to have a forum to discuss the construction of a by-pass for the town. They asked that the Director of Roads & Transportation, Mr. John McLaughlin to review the commitment to the project.

Mr. John McLaughlin, Director Roads & Transportation advised that the first phase of consultation generally takes place before the routes are shown. Historically; however, he noted that few people will get involved at this stage of the process. He confirmed that he had made a request to the NRA to take the route all the way to Termon junction.

C/81/05

TAKING OF DECISION WITH REGARD TO 2NO. HOUSES AT GREENCASTLE

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

On the proposal of Clr. McGuinness, seconded by Clr. MacLochlainn, the carrying out of works under Part XI, Planning & Development Act, 2000, and Part VIII Planning & Development Regulations 2001, with regard to

2no. houses at Greencastle was approved subject to the following conditions:-

1. That the adjacent landowners are satisfied with the project prior to commencement of works
2. That outstanding drainage issues are resolved.

The following questions were noted:-

C/82/05

WIDENING OF FINTRAGH BRIDGE

The following question was submitted by Clr. Byrne:-

“What plans has this Council to improve and widen Fintragh Bridge?”

Clr. Byrne was informed that the Roads Area Staff were programmed to carry out an assessment of this Bridge in conjunction with the Road Design Bridge Engineer by the end of March 2005.

A report of the findings from this assessment would be presented to the Electoral Area Committee at a future meeting, at which time funding implications for any improvements identified could be discussed

C/83/05

ROAD SIGNAGE IN THE
KILCAR/GLENCOLMBKILLE AREA

The following question was submitted by Clr. Byrne:-

“Can this Council provide for a comprehensive plan to improve signage (directional etc) in the Kilcar-Glencolmbkille area in the course of 2005, as a priority?”

Clr. Byrne was informed that the Regional Road Signage Programme would provide a series of directional signs along Regional Roads. It was currently on-hold pending a decision by the Department regarding the use of the Irish language. This are was covered under Phase 3 of the programme.

There was a roads meeting scheduled shortly between the roads engineers and the Glencolmcille Lar Comhairle and specific signage for this area could also be discussed at this meeting.

C/84/05

KILLYBEGS SEWERAGE SCHEME

The following question was submitted by Clr. Pringle:-

“When will the Killybegs Sewerage Scheme commence?”

Clr. Pringle was informed that the status on Killybegs Sewerage Scheme was as follows:-

Revised Preliminary Report submitted to DOELG September 2002; Part 8 Planning process for sewer network passed by Donegal County Council 09 December 2002; EIS approved 31 January 2003; Foreshore Lease approved March 2003; Contract Documents submitted to DOELG 18 December 2002; Site Investigations complete 2002/ 2003; Water Charging Report submitted to DOELG 27 May 2003; Certificate of Completion of Planning submitted to DOELG on 26 May 2003.

The Killybegs Wastewater Treatment Works, main pumping station, and outfall was to be advanced with Bundoran WWTW under the DBO Group B contract. The network for Killybegs was to be a separate conventional contract. In order to comply with DEHLG water charging policy further revisions to the water charging report were required.

Bearing in mind that the Preliminary Report was submitted in Sept 2002 and had not yet been approved it was impossible to predict when approvals would issue and consequently when the first contract on the scheme would commence.

C/85/05

PAYMENT OF CONSULTANTS ON COMMERCIAL WATER METERING PROGRAMME

The following question was submitted by Clr. Pringle:-

“How much have the Consultants on the commercial Water Metering Programme been paid to date? “

Clr. Pringle was informed that on appointment the consultants produced a Project Implementation Plan. This was followed by work on:

- a) Data compilation and analysis;
- b) Extensive consultations with Donegal County Council staff;
- c) Sample surveys which resulted in Pilot Survey Report.

A Risk Workshop was also held on the Draft Risk Assessment Report prepared.

Currently the consultants were in the final stages of a Draft Preliminary Report. The consultants had been paid €10,778.77 in respect of expenses.

C/86/05

PROVISION OF PAPER RECYCLING IN STRANORLAR

The following question was submitted by Clr. A. Bonner:-

“Can considerations be given to providing facilities for paper recycling for the business people in the Stranorlar Electoral Area in the new Civic Amenity Site in Stranorlar?”

Clr. A. Bonner was informed that the Civic Amenity site being developed in Stranorlar was designed to cater for recyclable materials of domestic origin only.

Under the Waste Management (Packaging) Regulations 2003, all businesses, regardless of size, must recycle specified waste streams, including paper packaging. These waste streams could no longer be landfilled. In addition, businesses that were considered to be major producers of packaging waste must also join Repak, or, alternatively, set up their own system for recovering packaging material. Major producers of packaging waste were those businesses which satisfied the following two criteria:

- Turnover greater than €1 million per annum and Place 25 tonnes of packaging material on the market place.

In addition to the above criteria Donegal County Council may also determine if a shop was a major producer by assessing if the business satisfied any of the following

criteria suggested by Repak:

- Shops and Retail Units, Floor space greater than 1,000 sq. ft., or a turnover of greater than €20,000 per week.

There were now numerous permitted companies in the county, which specialized in the collection, and processing of recyclable packaging materials. These companies could offer a variety of methods of shredding, baling and collection depending on the specific requirements of the business. Any business people in the Stranorlar Electoral Area who needed assistance meeting their recycling obligations could contact the Environment Section, Lifford, for guidance.

C/87/05

UPDATE ON STRANORLAR SWIMMING POOL

The following question was submitted by Clr. A. Bonner:-

“What is the up to date position on the Stranorlar Swimming Pool and can I have a schedule for 2005 on this project?”

Clr. A. Bonner was informed that consultants were engaged for Ballybofey Stranorlar Leisure Centre to prepare a masterplan for the area south of Railway Road and north of the River Finn at Stranorlar and to identify a suitable location thereon for the proposed Leisure Centre. A suitable site was identified and preliminary costings were prepared for a Leisure Centre on that site. Following various funding applications and subsequent meetings, including a meeting with the Minister for Arts, Sport & Tourism, it became clear that the viability of the project on the site selected was in question, given the limitations on available funding. It was therefore decided that the option of shared arrangements with Finn Valley AC would be examined. Layout plans had been received and these were now being examined. When this assessment was complete a briefing would be arranged with the Stranorlar Electoral Area Committee. Timescale was as follows:-

February 2005 Report on Shared Arrangements and Recommendation including revised brief to the consultants.

June 2005 Progress Report from the consultants. The way forward should then be clear and a more detailed programme could be developed.

C/88/05

SINGLE HOUSING PLANNING APPLICATIONS WITH CONDITION OF 4" WATER MAIN.

The following question was submitted by Clr. Pearse Doherty:-

“How many, in the past two years single housing planning applications have been subject to the condition that they would have to lay a 4" water main, and where in the County Development Plan does it allow this policy to be enacted sometimes to the cost of €20,000 to the applicant?”

Clr. Doherty was informed that it was not possible to extrapolate the number of single houses in the past two years, which had attracted a condition requiring the provision of a 4" watermain. There was no policy in the CDP 2000 in respect of this condition, but Planning Authorities were empowered under the Planning & Development Act 2000 to impose conditions requiring the carrying out of works considered necessary, to enable developments to proceed. The alternative was to refuse developments which were considered premature.

This matter was previously raised by the members. In response, a report had been presented to the Water & Environment Strategic Policy Committee (SPC) for consideration. When The SPC had completed its consideration of the report the matter would be brought back to the full Council, by the Director of Water, Environment & Emergency Services, with a view to developing an agreed policy.

C/89/05

REVIEW OF ELECTORAL AREA BOUNDARIES

The following question was submitted by Clr. Pearse Doherty:-

“Does this Council propose to review Electoral Area Boundaries, and if so, when?”

Clr. Doherty was informed that the Local Government Act 2001 enabled the Minister for the Environment, Heritage & Local Government to establish, by order, a body known as the Local Government Commission to carry out functions conferred on it under the Act including, inter alia, the preparation of reports in relation to alteration of local electoral areas and the number of members assigned to those areas. The Minister was obliged to publish those reports and have regard to them in carrying out his functions in these matters.

The Council had, therefore, no function in the review of electoral area boundaries.

C/90/05

CIVIC AMENITY SITE FOR DUNGLOE

The following question was submitted by Clr.

Alcorn:-

“When will this Council have a suitable Civic Amenity Site for Dungloe? (The present Bottle Bank and Plastic Paper Banks are completely inadequate)”

Clr. Alcorn was informed that, to date, no suitable site had been found in the Dungloe area. A number of sites had been considered in the area but had not been found suitable from either a local internal Council perspective or from local opinion. The CA site in question was for the Glenties electoral area hence there may be a need to broaden the site selection process and look at locations, within the electoral area, other than Dungloe. The Area Manager was currently investigating possible locations.

C/91/05

DRINKING WATER SUPPLIES IN DONEGAL

The following question was submitted by Clr.

Slowey:-

“When can we expect that drinking water supplies in Donegal will comply with potable water standards laid down?”

Clr. Slowey was informed that Donegal County Council was committed to ensuring that drinking water supplies in the county complied with the European Communities(Drinking Water) Regulations, 2000. To that end the quality of drinking water in County Donegal was monitored on an ongoing basis for compliance with the Regulations. This monitoring was undertaken in part by staff of the North Western Health Board and in part by County Council laboratory staff using external laboratories. The Environmental Protection Agency had released a report on the Quality of Drinking Water in Ireland in year 2003. The following was a summary of the report on Donegal. The report dealt with 53 public supplies and 16 group schemes in the county.

Public Supplies

Overall compliance with required standards in Public Water Supplies was 96.9%.

Six incidents of faecal coliform contamination were recorded during the year. The schemes involved were:-

Ardagh, Cashel /Gleneely, Cranford, Falcarragh (Muckish Stream), Lifford Old, Lough Mourne and Mountcharles Upper.

Forty seven of the fifty three schemes tested were fully compliant.

All public schemes were compliant in terms of odour, taste, nitrates and ammonium.

Problems were identified regarding non-compliance with aluminium standards in a number of cases including Ballyshannon, Falcarragh (Muckish Stream), Gortahork / Falcarragh, Killybegs, and Leiternacaward water supplies.

Donegal County Council had taken steps during 2004

to deal with the problems subject of this report.

Ardagh supply has been upgraded during the year. An alternative supply had been made available to consumers formerly served by the Cashel / Gleneely supply.

Improvements were being made to the raw water supply at Cranford which would improve treatment plant performance.

The council had plans to eliminate Falcarragh (Muckish Stream) source in the future. In the meantime, it continued to augment the Gortahork / Falcarragh supply at times of peak demand. Water from Falcarragh (Muckish Stream) was disinfected at present. It was planned to install additional instrumentation to improve the performance of this process shortly.

Steps were being taken to decommission the Lifford Old scheme, which was currently subject of a Boiling Order. Most consumers had been transferred to an alternative supply in recent years.

Significant improvements had been introduced to the Lough Mourne water treatment works during 2004 to increase treatment capacity at the plant and maintain quality standards. These works were ongoing.

The problem at Mountcharles upper was a once off instrumentation failure that was not expected to recur. A new source was being developed for Ballyshannon which was due to come into production in the first quarter of 2005. Significant improvement works were being undertaken on Gortahork/ Falcarragh and Leitermacaward supplies during 2004, which had resulted in improved performance of both these plants. Operational procedures on the Killybegs network had been stepped up to deal with aluminium problems. These had yielded improved results.

It could be seen; therefore, that the major water quality problems identified in public supplies were being tackled. The Council was mindful of the ongoing commitment needed from all water services workforce, staff and management to achieve the highest standards over so many diverse water supplies.

Group Schemes

Overall compliance with required standards in Group Water Supplies was 89.3%. The report went on to note that a large number of private group schemes were contaminated with faecal coliforms at one time during 2003, and that compliance with other parameters was also problematic.

Responsibility for water quality on Group Water Supply Schemes rested with the Group Trustees. Donegal County Council had an investment programme, funded by the Department of Environment, Heritage and Local Government, targeting twenty seven private group schemes with private sources, aimed at improving the quality of these supplies. It was important that all group schemes should regularly scour and flush watermains and clean out reservoirs on their systems. New standards for the management of private group schemes were to be introduced with the Water Services Bill, currently before the Oireachtas.

Donegal County Council was committed to achieving full compliance with drinking water standards county-wide and the council had significantly increased its budget for the operational costs of water services in recent years.

C/92/05

GORTAHORK/FALACARRAGH WATER SUPPLY SCHEME

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

“What is the up to date position on the Gortahork/Falcarragh Water Supply Scheme; has the supply improved; has the water quality improved over the past number of years?”

Clr. O'Domhnaill was informed that :-

- (a) Commissioning of a new clarifier for the Gortahork/Falcarragh WSS started in December

2004, with funding provided from a Small Capital Scheme under the Rural Water Programme. This had significantly reduced the aluminium residuals and significantly improved the water quality.

- (b) Gortahork Falcarragh WSS was included under the WSIP 2004 - 2006 as a scheme to start in 2006. Consultants were in the process of preparing a preliminary report and environmental studies for the scheme. These would then be submitted to the DEHLG for approval to go to the next stage

C/93/05

PAYMENT OF BUILDING CONTRACTORS
ERECTING S.I. HOUSES

The following question was submitted by Clr. Alcorn:-

“Why is there such a delay in payment to Building Contractors erecting S.I. Houses? (Because of this the County Council are going to find it difficult obtaining contractors?”

Clr. Alcorn was informed that payments must be made for certified work within an agreed timescale. During the construction phase, payments could be, and were made quickly for work included in the tender. These payments were processed by the Housing Construction Department in Lifford in a timely manner once received from the Area Engineer. Work not foreseen but adjudged necessary and items such as national price variation increases had, heretofore, been included at the final account stage. Steps had been taken to shorten the time contractors might carry these costs. Retention monies were held by contract agreement, with rate reducing during 12 month maintenance period. Final payments were made when final account was approved and this 12 month period from completion had elapsed. Delays could arise if there was a dispute over the amount of the final account between the Contractor and the Council, This situation occurred in a relatively small number of cases.

C/94/05

REVIEW OF SPEED LIMITS

The following question was submitted by Clr. Slowey:-

“Will Donegal County Council now review all speed limits across the county to ensure that the correct limits are in place on all our roads?”

Clr. Slowey was informed that the Council had completed a review of all speed limits in the later part of 2004. This concluded with the adoption of the new speed limit bye-laws in December 2004. It also resulted in an understanding that the Council would re-review speed limits on National Roads in 2005 and this would be done.

The Roads Department would review all speed limits across the county to ensure that the correct limits were in place on all our roads in accordance with the recent review and metrication as per the 'Road Traffic Act 2004'.

However, guidelines had not yet been issued by the Minister on the introduction of the 'special speed limit' of 30kph as allowed for in the 'Road Traffic Act 2004' and until their issue, no such review could take place with respect to this limit.

C/95/05

RANAFAST ROAD AND BUN A BHAILLE COUNTY ROAD

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

“Can the Council ensure that the road into Ranafast be improved and that the road surface works on the Bun a Bhaille county road be carried out i.e. removal of rock at (Danny Neddy Frank's) inclusion of lay-bys and improvement of vision lines?”

Clr. O'Domhnaill was informed that the restoration programme based on 150% of the allocation in 2004 had been submitted to the Department for approval.

To date funding had not been allocated and would be announced on 31 January 2005.

The lower Ranafast road was prioritised on the restoration programme submitted.

A workshop was scheduled for the 28th February, in Dungloe, to consider roadwork programmes for 2005 and specific details in relation to the removal of rock, lay bys and vision lines could be discussed further.

C/96/05

TRAFFIC CALMING AT NURSES LANE,
TOOBAN

The following question was submitted by Clr. Conaghan:-

“What action will the Council take to address the residents concerns about traffic calming on Nurses Lane at Tooban?”

Clr. Conaghan was informed that the Nurses Lane was a minor road linking the R238 and the Main Access to Inch Island. Over the past few years a number of new houses had been constructed along the road with a subsequent increase in the number of pedestrians. The residents on the lane had raised concerns about traffic, passing at speed, along a narrow road on which children may be walking. This was similar to a number of other minor rural roads in County Donegal. At the moment there were no plans agreed for traffic calming measures. However, the local Area Engineer had agreed to meet the residents shortly and a report from that meeting would be brought to a future Electoral Area Meeting.

C/97/05

WORKS ON CAUSEWAY AT INCH ISLAND

The following question was submitted by Clr. Conaghan:-

“When will works commence on the Causway at Inch Island?”

Clr. Conaghan was informed that it was expected that these works would commence in the Spring of 2005, following approval of funding from the Department of Gaelteacht. The work would require matching monies from Donegal County Council.

C/98/05

SAFETY OF TRAFFIC ISLANDS

The following question was submitted by Clr. Donaghey:-

“To ask this Council, given the number of new traffic islands through this county if they would introduce a policy to have reflector bands placed around the base of all traffic islands and that lighting on such islands would be provided in the interest of safety”

Clr. Donaghey was informed that it was agreed that it was appropriate to provide lighting where solid islands were installed and indeed to paint the kerbs with reflective paint in amber and black. This currently was being rectified under the new maintenance contract recently begun on National Roads. Each electoral area would be requested to determine how much remedial works would be needed in its area and a report could be brought to each Electoral Area Meeting in due course and funding priorities could be agreed

C/99/05

CARRYING OUT OF ROADWORKS AT CRATLAGH WOOD, MILFORD

The following question was submitted by Clr. MacLochlainn:-

“What is the status of the roadworks being carried out at Cratlagh Wood on the main Milford to Carrigart Road, specifically in relation to land purchases on the existing Cratlagh Wood to the right (Major Perry's land), together with monies spent and allocated towards the upgrading of the road?”

Clr. MacLochlainn was informed that this was an EU Co-financed project and €300,000 had been applied for 2005, works. Land negotiations were in progress.

This Council owned a 3m strip along the road edge along the property queried. It was proposed to conduct works along this section if funding was received in 2005.

There had been €658,042.51 spent in past two years, on major tree felling, earthworks, road widening and bitmac / surfacing works.

C/100/05

BRIDGE REPAIRS AND IMPROVEMENTS IN INISHOWEN

The following question was submitted by Clr. McGonagle:-

“What is the position regarding Bridge Repairs and improvements in Inishowen?”

Clr. McGonagle was informed that the annual bridge programme for 2005 was being prepared by the Roads Area Engineers in conjunction with the Road Design Department for all Electoral Areas at present. This bridge programme was designed to cater for the replacement, widening, structural strengthening and structural repair of existing bridges and for the construction of new bridges. The bridges would be discussed with the Elected Members at the upcoming Electoral Area Committee meetings, after which they would be listed in order of priority.

The 2005 bridge works were expected to commence in early summer, and would be completed before end October 2005. Specific details regarding individual bridges could be discussed in further detail at an Electoral Area Meeting

C/101/05

ACCESS TO FIVE FINGERS BEACH, LAGG

The following question was submitted by Clr. McGonagle:-

“When will the problem with access to Five Fingers Beach at Lagg be dealt with?”

Clr. McGonagle was informed that arrangements were being made to have this access evaluated and to determine a suitable solution.

The near vertical drop from the edge of the roadway to the beach was roughly 3 meters as a result of erosion.

The Marine Division would take the lead on identifying a solution and would work closely with the local Environment and Roads Sections. It was expected that this matter would be further discussed at the local area meeting where any works required would need to be prioritised for funding within the confines of the adopted Budget 2005.

C/102/05

PURCHASE OF LAND FOR HOUSING IN CLOSE PROXIMITY TO RURAL SCHOOLS

The following question was submitted by Clr. McGuinness:-

“Will the Council advertise to purchase land for housing in close proximity to rural schools?”

Clr. McGuinness was informed that the Council always tried to acquire landbank close to community facilities including schools. The Council advertised for landbank in 2004 with limited success. Since then there had been ongoing negotiations with landowners in each electoral area to deliver landbank for the 2004-2008 and subsequent programmes.

C/103/05

AFFORDABLE HOUSING UNITS IN INISHOWEN

The following question was submitted by Clr. MacLochlainn:-

“How many units of Affordable Housing does Donegal County Council intend to construct in Inishowen in 2005?”

Clr. MacLochlainn was informed that the Council’s policy was to provide Affordable Housing using the provisions of Part V of the Planning and Development

Act 2002. Negotiations were ongoing with regard to a number of developments in this regard in Carndonagh and Moville. Specific numbers and costs had not yet been finalised. With regard to Buncrana, the Town Council had responsibility for acquiring Affordable Houses and was pursuing same under Part V also. It was the intention to finalise contracts with a number of developers in the coming months, that would enable us to make houses available to first time buyers at affordable prices.

C/104/05

REDUCTION OF LIME CONTENT IN
WATER/PROVISION OF RESERVOIR AT
CULDAFF

The following question was submitted by Clr. McGuinness:-

“What action do the Council propose to take
(a) to provide a reservoir for the Culdaff area
(b) to reduce the lime content of the water in this scheme which is causing serious damage to heating systems and appliances?”

Clr. McGuinness was informed that :-

- (a) The reservoir originally proposed under, but outside the scope of, the Culdaff small scheme was now included in the Inishowen Regional Water Supply Scheme which was included in the Assessment of Needs review 2003. This scheme had not yet been included on the DEHLG Water Services Investment Programme. Therefore, the timescale for funding was uncertain.
- (b) Where groundwater was sourced from a limestone aquifer there was a tendency for the water to be 'hard'. It was not practical to remove the hardness although there were some systems available which could reduce the effects. The long term solution was the implementation of the Inishowen Water Supply Scheme which

would allow the Council to blend water from upland sources with this groundwater.

C/105/05

TAKE OVER OF TULLYDISH GROUP WATER SCHEME

The following question was submitted by Clr. Donaghey:-

“When will Tullydish 1 Group Water Scheme be taken over as the majority of members are becoming increasingly unhappy and say they are encountering problems?”

Clr. Donaghey was informed that up to the year 2001 Donegal County Council had a programme of upgrade and takeover of private group schemes, based on lists prioritised by the Council. Pipelines, reservoirs, pumping plant and other infrastructure was to be upgraded, outstanding financial issues and legal issues regarding wayleaves and ownership were to be resolved in advance of the takeover. 350 schemes in the county were listed for upgrade and takeover. Tullydish no. 1 GWSS was one among them. “As constructed drawings” were prepared for the scheme and wayleave documents were prepared for completion by the Group.

The allocation of funding from the Rural Water Programme in February 2002, under the heading “Takeover” specified that overriding priority be given to quality deficient schemes. The targeting of schemes served by private sources with water quality deficiencies, to the exclusion of water distribution network upgrades, had been emphasised more strongly over the following years up to and including 2005. Only 37 schemes in Donegal currently fell within the target group. Tullydish No. 1 GWSS was not among them.

The Water Services Bill, currently before the Oireachtas, will place obligations on Donegal County Council, as a Water Service Authority, to licence and monitor private Water Service Providers. It can be

expected that the demand from private group schemes to be taken over will increase in response to this new regime. There would be a need for significant resources to be channelled into the Upgrade and Takeover programme if such a demand were to be met.

Until such time as this funding becomes available the council is not in a position to proceed with the takeover programme except in respect of schemes with deficient water quality. Therefore we regret that we are not in a position to commit to a timeframe to takeover of the scheme in question.

C/106/05

LOCAL AREA PLANS FOR LIFFORD, RAPHOE, ST. JOHNSTON & MANORCUNNINGHAM

The following question was submitted by Clr. McDaid:-

“When will the Planning & Economic Development unit present the Local Area Plans for the towns of Lifford, Raphoe, St. Johnston & Manorcunningham to this Council for consideration by members?”

Clr. McDaid was informed that the Local Area Planning Programme for each electoral area was agreed by the Council some years ago. Local Area Plans had been prepared for Muff, Burnfoot, Bridgend, Killea, Castlefin and Rossnowlagh, funded through the County Council led Task Force for Peace and Reconciliation. The priority work this year was the review of the County Development Plan which was underway at present and must be delivered within the strict statutory timescale set out in the Planning & Development Act 2000. Accordingly all the resources of the Central Planning Unit were focused on this review together with completion of work on the review of the Local Area Plans for Ballybofey/Stranorlar, Castlefin, Rossnowlagh, Gweedore, Ballyshannon and Killybegs. It was proposed to make a further application to the Donegal Task Force for Peace and Reconciliation and other

agencies for funding to prepare a number of new Local Area Plans in 2005/2006. When a decision was made on the Councils applications a report would be brought back to the Council.

I will arrange to bring a report to each electoral area and the members can review the current list of centres on the programme and decide the priorities in each case, so that work can get underway as resources become available.

C/107/05

DRAFT ACCOMMODATION PROGRAMME FOR TRAVELLERS 2005-2008

The following question was submitted by Clr. McDaid:-

“Will this Council refer the Draft Accommodation Programme for Travellers 2005-2008 back to the local Traveller Accommodation Consultative Committee for more meaningful consultation?”

Clr. McDaid was informed that as the Members would be aware the Traveller Accommodation Programme 2005-2008 was listed for adoption on the agenda for today’s meeting.

The preparation of the Draft Programme was listed for discussion/consideration at the March 2004, May 2004 & July 2004 meetings of the Local Traveller Accommodation Consultative Committee. In addition extensive consultation took place with the Donegal Travellers Project, through meetings, phone calls & e-mails.

The Draft Programme was published on the 19th of October 2004, and was considered by the L.T.A.C.C on the 2nd of November 2004, and at a special meeting on the 13th of December 2004. It was agreed by the Committee at its meeting on the 13th of December 2004 that any point made at the meeting would be taken as a formal submission in relation to the plan, and would be considered in the context of the County Manager’s Report on all submissions

received.

The County Manager's Report on all submissions received as placed before the full Council for consideration at today's meeting includes reference to this submission. (Submission No 6. refers.)

Taking the above into consideration, and having regard to the extensive consultation which took place generally, it was believed that the Plan could now be adopted without further referral as per the County Manager's Report to the Members. The Council had complied with all of the statutory requirements in relation to the preparation/publication of the Draft Programme & the necessary consultation.

It should be noted that the statutory provisions for adopting the Plan requires the County Manager to prepare a report on all submissions received and the Members having considered the submissions & the County Manager's Report, must adopt the Programme by the 30th of April 2005. If members failed to adopt Programme by date specified for adoption or within 21 days from that date, the County Manager shall, by order, adopt Programme within one month from that date (section 14 of 1998 Act).

In this regard it was a function of the full Council to adopt the Programme in accordance with the statutory provisions as outlined.

C/108/05

LAND FOR HOUSING IN ST. JOHNSTON

The following question was submitted by Clr. Crawford:-

“What efforts have been made to secure much needed land for housing in St. Johnston?”

Clr. Crawford was informed that the Housing Department were continuously trying to secure suitable landbank in all our Towns and Villages to serve both present and future housing needs. Several

attempts to acquire lands in St. Johnston in the last few years have been unsuccessful. In the last round of Turnkey Housing advertisements in 2004 no submissions were received for St Johnston. Recently a potentially suitable landbank had been identified in the environs of the Town and negotiations for its acquisition were ongoing. Should these negotiations be successful then the Members of the Letterkenny Electoral Area Committee would be informed and designs to progress a scheme on the lands would follow on without delay.

C/109/05

ROADWORKS FROM DEELE COTTAGE TO CHURCH IN RAPHOE

The following question was submitted by Clr. Crawford:-

“What is the delay in having the long overdue roads works carried out from Deele Cottage to the Church in Raphoe?”

Clr. Crawford was informed that the road in question was to be resurfaced as part of conditions imposed on a local multiple housing development. The developer refrained from doing the works while they prepared alternative proposals for the entrance to the development and these proposals had only recently been firmed up and presented to Council road staff for consideration. Following this consideration the developer would then supply a work programme to complete the works required to the road in as short a time frame as possible. The Council hoped that these works would be completed within the next two months.

C/110/05

BRIDGE ACROSS MULROY

The following question was submitted by Clr. McGarvey:-

“When will the Bridge across Mulroy start and what is the projected cost?”

Clr. McGarvey was informed that since the projects inception approximately €1.94 million had been spent

to date, and in 2004 the following progress was achieved with the €460,000 allocated;

- Completion of archaeological investigations
- Approval of project by An Bord Pleanála
- Completion of detail design
- Completion of road safety audit, design stage
- CAT III Independent bridge design check
- Completion of land acquisition

An application for 2005 funding had been submitted to the Department of the Environment and Local Government.

The Tender documents had also been submitted to the Department for approval to proceed to tender. €4,000,000 would be required to commence construction in 2005, and a further €13,500,000 would be required during the period 2006 to 2008 to complete construction.

Construction of the bridge could commence late summer / early autumn 2005, provided the Department provided the necessary funding, and the approval to proceed to tender early in 2005.

C/111/05

COUNCILLORS PUBLIC LIGHTING PROGRAMME

The following question was submitted by Clr. Blaney:-

“Can this Council explain the delay in implementing the Councillors Public Lighting Programme as it is currently taking 2 years plus to have lights erected?”

Clr. Blaney was informed that it was accepted that difficulties had arisen in the past in relation to having councillors lights erected. However the council staff had been assured at a meeting on 25th Jan 05 with the ESB that in future new lights would be erected within six months of date of order from the County Council. The Council would be working closely with the ESB

on this matter and the implementation of the policy that was agreed last summer

C/112/05

PROGRESS OF WASTE MANAGEMENT

The following question was submitted by Clr. McGarvey:-

“What progress is being made for Waste Management on a county wide basis?”

Clr. McGarvey was informed that:-

1. Waste Management Plan

The Waste Management Plan adopted in 2000 provided the framework for dealing with municipal waste under the Waste Management Act of 1996. This Plan was currently up for review. The public had been informed of this through public notice. The process of selecting a consulting firm to implement the review was in its final stage.

2. Staffing

In accordance with the plan the council had recruited three officers who had responsibility for three key areas, Waste Recycling, Waste Awareness and Waste Regulation. Recruitment of a new Awareness Officer had been completed (see below). An executive scientific officer had also been recruited to assist the Council comply with EPA requirements. Three litter wardens were initially employed. Recently a further three had been recruited together with a waste regulation assistant. The Laboratory Service had also significantly increased its resources in monitoring landfill emissions to waters air and noise.

3. Regulation

Review notices had all been issued to waste collection permit holders in Donegal specifically with kerbside collection and pay by use as major objectives. Regular meetings were held with collectors at which new developments such as the requirement to offer ‘pay by use’ service was discussed. The most recent one was held in December 2004. The activities of permit

holders were subject of ongoing monitoring by Council staff to ensure compliance with the Act and Regulations. One permit was temporarily revoked recently in this context. Legal proceedings had been taken against one collector for illegal dumping. Movement of waste across the border with Northern Ireland had been tightened up considerably during the year by actions of authorities on both sides of the border. These included auditing of activities and border check points.

4. Recycling

One civic amenity site had been developed at Carndonagh to provide a full range of recycling facilities. Bring banks had been developed throughout the county at 55 locations. All sites catered for glass and cans, while many also catered for textile. Plastic and paper recycling banks were located at Carndonagh, Letterkenny, Dungloe, Killybegs and at Ballynacarrick Landfill Site. Home composters were being sold through the Public Service Centres throughout the county.

Grant approval had been received for three new Civic Amenity sites to serve the Stranorlar, Letterkenny and Donegal areas. Construction would shortly begin on the Stranorlar site while planning permission was being sought for the Donegal and Letterkenny sites. Suitable sites were also currently being sought in the Milford and Glenties electoral areas for additional civic amenity sites.

In 2005 private waste collectors would offer kerbside collection of mixed dry recyclables from the household, in tandem with their municipal waste collection services, in order to achieve the levels of recycling targeted in the county's Waste Management Plan. A number of the waste collectors had already introduced this service. A feasibility study was shortly to be presented which addressed the topic of developing a Materials Recovery Facility in the county, which would add value to recycled material. Following the introduction of the collection of dry

recyclable materials a third collection of organic wastes would be introduced. These biodegradable materials would be collected and centrally composted.

Temporary and mobile collections of materials for recycling continue around the county. While the collection of hazardous wastes by the Chem Car was now well established, recent day long collections of fridges and freezers at a variety of sites had proved very popular.

5. Disposal

An Bord Pleanála granted planning permission for an extension to the Ballynacarrick landfill site. This was followed by the granting of a reviewed permit to operate the site from the EPA. This cleared the way to develop new fully engineered cells to allow waste disposal to continue in the County. An application for planning permission had been made to An Bord Pleanála for the proposed site at Meenabol. An application for an EPA licence had also been made for this site. The Council were currently awaiting the result of these applications. Both applications required a detailed EIS to be completed as part of the application. It was expected that both applications could take up to a year to be processed and finalised.

The Council was facing considerable expense in closure and restoration of the six licenced landfills in the county. The first phase of restoration had been completed at Ballinacarrick landfill site. Similar works were planned at Muckish and Glenalla landfills later this year. Landfill gate charges were the only source of funding for development, operation and restoration of landfills.

6. Awareness

The Waste Awareness Officer delivers a waste awareness program throughout the county. The programme for 2005 would involve the follow.

C/113/05

PROGRESS OF WATER AND SEWERAGE
SCHEMES IN THE COUNTY PARTICULARLY
MILFORD

The following question was submitted by Clr. Blaney:-

“What does Donegal County Council intend doing about the rate of progress in Water and Sewerage Schemes in the county and in particular in the Milford Electoral Area?”

Clr. Blaney was informed that Major Capital Water Services schemes were advanced under a regulatory framework determined by Central Government with reference to National and European legislation. The mechanism for advancing schemes was the DEHLG Water Services Investment Programme. This programme covers a period of approximately 3 years and was revised and updated annually. If a scheme was listed on this programme the scheme might be progressed through the planning and design stages and funding might be made available at some point for the construction phase of the scheme.

On major schemes there were generally 4 main stages of DEHLG approval. These were :-

Preliminary Report approval; Contract Document approval; Tender Recommendation approval; Final Account approval. Construction could not commence until these approvals were in place. Indeed, planning and design could not even begin until a consultant was procured under strict procurement rules, and the appointment approved by DEHLG. In addition the implementation of DEHLG Water Services Pricing Policy meant that approval of Water Charging reports were also now required to be revised and updated at each stage.

On many schemes there was a need to prepare an Environmental Impact Assessment and to submit an Environmental Impact Statement to the Environmental Protection Agency, and to engage in public consultation. This typically took two years, and was a

requirement in the case of Stage 2 of the Fanad Regional Water Supply Scheme. This was in effect a planning permission, but it might be connected to land acquisition through CPO, Foreshore Licence for outfalls or Abstraction Licence in the case of water supply.

As the DEHLG was the principal funder of the major schemes the Council had limited control over the approvals process. The Council would of course welcome the implementation of a more streamlined system of scheme approval and funding.

With regard to the Milford Electoral Area, Stage 1 of the Fanad Regional Water Supply scheme was currently under construction and other schemes were advancing through the planning stages. Full details of the programme were shown in the Budget 2005 book. Regular programme updates were presented to the Electoral Area Committee meetings.

C/114/05

ILLEGAL IRISH IMMIGRANTS LIVING IN AMERICA

The following question was submitted by Clr. McBride:-

“Are there any means that this Council can use, to request the Department of Foreign Affairs to bring pressure to bear on the American Government to grant an amnesty to the so called "Illegal Irish Immigrants" living in America?”

Clr. McBride was informed that if a motion to this effect was adopted by the Council, it would be forwarded to the Department of Foreign Affairs.

C/115/05

MOTIONS FROM OTHER COUNCILS

The following motions received from other Councils were noted:-

CARRICK ON SUIR TOWN COUNCIL

“That each Council would request a report from the recycling company that processes the recycling materials collected within their administrative areas,

detailing the recycling process, usage at the end product and/or eventual destinations of such materials.”

BALBRIGGIN TOWN COUNCIL

“That we Balbriggan Town Council call on the Minister for Justice Equality and Law Reform to return all asylum seeking unaccompanied children under the age of 18 to their country of origin at immigration point.”

MACROOM TOWN COUNCIL

“That local authorities would be allowed to register for VAT so they could claim VAT rebates on their various inputs.”

KERRY COUNTY COUNCIL

“That the discount of 3% per annum, subject to maximum of 30% allowed to tenants who purchase their local authority houses be extended to a lower rate for a further 20 years.”

TIPPERARY COUNTY COUNCIL

“Calling on the Government and An Post to sustain the Post Office network both urban and rural and to automate non –automated offices.”

WATERFORD CITY COUNCIL

“That Waterford City Council calls on the Minister for Justice, Equality & Law Reform to consider the introduction of mandatory custodial sentences for those who have been convicted of rape or other serious forms of sexual abuse.”

LEITRIM COUNTY COUNCIL

“That we the members of Leitrim County Council call on the Minister for Communications, Marine and Natural Resources, Mr. Noel Dempsey, T.D., to immediately sit down with management and unions of An Post, with a view to putting in place a funding package in order for the company to meet its public obligation.”

This concluded the business of the meeting.