

MINUTES OF ADJOURNED MEETING OF DONEGAL COUNTY
COUNCIL HELD ON 28TH JULY, 2005 IN THE COUNTY HOUSE,
LIFFORD.

C/354/05 MEMBERS PRESENT

Clrs. D. Larkin, Cathaoirleach, D. Alcorn, L. Blaney, Alice Bonnar, Enda Bonner, J. Boyle, C. Brogan, B. Byrne, F. Conaghan, G. Crawford, Pádraig Doherty, R. Donaghey, J. Harte, J. Kennedy, N. McBride, T. McDaid, M. McDonald, S. McEniff, I. McGarvey, D. McGonagle, P. McGowan, B. McGuinness, B. O'Domhnaill, T. Pringle, J.J. Reid, and T. Slowey.

C/355/05 OFFICIALS IN ATTENDANCE

Mr. Michael McLoone, County Manager, Mr. Liam Kelly, Assistant County Manager/Director Housing, Mr. Jim Holohan, Director Water, Environment & Emergency Services, Mr. Francie Coyle, Director Planning & Economic Development, Mr. Sean Sheridan, Director Corporate Services, Mr. Michael McGarvey, Acting Director Roads & Transportation, Mr. Jim Harley, Senior Planner, Mr. Eunan Sweeney, Meetings Administrator, Ms. Mairéad Devine, Acting Assistant Staff Officer, Corporate Services.

C/356/05 DEFERMENT OF ITEM NO 3 (h)

On the proposal of Clr. Conaghan, seconded by Clr. McEniff, it was resolved to vary the order of business and defer this item to later in the meeting.

C/357/05 DISPOSAL OF LANDS AT MAIN STREET BUNDORAN.

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

On the proposal of Clr. McEniff, seconded by Clr. Byrne, it was resolved to dispose of former Town Council/UDC Building, Main Street, Bundoran, Donegal to Messrs Donagh Keon and Diarmuid Keon, in accordance with Section 211 of the Planning & Development Act, 2000 & Section 183 of the Local Government Act, 2001.

- C/358/05 DISPOSAL OF LANDS AT CHURCHLAND,
CARNDONAGH.
Members considered the report, circulated with the agenda in relation to the above.
On the proposal of Clr. Conaghan, seconded by Clr. McDonald, it was resolved to dispose of lands at Churchland, Carndonagh, to Mr. Neil Porter, Churchtown, Carndonagh, in accordance with Section 211 of the Planning & Development Act, 2000 and Section 183 of the Local Government Act, 2001.
- C/359/05 DISPOSAL OF LANDS AT TRIHOMIN, MILFORD.
Members considered the report, circulated with the agenda, in relation to the above.
On the proposal of Clr. Larkin, seconded by Clr. McEniff, it was resolved to dispose of lands at Tirhomin, Milford to Mr. Duncan McCallum, Main Street, Milford, in accordance with Section 211 of the Planning & Development Act, 2000 and Section 183 of the Local Government Act, 2001.
- C/360/05 DISPOSAL OF LANDS AT DROMORE,
LETTERKENNY.
Members considered the report, circulated with the agenda, in relation to the above.
On the proposal of Clr. Larkin, seconded by Clr. Crawford, it was resolved to dispose of lands at Dromore, Letterkenny, to Mr. Eamonn Gallagher, Dromore, Letterkenny, in accordance with Section 211 of the Planning & Development Act, 2000 and Section 183 of the Local Government Act, 2001.
- C/361/05 DISPOSAL OF LANDS AT MAIN STREET CARPARK,
DONEGAL TOWN
Mr. Michael McLoone, County Manager advised the meeting that there was an error in the notice of disposal that would need to be amended before it could be considered by members. It was agreed that this matter be deferred to the September Meeting of the Council.

C/362/05 TAKING OF DECISION WITH REGARD TO DONEGAL MAIN DRAINAGE – BROOKFIELD PUMPING STATION

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

On the proposal of Clr. Kennedy, seconded by Clr. Byrne, the carrying out of works under Part XI Planning & Development Act, 2000 and Part 8 of the Planning & Development Regulations 2001, with regard to Donegal Main Drainage – Brookfield Pumping Station, was approved.

C/363/05 TAKING OF DECISION WITH REGARD TO 16. SPECIAL INSTANCE COTTAGES.

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

On the proposal of Clr. Byrne, seconded by Clr. McEniff, the carrying out of works under Part XI Planning & Development Act, 2000 and Part 8 of the Planning & Development Regulations 2001, with regard to 16. Specific Instance Cottages, was approved.

C/364/05 TAKING OF DECISION WITH REGARD TO REALIGNMENT OF WOODLANDS, SCHOOL JUNCTION.

Members considered the report, circulated with the agenda, in relation to the above. Clr. Larkin referred to objections raised and requested that these be addressed urgently.

On the proposal of Clr. Larkin, seconded by Clr. McEniff the carrying out of works under Part XI Planning & Development Act, 2000 and Part 8 of the Planning & Development Regulations 2001, with regard to Realignment of Woodlands, School Junction.

C/365/05 TAKING OF DECISION WITH REGARD TO RESERVOIR AT MEENACHARRY, CARRICK.

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

On the proposal of Clr. Byrne, seconded by Clr. Boyle, the carrying out of works under Part XI Planning & Development Act, 2000 and Part 8 of the Planning & Development Regulations 2001, with regard to Reservoir at Meenacharry, Carrick, was approved.

C/366/05 TAKING OF DECISION WITH REGARD TO PUMPING STATION AT LERGADAGHTAN, TEELIN, CARRICK.

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

On the proposal of Clr. Byrne, seconded by Clr. Kennedy, the carrying out of works under Part XI Planning & Development Act, 2000 and Part 8 of the Planning & Development Regulations 2001, with regard to Pumping Station at Lergadaghtan, Teelin, Carrick, was approved.

C/367/05 TAKING OF DECISION WITH REGARD TO ROSSNOWLAGH ROAD PUMPING STATION.

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

On the proposal of Clr. McEniff, seconded by Clr. Boyle, the carrying out of works under Part XI Planning & Development Act, 2000 and Part 8 of the Planning & Development Regulations 2001, with regard to Rosstown Road Pumping Station, was approved.

C/368/05 RATHMULLAN ENVIRONMENTAL IMPROVEMENT SCHEME

Members considered the report of Mr. Francie Coyle, Director of Planning & Economic Development dated 14th July, 2005 that had been circulated with the agenda.

Mr. Coyle read into the record his report and in the course of doing so referred to the letter issued in April 2005, to the Rathmullan Business Association requesting specific information to enable their proposal to be considered. No submission had been received by the deadline of end June 2005; however a copy of a Business Plan had been handed into Mr. Coyle's office on the evening of 27th July.

Mr. Coyle proceeded to outline the requirements which had to be addressed in the Business Plan and highlighted the deficiencies in the plan received:-

- Full details of the nature of the business intending to locate to the Potato Store, i.e. supporting letters from potential businesses. Please clarify if these will be set up businesses or the re-location of existing businesses.

Comment

- Mr. Coyle confirmed that full details had been submitted with letters of interest from businesses also attached.
- “Details of the number of persons that will be employed in these business. Please clarify if they will be full time/part time employees.”

Comment

- Mr. Coyle confirmed that these details had been submitted.
- “Details of the number of units to be provided in the refurbished store including details plan drawings, and the rental potential of each unit.”

Comment

- Mr. Coyle advised that more information was needed on the rental potential of each unit.
- “Evidence should be provided outlining current demands for units within the refurbished potato store. It must be shown that these proposed businesses do not have the capacity to displace existing businesses within the town area. In this regard it should be noted that Rathmullan & District Centre Ltd propose to provide lettable units at the flagpole field for which they will be seeking funds from various agencies.”

Comment

- Mr. Coyle advised that further information was needed in order to determine which agencies the group would be seeking funds from and how much money was expected from each agency. Mr. Coyle advised that without letters of confirmation from agencies stating that they would be providing funding it would be impossible to consider the financial rewards of this project.
- “Full breakdown of costs associated with the refurbishment of the potato store and supporting documentation, e.g. estimates from Quantity Surveyor, Structural Survey etc.”

Comment

- Mr. Coyle advised that neither the breakdown of costs or the surveys had been submitted.
- “Full details of how refurbishment is to be funded and firm letters of offer from funding agencies/sources.”

Comment

- Mr. Coyle advised that further information would be needed as to how the group proposed to cover the cost of €40,000 for the refurbishment of the roof of the potato store as this information had not been submitted. He also confirmed that no letters of offer from funding agencies had been submitted.
- “Details of funding for the future maintenance of the store, to include funding for annual water, rates charges, public liability insurance etc.”

Comment

- Mr. Coyle advised that it was not clear from the Business Plan how the group intended to cover the above costs and further information would be required.
- “Details of own resources, i.e. bank statements.”

Comment

- Mr. Coyle advised that the above information was critical to the business plan; however, the group had failed to supply adequate details of their own resources, so further information was required.
- “Details of track record of the Association in developing other projects/schemes.”

Comment

- Mr. Coyle advised that the above information had not been submitted.
- “Please submit your proposals for the lease of the Potato Store, to include rent you propose to pay, terms of lease required etc. In the event that your proposals include

sub-leasing of units to established private businesses, commercial lease terms will be imposed by the Council.”

Comment

- Mr. Coyle confirmed that details of the lease had been submitted but not to the standard that was required and further information would be needed.
- “Please clarify if it is your intention to maintain and renovate the public toilets as part of your proposal.”

Comment

- Mr. Coyle confirmed that the above information had been submitted.
- “Please submit details of your consultations with other interested third parties in relation to your proposals, such as those parties who are operating retail outlets in the town and to the rear of the Potato Store, Environmental Health Officer etc. In this regard, it should be noted that a recent planning application on the shore front was refused planning permission for a number of reasons, including the proposal would be prejudicial to public health and have a detrimental effect on the amenities and depreciate the value of property in the vicinity. There was also strong local opposition to the proposal in question. I attach copy of planning decision for your information (planning reference 03/7125 refers).

Comment

- Mr. Coyle advised that the above information had been submitted to some extent but further information was still required.
- “Please submit names and addresses of members of your Association, details of when the Association was set up, public meetings, held, etc. Please confirm if your Association is a private company limited by shares, a company limited by guarantee having a share capital etc. In the event of a limited company, please submit Memorandum and Articles of Association. If your Association is a Community Group, please submit a copy of your constitution. It should be noted that funding

agencies will require project sponsors to be a legal entity.”

Comment

- Mr. Coyle advised that the above information had not been submitted.
- “Estimation of the time it will take to carry out the refurbishment of the Potato Store.”

Comment

- Mr. Coyle advised that the above information had been submitted.
- Mr. Coyle informed members that a reminder letter was issued to the Rathmullen Business Association on the 06th May 2005, requesting the outstanding information to be submitted; however, this information had not been received by the deadline. He stated that town renewal had not been carried out in Rathmullen in 10 years due to the building of the Marina and the implementation of the Car Ferry. He recognised the people of Rathmullen had been waiting a long time for town renewal and felt that the time was right for works to begin. Mr. Coyle advised members that funding for this project would be lost by Autumn so it was vital there would be no further delays.

In summary, Mr. Coyle stated that the Business Plan submitted, could not be considered a viable business plan due to the amount of outstanding information and lack of financial information to support the Rathmullen Business Association. Responding to a query from Clr. Blaney, Mr. Coyle confirmed that the Council had again written to Rathmullen Business Association in June, and they had not given any reason as to why they did not furnish the documents requested by Council.

On the proposal of Clr. Blaney, seconded by Clr. McBride, it was resolved to demolish the Potato Store in Rathmullen.

Clr. McBride, in seconding the motion, stated that the people of Rathmullen had waited a long time for a decision on the

Potato Store and it was now time to move the project forward.

Clr. McGarvey welcomed the decision to demolish the Potato Store and was glad for the people of the town that the issue had finally been resolved.

C/369/05 MATERIAL CONTRAVENTION OF DONEGAL COUNTY COUNCIL DEVELOPMENT PLAN 2000, AS VARIED – CONSIDERATION OF PLANNING APPLICATION SUBMITTED BY ELECTRICITY SUPPLY BOARD, 27 LOWER FITSWILLIAM STREET, DUBLIN 2 FOR PERMISSION FOR ERECTION OF A 25M HIGH, FREE STANDING COMMUNICATIONS STRUCTURE, CARRY ANTENNAE AND COMMUNICATIONS DISHES, WITH ASSOCIATED GROUND-MOUNTED EQUIPMENT CABINETS TO FORM PART OF ESB’S COMMUNICATION SYSTEM TO SHARE WITH OTHER LICENSED OPERATORS WITH A 2.4M HIGH PALISADE COMPOUND AT LISTILLION, LETTERKENNY, CO. DONEGAL. (REF 05/6123)

Prior to consideration of the above item, Mr. Eunan Sweeney, Meetings Administrator carried out a roll call and recorded as in attendance those listed below:-

Cls. D. Alcorn, L. Blaney, Alice Bonnar, Enda Bonner, J. Boyle, C. Brogan, B. Byrne, F. Conaghan, G. Crawford, Pádraig Doherty, R. Donaghey, J. Harte, J. Kennedy, D. Larkin, N. McBride, T. McDaid, M. McDonald, S. McEniff, I. McGarvey, D. McGonagle, P. McGowan, B. McGuinness, B. O’Domhnaill, T. Pringle, J.J. Reid, and T. Slowey. (26)

Mr. Francie Coyle, Director Planning & Economic Development read into the record report dated 18th July, 2005 by Mr. Jim Harley, Senior Planner. Mr. Harley’s report recommended that the permission be granted for the following reasons:-

“The application materially contravenes Section 2.3.5 of the County Development Plan 2000 (as varied), which outlines that no new masts will be permitted in built up areas or

within 1km of built up areas, or within 1k of a dwelling or other buildings to which the public has access outside of a built up area. It is stated that a distance of 600m will be considered in the latter area where 1km is not possible due to rural housing densities. The nearest dwelling house is within 150m of the site and accordingly does not meet with the aforementioned requirements. Information submitted with the application states that that the proposed communication installation is being applied for as part of the ESB's own communication infrastructure, to cater for the 110kv substation and so in this regard the structure must be located in or adjacent to the substation so that it can be effectively monitored and controlled. It is stated that the proposed development will play a key role in enabling the availability of wireless broadband services in and around Letterkenny. The site location was chosen because the telecommunications structure, adjacent to the ESB's fibre optic network will further enhance the availability and quality of broadband service to the surrounding area, as the Letterkenny Substation site is a Point of Presence for the ESB Telecoms Broadband Network. The proposed structure at Letterkenny 110kV substation will allow the Broadband network to extend beyond the proposed metropolitan Area Network to the general Letterkenny area, with the use of wireless technology.

- **Roads:** The entrance to this site is already in place and adequate vision lines are achievable.
- **Visual Impact:** The N13 National Primary Road is a designated tourist road however having regard to the photographs submitted with the application and upon visiting the site and also when taken in conjunction with existing electricity towers and structures on this overall site it is not considered that the mast will have a detrimental visual impact on this area.”

Responding to a query from Clr. Harte, Mr. Coyle confirmed that the proper planning procedure had been followed and no objections had been received from people in the adjoining area.

Mr. Jim Harley, Senior Planner, advised members that the mast would be marginally visually obtrusive but that members should take into consideration that there was a Commercial Vehicle garage opposite the proposed structure. Mr. Harley also confirmed that the mast would be roadside within confines of the existing power station complex and not beside an existing dwelling.

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

“That in accordance with Section 34(6)(a)(iv), of the Planning and Development Act, 2000 Donegal County Council hereby resolve that a decision be made to grant planning permission to Electricity Supply Board, 27 Lower Fitzwilliam Street, Dublin 2 for permission for erection of a 25m high, free standing communications structure, carry antennae and communications dishes, with associated ground-mounted equipment cabinets to form part of ESB’s communication system to share with other licensed operators with a 2.4m high palisade compound at Listillion, Letterkenny, Co. Donegal. (Ref 05/6123).

The vote resulted in 25 for with 1 abstention.

Those voting in favour were:-

Clrs. D. Alcorn, L. Blaney, Alice Bonnar, Enda Bonner, J. Boyle, C. Brogan, B. Byrne, F. Conaghan, G. Crawford, Pádraig Doherty, R. Donaghey, J. Harte, J. Kennedy, D. Larkin, N. McBride, T. McDaid, M. McDonald, S. McEniff, I. McGarvey, D. McGonagle, P. McGowan, B. McGuinness, B. O’Domhnaill, T. Pringle, and T. Slowey. (25)

Clr. J.J. Reid abstained.

The Cathaoirleach declared the motion carried.

Mr. Francie Coyle read into the record the Schedule of Conditions which Mr. Jim Harley, Senior Planner had

recommended in his report should be attached in the event of the Council deciding to grant permission.

Clr. McDaid proposed, seconded by Clr. Brogan, the attachment of the conditions schedule of conditions recommended by the Senior Planner subject to the inclusion of the following additional condition:-

“The use of the mast shall be restricted to ESB’s S.C.A.D.A. monitoring operation and wireless Broadband operation only and no additional antennae whether exempted development or otherwise shall be permitted to use the mast.

Reason: To cater for orderly development.”

A recorded vote was then taken on the attachment of conditions by the Meetings Administrator resulting in 25 for with 1 abstention.

Those voting in favour were:-

Cls. D. Alcorn, L. Blaney, Alice Bonnar, Enda Bonner, J. Boyle, C. Brogan, B. Byrne, F. Conaghan, G. Crawford, Pádraig Doherty, R. Donaghey, J. Harte, J. Kennedy, D. Larkin, N. McBride, T. McDaid, M. McDonald, S. McEniff, I. McGarvey, D. McGonagle, P. McGowan, B. McGuinness, B. O’Domhnaill, T. Pringle, and T. Slowey. (25)

Clr. Reid abstained.

The Cathaoirleach declared the motion carried.

C/370/05 RECORD OF PROTECTED STRUCTURES – DELETION OF THREE STRUCTURES.

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

Mr. Francie Coyle, Director Planning & Economic Development, advised members that at the County Council Meeting held on 06th September 2004, it was resolved that the following structures should be deleted from the RPS:

- St. Patrick’s Church, Donaghmore RPS 40801001

- St. Ann's Church, Dromore, Killygordon RPS 40907822
- Convoy Presbyterian Church RPS 40909874

Following this resolution, details of the proposal to delete the structures from the RPS were placed on display for public consultation between 07th March 2005 and 16th May 2005, in accordance with the requirements of Section 55 of the Planning Act. He informed members that during the 10 week period one submission had been received from Mr. Donal Enright, Principal in the Heritage Policy and Architectural Protection Section, Department of Environment Heritage and Local Government. He further advised that at the Planning & Economic Development SPC Meeting held on 04th July, 2005 it had been decided to retain the structures on the Record of Protected Structures.

It was proposed by Clr. A. Bonner, seconded by Clr. McGowan "That St. Patrick's Church, Donaghmore, St. Ann's Church, Dromore, Killygordon and Convoy Presbyterian Church shall be deleted from the Record of Protected Structures."

Clr. Reid proposed deferral of a decision to enable consultation to take place with the churches; however, Mr. Coyle confirmed that this matter could not be deferred and a decision was now required from members.

- A recorded vote on the motion was taken by the Meetings Administrator.

The vote resulted in 17 for and 8 against:-

Those voting in favour were:-

Clrs. D. Alcorn, L. Blaney, A. Bonnar, E. Bonner, C. Brogan, B. Byrne, F. Conaghan, G. Crawford, R. Donaghey, J. Kennedy, D. Larkin, M. McDonald, S. McEniff, I. McGarvey, D. McGonagle, P. McGowan, B. O'Domhnaill.
(17).

Those voting against were:-

Clrs. J. Boyle, Pádraig Doherty, J. Harte, T. McDaid, B. McGuinness, T. Pringle, J.J. Reid, and T. Slowey. (8).

The Cathaoirleach declared the motion carried.

C/371/05 MAXIMUM FARE STRUCTURE FOR DONEGAL TOWN TAXIMETER AREA

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

On the proposal of Clr. Kennedy, seconded by Clr. Boyle, it was resolved to adopt the maximum fare structure for Donegal Town, Taximeter area in accordance with the Road Traffic (Public Service Vehicles) (Amendment) (No.3) Regulations 2000 and Road Traffic (Public Service Vehicles) & Amendment Regulations 2001.

Clr. Reid stated that he felt that Stranorlar deserved a dedicated taxi rank.

The County Manager, informed members that a report would be presented at the September Council Meeting in relation to same.

C/372/05 RAISING OF LOAN FOR DEVELOPMENT OF A VOLUNTARY PROJECT AT KERRYKEEL BY NORTH & WEST HOUSING (IRL) LTD

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

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

“That in accordance with the provision of the Local Government (No. 2) Act 1960 and Section 26 of the Housing Miscellaneous Provisions Act, 1992, we the members of Donegal County Council hereby authorise the raising of a loan in the sum of €2,020,346.00 from the Housing Finance Agency for the purpose of funding a Voluntary Housing Project at Kerrykeel, Co. Donegal.”

C/373/05 TENANTS HANDBOOK
Members considered the report, circulated with the agenda, in relation to the above.
On the proposal of Clr. Conaghan, seconded by Clr. Brogan, it was resolved to adopt the Tenants Handbook.

Clr. Conaghan in his capacity as Chairman of the Housing SPC, advised members that this handbook would be of invaluable assistance to Housing tenants.

Clr. Slowey welcomed the introduction of the Tenants Handbook and asked that a copy be circulated to all existing tenants as well as new tenants.

C/374/05 HOUSING NEEDS ASSESSMENT 2005/AGREEMENT ON DISTRIBUTION OF STARTS UNDER 2004 – 2008 HOUSING PROGRAMME

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

On the proposal of Clr. Conaghan, seconded by Clr. Brogan it was resolved to agree the Housing Needs Assessment 2005/Agreement on distribution of starts under 2004-2008 Housing Programme.

C/375/05 DONEGAL COUNTY COUNCIL CORPORATE PLAN 2004 – 2009

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

On the proposal of Clr. Crawford, seconded by Clr. Alcorn, it was resolved to adopt Donegal County Council Corporate Plan 2004 – 2009.

C/376/05 HEG SCHEME 2005

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

On the proposal of Clr. Conaghan, seconded by Clr. Larkin, it was resolved to adopt the HEG Scheme 2005.

C/377/05 AUDITOR'S REPORT 2003

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

On the proposal of Clr. Boyle, seconded by Clr. Pádraig Doherty, the Auditors Report 2003 was noted.

The County Manager advised that it had been agreed, in principle, to reduce overdraft through the disposal of assets.

C/378/05 CONFERENCE ATTENDANCE

Having considered the criteria set out in Section 142 5(d) of the Local Government Act 2001, on the proposal of Clr. Conaghan, seconded by Clr. McDonald, it was resolved that any member who wished could attend the following conferences:-

- (a) Parnell Summer School Conference to be held at Avondale, Co. Wicklow on 14th - 19th August 2005.
- (b) Promoting a Sustainable Energy Culture in Europe in Partnership with Cork City Council to be held at Rochestown Park Hotel, Co. Cork on 20th - 23rd September 2005.
- (c) Water Services National Training Group Conference to be held at Newpark Hotel, Kilkenny on 8th September 2005.
- (d) Local Government and the Arts to be held at The Silver Tassie Hotel, Milford Rd, Co. Donegal on 26th - 27th August 2005.
- (e) General Humbert-Michael Davitt Summer School to be held at Ballina, Killala, Lacken & Kilcummin, Co. Mayo on 23rd - 28th August 2005.
- (f) A.M.A.I. Annual Conference to be held at Oakwood Arms Shannon, Co. Clare on 15th - 17th September 2005.
- (g) Conference on Rural Planning to be held at Bay View Hotel, Killybegs, Co. Donegal on 5th - 7th October 2005.

It was also resolved on the proposal of Clr. McDonald, seconded by Clr. Brogan, to approve the attendance of any member who wished at a conference for Women to be held in Belfast.

C/379/05 CATHAOIRLEACH'S BUSINESS

1. On the proposal of the Cathaoirleach, seconded by Clr. McGuinness, the council extended its best wishes to Mr. Kevin Moran, Regional Co-ordinator for Cancer Services in the campaign to have Letterkenny General Hospital declared a Centre of Excellence for Cancer Services.

2. GREENCASTLE/MAGILLIGAN FERRY

The Cathaoirleach extended congratulations to the Greencastle/Magilligan Ferry who had received their 1 millionth passenger on Wednesday 27th July, 2005.

3. FLEADH CEOIL

The Cathaoirleach acknowledged the efforts that were being made to organise the Fleadh Ceoil, which was being held in Letterkenny at the End of August 2005. Clr. Larkin also welcomed the funding that was being given by Donegal County Council.

4. Magheracloy Group Water Scheme

The Cathaoirleach highlighted that many issues remained to be resolved.

5. The Cathaoirleach advised that the Donegal GAA Team were holding a banquet in Donegal Town and he had agreed with the County Manager that the Council should fund a table for twelve.

VOTES OF CONGRATULATIONS

The Cathaoirleach extended votes of congratulations to the following:-

- All those involved in the Errigal Arts Festival, which he stated, was a huge success and a credit to those involved.
- Mr. Anthony Gorman, who had recently been appointed Manager of Finn Harps, Football Club.
- Donegal Minor Ladies team who had recently played on the All Ireland Final. Clr. Larkin congratulated them on getting so far in what was a very difficult competition.
- Clr. D. McGonagle requested that congratulations be extended to Hugo Boyle, Clonmany on winning a gold medal in Tug-O-War.

SUMMER SCHOOL IN DONEGAL.

The Cathaoirleach expressed his hope that Donegal County Council through its Community & Enterprise Directorate set up a Summer School in Donegal. Clr. Larkin advised that this school should be aimed at those with large families or those with low incomes. He stated that he felt there was a

need to set up an alternative for the people of Donegal and Donegal County Council could lead the way in this type of scheme.

The Cathaoirleach advised that he had expunged from the agenda two motions (the following in the names of Clr. Pearse Doherty and Barry O'Neill respectively) in accordance with the following provisions of Standing Order 20 "Any notice of motion, which is obviously out of order, or contains unbecoming expressions, maybe expunged from the agenda by order of the Cathaoirleach."

The following motion submitted by Clr. Pearse Doherty:-
"That this Council agree with the "Shell To Sea" campaign, that gas from any gas find of the Irish coast should be processed offshore and that the imprisonment of the Rosport 5 for opposing Shells efforts to process such gas onshore is to be condemned. Given that the licence acquired by shell for exploration in the Corrib field was under the 1992 Frontier Exploration Licences and that a new round of applications for these licences are now being sought. This Council calls on the government to suspend this current round of applications for Frontier Exploration Licences and immediately carry out a review of the terms and conditions of such licences."

The following motion was submitted by Barry O'Neill:-
"That Donegal County Council, in light of recent job losses, seek to have Labour Court decisions made binding in the future."

Clr. Pringle expressed deep disappointment at the decision of the Cathaoirleach to rule out of order Clr. Pearse Doherty's motion.

C/380/05 MANAGER'S REPORT

The Council noted the contents of the Manager's Report and addendum.

SERVICE INDICATORS

The County Manager recommended that the Corporate Policy Group examines the service indicators and report back to the Council on "how we are doing."

RIGHT OF WAY AT DERRYBEG

Clr. Pádraig Doherty enquired who was raising this issue again.

FUNDING FOR FESTIVALS

Clr. Enda Bonner enquired as to the Council's Policy on support for festivals.

The Cathaoirleach informed members that if they had any queries in relation to the Manager's Report they could be placed on the agenda for the next appropriate meeting.

C/381/05 ADJOURNMENT OF MEETING

On the proposal of Clr. Crawford, seconded by Clr. Brogan, it was agreed to adjourn the meeting for lunch.

C/382/05 ASBESTOS WATERMAIN FROM MILFORD TO PORTLEAN NATIONAL SCHOOL

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

“That this Council as a matter of urgency replace the existing asbestos watermain from Milford to Portlean National School which continually is a problem with leaks and disruption of quality.”

Members were informed that:-

“This section of Asbestos Cement watermain has been identified as a candidate for pipe replacement under the next stage of the Water Conservation Programme. Expenditure under the first stage is well advanced and an application is being prepared for further funding.”

In seconding the motion, Clr. McBride stated that this was an old road that had been widened and it was important to renew the pipe on this road.

Responding to a query from Clr. Blaney, Mr. Jim Holohan, Director of Water, Environment & Emergency Services, advised that this was a rolling programme and any additional

works would have to be agreed by members in the context of next years budget.

C/383/05 STRANORLAR SEWERAGE PLANT

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

“That this Council prioritise and advance the extension of both the Stranorlar Sewerage plant in Stranorlar and the upgrading of the Ballybofey/Stranorlar Sewerage Network.”

Members were informed that:-

“The new wastewater treatment works was designed to treat existing loads arising (domestic and non-domestic) and future loads arising. This is straightforward in the case of sewage arising from domestic activities, as the variance in the strength of the sewage is minimal. In the case of industrial processes the strength of untreated effluents arising can be many times stronger than domestic sewage, and if discharged to the treatment works untreated can result in shock loading and breakdown of the biological processes at the works. Under the Polluter Pays Principle industry that generates effluent can opt to fully or partially treat its own effluent, and then discharge to the public sewer under licence. The Stranorlar plant has been grossly overloaded recently from an industry which generates biological loads of greater magnitude than the domestic population of the Twin Towns. This will be addressed by enhanced monitoring and rigorous enforcement of discharge licence conditions. If the industrial discharge is confined within its licence limits, i.e. 85 kg BOD per day, then the Waste Water Treatment Works at Stranorlar is more than adequate to fully treat the waste water arising.

With regard to the Ballybofey Stranorlar Sewerage Scheme Network studies are nearing completion which will assist in the planning and implementation of future phases of the scheme.”

Clr. A. Bonner acknowledged the work the Council had done with regard to sewerage treatment in Ballybofey. However, she expressed her concern that the

Ballybofey/Stranorlar/Convoy/Castlefin network was not included on the Water Investment Programme presented recently.

Clr. Reid advised that he felt the Ballybofey/Stranorlar Network should be given priority in the Water Investment Programme.

Clr. McGowan expressed his concern that as housing developments were being built, the sewerage treatment plant would be unable to cope and would become overloaded.

In reply, Mr. Jim Holohan, Director Water, Environment & Emergency Services advised members that he had no concerns that the existing treatment plant could cope with the existing development in the town, and indeed, future development. He advised that as the system was not overloaded, an application for funding to extend the sewerage treatment plant would not be successful.

C/384/05

BLUE FLAG BEACHES

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

“That Donegal County Council condemns the method used to allocate blue flags for beaches and ask the Minister for Environment and Local Government to take control back to the Department from An Taisce.”

Members were informed that:-

“Blue Flags are allocated in accordance with an international standard set by the private Foundation of Environmental Education (FEE). An Taisce is the organisation that implements the programme in Ireland on behalf of the Foundation. Concerns are often raised by participating local authorities in relation to the decision-making process used by An Taisce. The criteria are set down by An Taisce and standards have been gradually raised over the years. For example, it appears that in future the local authority will need to demonstrate that its environmental education programme is supporting the objectives of the Blue Flag programme. It is not clear if these standards are set

unilaterally, or if there is consensus from interested bodies such as the local authorities, the relevant government departments, EPA, and so forth. There is no provision for appeal in the event that a failure was due to some temporary situation that has since been resolved, or is completely outside the control of the local authority. There is perhaps a need for an external audit body and an appeal system to enhance confidence in the overall process.

It may be an opportune time to request the Minister to carry out a review of the process, which would take some of these concerns into account.”

C/385/05 RESOURCE CENTRE IN CONVOY

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

“That this Council support the building of a resource centre in Convoys.”

Members were informed that:-

“In December, 2001, North and West Housing Association sought the support of the Council through the Voluntary Housing Scheme for construction of a voluntary scheme in Convoys. In February 2002, the Stranorlar Electoral Area Committee agreed to support this housing scheme on condition that a communal facility be provided alongside the housing development. Under the Voluntary Housing Scheme, funding of €5,800 per housing unit is available if a communal facility is also being provided - one of the main stipulations for availing of this funding is that any communal facility must be of benefit to the occupants of the housing scheme and it may also be of benefit to the wider community.

Construction has now commenced on this 34 house voluntary scheme in Convoys but as yet, the provision of a communal facility alongside same has not been progressed. A portion of the site is available for such a facility and funding in the sum of €197,200 (i.e.5800x34) is available through the Voluntary Housing Scheme towards same. Obviously, additional funding would need to be sourced through other channels also. The usual manner in which the provision of such a facility would progress, i.e. where

funding is being accessed through the Voluntary Housing Scheme, is that the voluntary housing body would enter into negotiations with an identified local group with regard to operation/running of the facility. The grant available is paid directly to the voluntary housing body.

One local group in Convoy has put forward a formal proposal for the provision of a communal facility and a copy of this proposal has been given to the members of the Stranorlar Electoral Area Committee.”

C/386/05 CASTLEFIN BRIDGE

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

“That this Council make Castlefin Bridge a priority for funding under the 2005/2006 EU Co Financed Specific Improvement Grant Scheme and cooperate with the Northern Ireland Authority for this Tyrone/Donegal Border Regional Access and seek cross border funding form other groups, i.e. North West Cross Border Group, I.C.B.A.N. and Interreg IIIA etc.”

Members were informed that:-

“Prioritisation of the list for the 2006 EU Co-Financed Schemes has been completed at local Electoral Area level. It is anticipated that the countywide list will be compiled in September 2005. It is understood that Castlefin Bridge has been prioritised locally as priority number three for Stranorlar. The Council has asked the Department if a bridge programme can be submitted as a separate list to the normal EU Co-Financed list. The Department have indicated that there is now only a single list for roads and bridges under this scheme.

Any opportunities for special funding such as cross-border, InterReg, Peace, etc. will be considered.”

Clr. A. Bonner welcomed the recent approval of funding for Mulroy Bridge and acknowledged the work carried out by Clr. Blaney in securing same. Clr. A. Bonner queried where the Council could seek funding for the Castlefin Bridge.

Mr. Michael McGarvey A/Director of Service, Roads & Transportation referred members to a report that was presented to the last Stranorlar Electoral Area Meeting. He advised members that in order to increase the weight the bridge could carry to 7½ tonnes, more surveys would need to be carried out and to rebuild the bridge would cost between €4-5million. He welcomed any suggestions as to where funding could be sourced, however, he advised that there was no special package to apply for funding for bridges. Clr. McGowan queried the possibility of holding a meeting with all funding agencies involved and Mr. John McLaughlin, Director Roads & Transportation.

C/387/05 SPECIFIC INSTANCE COTTAGE HOUSING PROGRAMME

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

“That Donegal County Council re-evaluate the Specific Instance Cottage Housing Programme.”

Members were informed that:-

“A review of policy on Rural Cottages was one of the issues prioritised for attention by the new Housing/Building SPC at its inaugural meeting held on 26th April 2005. A report on the matter was presented to the second meeting of the Committee held on 16th June 2005. This report had previously been presented to the Corporate Policy Group in 2004 as, following the local elections, the Housing SPC had not been reconstituted until earlier this year.

The report acknowledged that the process involved in the provision of rural cottages required streamlining given the time, which elapses from date of application to handing over of keys.

While most of the work associated with the provision of rural cottages was presently done by the Design/Construction Division of the Housing Directorate, it was now proposed that the Housing Services Division take over certain aspects of the processing of rural cottages – i.e. that certain aspects of the work be transferred to the

Electoral Area Housing offices - thereby reducing the workload on the Design/Construction Division and at the same time improving the quality of service. (The Housing Directorate comprises of two Divisions - Housing Services and Design/Construction although there is overlap between each other).

To enable the transfer of work to the Electoral Areas, key policy changes would be necessary which were summarised as follows-

- Agreement on split between scheme houses versus rural cottages.
- Agreement on split by Electoral Area.
- Agreement on prioritisation of applications on an annual basis.
- Agreement on qualification criteria for rural cottages.
- Agreement on title requirement.
- Agreement on standards for site selection.

The Committee agreed the distribution of starts including the split between scheme housing versus rural cottages under the 2004-2008 Housing Programme at its June 2005 meeting and its recommendation to be considered by the Corporate Policy Group at its meeting to be held on 25th July 2005.

The Housing SPC's recommendations on the other key policy changes/issues as outlined above will also be submitted to the Corporate Policy Group and the full Council for adoption in due course."

Clr. O'Domhnaill stated that he felt the delay in contractors taking up building was unacceptable and that a period of 9 months to begin building was excessive. Clr. O'Domhnaill called for the following changes to be made to the Specific Cottage Housing Programme:-

1. That single applicants be fully considered.
2. That the proposed 16% S.I. starts in the new programme be increased to at least 25%.

3. That discussion begins with alternative contractors i.e. timber homes.
4. Administration of the applications be streamlined to Electoral Area offices.

Clr. MacLochlainn, seconding the motion, said that he was frustrated with the time it took to process S.I. applications. He stressed that a quick turn around from appointing contractors to finishing the houses had the potential to encourage people to stay in rural areas and also to save the Council money.

Clr. Conaghan welcomed the motion, and stated that he had confidence that procedures were now in place to streamline the service. He stressed that although procedures were being put in place it was vital that applicants held the titles to sites in order that their application be processed in a timely manner.

A number of members spoke in support of the motion and thanked Clr. O'Domhnaill for bringing the motion before the Council, and for the obvious research he had carried out.

Mr. Liam Kelly, Director Housing, confirmed that workshops in relation to S.I. houses were ongoing and all aspects of the S.I. procedures would be looked at and brought forward to the housing S.P.C.

Mr. Michael McLoone, County Manager, stated that it was important to acknowledge the work already done in relation to S.I. houses. He agreed to set targets for building S.I. houses every year in the context of service indicators. He stated that every aspect of S.I. procedures was being closely examined and the Housing S.P.C. was working towards decentralising the service to Electoral Areas. He said that the Council was in favour of rural development and it was acknowledged that S.I. houses would help to achieve this. Responding to a query from Clr. McGuinness, the County Manager stated that there was no conflict between Councillors and Officials and they could work together through the Housing S.P.C. to streamline the S.I. procedures.

C/388/05 DAMAGE TO COUNTY ROADS WHEN HOLIDAY HOMES ARE BEING BUILT

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

“That this Council discuss the ongoing problem of the damaging of County Council roads when holiday homes and houses that are being built for sale are being constructed.”

Members were informed that:-

“This is an ongoing issue on a number of the county's roads where development has been occurring along roads which are not strong enough to carry the heavy loads of gravel, stone, concrete, blocks, floor slabs, etc. that are being transported to the sites for construction purposes.”

Mr. Michael McGarvey, A/Director Roads & Transportation advised that a bond for developers had been proposed in the Draft Donegal County Council Development Plan. He stated that until the Plan was adopted and the bond enforced the Council would continue to monitor and work with developers to keep the damage to roads to a minimum.

C/389/05 GLENCOLMBKILLE FIRE STATION

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

“That this Council immediately increase the fire personnel (fire fighters) numbers at the Glencolmbkille Fire Station, which currently only has six personnel manning it, despite assurances that it should be nine, and that this Council deal with this as an urgent priority.”

Members were informed that:-

“A reorganisation of the Fire Service nationally is currently under way following the adoption of the Farrell Grant Sparks report by the government. This report advocates modernisation of the fire services and in particular an emphasis on Risk Based allocation of resources. Eighteen fire brigades in the county cater for an average population of 7,500 per brigade. The Glencolumbkille area comprises a

population of 2,173, has few urban settlements, no major industry, institutions or large public buildings. It is therefore an area of low risk compared to Killybegs, Donegal Town or Letterkenny.

The Budget 2005 provides for the employment of six retained fire fighters for the Glemcolumbkille brigade, which is considered adequate. Consideration can be given in the context of the Budget 2006 to provide for additional retained fire fighters wherever there is reasonable extra need. The average cost per fire-fighter is €21,000.”

Clr. Byrne stated that he felt Glencolumbkille Fire Station should be given priority as this station serviced such a large area that in some cases the station was 28-30 miles away from homes in the area. He felt the Council could be more proactive in its approach to dealing with the Glencolumbkille Fire Station.

Clrs. Pringle, O’Neill, O’Domhnaill and Boyle each spoke in support of the motion.

Clr. Kennedy, speaking as a member of the Fire Service, stated that Glencolumbkille Fire Station was a vital service to the people of the area and was called out to road traffic accidents as well as fire incidents. He urged the Council to give the station priority.

Clr. Slowey advised that he was disappointed with the reply received in the instance. He felt this matter should be treated as a matter of urgency.

Mr. Jim Holohan, Director, Water, Environment & Emergency Services, advised members that there was no money allocated in the Budget or Programme for renewal for the Glencolumbkille Fire Station. He advised members that to increase staff in the station, they would need to increase the money allocated to the Fire Service in next years budget.

C/390/05

ECONOMIC GROWTH OF KILLYBEGS

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

“That Donegal County Council convene a meeting of all stakeholders in Killybegs, including Chamber of Commerce, Parish Council, Enterprise Ireland, Western Development Commission, VEC and Tourism College, to devise a plan for the economic growth of the area.”

Members were informed that:-

“The Community, Culture and Enterprise Unit, in co-operation with the Planning and Economic Development Directorate are examining the findings of the Market Assessment report of Killybegs (conducted in 2004). A meeting is planned in the coming weeks with key local stakeholders to discuss the report and devise a way forward.”

Clr. Pringle asked that members be advised when the meeting was due to take place.

C/391/05

ARDARA/GLENGESH/MEENINEARY ROAD

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

“That this County Council provide funding at the earliest possible date to upgrade the Ardara/Glengesh/Meenineary road, which has deteriorated to such an extent that it will soon be impassable.”

Members were informed that:-

“This road is in need of improvement. The roads service is currently preparing a new restoration programme for implementation during 2006, 2007 and 2008. A workshop with the local Elected Members is scheduled for 08 September 2005 regarding this matter. The prioritisation of this road under the restoration programme for the next three years can be discussed at that workshop.”

Clr. Slowey advised that this road had deteriorated greatly and this road had huge tourist potential, which was being jeopardised.

Clr. Alcorn queried whether it would be appropriate to apply for Gaeltacht funding in 2006.

C/392/05 REVIEW OF WASTE MANAGEMENT PLAN

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

“That this Council discuss the progress of the review of the Waste Management Plan including the procedures to date.”

Members were informed that:-

“Press advertisements in July 2004 announced the initiation of a waste management plan review, and further advertisements were placed seeking consultants to assist in completing the review process. Following a competition RPS/KMM were appointed as consultants.”

Clr. Conaghan welcomed the recent tour of other landfill sites in the country; however, he expressed his disappointment at the lack of facilities in Donegal. There was, he said, only 1 landfill whereas there were 5 in the County previously. Tonnage was decreasing which costs were increasing.

Clr. Conaghan said he was disappointed with the public consultation process, which he felt had not worked and the onus was on the Council to educate people on the options available. He advised members that the Council now had to take ownership of the plan to move it forward.

In reply, Mr. Jim Holohan, Director Water, Environment & Emergency Services, advised members that more information would be presented to them at a workshop in September.

Clr. Conaghan stated that the Council must have an agreed plan, definitive actions backed up by funding. He pointed out that the budget would be coming up again and must address the issues raised by members on Waste Management if members were to continue to support funding.

The County Manager stated that it was important to note that the Council had a fully engineered landfill in Ballinacarrick, Ballintra which met EU standards. This, he added, was only

possible due to finance being provided by the members. He advised members that work was ongoing on the consultation progress at Meenaboll landfill site. More monies, he added, were being collected through kerbside collection. The County Manager stated that he hoped further progress could be achieved on the Waste Management Plan through the planned Workshop in September.

C/393/05 R238 DRUNG TO REDCASTLE

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

“That this Council will ensure that every possible source of funding is examined to facilitate the completion of the necessary roadworks on the R238 both at Drung to Redcastle and Moville next year in the interests of public safety.”

Members were informed that:-

“The Inishowen Electoral Area Committee has prioritised these two stretches of the R238 for funding under the EU Co-Financed application for 2006. If funding is provided in 2006 under this Scheme, the roadworks near Moville Community College will be supplemented by the development charges collected as part of the school development.

In addition, other opportunities for funding such as InterReg, Peace, Cross-Border, etc. will be examined as they arise.”

Clr. MacLochlainn urged the Roads Department to examine every possible source of funding to develop the R238.

C/394/05 DEDICATED BUS STOP IN MOVILLE

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

“That this Council provide a dedicated bus stop in Moville.”

Members were informed that:-

“The Council can examine this matter and provide feedback at a future local area meeting. A suitable location would need to be identified and this potentially could potentially

require the elimination of some car parking spaces in order to provide a dedicated bus stop space. It would seem appropriate that this matter be examined in the context of other traffic management issues that will be examined such as pedestrian crossings, improvements at the Main Street/Malin Road junction and the Main Street improvements.”

Clr. McDonald said this matter was of extreme importance to the people of Moville, especially during the tourist season when bus tours were coming through the town where there were no parking facilities.

C/395/05 LIFFORD STATUS AS “THE CENTRE OF GOVERNANCE”

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

“That this Council recognises the importance that Lifford's status as "The centre of Governance" is to the people of the parish of Clonleigh.”

Members were informed that:-

“Following the implementation of the Council's decentralisation programme, Lifford continues to be the Corporate Headquarters of Donegal County Council. All of the senior management staff are based in Lifford, along with a wide range of support services. It is intended to carry out further renovations and improvements to the County House when finances permit this.”

Clr. McDaid gave a brief history of the town of Lifford and his hope that funding could be sought to improve the appearance of the town as it was a major gateway to the North-West. He felt that there was an opportunity to apply for funding from the Peace II Taskforce and that Lifford as the Headquarters of the Council deserved major investment. Clrs. Crawford and McGarvey both spoke in support of the motion.

C/396/05 ROADS MAINTENANCE BUDGET

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

“That this Council discuss the affect street cleaning, gully clearing etc. has on the roads maintenance budget in the county and in particular the Letterkenny Electoral Area.”

Members were informed that:-

“The Letterkenny Roads Area has a total maintenance budget of €53,360, of which 16.8% is spent on Street Cleaning (approx. €1,544). The breakdown per town is as follows:

Lifford: Swept 3 days per week: May to August, and
(€133.33/sweep) Swept 1 day per week: September to April
Total Cost €1,637.80

Raphoe: Swept every Sunday:
(€16.15/sweep)
Total Cost €1,270.68

Manorcunningham: Swept 1 day per fortnight: May to August, and
(€16.15/sweep) Swept 1 day per month: October to April
Total Cost €2,763.63

St Johnston: Swept 1 day per fortnight: May to August, and
(180.12/sweep) Swept 1 day per two months: October to April
Total Cost €3,074.91

Coneyburrow, (These four estates are in Lifford)
Croaghan Heights, Alternatively swept once a week
Finn View Cost,
Beechwood Grove
(€16.15/sweep)
Total cost €2,593.80

Letterkenny: Swept 3 days per week: May to
(€300/sweep) August, and
Swept 1 day per week: September to
April

Total Cost €26,185.00

ArdBaithin Estate: (This estate is in St Johnston)
(€16.15/sweep) Swept once a month

Total Cost €2,593.80

Letterkenny: (Roundabouts & Islands)
(€18.62/sweep) Swept once a month

Total Cost €1,423.44

Total Cost of all of the above for the Year is €31,544.00

The Letterkenny Area also hire a skip to deposit the Street Cleaning in, which is kept at Sheldon's Quarry in Convoy. This skip costs €204.30 per lift and we would have 20 lifts / year giving a total cost of €4,086.00.

In previous years we were also responsible for cleaning out gullies twice a year at a cost of approx. €25,000 / year. These have not been done this year.

The cost of street cleaning in other areas and percent of their maintenance budget are as follows:

The Glenties Area have budgeted €134,000 for this task in 2005 and this represents 13% of their maintenance budget.

The Milford Area have budgeted €88,000 for this task in 2005 and this represents 13% of their maintenance budget.

The Donegal and Stranorlar Areas have budgeted approximately 30% of its maintenance budget on street cleaning, dully cleaning, litter control an approximately 50% of the National Roads budget on these activities.

The Inishowen Area has budgeted approximately 9% of its maintenance budget on these activities.”

Clr. Crawford thanked Mr. John McLaughlin, Director Roads & Transportation for his informative reply. He queried whether additional funding could be sought for street cleaning, as this was a matter very important to every town in the county.

A number of members spoke in support of Clr. Crawford's motion.

The County Manager advised members that he would, along with the Roads Directorate, examine how the Road Maintenance Budget was allocated and weighted through the year, and how urgent issues arising could be dealt with.

C/397/05 DEVELOPMENT PLAN FOR BUNDORAN AND BALLYSHANNON

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

“That the Council prepare an overall Development Plan for the area between Bundoran and Ballyshannon when the road is downgraded.

Members were informed that:-

“A local Area Plan for Ballyshannon and Environs Local Area Plan will be initiated in September. The area of land between the new bypass and the coastline to include the old N15, will form an important part of the study area, and proposals will be formulated for potential uses of land in this Corridor area, in Working Draft of the LAP, which we hope to present to the Electoral Area Committee in the early part of 2006.”

C/398/05 LABOUR COURT DECISIONS

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

“That Donegal County Council, in light of recent job losses, seek to have Labour Court decisions made binding in the future.”

The Cathaoirleach advised the meeting that he had already ruled this motion out of order.

Clr. O'Neill stated that he was extremely disappointed with the Cathaoirleach's stance in this matter and advised he was withdrawing from the meeting.

The following questions were noted.

C/399/05

FLIGHT OF THE EARLS CELEBRATION

The following question was submitted by Clr. McGarvey:-

“Will this Council have the proposed works for Rathmullan completed for the Flight of the Earls celebration?”

Clr. McGarvey was informed that:-

“With regard to the implementation of Rathmullan Sewerage Scheme it should be noted that An Bord Pleanala have requested the preparation of an Environmental Impact Assessment and this is currently being prepared in parallel with the Preliminary Report. Consequently planning permission for the scheme should be in place in 2006 and construction on the wastewater treatment works could start in 2007. If upgrade of pavements is planned prior to the Flight of the Earls event then advance pipelaying may be possible, subject to the approval of the Department of Environment Heritage and Local Government.”

C/400/05

ADDITIONAL SUPPLY OF WATER TO RAMELTON

The following question was submitted by Clr. McGarvey:-

“What, if any, are the projections for additional supply of water to Ramelton and district as agreed at a previous meeting of this Council?”

Clr. McGarvey was informed that:-

“Actions taken by staff on the ground some months ago by way of network maintenance have improved the water supply to Ramelton. No significant problems have been experienced since that time. The area manager and the area engineer, in consultation with water services design staff, are examining options for immediate works to sustain this improvement by way of pipeline upgrade.

In the medium term it is planned to improve the supply situation through the water conservation programme. Preliminary works in this regard have already borne fruit. A major water conservation scheme for Ramelton will form part of the next stage of the Water Con programme. Delivery can be expected during 2006 / 2007. Consultants have recently been appointed to advance this programme.

Water to Ramelton is supplied from the Letterkenny and Milford supply schemes. As such it will benefit in the long term from both the Fanad East scheme and the Lough Mourne/Letterkenny scheme. Both of these schemes involve impounding dams and will be a number of years coming to fruition.”

C/401/05 STRANORLAR ONE STOP SHOP

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

“Has this Council received a response from the main partners in the Stranorlar One Stop Shop project, i.e. Health Service and the O.P.W. (Department of Social and Family Affairs), with reference to their specific brief for the project and what has happened regarding this project since my last question was tabled on 20/05/05?”

Clr. A. Bonner was informed that:-

“The Council still awaits a response from the main partners in relation to the Stranorlar Public Service, each of whom have been contacted and the urgency of providing a response has been stressed.

In relation to the Health Service, a meeting has been requested to progress this issue.

A meeting was requested with The Department of Environment Heritage and Local Government in relation to progressing the proposed Stranorlar/Ballybofey Library Service. The Department have indicated that it is not yet in a position to progress this project as it is still evaluating the current National programme.

The ongoing work in relation to the disposal of assets is progressing satisfactory.”

C/402/05 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 the adjoining Council lands at the Finn Valley Centre?”

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 have been received and a preliminary assessment has been completed which indicates that there is an opportunity for shared arrangements. A revised and limited brief for the consultants was completed and their response has now been received in the form of sketch plans. A meeting with Finn Valley AC and the Stranorlar EA Members is now being arranged to review progress.”

C/403/05 SEWERAGE TREATMENT SYSTEM IN STRANORLAR

The following question was submitted by Clr. Reid:-

“Is this Council satisfied that the sewerage treatment system in Stranorlar has the capacity to cater for present demands and planned development for the area?”

Clr. Reid was informed that:-

“The new wastewater treatment works was designed to treat existing loads arising (domestic and non-domestic) and future loads arising. This is straightforward in the case of sewage arising from domestic activities, as the variance in the strength of the sewage is minimal. In the case of industrial processes the strength of untreated effluents arising can be many times stronger than domestic sewage, and if discharged to the treatment works untreated can result in shock loading and breakdown of the biological processes at the works. Under the Polluter Pays Principle industry that generates effluent can opt to fully or partially treat its own effluent, and then discharge to the public sewer under licence. The Stranorlar plant has been grossly overloaded recently from an industry, which generates biological, loads of greater magnitude than the domestic population of the Twin Towns. This will be addressed by enhanced monitoring and rigorous enforcement of discharge licence conditions. If the industrial discharge is confined within its licence limits, i.e. 85 kg BOD per day, then the Waste Water Treatment Works at Stranorlar is more than adequate to fully treat the waste water arising.

With regard to the Ballybofey Stranorlar Sewerage Scheme Network studies are nearing completion which will assist in the planning and implementation of future phases of the scheme.”

C/404/05

GLENEELY GROUP WATER SCHEME

The following question was submitted by Clr. Reid:-

“Have the Council plans to install a pump on the Gleneely Group Water Scheme to provide for the residents of Corradoey, Killygordon?”

Clr. Reid was informed that:-

“The Gleneely Group Scheme is a private group scheme supplied from the Lough Mourne Water Supply Scheme. The Lough Mourne water is pumped from the Knock Group Scheme to the Gleneely Reservoir and the Gleneely scheme is supplied by gravity from there. There are a number of houses on the scheme located on elevated areas that are close to the Gleneely Reservoir. These houses can lose pressure or

supply in the event of increased demand or leakage elsewhere in this scheme.

There has been high demand in recent weeks on this scheme due to the good weather, which has caused consumers on elevated sites to have reduced water pressure in their supply. Our staff on the ground are actively pursuing leaks to mitigate the situation.

The Council have no plans to install a pump on the Gleneely Group Water Scheme. If the Group considers that booster pumping is needed they should submit an application for funding through the Rural Water Programme. 85% grant funding is available through the “new and upgrade” sub-programme.”

C/405/05 ILLEGAL DUMPING

The following question was submitted by Clr. McGowan:-

“How many prosecutions has Donegal County Council taken over the last year in relation to littering and illegal dumping and how much in fines have been collected/paid over the same period?”

Clr. McGowan was informed that;-

“From June 2004-June 2005 a total of 389 litter fines were issued county wide. 102 were paid totalling €12,750 in value. 64 fines were cancelled. There were no prosecutions for litter offences initiated in this period. Additional resources are now available and it is proposed to make arrangements with the County Solicitor's office to initiate prosecutions for default of payment of litter fines.

A total of 28 Section 55 enforcement notices were also issued for the same period. These are generally effective in forcing landowners to clean up sites. In some cases follow up prosecutions will be necessary.

A prosecution was secured under The Waste Management Act against a private refuse collector on January 31st 2005. The accused was found guilty under five separate offences and was sentenced to six months imprisonment, suspended

for five years. The accused was also fined a total of €4,000 plus €2,532.80 costs and expenses.”

C/406/05 JOB CREATION IN THE STRANORLAR ELECTORAL AREA

The following question was submitted by Clr. McGowan;-

“Can a progress report be given in relation to job creation in the Stranorlar Electoral Area from the County Development Board Economic Development Forum which gave an undertaking to give regular progress reports to elected members of Donegal County Council?”

Clr. McGowan was informed that;-

“The County Development Board Economic Forum work on an ongoing basis to progress the objectives agreed in the County Development Board Economic Sphere. Objectives were agreed on by the CDB following the updating of the Donegal Employment Initiative Task Force Report in November/December 2004 and furthermore following the County Development Board Residential held in Rossnowlagh in April 2005. This is a core part of the Community and Enterprise function.

The Economic Forum itself does not have the objective of creating jobs – this is rather the task of various economic development organisations who are constituent partners of the Forum including the Industrial Development Authority, Enterprise Ireland, Udarás na Gaeltachta and the County Enterprise Board. The Economic Forum work on project related areas in order to create an environment within the County to support the objectives of the various job supporting/creating development organisations. Objectives include the identification of key infrastructural deficiencies within the County, the preparation and development of proposals to lobby for these infrastructural deficiencies to be addressed. These infrastructural deficiencies include roads, water, telecoms, air access and energy.

A number of specific actions have been initiated through the Economic Forum to support and promote job creation in the County including:

- The development of a project, which is at an advanced stage of planning to attract the Donegal Diaspora to establish/locate/relocate businesses within County Donegal from their current base either nationally or internationally.
- Preparation, planning and supporting the implementation of adequate broadband infrastructure in the County including supporting the applications for the various Metropolitan Area Networks, supporting the implementation of the cross border connection, providing and sourcing funding for rural backbone infrastructure and collectively with all the relevant stakeholders ensuring that sufficient funds are garnered to achieve the above objectives within a relatively short time scale. This project is also well advanced. It is felt that adequate funding is now sourced to the extent that specific detailed planning is now taking place with regard to the roll out of the various aspects of the broadband infrastructure.
- Other actions have also been identified through the Rossnowlagh workshop (e.g. career streaming at early stages of second level education) and subsequent discussions at executive level with regard to actions will be pursued through the various CDB partners over the coming months.

A progress report will be brought to Council before the end of the year in relation to this area.”

C/407/05

CIVIC AMENITY FACILITY IN WEST DONEGAL.

The following question was submitted by Clr.

O’Domhnaill:-

“Can Donegal County Council have a one-day a fortnight Civic Amenity Facility available in West Donegal to cover the Creeslough to Dungloe area? I propose that the Council yard in Killult, Falcarragh be made available for this facility.”

Clr. O’Domhnaill was informed that:-

“There is no provision in the Waste Management Plan, nor in the annual budget, for such a service.

Our experience tells us that Civic Amenity facilities need to be well planned, well constructed and well supervised if they are to succeed. The risk of unauthorised dumping is high otherwise. The Water & Environment service currently has no presence on the site referred to at Killult, which is used as a roads depot only. There would need to be a planning permission provided under Part 8 and a waste licence from the EPA.

A funding application has been made for Civic Amenity sites in Milford and Dungloe to service the Milford and Glenties electoral areas. The role of Civic Amenity sites as an element in our recycling infrastructure will be reviewed in the context of the review of the Waste Management Plan which is under way.”

C/408/05 PRIORITY LIST COUNTY WIDE FOR SEWERAGE AND CAPITAL PROJECTS

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

“What is the present priority list county wide for sewerage and water capital projects?”

Clr. E. Bonner was informed that:-

“The Assessment of Needs 2003 is the document by which the water and wastewater treatment priorities for the County are set out. The summary tables are attached. Note that some of the schemes listed have already been included on the DEHLGs Water Services Investment Programme.”

1. Assessment of Needs; Priority of Schemes

1.1 Water Treatment Priority

PROPOSED SCHEME	PRIORITY	COST (€)
Rosses Regional Water Supply Scheme (including Dungloe, Anagry, Gweedore, Kincashlagh, Ranafast, Rosses and Bloody Foreland)	1	18M

Cranford/Carrigart/Downings Regional Water Supply Scheme	2	15M
Lettermacaward/Glenties/Ardara Regional Water Supply Scheme (including Fintown, Portnoo and Rosbeg)	3	16M
Frosses/Inver/Mountcharles Connection/Killybegs and Eske River Eske Regional Water Supply (including Frosses)	4	6.7M
Letterkenny Network and Treatment Works Improvements	5	8M
West Inishowen (Desertegney) Phase 2	6	
Milford/Rathmullan/Ramelton Water Supply Scheme	7	8M
Lagan Water Supply- Phase 4 - Network Improvements & Design Report Network Improvements	8	1.5M
Lough Mourne - Network Improvements	9	8M
Inishowen Regional Water Supply (as per Inishowen water strategy)	10	15.5M
Creelough Dunfanaghy Water Supply Scheme	11	8M
Churchill Water Supply Scheme	12	8M
Killybegs Phase 2	13	3M
Owenteskeny	14	3M
Islands Water Supply Scheme (Aranmore, Gola and Tory)	15	0.85M
Pettigo	16	1M

5.2 Wastewater Treatment Priority

PROPOSED SCHEME	PRIORITY	COST (€)	pe
Ballybofey/Stranorlar Served by a collection network and secondary treatment plant	1	4M	6000
Buncrana Sewerage Scheme Served by a collection network, although extensions are required. A primary treatment works was constructed in 1990.	2	4.5M	7000
Dunfanaghy/Portnablagh Wastewater Scheme	3	6M	4000
Ramelton Sewerage Scheme. There is some old minor sections of collection network in Ramelton but there is no treatment.	4	3M	2000
Lifford Served by a Collection network and an old septic tank.	5	2.5M	2500
Newtowncunningham Sewerage Scheme Served by a collection network and secondary treatment	6	3M	3200
Mountcharles Sewerage Scheme Served by a partial collection network and an old secondary treatment works.	7	2.5M	<1000
Convoy Served by a collection network and Imhoff tank.	8	1.5M	2500
Kilcar Kilcar is served by a collection network, but has a raw outlet Carrick A collection network and septic tank serve Carrick	9	1M 1M	1100 1100
Carrigart Sewerage Scheme Served by collection network and old septic tank.	10	2M	1000
Castlefin Served by a collection network and Imhoff tank.	11	2M	1500
Bruckless There is no collection network serving Bruckless Dunkineely Dunkineely is served by a collection network and septic tank	12	1M 1M	<1000 1100
Milford Sewerage Scheme Served by a collection network and old secondary	13	2.5M	2500

treatment plant.			
St. Johnston/Carrigans Served by a partial collection network and combination of septic tank and raw outfall.	14	1.5M	1000
Downings Sewerage Scheme Served by a partial collection network and old septic tank.	15	4M	3500
Kilmacrennan Sewerage Scheme Served by a collection network and old package secondary treatment plant.	16	2.5M	2000
Culdaff Sewerage Scheme Part of Culdaff is served by a collection network which discharges to a septic tank.	17	2M	1200
Naran Portnoo Wastewater Scheme	18	5M	1300
Bridgend/Burnfoot Sewerage Scheme Bridgend and Burnfoot are each served separately by a partial collection network and secondary treatment	19	2M	2500
Killea Sewerage Scheme. There is a collection system and secondary package plant serving Killea.	20	1M	1400
Annagry Wastewater Scheme	21	3.5M	1000
Pettigo Pettigo is served by a collection network and Imhoo tank Ballintra A partial collection network and Imhoo tank serves Ballintra.	22	1M	<1000 <1000
Ballyliffin Sewerage Scheme Served by a collection network and secondary treatment	23	1.5M	1000
Clonmany Sewerage Scheme Currently served by a collection network and secondary treatment.	23	1.5M	1000
Gortahork Wastewater Scheme	24	3.5M	<1000
Killygordan/Crossroads There is a partial collection network and septic tank serving Killygordan	25	1.5M	<1000
Kerrykeel Sewerage Scheme There is no collection network in Kerrykeel	26	3M	<1000

Redcastle Sewerage Scheme There is no collection system serving Redcastle, septic tank serves a Council housing scheme	27	0.85M	<1000
Quigley's Point Sewerage Scheme. There is no collection system serving Quigley's Point, a septic tanks serves a Council Housing Scheme.	27	1M	<1000
Muff Sewerage Scheme. There is a collection system serving most of Muff. This is pumped to a treatment works is Northern Ireland	27	2M	2000
Drumkeen	28	1M	<1000
Creeslough Wastewater Scheme	29	0.8M	1000
Malin Head Sewerage Scheme There is no collection system serving Malin Head	30	1M	<1000
Fahan Sewerage Scheme Served by a partial collection network and septic tank	31	1.5M	1000
Frosses/Inver There is an old secondary plant serving a housing scheme in Frosses. There is no collection network serving Inver	32	0.65M	<1000
Glen Sewerage Scheme There is no wastewater collection network serving Glen	33		<1000
Cranford Sewerage Scheme There is no wastewater collection network serving Cranford	33	2M	<1000
Churchill Sewerage Scheme Served by some minor collection network and an old septic tank	33		<1000
Porthall A minor network and package plant serves the Council Housing Scheme	34		<1000
Ballintrait	34		<1000
Coolatee A minor network and raw outfall serves the area	34		<1000

Scheme by County Priority

PROPOSED SCHEME	PRIORITY	COST (€)
Rosses Regional Water Supply Scheme (including Dungloe, Annagry, Gweedore, Kincashlagh, Ranafast, Rosses and Bloody Foreland)	1	18M
Cranford/Carrigart/Downings Regional Water Supply Scheme	2	15M
Ballybofey/Stranorlar	3	4M
Glenties Ardara & Lettermacaward Regional Water Supply Scheme (including Fintown, Portnoo and Rosbeg)	4	16M
Buncrana Sewerage Scheme	5	6.0
Frosses/Inver/Mountcharles Connection/Killybegs and Eske River Eske Regional Water Supply (including Frosses)	6	3.2M 3.5M
Dunfanaghy/Portnablagh Wastewater Scheme	7	6M
Ramelton Sewerage Scheme	8	3M
Lifford Sewerage Scheme	9	2.5M
Lagan Desert Phase 4 - Network Improvements & Design Report Network Improvements	10	1.5M
Newtowncunningham Sewerage Scheme Served by a collection network and secondary treatment	11	3M
West Inishowen (Desertegney) Phase 2	11	
Milford/Rathmullan/Ramelton Water Supply Scheme	12	8M
Letterkenny Network and Treatment Works Improvements	13	8M
Mountcharles Sewerage Scheme	14	2.5M
Convoy. Sewerage Scheme	15	1.5M
Kilcar/ Carrick Sewerage Scheme	16	1M 1M
Carrigart Sewerage Scheme.	17	2M
Castlefin.SS	18	2M
Ramelton Sewerage Scheme	19	3M
Bruckless Dunkineely SS	20	1M 1M

		1M
Milford Sewerage Scheme	21	2.5M
Lough Mourne - Network Improvements	22	8M
Inishowen Regional Water Supply - (as per Inishowen water strategy)	23	15.5M
Creelough Dunfanaghy Water Supply Scheme	24	8M
St. Johnston/Carrigans	25	1.5M
Downings Sewerage Scheme	26	4M
Churchill Water Supply Scheme	27	8M
Kilmacrennan Sewerage Scheme	28	2.5M
Culdaff Sewerage Scheme	29	2M
Narin Portnoo Wastewater Scheme	30	5M
Islands Water Supply Scheme (Aranmore, Gola and Tory)	31	0.85M
Killybegs Phase 2	32	3M
Bridgend/Burnfoot Sewerage Scheme	33	2M
Owenteskeny	34	3M
Pettigo	35	1M
Killea Sewerage Scheme	36	1M
Anagry Wastewater Scheme	37	3.5M
Pettigo Ballintra.	38	1M
Ballyliffin Sewerage Scheme	39	1.5M
Clonmany Sewerage Scheme		1.5M
Gortahork Wastewater Scheme	40	3.5M
Killygordan/Crossroads	41	1.5M
Kerrykeel Sewerage Scheme	42	3M
Redcastle Sewerage Scheme	43	0.85M
Quigley's Point Sewerage Scheme		1M
Muff Sewerage Scheme		2M
Drumkeen	44	1M
Creelough Wastewater Scheme	45	0.8M
Malin Head Sewerage Scheme	46	1M

Fahan Sewerage Scheme	47	1.5M
Frosses/Inver	48	0.65M
Glen Sewerage Scheme ,Cranford, Churchill	49	2.0M
Porthall	50	
Ballintrait		
Coolatee		

C/409/05 TENDERING OF SEWERAGE SCHEMES

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

“When will the Dungloe/Glenties/Falcarragh/Burtonport and Gweedore Sewerage Schemes be ready to go to tender?”

Clr. E. Bonner was informed that:-

“Gweedore Sewerage Scheme DBO is the most advanced of the above schemes and is at contract document stage. An advertisement was recently placed in the European Journal seeking submissions from contractors interested in participating in a restricted tender procedure for the scheme. The Department have also suggested that the scheme could possibly be grouped with Letterkenny Sewerage Scheme DBO under one contract for the purposes of construction and operation. Tendering is expected to take place in late 2005 early 2006.

Burtonport Sewerage Scheme is the furthest advanced of the remaining 4 schemes listed. It is at contract document stage. It is anticipated that tendering will take place in 2006.

Dungloe, Glenties, and Falcarragh Sewerage schemes are all at draft Preliminary Report stage & draft Part 8 Planning stage. These schemes are scheduled to go to tender in late 2006 early 2007.

The normal Department approvals are of course required on all stages of the above schemes.”

C/410/05 FUNDING FOR THE MUCKISH COUNTY ROAD

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

“What progress has been made to attract funding for the Muckish County Road, ie from the Department or from An Coilte?”

Clr. O’Domhnaill was informed that:-

“Substantial monies have been spent on the Muckish Road over the last number of years, however the section from Caliber towards the Grotto requires improvement Works.

The Project was prioritised on the EU list for 2005, however it did not receive monies. It is hoped that the 2006 EU priority list will be agreed in September 2005. In addition, it is envisaged that the Muckish Road will be considered for funding under the Restoration Programme 2006 - 2008 - A draft of this programme will be available in early September.

Discussions are on-going with Coillte and when a decision is reached the Members will be briefed at a future Local Area Meeting.”

C/411/05 COST OF SANDING ROADS AFTER OIL SPILLAGES IN 2004

The following question was submitted by Clr. Alcorn:-

“What was the cost to Donegal County Council of sanding our roads after oil spillage’s in 2004 and from what funding is this money taken?”

Clr. Alcorn was informed that:-

“On Non-National Roads, the cost of this activity is approximately €18,000 and is included in Own Resource road maintenance monies under the heading of emergencies/contingencies. This work includes mostly oil spills, and some festival site clean up.

On National Roads, the cost of oil spillages is included in NRA funded maintenance monies, and although not broken down separately, it is estimated to cost the same i.e. €18,000 approximately.

In the rare event that the vehicle that is leaking oil/diesel can be identified, the cost of remedial works is billed to the vehicle owner for recoupment.”

“In general, this activity is funded from road maintenance monies. If the vehicle that is leaking oil/diesel can be identified the cost of remedial works is sent to the vehicle owner for recoupment.”

C/412/05 FOOTPATH REPAIRS AT TOWNEY ROAD, KILCAR

The following question was submitted by Clr. Byrne:-

“Can this Council make provision for footpath repairs at Towney Road, Kilcar (namely Cruckarra)?”

Clr. Byrne was informed that:-

“Funding for footpath works have been made available through Development Charges in Budget 2005 and a priority list has been drawn up for the local area. It is understood that this specific footpath has not been prioritised for this year. However, it can be considered in a future year subject to prioritisation of funding.”

C/413/05 FOOTPATH REPAIRS AND RENEWAL AT CASHEL VILLAGE, GLENCOLMBKILLE

The following question was submitted by Clr. Byrne:-

“Can this Council make provision for footpath repairs and renewal at Cashel Village, Glencolmbkille?”

Clr. Byrne was informed that:-

“Funding for footpath works have been made available through Development Charges in Budget 2005 and a priority list has been drawn up for the local area. It is understood that this specific footpath has not been prioritised for this year. However, it can be considered in a future year subject to prioritisation of funding.”

C/414/05 FIONTAR NA CUINGE SCHEME

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

“When can we see the lights provided for under the Fiontar na Cuinge Scheme erected in Meenacuing, Gweedore?”

Clr. Pearse Doherty was informed that:-

“Fiontar na Cuinge have provided funding for lights along the N56 at Meenacuing. The location is along the N56, which is a National Road and requires approval by the NRA. The NRA has previously indicated that its policy on Public Lighting is that lights are permitted within speed limits or Route Lighting at Major Junctions or locations where a specific safety hazard will be improved by the lighting. The NRA have stated that they will not approve such a location. The County Council has followed-up on this matter with the NRA a number of times over the past few years and approval has not been given for installation of the lights.”

C/415/05

CONTRACTS AWARDED TO CONTRACTORS

The following question was submitted by Clr. Alcorn:-

“Why is their alot of contracts for construction of County Council houses being awarded to contractors from outside of the county?”

Clr. Alcorn was informed that:-

“At the end of December 2004 there were 350 scheme houses under construction in the County of which 78 were being constructed by contractors from outside the County. Presently there are 40 SI cottages at contract signing stage/construction stage of which 4 are being awarded to contractors from outside the County. This gives an average of 22% in the case of scheme houses and 10% in the case of SI Cottages. The procurement process for the selection of contractors follows both Council and National Guidelines, where tenders are sought by public advertisement. Normally the lowest valid tender is selected in accordance with national practise. It is worth noting that the contractors engaged from outside the county are from the neighbouring counties of Tyrone and Fermanagh, an occurrence that may not be unusual in other rural counties throughout the country.”

C/416/05 SOCIAL AND AFFORDABLE HOUSES

The following question was submitted by Clr. Slowey:-

“Under Part 5 of the Planning & Development Act 2000, how many social and affordable houses have been completed in Donegal to date?”

Clr. Slowey was informed that:-

“While no social or affordable houses have been completed as yet under Part V of the Planning & Development Act, 2000, negotiations are ongoing with developers throughout the county and are at various stages of progress in obtaining social and affordable housing in zoned areas under the Part V provision over the next year or so.

Progress ranges from agreements and pre-planning agreements having been reached in principle to contracts having been signed and will lead to affordable housing being available in Letterkenny next month under Part V and in other areas of the county within a matter of months.

In a number of cases developments to which a Part V condition has been attached are being or have been purchased in full for social housing under the Capital Construction Programme.

A number of cases have also been referred to the Planning Directorate for enforcement where developers have made no effort to reach agreement with the council or fulfil their obligations under Part V of the Act.

From 1st July 2005, any developer seeking planning permission for a multiple housing development in any of the zoned towns must sign an agreement with the Council as to how the Part V condition will be complied with before the planning application is submitted - otherwise the application will be invalidated.

The Council will continue to vigorously pursue the acquisition of social and affordable housing under the Part V provision.”

C/417/05 DEVELOPMENT CHARGES OWED

The following question was submitted by Clr. Slowey:-

“How much money is Donegal County Council owed at present in Development Charges under the old development scheme and the new Development Contribution Scheme? Please give a breakdown of the amounts owed according to sector and Electoral Area.”

Clr. Slowey was informed that:-

“New Development Contribution Scheme.

As recently advised to the Elected Members, an amount of approximately €1.7 million was outstanding under the new development contribution scheme as at 6th July 2005.

Since the 6th July 2005, a further number of invoices have been issued to the value of approximately €800,000. A breakdown of the charges due on an Electoral Area basis are detailed below.

Electoral Area	Amount
Inishowen	€701,250.74
Donegal	€299,493.78
Glenties	€7,416.19
Letterkenny	€37,658.00
Milford	€472,990.00
Stranorlar	€502,362.40
Total	€2,591,171.11

All invoicing under the new development scheme is being processed through the Agresso Financial Management System and we are presently having our systems adapted in order to provide a more detailed report on these charges outstanding. However, from our records, it is clear that the majority of the accounts outstanding relate to the charges raised only since 2005. As with the old Development

Charges Scheme, a number of agreements have been entered into with developers to pay the outstanding charges by monthly instalments. To date, agreements to the value of €10,651.88 have been entered into with developers, who have been levied charges under the new Scheme.

Old Development Charges Scheme

The total amount outstanding under the old Development Charges at present is €7,253,007.42 and is detailed by service and per Electoral Area in detailed below.

Charges	Donegal	Glenties	Inishowen	Letterkenny	Milford	Stranorlar
Water	€ -	€119,825.82	€218,567.79	€536,243.92	€175,855.73	€114,145.50
Sewer	€7,282.37	€47,484.81	€404,430.31	€440,647.43	€32,901.91	€203,266.26
Roads	€340,291.92	€3,571.00	€752,930.17	€1,330,978.97	€448,506.67	€291,742.81
Car Parking	€8,242.05	€3,809.21	€33,295.46	€9,903.95	€2,855.27	€71,118.26
Other	€149,742.00	€13,278.92	€35,779.34	€113,475.22	€39,361.87	€ -
Urban/Village	€34,283.66	€45,713.10	€74,358.02	€ -	€265,551.99	€ -
Unspecified	€ -	€ -	€ -	€3,809.21	€ -	€ -
Service	€ -	€ -	€ -	€ -	€ -	€15,920.00
Land Init.	€ -	€ -	€ -	€ -	€ -	€ -
Sanitary (Spec.)	€ -	€ -	€20,823.00	€ -	€ -	€ -
Roads, Footpath	€ -	€6,400.00	€132,830.06	€ -	€9,046.07	€ -
Roads, Storm Dr.	€44,440.90	€2,539.47	€ -	€ -	€ -	€2,540.00
Roads, Specific	€ -	€5,625.00	€9,592.00	€ -	€ -	€ -
			€1,772,606.15			
TOTAL:	€114,282.90	€328,247.33	€1,772,606.15	€2,435,058.70	€1,304,079.51	€698,732.83
					TOTAL:	€7,253,007.42

In the budget for 2005, it was agreed that a sum of €4.8 million would be available to W/E/E and €1.2 million available to Roads & Transportation for drawdown in 2005.

As Members are aware, the Council is currently targeting the top 300 debtors, who owe development charges. In October 2004, an amount of €7.4 million was outstanding on these accounts. As at the 30th June, 2005 the total amount outstanding is now €4.529 million, which represents a reduction of €2.872 million

Of the €4.52 million, which is outstanding on these top 300 accounts, €500,000 is uncollectable, as these developments have not yet commenced. These developments have been inspected to ensure that no development has commenced. In addition, €1.3 million is categorised as potential write offs and arises as a result of developers carrying out works in lieu of payment of development charges. **Accordingly, the true figure outstanding is €2.729 at 30th June 2005, of which €1.6 million is being by instalments.**

Overall, the Council have approximately €1.9 million tied up in agreements under the Old Development Charges Scheme. Developers may pay the charges by standing order or by cheque/cash. Payments received by standing order only in June 2005 amounted to approximately €75,000.”

C/418/05

110KV POWER TO WEST DONEGAL

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

“Will this Council provide the members with a detailed analysis of the proposal that the ESB have to bring the 110kv power to the west of Donegal and in particular how this proposal addresses the concerns of the ATP and the findings of An Bord Pleanala?”

Clr. Pearse Doherty was informed that:-

The ESB have advised that they are currently working on possible routes for fresh proposals for 110kv powerlines in the County. They have embarked on a process of public consultation seeking the views of the community on these new routes. The ESB public consultation process is part of the analysis of the project in advance of the formal submission of any proposal to the Council. Potential impacts on the environment and issues raised by An Bord Pleanala's

decision will be assessed by the ESB as part of an E.I.S. to accompany the formal submission for planning permission and it is anticipated that these will inform the nature of any future application. Having regard to the consultation process and the formulation of the E.I.S., it is not anticipated that any application will be lodged before the end of this year.”

C/419/05 FOOTPATHS AT IMLICK VILLAS

The following question was submitted by Clr. Conaghan:-

“When will the footpaths be finished at Imlick Villas, Carrigans?”

Clr. Conaghan was informed that:-

“Funding has been made available from Development Charges for improvement at Imlick Villas. This allocation was endorsed by the members at the June Electoral Area Meeting. Due to other scheduled work and the deadline for spending other state grants, it is anticipated that this work at Imlick Villas will be carried out, beginning on the third week of November 2005. It is expected that this work will take approximately four weeks to complete.”

C/420/05 TRAFFIC LIGHTS AND ELECTRONIC PEDESTRIAN CROSSINGS IN MOVILLE

The following question was submitted by Clr. McDonald:-

“To ask this Council the position in relation to traffic lights and electronic pedestrian crossings for the junction of Malin Road and James Street and on the Main Street from Suzie's Bar to Patsy's Newsagents, Moville?”

Clr. McDonald was informed that:-

“A detailed junction analysis of the R238 Main Street/R238 Malin Street (Malin Road)/R241 Greencastle Road and the L13414 James Street roads was carried out by the Road Design Department in 2004. A number of proposals were recommended to improve the efficiency of the Malin Road/Main Street Junction. These proposals include the construction of a designated left-turn lane at the junction, which should help reduce delays and queues on both the

Carndonagh approach and to traffic exiting the car-park in Merville Square. This revised layout at the junction has been incorporated in the Contract Documents for the Merville EIS Phase 2 Project, which is due to commence on site in September 2005 (to avoid disruption in Merville during the summer months).

Origin Destination Survey and Turning Movement counts were carried out as part of the previous junction analysis, but would need to be updated after the junction improvements have been implemented.

The revised junction layout will have a direct effect of traffic movement on the Malin Road, James Street and north of Merville Square.

The Roads Design Department recommends that the effects of the junction improvements should be assessed over a period of time after completion of the EIS Phase 2 project, before installation of traffic lights.

In addition, the issue of the two pedestrian crossings will be examined as part of this review.

The findings of this assessment will be presented to the Electoral Area Committee.”

C/421/05 TAXI RANK IN MERVILLE

The following question was submitted by Clr. McDonald:-

“To ask this Council the position in relation to the provision of a dedicated taxi rank in Merville?”

Clr. McDonald was informed that:-

“A taximeter area must be designated by the Local Authority before taxi licenses are issued and dedicated taxi ranks provided.

The declaration of an area to be taximeter area is a reserved function and there is a consultation process with the Garda Commissioner/General Public.

Following the issue of taxi licenses, an assessment of the number of taxi ranks required would then be carried out.

The only taximeter areas designated by this Council are Ballybofey/Stranorlar and Donegal Town areas. There is no process under way at present for the designation of additional taximeter areas in the County.

It should be noted that proposals for amendment to regulations/procedures will be published by the Taxi Regulators Office, Department of Transport in the near future.”

C/422/05

NEWTONCUNNINGHAM SEWERAGE SCHEME

The following question was submitted by Clr. Conaghan:-

“When will Newtowncunningham Sewerage Scheme be fully operational?”

Clr. Conaghan was informed that:-

“The Newtowncunningham Sewerage Scheme Serviced Land Initiative involved two contracts for the laying of a sewer and the building of a new pumping station. The pumping station and the new sewers have now been commissioned. The two contracts are now in the maintenance period (i.e. under the contractors warranty) with only minor snagging remaining.

Upgrade works at the treatment works carried out directly by area staff under separate funding are also commissioned and operational.”

C/423/05

BUNCRANA TOWN COUNCIL CIVIC AMENITY SITE

The following question was submitted by Clr. MacLochlainn:-

“Is it the understanding of Donegal County Council that Bunrana Town Council can proceed to apply for funding of a Civic Amenity Site in the town in its own right?”

Clr. MacLochlainn was informed that:-

“There is no reason why Buncrana Town Council should not make its own application for grant aid towards the development of a Civic Amenity Site. This application would have the support of Donegal County Council, which as the Waste Management Authority under the Act, has made a Waste Management Plan for the county as a whole. Applications have already been made for grant aid for the two remaining Electoral Areas, via, Milford and Glenites.”

C/424/05 MECHANICAL SEWERAGE TREATMENT PLANTS

The following question was submitted by Clr.

MacLochlainn:-

“Will Donegal County Council take over mechanical sewerage treatment plants as part of the estate take over plans?”

Clr. MacLochlainn was informed that:-

“A working party comprising senior staff of Donegal County Council and representatives of the Construction Industry Federation has been meeting for some time to agree protocols for the taking in charge of roads and other services developed as part of housing estates. A report has been prepared and signed off by all parties. This report has been submitted to the Corporate Policy Group of the Council for their consideration. The report recommends that mechanical sewerage treatment plants, and indeed all mechanical & electrical plant associated with water services, should not be taken in charge by the Council at this stage. Instead it has been agreed to examine each scheme, which is dependent on mechanical and electrical plant, and to identify whom is responsible for its upkeep and what planning conditions are in force. Where there are service failures it is the council’s intention to ensure that developers are meeting their legal responsibilities in this regard. A final report will be brought to council at the September meeting for consideration.”

C/425/05 BUNCRANA LEISURE CENTRE

The following question was submitted by Clr. Donaghey:-

“Have contract documents been finalised for the Buncrana Leisure Centre since approval has been granted for a

Feasibility Study/Preliminary Report, which has been submitted by Donegal County Council and the Leisure Centre?”

Clr. Donaghey was informed that:-

In letter dated 05 May 2005 the Department of Arts Sport & Tourism notified the Council that the Minister had approved the Feasibility Study/Preliminary Report for the refurbishment of Buncrana Swimming Pool under the Departments Swimming Pools programme (now closed). Under the Swimming Pools Programme this means that a grant of 90% of the capital cost of upgrading the pool based facilities will be available from the Department if the project advances to construction. In this case it means that for the estimated total project cost of €3.0m, approximately €2.7m will be available in grants and €0.3m will be required in matching funding. Buncrana Swimming Pool Management Committee have indicated that that they will be seeking the matching funding jointly from Donegal County Council and Buncrana Town Council. In addition the Committee have also indicated that they do not intend to commence the preparation of tender documentation until commitments on matching funding have been secured.”

C/426/05

BUNCRANA SEWERAGE SCHEME

The following question was submitted by Clr. Donaghey:-

What is the current position regarding the Buncrana Sewerage Scheme, (€4.7million) has been approved to advance the scheme through planning, what advancement has been made to date?”

Clr. Donaghey was informed that:-

“Work on Buncrana Sewerage Scheme is to take place under two different schemes on the DEHLG Water Services Investment Programme 2004-2006 - Inishowen Sludge Treatment Centre (Buncrana WWTW) and Buncrana Sewerage Scheme. It is envisaged that the works carried out on Inishowen Sludge Treatment Centre will include significant wastewater treatment improvements to the existing plant as well as significant sludge treatment

improvements. These works are expected to commence construction in 2007. The brief for the Buncrana Sewerage Scheme project is currently being prepared and this will include an assessment of future phasing of networks in the area. Although the WSIP suggests an indicative cost of €4.7m for the scheme, the current government. Water Pricing Policy will require that infrastructure which is primarily to suit new development will have to be funded from local charges. A sum of €4.7m has not been 'approved' by the Department and the sum should not be viewed as a commitment on behalf of the Department.”

C/427/05

DONEGAL WOMEN’S DOMESTIC VIOLENCE

The following question was submitted by Clr. McDaid:-

“In light of a 33% increase in helpline calls to Donegal Women's Domestic Violence Service in the first six months of 2005, what support has this Council provided to that organisation following my motion of 29th November, 2004?”

Clr. McDaid was informed that:-

“Core funding (Running costs/Salary etc) of domestic violence services is the remit of the Health Service Executive through the Regional Planning Committee (RPC), which covers Donegal, Sligo and Leitrim. There are five projects operating in the region, four of which are in Donegal (also Inishwomen's Outreach, Letterkenny Women's Centre and the Rape Crisis Centre). The RPC has an annual budget of just under E1m, which it agrees based on submitted workplans and figures.

The RPC is not expected to receive any increase in its budget for 2005. The projects do apply to other agencies to supplement their services in training, counselling etc through minimal funding from the Local Development Companies, the VEC and the D/Social & family Affairs.

Meetings have taken place between the Community and Enterprise Division and Inishowen women’s outreach over the last number of months to assist in their attempts to obtain additional funding.

Meeting with Inishowen Women's Outreach (Mary Doherty; Geraldine Breslin) Health Service Executive (Kieran Doherty; Martin McIntyre) and Donegal County Council (Claire Mulhall) on Friday 10th June @ 12pm in Carndonagh.

The purpose of the meeting was to discuss current funding situation with regard to IWO. C Mulhall thanked everyone for attending; noting that she had called the meeting in order to discuss possible funding options for the centre. Having had a previous meeting with May to discuss other options (cross border, interagency work) it was agreed that the first step would be to clarify the position in relation to "core" HSE funding; as such, the meeting discussed the following:

- IWO is recording/tracking client numbers on an ongoing basis & these figures have been fed into regional planning committee (RPC)
- The RPC has recently conducted an audit e.g. the services provide in the region (Donegal, Sligo, Leitrim) including IWO, Donegal Domestic Violence services, Rape Crisis Centre & Letterkenny Women's Centre.
- Initial indications suggest that it is unlikely that there will be any increase in the annual budget of the RPC in 2005. The RCP hold the budget for funding of domestic violence services and as such all funding approvals must come through the RPC
- The IWO is currently running at €700 overspend per month. Current debt for 2004 is €4,800 and by December 2005 debt will be in the region of €13,000
- IWO is satisfied with their current relationships with Rape Crisis Centre & Letterkenny Women's Centre in sharing child counsellor's etc.
- IWO is also currently satisfied with the arrangements of regular funding applications to Inishowen Partnership Company, VEC, DSFA and FAS for training & other supports.
- IWO have clearly identified staffing as their number one priority. This can not be funded from any source other than from core HSE funds, through the RPC. At present Mary Doherty, Co-ordinator is paid for 20 hours per

week and other staff are FÁS placements. Due to increasing demands for the service, the IWO requires at least one worker and one administrator, possibly part time.

- It was agreed that IWO would work with Martin McIntyre to apply to the Lottery fund to cover 2004 debt.
- It was agreed C. Mulhall would try to identify other funds.
- It was agreed following the results of the RPC Audit Kieran Doherty would come back to IWO within a framework of a domestic violence services (community & refuge based) for the county which IWO would be part of.
- Claire thanked everyone for attending.”

C/428/05 INTER COUNCIL APPROACH TO NORTH WEST REGION

The following question was submitted by Clr. McDaid:-

“What progress has been made in developing an Inter-Council approach to tackling the economic crisis that exists in the North West Region as agreed by this Council on 29th March, 2005?”

Clr. McDaid was informed that:-

“As detailed in a previous response in March 2005 the submission made by the County Manager and the Elected Members to the group of Government Ministers and the Taoiseach in February outlined inter alia the requirement for a North-South regional response to the economic infrastructural deficiencies in the County and in the region as a whole. Existing infrastructure and indeed deficiencies of the North West as a whole were discussed at this particular meeting. This has been further reinforced by recent comments by the Minister for Finance regarding regional development in a North West context.

The various Councils in the North West region continue to co-operate through the North West Regional Cross Border Group and ICBAN in projects of mutual interest. This has seen a number of projects supporting regional and economic development in the area come to fruition over the last

number of years including the Foyle Ferry Link. Donegal County Council also continues to work with Derry City Council in the context of air access into the North West region through the North West Air Access Consortium.”

C/429/05 DISABLED ACCESS IN THE COUNTY HOUSE

The following question was submitted by Clr. Crawford:-

“What disabled access facilities exist in the County House?”

Clr. Crawford was informed that:-

“The following disabled facilities are available in the County House:

Car Parking space for the disabled is available near the front of the County House. It is planned to provide an additional space in the near future.”

C/430/05 LAGAN DESERT WATER SUPPLY

The following question was submitted by Clr. Crawford:-

“What is the current position regarding phase 2 and phase 3 of the Lagan Desert Water Supply?”

Clr. Crawford was informed that:-

“The DEHLG had indicated that they would not allow phase 3 to proceed until a water audit had been carried out for the earlier phases of the scheme. In order to carry out the audit meters were installed and commissioned under phase 2 of the scheme and data collection has started. It is envisaged that a report on the audit will be ready to send to the DEHLG by the end of July 2005.

Stage 2 is executed through a 12-month contract awarded last August. The work is substantially complete and ahead of schedule.”

C/431/05 DERELICT BUILDINGS ACTION FOR BALLYSHANNON

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

“What is the up to date position on the Pilot Scheme regarding derelict buildings action for Ballyshannon, as previously discussed?”

Clr. O’Neill was informed that:-

“An inspection of the Town in early 2005 by the Area Housing Engineer identified 24 separate sites that are in a derelict condition. His report indicated that 17 of these sites required remedial works of a largely cosmetic nature such as exterior painting, replacement of guttering, windows etc. 1 site is a protected structure and requires works to ensure its stability structurally. 1 site has already had demolition works carried out on it and 5 further sites were recommended for demolition. None of the sites are considered readily adaptable for social housing. The Housing section are presently consulting with the Planning dept to see if the works as proposed by the housing engineer are sufficient and whether Planning would suggest any further items to comply with the proper planning and development of the Town, to try and ensure that there is no recurrence of the dereliction. It is then proposed to deal with these sites under the provisions of the Derelict Sites Act.”

“It was agreed to insert the following members questions as noted and the Cathaoirleach declared the proceedings of the meeting concluded.”

C/432/05 BALLYSHANNON CARPARK

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

“What is the commencement date for the Ballyshannon Carpark development at Castle Street/College Street?”

C/433/05 PLASTIC BAG LEVY

The following question was submitted by Clr. Pringle:-

“How many applications have been made to the Department of Heritage, Environment and Local Government under the environment fund and the plastic bag levy?”

Clr. Pringle was informed that:-

“The Waste Management (Amended) Act 2001, provided for the establishment of an Environment Fund to be managed and controlled by the Minister of Environment & Local Government. Revenues from the levies on plastic shopping bags and the landfill of waste are paid into the fund, which may be utilised for a range of purposes.”

C/434/05 GRANT AID IN RELATION TO PLATIC BAG LEVY

The following question was submitted by Clr. Pringle:-

“How much grant aid has been received from the Department of Heritage, Environment and Local Government under environment fund and the plastic bag levy?”

Clr. Pringle was informed that;-

“Applications under the Environment Fund are made under various headings, i.e. Subvention of Costs for Recycling Facilities, Waste Management Infrastructure Grants Scheme, Environmental Partnership Fund, Anti Litter Grant and Enforcement Grants.”

C/435/05 MOTIONS FROM OTHER COUNCILS

The following Motions from other Councils were noted:-

DERRY CITY COUNCIL

“That this Council calls upon the Minister for the Marine, Pat ‘The Cope’ Gallagher, to reserve his decision to allow the drift net fishing industry to catch 140,000 tonnes of Atlantic salmon, against his own Department’s scientific advice that the catch should be limited to 100,000 tonnes, and to end this practice of catching wild Atlantic salmon before they reach rivers in Ireland and Europe, in the interest of Irish tourism and the environment.”

CASTLEBAR TOWN COUNCIL

“That the Council calls on the government to make it compulsory for the wearing of seat belts on all buses (including school buses) from September 1st 2005.

It further calls on the government to outlaw the current arrangement of 2 seats for every 3 children and asks the government to implement the requirement that every child has a bus seat from September 1st 2005.

The Council further extends its sympathy to the families of the five children killed in the school bus accident in Co. Meath last week.”

MACROOM TOWN COUNCIL

“That Macroom Town Council calls on the Minister for the Environment, Heritage and Local Government to lift the embargo immediately on public service recruitment.”

FINGAL COUNTY COUNCIL

That this Council, given the recent revelations by the Morris tribunal and the treatment the McBrearty and other families have received from Michael McDowell’s department and the subsequent admission that he Department of Justice is to apologise formally to the families for this miscarriage of justice, hereby calls on the Minister of Justice, Michael McDowell, T.D. to resign from his position, as a current Government Minister due to the clear display of his incapability to address the issues, needs and concerns of not just the McBrearty family but the people living in the communities throughout Ireland in general. Additionally, in tandem that we write to all Local Authorities to recommend they pass the same motion.”

OFFALY COUNTY COUNCIL

- “That Offaly County Council contact the Minister for Justice expressing it’s dissatisfaction with the Disability Bill and that Correspondence should be copied to the Ministers for Finance and Health.”
- “That this Council resolves that the Disability Bill 2004 is seriously inadequate and defective. As it stands, the Bill will do nothing to improve the lives of people with disabilities or their families; it will not meet the widespread demand for basic rights; and it will force people with disabilities into a bureaucratic nightmare in the search for essential services. We further resolve that at a minimum, the Bill must be amended to include a clear, unequivocal right to an independent assessment of

need for every person with a disability. That assessment must be translated in law into a statement of entitlement to services, together with an agreed plan to secure access to those services within a reasonable time frame if the services are not immediately available. The Bill must also provide for a genuine appeals and complaints procedure that is independent in every way, so that persons with a disability have the right of redress in any situation where essential services are being unfairly denied to them. Finally, the Bill must provide for meaningful progress and targets in relation to issues of employment and access to buildings and services.”

MONAGHAN TOWN COUNCIL

“That this Council calls on the Government and more specifically Justice Minister Michael McDowell to appoint a single ombudsman on the Pattern model whose office would be totally separate from and independent of the Garda Síochána and the Dept. of Justice and would have powers at least equivalent to those of the Ombudsman Nuala O’Loan.”

This concluded the business of the meeting.

