

25<sup>th</sup> November, 2008

TO ALL MEMBERS OF DONEGAL COUNTY COUNCIL
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The Adjourned November Meeting of Donegal County Council, will be held on Monday 1<sup>st</sup> December 2008 at 9.30am, in the County House, Lifford to consider the unfinished business listed at **ITEMS 6(a) – 54** of the original agenda.

Please ensure that you bring the agenda previously distributed to the meeting.

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Eunan Sweeney  
Meetings Administrator

MINUTES OF ADJOURNED MEETING OF DONEGAL COUNTY  
COUNCIL, HELD IN THE COUNTY HOUSE, LIFFORD ON 1<sup>st</sup>  
DECEMBER 2008

C/507/08 MEMBERS PRESENT

Clrs. G. Crawford, Mayor, D. Alcorn, L. Blaney, E. Bonner, J. Boyle, C. Brogan, B. Byrne, F. Conaghan, P. Doherty, M.T. Gallagher, D. Larkin, N. Mc Bride, M. Mc Donald, S. Mc Eniff, I. McGarvey, P. Mc Gowan, B. Mc Guinness, P. MacLochlainn, T. Pringle, G. Reid, T. Slowey.

C/508/08 APOLOGIES

Apologies were received from Clrs. A. Bonner, Donaghey, Harte, Harvey, Kelly, Kennedy, Mc Gonagle and O' Neill who were unable to attend the meeting.

C/509/08 OFFICIALS IN ATTENDANCE

Mr. Michael McLoone, County Manager, Mr. L. Kelly, Assistant County Manager, Director of Housing, Mr. Sean Sheridan, Director Corporate Services, Mr. Michael Heaney, Director Community Culture and Enterprise, Mr. S. Neely, Director Water, Environment and Emergency Services, Mr. John Mc Laughlin, Director Roads and Transportation, Mr. Francie Coyle, Director Planning and Economic Development, Mr. Aidan Mc Nicholas, Head of Finance, Mr. Garry Martin, Senior Executive Officer, Mr. Eunan Sweeney, Meetings Administrator, Ms. Anne Marie Crawford, Staff Officer, Corporate Services.

C/510/08 TO APPROVE THE IMPLEMENTATION FROM 1ST SEPTEMBER, 2008 OF THE REVISED PAY SCALES SANCTIONED BY THE DEPARTMENT OF THE ENVIRONMENT, HERITAGE AND LOCAL GOVERNMENT UNDER SECTION 27.17 OF TOWARDS 2016.

Members noted that a decision on this matter had been deferred at the Council meeting on the 24<sup>th</sup> November, 2008, and that the following motion and amendment were now before the Council for decision:-

Motion

Proposed by Clr. Pringle, seconded by Clr. O' Neill:  
"That the Council waive implementation of the 2.5% pay increase from 1<sup>st</sup> September, 2008, sanctioned by the

Department of the Environment, Heritage and Local Government under Section 27.17 of Towards 2016, and that the savings be used to employ staff”.

Amendment

Proposed by Clr. Conaghan, seconded by Clr. Slowey:  
“That the 2.5% pay increase, effective from 1<sup>st</sup> September, 2008, and sanctioned by the Department of the Environment, Heritage and Local Government under Section 27.17 of Towards 2016, be approved for all eligible staff.”

On the proposal of Clr. Larkin, seconded by Clr Mac Lochlainn, it was resolved, in accordance with Standing Orders, to take a show of hands firstly in relation to the Amendment.

This resulted in 9 voting for with none against.

The Mayor declared the Amendment carried.

The amendment was then put to the meeting as a substantive motion. A vote was taken by show of hands resulting in 9 for with none against.

The Mayor declared the motion carried.

- C/511/08 APPROVAL OF SCHEDULE OF MEETINGS FOR 2009  
Members considered the report circulated with the agenda in relation to the above.  
On the proposal of Clr. Larkin, seconded by Clr. Mc Bride, the Schedule of Council Meetings for 2009 was approved, subject to the proposed date for the July 2009 Council Meeting being changed to Monday 20<sup>th</sup> July.

- C/512/08 TO NOTE REPORT ON FERRY SERVICES FOR 2008  
Mr. Garry Martin, Senior Executive Officer, Community, Culture and Enterprise outlined the main aspects of the report.  
A number of members acknowledged that the downturn in activity had been largely due to the unseasonable weather and noted that there was a necessity for some form of subvention.  
Members asked that an economic/social analysis of the area be carried out so as to establish the benefits of the ferry

service to the region. It was agreed to proceed with the tendering process in respect of both the Foyle and the Swilly Ferry services whilst examining other funding opportunities and taking into consideration the value for money aspect of the service as a whole.

C/513/08 TO CONSIDER REQUEST FOR RECEPTION OF DEPUTATION FROM SLIGO BOROUGH COUNCIL

Members considered the report circulated with the agenda in relation to the above. On the proposal of Clr. Pringle, seconded by Clr. Conaghan, it was resolved that a deputation from Sligo Borough Council be permitted to address a future meeting of Donegal County Council.

C/514/08 CONFERENCE ATTENDANCE

Having noted the revised arrangements under Section 142 5(d) of the Local Government Act, 2001, introduced by the Local Government (Expenses of Local Authority Members) Regulations 2006, and directives issued by the Minister in that regard, on the proposal of Clr. Conaghan, seconded by Clr. McEniff, it was resolved to authorise any member, if he/she so wished, to attend the following conferences, subject to the following conditions:

1. Individual members not exceeding their annual budget for attendance at conferences.
  2. Payment of expenses for attendance to be conditional on the member furnishing documentary evidence of attendance.
- Border Regional Authority NSS Refresh Update Review of the Regional Planning Guidelines for the Border Region Review of the Regional Development Strategy for Northern Ireland to be held 26<sup>th</sup> November, 2008 at the Hillgrove, Monaghan.
  - Solace Northern Ireland Conference 2008 Delivering the Power of Well-Being through Local Leadership to be held Thursday 27<sup>th</sup> November, 2008 at the Lough Erne Golf Resort, Enniskillen.
  - Dundalk Chamber (in association with Dundalk Town Council) “Meet the Planners Seminar” to be held Wednesday 3<sup>rd</sup> December, 2008 at the Park Inn, Dundalk.

- Homelessness in Ireland Training Seminar to be held Friday 5<sup>th</sup> and Saturday 6<sup>th</sup> December, 2008 at the The City West Hotel, Dublin.

C/515/08 TO NOTE VARIOUS CONFERENCE REPORTS

On the proposal of Clr. Conaghan, seconded by Clr. Larkin, the Council noted the following reports:-

- Clr. Joe Kelly – Ireland’s Water An Untapped Resource held 17<sup>th</sup> October, 2008.
- Clr. Terence Slowey – The Local Government Housing Service held Friday 6<sup>th</sup> to Sunday 8<sup>th</sup> June, 2008.
- Clr. Terence Slowey – The Role of Local Government in Sport held Wednesday 30<sup>th</sup> July to Friday 1<sup>st</sup> August, 2008.
- Clr. Terence Slowey – Parnell Summer School held Sunday 10<sup>th</sup> to Friday 15<sup>th</sup> August, 2008.

C/516/08 MAYOR’S BUSINESS

*Votes of Sympathy*

Votes of sympathy were extended to the following:-

- Seamus Kelly Stranorlar Roads, on the death of his father Hugh Kelly.
- Anne Marie Quinn, Finance, on the death of her father, Mick Quinn.
- Bernadette Quinn, Planning and Economic Development on the death of her father Patrick Mc Kinney.
- The family of the late Kathleen Fitzgerald, Porthall, Lifford.
- The family of the late P.J. Branley, former Cathaoirleach, Ballyshannon Town Council.
- The family of the late Gerry Harkin, Iona Road, Letterkenny.

*Planning and Economic Development*

On the proposal of Clr. Crawford, seconded by Clr. Conaghan, it was resolved that the council pursue the

granting of an extension of time in respect of those planning applications granted under the old Planning Guidelines. The Mayor advised that the introduction of this concession would be of benefit to both the applicant and the local building industry.

#### *Roads and Transportation*

It was agreed that the Council deputation to meet with the Minister for Transport, Mr. Noel Dempsey, T.D on the 17<sup>th</sup> December, 2008 in relation to the development of rail infrastructure within the county would consist of two Councillors (to be selected) and two members of staff.

The Mayor expressed concern at recent reports in the local media regarding various roads projects and road strengthening in the county. The Director of Roads and Transportation advised that many of the comments attributed to him at a recent Roads and Transportation Strategic Policy Committee meeting had in fact been incorrectly reported on.

#### *Donegal Person of the Year 2009*

The Mayor advised that he had received correspondence from the Patrick Mc Gill Summer School requesting Donegal County Council's support for the nomination of Mr. Joe Mulholland , Ballybofey as Donegal Person of the Year in 2009. On the proposal of Clr. Larkin, seconded by Clr. Slowey, it was resolved to endorse Mr. Mulholland's nomination.

Clr. Mc Bride proposed, seconded by Clr. Blaney and it was resolved that the Council also endorse the nomination of Mr. Eamon Giles in respect of his outstanding contribution to sport in the county.

It was agreed that the Donegal Person of the Year Committee be informed of the Council's decision.

C/517/08

#### COUNTY MANAGER'S REPORT

The County Manager outlined the main points of his report circulated with the agenda, and addendum circulated during the meeting.

He referred to grave concern expressed by members in relation to the recent job loss announcements within the Council and to comments as to the brevity and non-

personalised nature of the correspondence issued to the staff affected.

If, as alleged it was the case that one member of staff had received non-personal correspondence then it was simply down to clerical error, and a letter of apology would be issued to the employee in question in due course.

Clr. Alcorn proposed, seconded by Clr. Mc Gowan, and it was resolved, that a breakdown by service in relation to the initial 120 jobs affected be provided to members.

The Mayor advised that there would be no discussion of the Manager's Report but that he would allow sufficient time for the clarification of outstanding issues in relation to the letter alluded to.

A number of members expressed concern at the sensationalist media coverage afforded to the matter. Clr. Mac Lochlainn welcomed the explanation provided by Mr. Liam Ward, Senior Executive Officer. He had, he confirmed, been unaware of the consultation process which had taken place with the staff concerned.

A lengthy and heated debate ensued during which the County Manager outlined the extent to which the Council might be able to offer temporary contracts of employment in the future depending on a number of variables, namely the attraction of external sources of funding and the use of internal resources.

He advised that the initial 71 proposed job losses would be apportioned as follows:-

<b>Service</b>	<b>No of Posts</b>
Housing and Building:	8
Roads and Transportation	14
Water, Environment, Emergency	7
Planning and Economic Development	10
Corporate	14
Community and Enterprise	17
Finance	1
<b>Total</b>	<b>71</b>

The County Manager then informed members that the letter alluded to earlier in the meeting had now been examined and it seemed on the face of it to have been altered in some way. He confirmed that all of the 71 letters concerned had been checked and that he was satisfied that the staff concerned had all received correspondence of a personal nature. It was proposed by Clr. Conaghan, seconded by Clr Mc Eniff, and resolved, that the Gardai be contacted in relation to the matter.

C/518/08

FUNDING THROUGH THE NATIONAL ROADS AUTHORITY IN 2009 FOR THE UPGRADING OF THE N56

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

"That this Council calls on the Minister for the Environment to make realistic funds available through the National Roads Authority in 2009 for the upgrading of West Donegal's most important road the N56."

Members were informed that:-

"A delegation is to meet the National Roads Authority on Wednesday 26 November 2008. The NRA have responsibility for the N56 and this item is included in the agenda for discussion. The NRA are located under the Department of Transport and the Minister ultimately approves their budgets."

Clr. Slowey asked that every effort be made to protect as far as possible, the Council's own design services, and those within the National Road Design Office.

Members called on the County Manager to nominate a specific person at Senior level to oversee upgrading works on the N56.

Mr John McLaughlin, Director of Roads and Transportation agreed to circulate the booklet presented by the Donegal County Council delegation to Minister Noel Dempsey on the 26<sup>th</sup> November to all members.

Members identified the need to prioritise projects for the coming year so that appropriate funding could be sourced in 2010.

C/519/08 IMPORTANCE OF PROPER DRAINAGE SYSTEM ON OUR ROADS

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

"That this County Council discuss the importance of having a proper Drainage System on our Roads"

Members were informed that:-

**INTRODUCTION**

“A proper drainage system is one of the most important elements of any road network in order to protect the structure of the roadway. Water running on roads can both damage the surface and also damage the substructure resulting in weakening of the support and eventual failure of the entire road.

After installation of a proper drainage system, appropriate maintenance is required from time to time over the years to keep the system flowing.

Recent major projects on roads such as Bundoran/Ballyshannon Bypass, Mountain Top Realignment Scheme, National Primary Quality Pavings such as at Burt or the Letterkenny Dual Carriageway have invested in and installed proper drainage systems and the positive results are evident on the ground. These systems while expensive, perform well, even though at times they might get blocked with debris or silt from adjacent ground and this requires maintenance on occasion.

**STATEMENT OF PROBLEM**

The county has 1000's of miles of roads with little or no drainage system other than that which was created by nature. Many roads have very simplified drainage systems that consist of open ditches that were hand dug with spades and shovels and stone piping at places. These systems have worked well for generations when there were a large number

of workmen to maintain them and vehicles were smaller, lighter and fewer than today. Some roads have no particular drainage system and in these cases in times of heavy rain and flooding, the actual road itself effectively becomes the drainage channel.

In addition, most local roads do not have designed and shaped crossfalls to shed rainwater to the edge to be collected. Instead, many roads are mis-shapen with humps, hollows, sunken wheel tracks and flat crossfalls. This often leads to water running along the surface of the road instead of being directed quickly off to the side.

Nowadays, the type of lorries, tractors, and machinery on county roads have greatly increased in numbers, size and weight. Quite often, large vehicles can crush small earthen open drains along road edges. Modern machines have sufficient power to drive across and along some open drains at times as they make their manoeuvres. This can easily happen during dry weather and the impact only shows up later when surface water courses are flattened and natural drainage prevented.

Further, open earthen drains by their nature allow the growth of vegetation such as grass and weeds in the base of many drains in the summer when there is a reduced flow of rainwater. The vegetation in turn, traps sediments and debris along the routes of the drains. This is a particular problem along flat roads and flat inlets and is more evident if flatter parts of the county. It is not as severe on steeper parts of the county where the speed of the water can tear away vegetation and blockages but this too can lead to other related problems like tearing away the road surface or undermining it. The clearing of sediment, vegetation and debris on a regular basis is essential to provide an unobstructed outlet for the flow of the water off and away from the roadway. This requires extensive maintenance and with the strained budgets for road maintenance over the past number of years, the amount of this type of maintenance work that can be done each year is quite small.

Lastly, in the past decade, the county has enjoyed a boom in the building of new houses. Many of the 1000's of new

houses are single one-off rural houses. The construction of the entrances to these houses and the handling of the surface water both from and to the public road is very important to avoid future damage to the public road. This is usually dealt with by way of planning conditions. Many newly constructed entrances have been built in a manner that has allowed water to flow directly onto the public road and some have even blocked off natural drainage paths along roads. This has received limited attention over the years and needs to also be addressed.

### POSSIBLE SOLUTIONS

It should be recognised that it is not affordable to construct modern drainage systems consisting of designed inlets, piping and culverts along all our county roads. This type of system is affordable and will continue to be installed on major road improvement projects. However, the major projects will only account for less than 2% of the total network. This means that the most will have to be got from the existing system of open drains, ditches and stone piping. To get the most out of the existing system, regular maintenance will be required together with putting in place policies to protect the system from damage. In addition, it is realistic that short sections can be upgraded each year. This will mainly apply to cross culverts and some piping parallel to roads in restricted circumstances.

The issue of how enforcement of Planning Conditions as they relate to surface water running to/from public roads at new entrances has been discussed in the past. It was decided some time ago that the Planning and Roads Services would work together on this matter. After some meetings and discussions, the respective Directors of Service reached agreement on the overall approach to be taken on this issue early in 2008. In addition, a Working Group headed up by the Glenties Roads Manager and consisting of Roads and Planning staff focussed on this matter and delivered their findings in Summer 2008. The respective Divisional Managers are now working together to come forward with a plan on how to implement a procedure to deal with the matter and that is expected in the next couple of months.

It has been suggested that a dedicated person/inspector should be nominated in each Electoral Area to identify locations causing drainage problems and to help pursue solutions whether it be by the Council or other individuals. This inspector could combine duties relating to planning enforcement and hedgecutting, and possibly be funded by Planning and Roads.

It has been difficult to set aside dedicated and sufficient monies to make realistic improvements to prevent surface water flowing along roads. A realistic fund needs to be set-aside and ring-fenced over a number of years to start achieving a realistic impact. It is suggested that a fund in the order of an additional €1 million each year is needed to start making a positive impact. If this were to be provided, it would be necessary to put in place a team, possibly on a county-wide basis, to oversee the delivery of the work in order to maximise the value to be achieved from the money.

#### RECOMMENDED ACTIONS

The following actions are recommended:

1. Nominate or appoint a dedicated inspector for each Electoral Area to cover drainage/planning interface/hedgecutting.
2. Planning and Roads to finalise Implementation Plan to deal with enforcement issues affecting public roads.
3. Council to agree, in principle, that an additional dedicated fund will be set-aside for drainage and improvement works. (An initial amount of €1 million is suggested and would be managed on a county-wide basis to achieve maximum value for money. A senior staff member has agreed to take on this task)."

Members welcomed the reply and in particular the actions recommended by the Director of Roads and Transportation.

They queried the status of the drainage budget agreed in 2008 and the extent of the works carried out to date, particularly in the Letterkenny E.A.

It was agreed that a report on the matter would be presented at the next round of electoral area workshops.

The need for co-operation between services was also acknowledged and members asked that an update on current hedge cutting measures be provided as soon as possible.

C/520/08

PROPOSED MARINA AT BURTONPORT

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

"That this Council express its serious dissatisfaction with the way in which the proposed Marina in Burtonport has been dealt with by the State, and that a master plan be drawn up without delay to ensure that development in Burtonport can commence and that no more public or private money is wasted due to neglect by the state to this area"

Members were informed that:-

“It is understood that actions relating to the proposed development of a Marina at Burtonport are ongoing. These include a request from the local promoter that the lease period, currently agreeable to the State Foreshort Office, be increased.

In order to progress the issue it is proposed to convene a meeting of relevant Council officials in the near future to assess the current status of the proposition and to review the potential for the progression of a master plan for the broad area.”

Clr. Gallagher requested that the Council use its influence to ensure that there were no more delays with the project.

Whilst noting the obvious benefits of progressing a masterplan in the area, it was generally agreed by members that the relevant sections of the Council should liaise and progress the matter.

The Director of Community Culture and Enterprise stated that his directorate would work with all the relevant agencies

to ensure the development of Burtonport as a focal point for marine tourism.

The County Manger reminded members that the marina in question was a private development, and that there were complications with a number of issues.

It was agreed that an overall plan was required, involving internal negotiations between the marine and leisure sections of (Community and Enterprise Directorte) and the Marine Division of (Roads and Transportation Directorate).

The County manager confirmed that a report would be made available after these internal discussions had taken place.

C/521/08 VEHICULAR AND PEDESTRIAN TRAFFIC  
MOVEMENT SYSTEM ON COCKHILL BRIDGE

The following motion in the name of Clr. Donaghey was moved on her behalf by Clr. Conaghan, seconded by Clr. McGuinness and adopted:-

"That a safe and effective vehicular and pedestrian traffic movement system be put in place on Cockhill Bridge without further delay."

Members were informed that:-

“Members shall be aware that a proposed allocation of €100,000 has been made to the above location in 2008/2009. A consultant has been appointed to design a signalised junction with provision for a pedestrian phase. Once this is completed ( prior to Christmas 08) the Council will progress with recommended works in the new year.”

C/522/08 PRIORITISATION OF BASIC SERVICES IN BUDGET  
2009

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

"That this Council prioritises the Basic Services in Budget 2009"

Members were informed that:-

“In the determination of the Draft Annual Revenue Budget proposals, Council Staff are aware of the need to include to the maximum possible extent for essential Council Services in the provisions made available for each cost area. These are determined in conjunction with the Elected Members as the County Manager is obliged to consult with the Corporate Policy Group in developing a Draft Revenue Budget for the Financial year.

In doing this, the marrying of scarce resources to prioritised services is a key determinant. As I have stated in the past, the Council is faced with non-discretionary expenditure items which must be provided for. These are principally in the areas of Loan Charges, Contractual Obligations, some Estate Costs, Statutory and Regulatory Demands as well as Payroll Costs. To the extent that it is within the control of the Council, in the preparations for the 2009 Draft Revenue Budget, we are striving to minimise these costs and increases therein as far as is possible. Where possible as well every effort is being made to identify other funding sources in addition to the Local Government Fund and Commercial Rates to defray such and all other costs.

Council Staff will continue to work closely with the Elected Members in preparing the 2009 Revenue Budget to agree the range of services which can be classified as the basic services and to establish our level of discretion to meet some or all of the demands in prioritising them for funding.”

C/523/08

CULTURAL TOURISM PROJECT EXPLORING THE CONNECTIONS BETWEEN GENERAL MONTGOMERY OF THE ALEMAIN AND MOVILLE

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

"That this Council consider a cultural tourism project that would explore the connections between General Montgomery of the Alemain and Merville with a view to maximising the British and other tourist interest in this local citizen"

Members were informed that:-

“The Community and Enterprise Division is working with a range of stakeholders in a Donegal County Development Board context with a view towards progressing tourism product development through various projects.

Moville is identified as a heritage town in our County Development Plan and in An Stratéis, and in this context all aspects of the towns heritage and history are being looked at with a view towards maximising the cultural and educational tourism potential of the locality. In this context we recognise the importance of the Montgomery connection with Moville.

Generations of the Montgomery family lived at New Park House, built in 1774 by Samuel Montgomery. Sir Bernard Law Montgomery, Field Marshall the Viscount Montgomery of Alamein, known as 'Monty', had an extremely distinguished career in both World War 1 and World War 11. He is particularly renowned for his role at the Battle of El Alamein in North Africa in 1942. General Montgomery and the Montgomery family feature prominently on the HEART panel for Moville which has just been completed by Donegal County Archives Service. Also, the Archives Service, in conjunction with Derry City Archives, is currently preparing a book on the history of Moville, particularly in relation to the town's role in emigration over the past 150 years. The book will include a chapter on the Montgomery family and on General Montgomery, his military career and his links to Inishowen. It is hoped that the book will be completed by the end of 2009.

(In this overall context, at present Donegal County Council is also working with Inishowen Development and the Government of New Brunswick, Canada in relation to an Emigration Monument to be erected in Moville to commemorate all of those who emigrated to North America from the Foyle).”

C/524/08 ISSUES EMANATING FROM THE RECENT BUDGET  
On the proposal of Clr. MacLochlainn, seconded by Clr. McGuinness, the following motion was adopted:-

"That this Council notes with serious concern the following issues emanating from the recent budget that affect the people of Donegal and calls on the Government to do the following:

Continue with the proposed decentralisation of public servants and offices to Gweedore and Donegal Town, Reinstate support for Irish language colleges. Maintain at least one military barracks north of the Barnesmore Gap. To immediately reinstate medical cards for all over 70. To reverse all education cuts in the Budget that will result in increased class sizes and the increases in registration fees for 3rd level students. To reverse the 1% income levy. To put in place a plan to stabilise the Donegal Economy in the short term, reinvigorate it in the medium term and to prioritise job creation. To increase the Local Government Fund in line with inflation. To return to core funding for all community creches. To reinstate the Young Farmers Installation Grant and the Early Retirement Scheme for farmers. To not proceed with cuts to Disadvantaged Area Aid and the Suckler Cow Welfare Scheme for Farmers."

C/525/08 ADJOURNMENT FOR LUNCH

On the proposal of Clr. Alcorn, seconded by Clr. Byrne, it was resolved to adjourn the meeting for a 45 minute lunch recess.

C/526/08 GAS AND ELECTRICITY INCREASES

The following motion in the name of Clr. Harvey was moved on her behalf by Clr. Gallagher, seconded by Clr. McGarvey and adopted:-

"In light of the recent Fuel poverty seminar organised by Donegal County Council:

That this Council calls for the commission for Energy Regulation (CER) not to approve the increases now sought by An Bord Gais and the Electricity Supply Board."

Members were informed that:-

“The Social Inclusion Unit in conjunction with the Energy Awareness Officer in Donegal County Council organised a Fuel Poverty Seminar which was held on 15 October 2008. This Seminar was hosted under the auspices of the Donegal CDB Social Inclusion Measures group. The objective of the Seminar was threefold:

1. To bring together a picture of Fuel Poverty in Donegal
2. To explore how it impacts on the most vulnerable in our community
3. To raise awareness of fuel poverty and to identify collaborative ways to address this issue in Donegal.

Over 40 people attended this seminar from a range of sectors including state agencies, local development organisations, community and voluntary organisations and elected representatives. Through round table discussions this seminar explored how fuel poverty is an issue in Donegal and what kind of actions can be undertaken in Donegal to address these issues. A draft report on the Seminar is available from the Social Inclusion Unit in Donegal County Council and this report will be used by the CDB SIM Group to develop a county wide inter-agency approach on fuel poverty so as to ensure that this issue is addressed in the work programmes of all key agencies in 2009.

The Commission for Energy Regulation (CER) was established under the Electricity Regulation Act, 1999 and is the regulator for the electricity and natural gas sectors in Ireland. Working within the framework of national and EU energy policy the CER aim to create a market place which meets the needs of the energy consumer, through promoting competition so the customer can benefit from competitive pressures on prices and services. The CER act to protect the interests of the final customers, especially the disadvantaged and the elderly, by ensuring that standards of services are set and codes of practices are in place to protect vulnerable users. The CER licence energy companies and set performance standards and ensure that the supply of gas and electricity is safe, secure and reliable and that a quality service is provided by market participants.

The CER is required by the Electricity Regulation Act to consider proposals from ESB Customer Supply in relation to tariffs and their underlying costs and issue directions to ESBCS in relation to the regulated tariffs to be charged to customers. The approved tariffs capture increases or decreases in international fuel prices and projected wholesale costs of electricity. A consultation process invites responses to proposed increases in prices.

Please find attached consultation document published by the Commission with an indicated closing date for submissions of 24th November 2008.”

C/527/08 OPENING OF NEW RECYCLING CENTRE IN LETTERKENNY

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

“That this Council open the new recycling centre in Letterkenny before the Christmas period given the volume of material that will be in circulation.”

Members were informed that:-

“The Letterkenny Civic Amenity site is still under construction. We are not in a position to commit to its completion in time to be ready for opening before Christmas. Kerbside recycling collection services are available from a number of collectors in Letterkenny. We encourage people to avail of such services to recycle packaging and other materials.”

The Director of Water Environment and Emergency Services affirmed that the contract would not be completed in sufficient time and that the associated roadworks had also to be finalised. There, were, he advised a range of funding aspects to be considered in relation to the 2009 budget.

Clr. Larkin expressed great disappointment at the reply, and called for a number of interim measures to be put in place.

The County Manager agreed to visit the site with members of the Letterkenny Electoral Area Committee to assess the situation.

Responding to members calls for a review of the general Civic Amenity Sites operations policy, he advised that consideration would be given to the public/private partnership model. He agreed also to examine the possibility of opening the Letterkenny CAS with a limited range of facilities, namely bottle and paper banks and that Letterkenny Town Council would also be consulted in relation to the matter to see if they could assist.

C/528/08 LISBON TREATY

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

"Recognising that the will of the people as expressed at the ballot box is sovereign, and recognising that if all member states of the EU do not ratify the Lisbon Treaty it does not pass into law, and further recognising that the people of Ireland exercised their rights as citizens to reject the Lisbon Treaty referendum, and we call on the EU Commission, the EU Council of Ministers, the EU Parliament and the authorities in the other EU states to accept and respect the verdict of the Irish people, as they accepted the will of the French and Dutch people following their decision to reject the EU Constitution"

A lengthy debate ensued with members raising a number of issues. Concern was expressed that the motion was not relevant to matters falling within the remit of Donegal County Council, and that it had not been worded in accordance with Standing Orders.

The Meetings Administrator, suggested that the most appropriate follow up action would be to forward a copy of the resolution to the Department of Foreign Affairs.

C/529/08 NAMING OF THE RAMELTON RECREATION AND AMENITY AREA PROJECT

The following motion was submitted by Clr. Blaney:-

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

The Mayor permitted Clr. Blaney to outline the background to the motion, and arising from same he also permitted Clrs McBride and McGarvey to outline their respective roles in the matter.

Clr. Blaney advised that he wished to withdraw the motion at this juncture as it merited a comprehensive debate by all members of the council.

C/530/08

PRESENTATION OF DETAILS IN RELATION TO ALL CONSULTANTS CONTRACTED BY THIS COUNCIL

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

"That the Manager present details of all Consultants contracted by this Council, their terms of reference, cost etc so that consideration can be given to redeploying our own competent staff to carry out some of this work instead of the possible layoff of either fulltime or contract staff."

Members were informed that:-

"Details of costs for the years 2005, 2006, and 2007 were provided for the September meeting in response to a question from Cllr Byrne (copy attached). The Government has instructed every public body to achieve a 50% reduction in consultant costs in 2009. The implications of this, together with the anticipated slowdown in activity on the capital programme in the coming year, will be reviewed with the members in the context of the draft 2009 Budget and the three year capital programme."

Members outlined the necessity of reviewing all Consultancy Contracts, both Capital and Revenue, to ascertain the areas in which it might be possible to deploy our own expertise, and thus reduce overall costs.

The County Manager advised that a more detailed analysis of consultancy expenditure within the capital programme would be presented at the Special Meeting of Donegal

County Council, scheduled for Thursday 4<sup>th</sup> December, 2008. Details in relation to the revenue budget would be circulated at the forthcoming budget workshop, on the 12<sup>th</sup> December.

C/531/08 ILLEGAL PARKING OF VEHICLES AND CARAVANS BY MEMBERS OF THE TRAVELLING COMMUNITY

The following motion in the name of Clr. A Bonner was moved on her behalf by Clr. McGowan, seconded by Clr. Crawford and adopted:

"That this Council expediate "Bye Laws" to address illegal parking of vehicles and caravans by members of the travelling community in towns like Ballybofey/Stranorlar etc"

Members were informed that:-

“It is policy of Donegal County Council to provide suitable accommodation in order to remove the need for unauthorised unsanitary and unsuitable encampments and the need for Travellers to reside on the roadside.

The County Council, in its role as both Planning and Sanitary authority cannot, however, tolerate unauthorised encampments in areas where this would give rise to unacceptable conditions.

Section 12 of the recently published Draft Traveller Accommodation Programme 2009 – 2013 sets out the Councils strategy to deal with any such illegal encampments.

At present, there are two Acts that are primarily used :

1. The Criminal Justice (Public Order) Act 1994, as amended by Section 24 of the Housing (Miscellaneous Provisions) Act, 2002.

Section 24 deals with offences relating to entering and occupying land and the placing of an object on land without consent. Enforcement of this provision is a matter for the Gardai.

2. The Planning & Development Act 2000.  
Section 160 of the Planning and Development Act 2000 relates to the unauthorised development of lands consisting of the keeping/placing of caravans etc for the purposes of caravanning/habitation. This Act is enforced by the Planning Division where the illegal encampment is situated on any public road, within the meaning of the Roads Act 1993, or on private lands.”

C/532/08 REMOVAL OF SPEED SIGN FROM ABOVE  
MILLTOWN BRIDGE, KILLGORDON

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

"That the speed sign be moved from above Milltown Bridge, Killygordon to the upper side of the new entrance to the new Red Hughes Gaelic Ground for safety reasons."

Members were informed that:-

“The Roads Area and Road Safety Engineer will be requested to review the layout at this location and consider the options with dealing with any safety concerns. A report with any recommended measures will be presented to the Stranorlar Electoral Area Committee by end Q1 2009.”

**The following questions and replies were noted:-**

C/533/08 SYSTEMS TO COUNTER-ACT  
MISREPRESENTATIONS MADE TO THE MEDIA ON  
COUNTY COUNCIL MATTERS

The following question was submitted by Clr. Kelly:-

"What systems are in place by the Donegal County Council to counter-act misrepresentations made to the media on County Council matters?"

Clr. Kelly was informed that:-

“All media contacts on behalf of the Council (press releases, press queries, etc) are co-ordinated through the Information

Officer. It is of course a matter for individual elected members to manage their own media contacts.”

C/534/08 HOW MUCH WAS INVESTED BY DONEGAL COUNTY COUNCIL IN THE WATER SERVICES INVESTMENT PROGRAMME 2003-2005

The following question was submitted by Clr. Slowey:-

"How much was invested by Donegal County Council in the Water Services Investment Programme for the years 2003-2005 inclusive? Please give a detailed breakdown of the projects funded."

Clr. Slowey was informed that:-

“Between 2003 and 2005 €40.0m was spent by Donegal County Council on advancing and implementing schemes on the Department of the Environment Heritage and Local Governments Water Services Investment Programme for Donegal. €36.0m was spent on the planning, design, and implementation of Major Capital Schemes, including the NS SHARE project. €1.9m was spent on the planning, design, and implementation of Serviced Land Initiative Schemes. €2.1m was spent on the planning, design, and implementation of Water Conservation Measures and pipe replacement schemes. A comprehensive scheme listing is attached.”

C/535/08 TOXIC AND HAZARDOUS WASTE IN DONEGAL IN 2007

The following question was submitted by Clr. Slowey:-

"How much toxic and hazardous waste was generated in Donegal in 2007 and will the Council list the top five producers and state the final destination of the waste in each case?"

Clr. Slowey was informed that:-

“The Tonage of Hazardous Waste managed for Co. Donegal in 2007 was 4761.28 tonnes. Of this; 2720.96 tonne was oil based drill & mud, 1070.46 tonne was drilling muds, 281.70 tonne was mixed oily waste, 226.52 tonne was clinical

waste, 167.07 tonne was contaminated soil, 124.19 tonne was asbestos, 14.30 tonne was clinical waste (various dentists/veterinary surgeries/pharmacies) and 156.08 tonne miscellaneous (including paints, solvents, fluorescent tubes, batteries, chemicals etc. from a number of consignors).

The Destinations of Hazardous waste include-  
Sterile Technologies , Naas Road, Dublin 12  
Veolia Es Technical Solutions (Irl) Ltd, 520 Beech Road,  
Western Ind. Est., Naas Road, Dublin 12  
ONYX Environment Services Ltd, 520 Beech Road,  
Western Ind. Est., Naas Road, Dublin 12  
OES, Beech Rd, Western Ind. Est., Naas Rd, Dublin 12  
KTK Landfill, Kildare  
Rilta Environmental, Block 402, Greenogue Business Park,  
Rathcoole, Co. Dublin  
Cedar Resource Mgt, Greenogue Business Park, Rathcoole,  
Dublin  
Safety Kleen Unit 5, Airton Rd, Tallaght, Dublin 24  
Eco Safe Systems, Allied Ind. Est. Kylemore Rd, Dublin 10  
K.M.K. Metals Recycling Ltd, Daingean Rd, Tullamore  
ENVA, Clonminam Ind Est, Portlaoise, Co. Laois  
SITA Environmental Ltd, Block 402 Greenogue Bus. Pk,  
Rathcoole, Co. Dublin  
Irish Lamp Recycling Co. Ltd, Athy, Co. Kildare  
Guardian Silver Lining, 61 Cookstown Ind. Est. Tallaght,  
Dublin 24  
Hi-volt Irl Ltd, Ballyduff, Thurles  
AVR-Safeway Ltd, Corrin, Fermoy, Co. Cork  
Indaver Ireland, Tolka Quay Road, Dublin Port  
Eco Safe Systems, Allied Ind. Est. Kylemore Rd, Dublin 10  
Atlas Environmental N.I., The Old Mill, Drumaness, Co.  
Down.  
Atlas Environmental, 11 Comber Road, Carryduff, Co.  
Down.  
Brandt Environmental, Maitland Quay, Aberdeen, England”

C/536/08 UPDATE ON THE GROUP WATER SCHEMES THAT  
WERE ON THE LIST FOR COMMENCING IN 2008  
SUBJECT TO FUNDING BEING AVAILABLE

The following question was submitted by Clr. Alcorn:-

"What is the latest update on the Group Water Schemes, that were on the list for commencing in 2008 subject to funding being available?"

Clr. Alcorn was informed that:-

“The allocation received for new group schemes in 2008 was €360,000. The Council had already entered into new group scheme commitments to an estimated value of €2,825,253 at the time of receiving the allocation. The Council had approved twenty two additional Group Schemes to proceed to construction, subject to funding being available. The current financial situation is that expenditure this year to date on new group schemes has been €1,138,015. The allocation of €360,000 has been fully drawn down. No additional funding has been notified. Therefore, we have been unable to allocate any grants to allow the additional twenty two schemes proceed.

We have been advised of exceptional circumstances arising in respect of four schemes, namely Lettermakenny GWS, Goland GWS, Navenny GSS and Carrickmagarvey No.2. In these cases the group and their contractors agreed to proceed and carry out the works based on financial contributions from the group only. They agreed to defer the payment of grants until such time as funding became available from the Department. To date, out of these four, only Lettermakenny is gone to construction.”

C/537/08 HOUSEHOLD IN ARDVEEN HAS TO TAKE WATER FROM PUBLIC WATER SUPPLY IN DUNGLOE BY BOTTLE

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

"Is this Council aware that a household in Ardveen has to take water from public water supply in Dungloe by bottle to their home because they do not have a clean water supply, if so what plans are in place to rightify this despicable neglect?"

Clr. M.T. Gallagher was informed that:-

“Donegal County Council is aware that up to 9% of households in the county do not have access to a piped water supply. These households are in rural areas and the Rural Water Programme is the appropriate vehicle to provide for their needs.

The Rural Water Programme has a number of sub-programmes including New Group Schemes, Upgrade and Takeover of group schemes and Small Public Capital Schemes. Currently the programme is focussed on resolving problems of non-compliant drinking water on private group schemes, and the funding available for new group schemes is extremely limited.

The area in question, Ardveen, is served by a private group scheme. Works are ongoing by Donegal County Council to resolve water quality deficiencies in that scheme. The Council are currently investigating the specific case referred to, to determine if it can be resolved as part of these works. The area manager will be in touch with you to discuss the findings of these investigations.”

C/538/08 NEW PIER ON RUTLAND ISLAND

The following question was submitted by Clr. Alcorn:-

"When is it hoped to commence work on the new pier on Rutland Island, and whats the projected timescale of completing this project?"

Clr. Alcorn was informed that:-

“This Project started on the 10th November 2008 and should be completed by the end of February 2009.”

C/539/08 PROGRESS ON MOTION PASSED BY DONEGAL COUNTY COUNCIL ON THE ISSUE OF GWEEBARA FISHERY

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

"What progress has been made on the issue of the Gweebarra Fishery following the motion passed unanimously by Donegal County Council?"

Clr. M. T. Gallagher was informed that:-

“Following the Council motion in April 2003, the Marine & Water Leisure unit has been encouraging dialogue between local angling clubs and the Northern Regional Fisheries Board.

While the Council and the County Development Board have a general interest in seeing the development of angling for the benefit of local communities and tourism, the Council has no direct role in deciding how fisheries are managed. Assistance has been given to the Fisheries Board and local clubs to get agreement on the appointment of an independent chair and a framework for negotiations. As many fisheries have mixed ownerships (private, club, public bodies), encouragement has been given so that as many of them as possible become involved in discussions to include access for local people.

The Northern Regional Fisheries Board is the statutory body holding responsibility for the Gweebarra and its management. This Board has taken a decision to approve a management plan negotiated with the community in the Gweebarra catchment.

The following arrangements have been approved by this Board:

- The Gweebarra Fishing Club has been recognised as the local representative body for anglers and draft nets men and its members will have access to fish every day of the season. All persons on the electoral area register resident within the catchment will be entitled to join the club as local members. Membership will cost €25 per season.
- Any other person regardless of where they reside may apply to the Gweebarra Fishing Club for associate membership. The club will decide on such applications without reference to the Fisheries Board, subject to the fish quota available, the number of local people joining the club and the agreed rod management plan. The club has stated its intention to maintain good neighbourly relations with clubs in nearby catchments such as the Rosses and Fintown. Associate membership will cost €25 per season.

- Visitor permits will be available on the fishery. The daily cost of these will be €50 for spring salmon, €35 for grilse and €10 for estuary fishing mainly for trout. In addition, the Board will provide cheaper visitor permits for persons fishing for 4 days or more with a view to supporting the tourism industry in Donegal.
- The Fisheries Board Executive has informed me that it will not be requesting financial assistance from Donegal County Council for development of the fishery.

The Council advised the Fisheries Board and the Gweebarra Angling Club about the concerns raised by members in April 2008. It is understood that both the Board and the Club have written to all members explaining the position. The issue of the Gweebarra agreement has also come before the District Court in November 2008 and certain matters would now appear to be sub judice.”

C/540/08 NEW WATER CONNECTIONS AT THE ILLIES  
BALLYMAGAN

The following question was submitted by Clr. Donaghey:-

"When will people from the Illies, Ballymagan be able to get Water Connections for new homes as planning permissions have been refused on these grounds within the last 18 months?"

Clr. Donaghey was informed that:-

“The Council have no current plans to extend the water supply network in the Illies area. The refusals referred to by the Councillor, are perhaps best explored looking at the site specifics in each case . The Area Engineer for the Water and Environment Service for Inishowen is best placed to advise further in that regard.”

C/541/08 UPGRADING OF BUNCRANA’S OUTDATED  
SEWERAGE TREATMENT PLANT

The following question was submitted by Clr. Donaghey:-

"What is the current position regarding the upgrading of Buncrana's outdated Sewerage Treatment Plant?"

Clr. Donaghey was informed that:-

“The upgrade of the Bunrana Wastewater Treatment Plant and Sludge Treatment Facilities as described in the relevant Environmental Impact Statement was approved by An Bord Pleanala in August 2008. The Department subsequently asked for the Preliminary Report and Water Pricing documents to be updated prior to its submission to the Department. The completion of this design review and associated preliminary report documentation will not be completed until March 2009. It is expected that the Preliminary report submission will be made to the Department in the second quarter of 2009. Work will not commence on contract documents until Preliminary Report approval has been given by the DEHLG. A brief for the appointment of consultants for the rehabilitation, upgrading, and extension of the Bunrana and environs sewer network was also approved by the Department in 2008. Approval to commence the procurement of consultants for this scheme is however awaited.”

C/542/08

PROPOSED HOUSING SCHEME FOR  
NEWTOWNCUNNINGHAM

The following question was submitted by Clr. Conaghan:-

"What is the current position regarding the proposed Housing Scheme for Newtowncunningham?"

Clr. Conaghan was informed that:-

“The land for the scheme was acquired through the Part V process in late 2006. The Part 8 planning process was completed in July 2007 for 20 units on the site. The development is to be phased to a initial phase of 12 units due to the existing profile of the housing need in Newtowncunningham and conditional approval has been received for the project from the Dept. of Environment, Heritage and Local Government in October of this year. The Scheme is being designed 'in house' by the Housing Design dept. and contract documents are at an advanced stage, however a detailed site investigation carried out in Sept revealed soft ground at a depth of approx. 2 metres below

the surface and specialist advice is being acquired to deal with this matter. It is proposed to proceed to tender in Feb/March 2009 with construction to begin in June 2009.”

C/543/08 COUNCIL OWNED LAND AT ROCKYTOWN  
BUNCRANA

The following question was submitted by Clr. MacLochlainn:-

"Will Donegal County Council immediately facilitate the long held requests by community groups in the Bunrana area to avail of council owned land at Rockytown, Bunrana to progress their projects?"

Clr. MacLochlainn was informed that:-

“Urgent efforts are ongoing to respond to the proposals from the Integrated Childcare project for the allocation of a site on the Council landholding at Rockytown. Meetings are ongoing involving the Housing, Planning and C. C. and E. staff to address the issues of:-

1. A Debt of 1 million euro plus being carried on loan by the Housing Account.
2. A layout Plan for the total site to optimise its use for Community, Housing and other purposes.
3. A funding plan and source to open the lands for development and
4. The assignment of a Project Manager to manage the project.

I am aware of the timeframe for the funding to the Local Group for their project and we are making every effort to overcome the issues which I have set out in the context of that timetable.”

C/544/08 PLANS FOR ROAD SAFETY THIS WINTER

The following question was submitted by Clr. Conaghan:-

"What Plans have the Council in place this winter regarding Road Safety regarding Public Lighting, Signage and Road gritting?"

Clr. Conaghan was informed that:-

“The winter period is upon us again and it is necessary for all drivers to drive with due care and attention on our roads as generally driving conditions worsen over the winter in terms of darkness, rain, snow and frost. The Council adjust to the normal procedures to provide services to help motorists with winter on our roads. Under the specific requested headings the following will apply:

#### Public Lighting

The ESB provide both electrical power supply and maintenance of the public lighting system. The ESB will now be inspecting the public lights more frequently as is the requirement over the winter period. The ESB have a dedicated telephone number for the public to call to report “Lights Out” and this is encouraged (1950 372 772). The Council receive and review these reports monthly.

#### Winter Maintenance

The Council has kicked off its winter maintenance service at the start of November. A duty engineer checks weather forecasts, etc. and decides each day what the call-out will be each evening and morning. The 23 lorries and hoppers are prepared and ready to go. (Over 900km of main roads are on the Priority Routes to be treated.) In addition, salt is available and stored locally. A training day with staff involved has been held last week to refresh those involved and bring up new ideas and practices. Lastly, the review of the winter service has now been completed and presented to SPC last week. There are no major changes proposed and once again the usual challenge of balancing the increasing of the lengths to be treated against the consequent reduction general maintenance monies has come to the fore. A new product called “safe-coat” will be trialled in two depots this season. It is expected to stick better to icy roads and promises to reduce the amount of salt needed. In addition, “Route Optimisation” is being examined to deal more efficiently with nights when there are call-outs for parts of normal routes only.

Any specific requests regarding off-line winter gritting will be dealt with by the local area offices and is paid for through local maintenance monies.

Signage

Any problems should be reported to the local area offices.”

C/545/08 CARPARK IN MOVILLE

The following question was submitted by Clr. McDonald:-

"When will the Council provide a car park in Merville?"

Clr. McDonald was informed that:-

“The Roads Design Section of Donegal County Council have carried out a survey of the "Tier II" towns in the county in 2008 with a view to providing detailed information on car parking requirements on an as required basis. A request has been made to Roads Design to ascertain the need for additional carparking in Merville. Roads Design hope to be in a position to provide this information in early 2009.

No particular funding has been allocated to a car park for Merville. The members shall be advised of any progress on this matter once Roads Design have completed their considerations.”

C/546/08 RESURFACE STRETCH OF STREET BETWEEN FOYLE HOTEL AND BALLYNALLY LANE

The following question was submitted by Clr. McDonald:-

"That the Council take immediate steps to resurface the stretch of street between the Foyle Hotel and Ballynally Lane"

Clr. McDonald was informed that:-

“The Roads Section have deferred the provision of a new surface for the R241 over the last number of years as the Merville Sewerage Scheme is anticipated to have a significant adverse impact on this road during its construction.

The only available funding source for works on the R241 is Regional Road Surfacing. Consideration could be given to carrying out works on this road in 2009 following

confirmation of grant levels and discussion with members in early 2009.”

C/547/08 IMPROVEMENT WORKS AT GREENCASTLE HARBOUR

The following question was submitted by Clr. MacLochlainn:-

"Will Donegal County Council honour its commitment to provide 12.5% of the cost of the improvement works at Greencastle Harbour?"

Clr. MacLochlainn was informed that:-

“The Council will be considering a 3 Year Capital Budget for the period 2009 – 2011 in the near future. It is intended that all current and future projects including Greencastle will be considered in this context including options available to meet the co- funding requirements on Donegal County Council in respect of this project.

In the 3 year Capital Budget for 2008-2010 Page 77 Green Pages the Director of Roads and Transportation services stated " it will be necessary to ensure that money is made available for Greencastle through a supplementary Development Contribution scheme". Subsequently, the Director of Planning and Economic Development tabled a proposal for increases in the Development Contribution Scheme to meet co-funding requirements in this regard which has not been adopted by the Council to date.”

C/548/08 TIMEFRAME TO ROLL OUT THE JOINT POLICING COMMITTEES

The following question was submitted by Clr. Harvey:-

"Has this Council a timeframe to roll out the Joint Policing Committee's (JPC), that now all the guidelines have been put in place?"

Clr. Harvey was informed that:-

“Circular LG 10.08 dated 24 September 2008 references updated guidelines on the establishment and development of

JPC's across all local authority areas. These guidelines are under review and it is expected that this issue will be progressed in early 2009.”

C/549/08 PEDESTRIAN CROSSING DIAMOND AREA OF RAPHOE

The following question was submitted by Clr. Harvey:-

"Has this Council any plans to provide a Pedestrian Crossing in the Diamond Area of Raphoe?"

Clr. Harvey was informed that:-

“There are no plans at this time for a pedestrian crossing in this location. The matter can be discussed further at a future electoral area meeting.”

C/550/08 EXTRA LANE IN FRONT OF THE MOUNT ERRIGAL HOTEL LETTERKENNY

The following question was submitted by Clr. Larkin:-

"Has there been any reply from the NRA about funding an extra lane at the front of the Mount Errigal Hotel in Letterkenny?"

Clr. Larkin was informed that:-

“The proposed pavement overlay and minor works (including widening and relining of the N56 between the Port Bridge Roundabout and the Ballyraine Road Roundabout) was included in the formal submission (AF1) to the NRA in July 2008 for construction funding in 2009. At two subsequent 2008 project management meetings with the NRA the importance of these works has been reiterated.

No indications were given by the NRA at these meetings as to 2009 funding. The NRA suggested that the traffic model currently being produced by DCC for Letterkenny be used to evaluate the benefits of any proposed additional lane provision. This document is due for completion in January/February 2009.

Due to the recent financial restrictions a commitment from the NRA on Network Management and specifically pavement and minor improvement works funding for 2009 is not expected until early 2009. In the interim, Donegal Co. Co. (DNRDO) are preparing a Project Appraisal Report in accordance with NRA procedures and are advancing preliminary design. Although no land purchase is expected to be required the public impact of the works and the potential effect on existing accesses may warrant Part 8 planning.

It is expected that this project will be further highlighted to the NRA via the upcoming Donegal County Council delegation to the NRA and subsequently at the Oireachtas members meeting in December 2008.”

C/551/08 UPDATE ON KELVIN PROJECT UNDER INTERREG

The following question was submitted by Clr. Larkin:-

"Can the Council be updated on the Kelvin Project under Interreg?"

Clr. Larkin was informed that:-

“Project Kelvin is a joint initiative between the Department of Communications, Energy and Natural Resources and the the Department of Enterprise, Trade and Investment (Northern Ireland) and is to be funded via Interreg IV A. The project essentially revolves around bringing a transatlantic fibre cable from North America to improve the capacity of the North West of Ireland with regard to telecommunications with specific reference to:

- a direct international telecoms link
- increased competition in the telecoms market
- reduced cost of telecoms in comparative terms with major cities
- increased resilience and diversity of supply
- offer additional investment opportunities for the North West in the telecoms related sector.

Donegal County Council has received the following update from the ICBAN network on Project Kelvin.

This project is being led by the Department of Enterprise, Trade and Investment (DETI) in Northern Ireland. Project Kelvin is an international telecoms infrastructure project. The preferred bidder is Hibernia Atlantic (this was announced by DETI recently). The European Commission approved the state aid for the project in October 2008, but there are the usual government approvals to be put in place. Assuming there are no unforeseen problems the contract should be awarded in December 2008 and the new direct link up and running by December 2009. The infrastructure itself will be owned and managed by Hibernia Atlantic but is subject to contract conditions on speed, reliability and the cost to the end user. Hibernia Atlantic has confirmed that the access to the new international link will be available in:

Coleraine, Londonderry, Strabane, Omagh, Dungannon, Armagh, Portadown, Belfast, Lisburn, Ballymena, Letterkenny, Monaghan, Castleblaney, Dundalk, Drogheda

Hibernia is still finalizing the exact route of the terrestrial infrastructure – this is expected to be completed very quickly. This project will make no discernable difference to the availability of broadband to domestic customers. The focus is on International telecoms infrastructure.

Donegal County Council has also requested an update from the Special EU Programmes Body (SEUPB) on the project and the status in relation to the Interreg programme funding. This update will be circulated to the members also when available.”

C/552/08

OUTSIDE CONSULTANTS FROM THE REVENUE BUDGET 2008

The following question was submitted by Clr. Pringle:-

"How much has been paid for outside consultants from the revenue budget in 2008?"

Clr. Pringle was informed by the Head of Finance that:-

“On examination of the Councils Financial system the gross amount expended on above services to date in 2008 is

€600,096. I am working with Directorates in finalising projections for the full year as we continue preparations for the Draft Revenue Budget for 2009.

I repeat again what was stated in response to a previous question from another Member for the September meeting that having regard to guidelines issued by Departments of State there is a requirement to reduce consultancy costs by 50% in 2009. This is regardless of whether Consultancy services have been utilised in the discharge of a statutory function or otherwise. It would appear that consultancy fees in respect of infrastructural developments are excluded from this requirement and these in any event would be classified as Capital expenditure.

Again we are working with services in determination of requirements for 2009 as well as taking on board the need to reduce 2008 outturn figures by 50%.”

C/553/08 GROUP A DONEGAL BAY WASTE MANAGEMENT SCHEME CONTRACTOR

The following question was submitted by Clr. Pringle:-

"How much is the monthly charge for the Group A Donegal Bay Waste Management Scheme contractor and how many extra claims have been made and paid?"

Clr. Pringle was informed that:-

“Payments due to the Contractor for operation of the Group A Donegal Bay Wastewater contract are calculated on a monthly basis. The invoice for the first three months of operation up to the end of June 2008 has been processed and paid. Not all of the plants were operational throughout that period, so that invoice did not fully reflect three months costs. The next set of invoices has yet to be received – we understand they are being prepared.

The monthly charge for operation of the contract works is divided between a fixed charge and a number of variable, activity-related charges. The charges are also subject to adjustment to reflect changes in various cost indices published by the Central Statistics Office. We expect the total charge per month during 2008, net of VAT, to be

approximately €100,000, of which €78,000 is fixed. There have been no extra claims made or paid to date.”

C/554/08 SUPPORTING FAMILIES THREATENED WITH HOME REPOSSESSION

The following question was submitted by Clr. McGowan:-

"What consideration if any is the Council or the Dept of Environment and Local Government giving to supporting families threatened with home repossession, in light of the latest economic crisis and the fact that this Council will inevitably have to consider re-housing any families who are not able to meet their mortgage repayments?"

Clr. McGowan was informed that:-

“If a person is experiencing a short term difficulty with their mortgage repayments, they can apply for the Mortgage Interest Supplement from their local Community Welfare Officer. This however would not be solution if the problem is more long term.

The Council’s standard loan schemes are primarily for the purchase/construction of dwellings by first time buyers where a person is unable to secure a loan from a bank or a building society. Obviously, if a person is unable to repay their loan to one of the private lending institutions, they are not going to be in a position to repay a full loan to the Council. The Shared Ownership Loan Scheme is designed to assist people who cannot secure a full mortgage thus enabling them to take a “share” in a property and while this is also primarily for first time buyers, and is not a “re-mortgaging” product, the Council are exploring if it can be adapted to assist people who are experiencing genuine difficulties. An example would be where a persons circumstances have changed significantly since the time they obtained the initial loan through loss of employment etc.

In cases where a person has had their property repossessed, they can of course apply to the Council to go on the waiting list for housing in the normal manner.”

C/555/08 DISPARITY BETWEEN ROAD MAINTENANCE  
CARRIED OUT IN FINN VALLEY AND OTHER  
ELECTORAL AREAS

The following question was submitted by Clr. McGowan:-

"Why is there such a disparity on road maintenance carried out in the Finn Valley Area compared to other areas like the Donegal Area and Milford Areas which has been highlighted at most of the Council Corporate Group and the Roads and Transportation SPC meetings over the last 3 or 4 years?"

Clr. McGowan was informed that:-

“Maintenance money for roads is allocated on the basis of road mileage in each Electoral Area. This has been the agreed procedure over a long number of years and although there has been reasons put forward why this procedure should be changed there is no agreement on an alternative way forward. The main arguments put forward for additional funding in certain areas include:-

Volume of Traffic

Volumes of HGV's, large tractors, farm machinery using road

Type of subgrade underlying roads (peat, rock, blue clay)

Condition of existing roads

Materials used in original construction

Recent development along road- one off houses/holiday homes

All of these factors have contributed to a wider variation in the condition of our local roads and proposals by members on how maintenance funding could be allocated fairly on the basis of need rather than by road mileage would be welcomed.

It is suggested that this should be discussed in the first instance at the Roads SPC. It is acknowledged that some members have praised the work of local staff in Milford and Donegal Areas.”

C/556/08 BALLYBOFEY AND STRANORLAR BYPASS

The following question was submitted by Clr. Reid:-

"What stage is the Ballybofey and Stranorlar ByPass at?"

Clr. Reid was informed that:-

“The Oral Hearing for the N13/N15 Ballybofey Bypass was held by An Bord Pleanala in June of 2008. The Council are currently awaiting a decision from the Bord in relation to the Compulsory Purchase Order and Environmental Impact Statement. The Bord have indicated that a decision is due by end November however this date can be extended at the discretion of the Bord.”

C/557/08

PUBLIC CONVENIENCES IN TWIN TOWNS

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

"What plans does this Council have to provide Public Conveniences in "Twin Towns" as no such facilities exist in the Stranorlar electoral area and is a necessity for the area?"

Clr. A. Bonner was informed that:-

The issue of public conveniences has been raised at the Water, Environment & Emergency SPC. The experience of the council operating and maintaining such facilities is mixed. Problems of vandalism and anti-social activities have arisen in some cases and facilities have had to be closed in a few cases for these reasons. The option of full-time attendance at public toilets is not viable and the provision and maintenance of vandal-proof toilets is expensive. Public toilets have been provided successfully in some places in partnership with conveniently located private sector or community based developments. These have arisen following an approach to the council by a group offering such facilities. There are no immediate plans to develop a public convenience in the Twin Towns.

C/558/08

BROADBAND IN TWIN TOWNS

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

"When will Broadband (Council's) be available in Twin Towns as it must be 12 months since cables were installed?"

Clr. A. Bonner was informed that:-

The Donegal Regional Programme involved the construction of Metropolitan Area Networks in Bundoran, Ballyshannon, Donegal Town, Buncrana and Ballybofey / Stranorlar. Construction work on this project was completed in December 2007. In order that these networks can become operational, the Department of Communications Energy & Natural Resources must appoint a Management Services Entity to take responsibility for managing and promoting the networks on behalf of the state. This process has not yet been concluded.

C/559/08 BUSINESS PARK FOR THE TWIN TOWNS

The following question was submitted by Clr. Reid:-

"What is Donegal County Council doing to ensure the allocation of a Business park for the Twin Towns?"

Clr. Reid was informed that:-

The Council are supporting the local development company (BASICC) in their ongoing work with the various economic development and funding agencies. The Council is also keeping under review opportunities that may become available to assist the company in achieving it's objectives.

C/560/08 MOTIONS FROM OTHER COUNCILS

LIMERICK COUNTY COUNCIL

"That, Limerick County Council calls for a complete reversal of the inequitable cuts on Agriculture in the Budget 2008."

CLONES TOWN COUNCIL

"That Clones Town Council supports the two objectives of the Irish Lobby for Immigration Reform in the U.S.: 1. a path to legal status for the undocumented Irish in the U.S., and 2. a path to legal status for future Irish immigrants. That we write to the Minister for Foreign Affairs, Mr Micheal Martin and the Irish Ambassador to the U.S. asking them to expedite a bi-lateral agreement with the U.S. Administration to address these issues.

That this motion be circulated to all Local Authorities North and South, seeking their support for this motion and asking them to write to Mr. Martin.

The undocumented Irish Community in the U.S.A. is in deep difficulty.

Young Irish men and women cannot return to Ireland for normal family and social events, like marriages, christenings, anniversaries, funerals, etc. or to visit parents or siblings, because of the fear of not getting back into the country. Many have set up home, families and businesses. They contribute to the economic and social life of their communities.

A two-tier structure has emerged in Irish neighbourhoods over legal status.

Organisations such as GAA are unable to play games in Ireland because of visa issues, while Irish Immigration centres across the U.S. are reporting a surge in new arrivals.”

#### CLONES TOWN COUNCIL

“Clones Town Council calls on the Minister for Social and Family Affairs to relax the ‘Habitual Residency conditions’, for Irish citizens returning from the USA and other countries. These conditions can cause hardship for returning immigrants some of whom can be sick or injured or even deported, these people can not avail of social welfare until they are back for two years.”

#### CLONES TOWN COUNCIL

“That Clones Town Council writes to Minister for Social and Family Affairs, Mary Hanafin and the Taoiseach Brian Cowen, requesting that the Fuel Allowance Scheme be doubled, and that the payment be extended to 34 weeks instead of the current 30 weeks.

We also request that the Living Alone Allowance be doubled, in line with the proposal from Age Action. That we circulate this motion to all Local Authorities.”

#### WATERFORD CITY COUNCIL

“Waterford City Council calls on the Minister for Health and the HSE to develop and implement a Stroke Strategy which would save up to 500 lives a year, and improve the rehabilitation of thousands of stroke sufferers who are left disabled unnecessarily.”

#### WATERFORD CITY COUNCIL

“The number of taxis operating in Waterford far outstrips demand. The over supply has resulted in those involved in the industry being unable to earn an acceptable return for their labour or their investment in spite of the huge amount of unsocial hours which are involved in operating a taxi. Licences are being issued without due consideration being given as to whether or not there is a need for more taxis and particularly the devastating effect such a policy is having on existing owners.

In order to somewhat rectify the situation this Council calls on the government to postpone the issuing of further taxi licences for a period of at least 2 years and at the end of that period a consultation process be entered into with representative of the industry.”

#### WATERFORD CITY COUNCIL

“That Waterford City Council calls on the Minister for Transport to transfer the licence issuing authority in respect of urban bus routes to Local Authorities with full devolution of powers in respect of routes, fares, frequency of services etc. including necessary funding, to ensure a user friendly and integrated public transport network.”

#### WATERFORD CITY COUNCIL

“Waterford City Council calls on the Minister for the Environment, Heritage and Local Government to improve the level of funding to Waterford City Council so that it can meet applications for urgent and necessary cases under the following Grants: Housing Aid for the Elderly, Mobility Aids Grant and Housing Adaptation Grant for people with a Disability”.

#### MONAGHAN TOWN COUNCIL

“That Monaghan Town Council, in recognition of the important social service involved and the voluntary participation of those engaged in the distribution of Meals-on-Wheels, approves the issuance of a display disc or discs to the Managers of the Scheme for motor vehicle display purposes while engaged in active distribution of meals to recipient citizens of our town, thereby excusing the vehicle owner/driver from the requirements of our pay and display

pay parking regulations and, if adopted, agrees to circulate this motion for the attention of all City, Corporation and Town Councils throughout the State.”

#### SLIGO BOROUGH COUNCIL

“That this Borough Council calls on the Minister of the Environment and Local Government to implement a full restructure of the Elector of Registers where the PPS number is the sole basis that the register of electors is compiled and that adequate funding is supplied to each local authority to implement this process a copy of this motion to be sent to all local authorities within the State’.

#### KILKENNY COUNTY COUNCIL

“That Kilkenny County Council fully supports the National Coalminers Group to establish a Statutory Compensation Tribunals for those who worked in the industry in Counties Kilkenny, Laois, Tipperary and Roscommon.”

#### SOUTH DUBLIN COUNTY COUNCIL

“That this Council discusses the mapping of the SDCC (a) Roads mapping – new alignments; new road layouts; new speed limits; new lanes etc. in order to assist GPS mobile communications updating. There is currently over an 18-month delay on this information as there is no centralized facility in Ireland on changing infrastructure – and that this recommendation be forwarded to each council.”

The foregoing motions were noted.

This concluded the business of the Meeting.