

COMHAIRLE CHONTAE DHUN NA nGALL

Oifig Riarthóir na gCruinnithe
Aras an Chontae
LEIFEAR
19 Feabhra 2013

Beidh Cruinniú Comhairle Chontae Dhún na nGall ar siúl Dé Luain 25 Feabhra, 2013, ag **11.00 r.n. in Áras an Chontae, Leifear**

DO GACH BHALL DEN CHOMHAIRLE

A Chara

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

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

Mise, le meas

**Liam Mac a'Bhaird
Riarthóir Cruinnithe**

DONEGAL COUNTY COUNCIL

Office of Meetings Administrator
County House
Lifford
19th February, 2013

NOTICE OF MEETING

A Meeting of Donegal County Council will be held on Monday 25th February, 2013, at **11.00 am in the County House, Lifford.**

TO EACH MEMBER OF DONEGAL COUNTY COUNCIL

Dear Councillor

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

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

Yours sincerely

**Liam Ward
Meetings Administrator**

AGENDA

1. Confirmation of Minutes

- a) Confirmation of Minutes of Meeting of Donegal County Council held on the 28th January, 2013.

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

- a) Notice under Section 211 of the Planning and Development Act 2000 and Section 183 of the Local Government Act 2001 – to dispose (return) of a plot of land at Umricam Tullyarvan, Bunrana to the estate of Mr Bernard Doyle.

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

- a) To approve carrying out of works with regard to the construction of 2 No. Water Reservoirs at Crockaveeny Hill, Carrowmore, Glentogher, Carndonagh, Co Donegal.
- b) To approve carrying out of works with regard to permission for the Glenties Sewerage Scheme as follows:
 1. Amendments to means of access to approved access road to approved Pumping Station;
 2. Removal of existing treatment facility at Clos Naomh Chonaill Housing Estate and replacement with a new pumping station to be connected to new public sewer to form part of the overall Dungloe Glenties Sewerage Scheme.

4. Planning and Economic Development

- a) Consideration of the Draft Variation to the Bunrana & Environs Development Plan 2008 – 2014 and that the Members, by resolution, propose to make the Variation so that the public consultation process can be formally commenced.
- b) Consideration of the Draft Variation to the Bundoran & Environs Development Plan 2009 – 2015 and that the Members, by resolution, propose to make the Variation so that the public consultation process can be formally commenced.
- c) Consideration of the Draft Variation to the Letterkenny & Environs Development Plan 2009 – 2015 as varied and that the Members, by resolution, propose to make the Variation so that the public consultation process can be formally commenced.

5. Housing and Corporate

To consider and adopt the Annual Report for 2012 from the Audit Committee in Donegal County Council.

6. Roads and Transportation

To consider report on LIS 5523 (prepared in response to Urgent Motion at October 2012 Council Meeting). (Report to be circulated).

7. Endorsement of Minutes

To note the confirmed Minutes of Meeting of the Corporate Policy Group held on 21st January, 2013.

8. Authorisation of representation at a Seminar, Meeting or Event

Authorisation of representation at a seminar, meeting or event under Section 142 (5) of Local Government Act, 2001, S.I. No 668 of 2006, Local Government (Expenses of Local Authority Members) Regulations 2006, S.I. No 37 of 2010, Guidelines given by the Minister for the Environment, Heritage and Local Government in relation to the Local Government Act, 2001 (Section 142) Regulations 2010:-

- Mid West Regional Authority 18th Annual Conference “Economic Recovery – Progress In The Regions” to be held from Thursday 28th February, 2013 and Friday 1st March, 2013 at the Horse and Jockey Hotel, Thurles, Co. Tipperary.
- Conference Water- our greatest natural resource how our councils deal with water and how we can Protect and Improve the Quality to be held from Friday 1st to Sunday 3rd March, 2013 in the Radisson Blu Hotel, Letterkenny.
- Association of County and City Councils, Annual Conference to be held Thursday 7th March and Friday 8th March, 2013 at the Tower Hotel, Waterford City.
- Public Affairs Ireland Special conference – A New Future for Local Government in Ireland to be held Wednesday 13th March, 2013 at the Westin Hotel, Dublin.
- Tgr Seminars – “Community and Local Development Leader Funding and the Councillor” to be held from Friday 15th March, 2013 to Sunday 17th March, 2013 at the Four Seasons Hotel, Carlingford, Co Louth.
- Training Seminar for Councillors – Local Government and Job Creation to be held Friday 22nd March and Saturday 23rd March, 2013 at the Millrace Hotel, Bunclody, Co Wexford.
- The Institute of Professional Training – 20th Amendment “Are plans to abolish and amalgamate Local Authorities

Unconstitutional?” to be held from Friday 22nd to Sunday 24th March, 2013 at the Silver Tassie Hotel, Letterkenny, Co Donegal.

- TJK Conferences Ltd – Freedom of Information (FOI): Training Seminar for Councillors to be held from Friday 22nd March to Sunday 24th March, 2013 at the Woodfield House Hotel, Ennis Road, Limerick.
- LAMA Spring Seminar to be held Friday 5th and Saturday 6th April, 2013 at the Ashdown Park Hotel, Gorey, County Wexford.

9. Conference Reports

Clr. Rena Donaghey

23rd Colmcille Winter School held from Friday 24th to Sunday 26th February, 2012 at Gartan.

Clr. Rena Donaghey

Heritage in Tidy Towns held Saturday 24th March, 2012

Clr. Mickey Doherty

L.A.M.A. held Friday 13th and Saturday 14th April, 2012 at the Tower Hotel, Waterford.

Clr. Rena Donaghey

National Housing Crisis held from Friday 1st to Sunday 3rd June, 2012 at the Silver Tassie.

Clr. Mickey Doherty

L.A.M.A. held Friday 28th and Saturday 29th September, 2012 at the Mount Errigal Hotel, Letterkenny.

10. Request for Deputation

To consider request for reception of deputation from Castlefinn Partnership Initiative Ltd on “The Whitehouse Garden Project”.

11. Reception of Deputation

- a) Reception of Deputation from Respond Housing Association.
- b) Reception of Presentation from Cross – Border Driving Change Programme.

12. Mayor's Business

13. Manager's Report

14. Motions from other Councils/Bodies

DUNDALK TOWN COUNCIL

“That in the interest of protecting our local water courses and public health, this Council calls on the Minister for Finance to end the price

differential between road and marked diesel and introduce a registration and rebate scheme for uses of marked diesel”

An amendment was also passed to include writing to the Minister for Agriculture, Marine, and Defence and all Local Authorities.

GALWAY CITY COUNCIL

“That this Council rejects the imposition of a Property Tax on Local Authority Houses and Houses by Voluntary Bodies.”

CLONES TOWN COUNCIL

“That this Council calls on the Minister of the Environment Community and Local Government to instruct all County Registrars, in future elections to take unemployed people off the dole on election day to carry out the duties required in polling stations, as there are many young people with the skills to do the work, and would be grateful for a few extra euro also saving the state on welfare for the day.

The practice of using people who are already in employment, and retired civil servants with good pensions, is wrong when so many of our people are on the breadline.”

BALLINASLOE TOWN COUNCIL

“That this Council completely rejects the decision of the Minister for the Environment, Community and Local Government, Phil Hogan, T.D. to abolish all Town Councils. This council is of the very firm view that abolishing the unit of local government closest to the people and indeed the most efficient unit of local government (Town Councils) certainly does not contribute in any way to bringing “Local Government” closer to the people. It is further proposed that this motion be circulated to all Local Authorities, T.D.’s, Senators in this State, to the AMAI and the Minister for Local Government for their consideration.”

WATERFORD CITY COUNCIL

“That Waterford City Council rejects the proposed amalgamation of Waterford City and County Councils as proposed in “Putting People First”, by the Minister for Environment.”

MONAGHAN COUNTY COUNCIL

“That having regard to the fact that 90% of all chicken product used in restaurants and take-aways is imported. Monaghan County Council writes to the Minister for Agriculture, Mr Simon Coveney T.D., requesting that legislation be introduced to ensure that all restaurants and takeaways must

display, at the point of sale, details of the country of origin of their chicken product.”

MONAGHAN COUNTY COUNCIL

“That this Council calls for minimum jail term for anyone convicted of assaulting or threatening the life of a frontline emergency worker such as an on-duty garda, fireman, ambulance worker or nurse.”

MONAGHAN COUNTY COUNCIL

“That this Council calls for legislation to limit the height of overly tall boundary trees (such as leylandi) which affect neighbours “right of light” by casting excessive shade over another persons property.”

ENNIS TOWN COUNCIL

“That this Council write to the TD’s and Senators with constituency offices in the Ennis Town and request them to show solidarity with the hard pressed business community by paying the rates on their constituency offices.”

NORTH TIPPERARY COUNTY COUNCIL

“That this Council calls on the Department of Arts, Heritage and the Gaeltacht to re-examine the designation of lands as Special Protection Areas or Special Areas of Conservation within this County, where they are likely to have a negative impact on the value and use of agricultural lands.”

CLARE COUNTY COUNCIL

“That in view of the excessive burden placed on sporting, community and voluntary sectors in relation to the cost of water, that Clare County council request the Minister for the Environment to allow Clare County Council to lessen the cost on these voluntary bodies by putting in place some legislative process at Government level.”

KERRY COUNTY COUNCIL

“That Kerry County Council calls on the Government to amend the relevant legislation concerning Local Area Plans so that the review period would be extended to 10 year cycles as distinct to the current review period.”

LIMERICK COUNTY COUNCIL

“That, Limerick County Council calls on the Government to ensure, by the most appropriate means, that banks in which the State holds majority shareholding should be governed by State nominated directors with the

power to direct decision-making in the working of the bank, including determining salaries and pensions for bank employees; and, furthermore, that this Motion would be sent to all Local Authorities.”

LIMERICK COUNTY COUNCIL

“That, Limerick County Council calls upon the Minister for Public Expenditure and Reform to reform the present pensions and expenses, arrangements of Oireachtas Members, Senior Civil Servants, Judges, Semi State Senior Executives, including former office holders, in the interest of fairness.”

LIMERICK COUNTY COUNCIL

“That, Limerick County Council ask the Minister for Finance to include licensed coach and bus operators in the excise rebate that was granted to road hauliers in the 2013 Budget.

SLIGO COUNTY COUNCIL

“That Sligo Borough Council calls upon the Government to allow a Moneylenders Bill be enacted that introduces a cap of 40% APR rather than the current legislation which allows licensed moneylenders to charge interest rates as they see fit”

SLIGO COUNTY COUNCIL

“That conscious of the importance and significance of local democracy and local self government:

believing in the principle of subsidiarity;

recognizing that the purpose of local government is to promote the well being and quality of life of citizens and communities, through effective , accountable and democratic representation and efficient performance and delivery of services at a local level;

further recognising that the European Charter of Local Self Government, an international treaty of the Council of Europe which Ireland ratified in 2002 stresses the right of citizens to participate in the conduct of local affairs and that this right can be most directly exercised at local level; this Council expresses its disappointment and concern at the failure of central government to devolve real power to local government;

in addition this Council expresses its dismay at the proposal of the government to abolish all borough and town councils in the state

And further this Council calls on the government to adhere to the principle of subsidiarity and to rescind the decision to abolish all borough and town councils;

and further this Council calls on the government and the Minister for the Environment, Community and Local Government to enhance the effectiveness of local self government and of democratic representation by providing for the devolution of powers and the devolution of greater decision making to local government”

SLIGO COUNTY COUNCIL

“That Sligo Borough Council write to the Minister for Justice, Mr. Alan Shatter, in relation to illegal money lending. Illegal money lending is having a devastating effect on low income families and individuals in our towns/cities. The members request the Dept. of Justice and Dept. of Social Protection conduct a review of the sanctions that exist against illegal money-lenders and issue guidance to senior Gardai to prioritise this issue for investigation and prosecution.”

**MINUTES OF MEETING OF DONEGAL COUNTY COUNCIL, HELD IN
THE COUNTY HOUSE, LIFFORD ON 25TH FEBRUARY, 2013**

C/124/13 **MEMBERS PRESENT**

Clrs. Frank McBrearty, Mayor, D. Alcorn, L. Blaney, J. Boyle, C. Brogan, J. Campbell, P. Canning, G. Crawford, M. Doherty, P. Doherty, R. Donaghey, M. Farren, M.T. Gallagher, D. Larkin, M. McBride, N. McBride, S. Mc Eniff, I. McGarvey, P. McGowan, B. Mc Guinness, M. Quinn, J. Ryan, T. Slowey.

C/125/13 **APOLOGIES**

Apologies were received from Clrs. Byrne, Harley, Harvey, Murray, Ó Domhnaill and O'Neill who were unable to attend the meeting.

C/126/13 **OFFICIALS IN ATTENDANCE**

Mr Seamus Neely, County Manager, Mr Liam Ward, Director of Housing and Corporate, Meetings Administrator, Mr John McLaughlin, Director of Roads & Transportation, Mr Garry Martin, Head of Finance & Director of Emergency Services, Mr Joe Peoples, A/Director of Water & Environment, Mr Michael Heaney, Director of Community Culture & Planning, Mr Brendan McFadden, Senior Executive Engineer, Ms Lynda McGavigan, Area Manager, Ms Ann Marie Conlon, Communications Officer, Ms Annemarie Crawford, Staff Officer, Corporate Services.

C/127/13 **CONFIRMATION OF MINUTES OF MEETING OF DONEGAL
COUNTY COUNCIL HELD ON THE 28TH JANUARY, 2013**

On the proposal of Clr. McEniff, seconded by, Clr. Slowey, the minutes of the meeting of Donegal County Council held on the 28th January, 2013 was adopted.

C/128/13 **DISPOSAL OF A PLOT OF LAND AT UMRICAM
TULLYARVAN BUNCRANA TO THE ESTATE OF MR
BERNARD DOYLE**

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

On the proposal of Clr. McGuinness, seconded by, Clr. Canning, it was resolved to formally dispose of a plot of land at Umricam Tullyarvan Buncrana to the estate of Mr Bernard Doyle in

accordance with Section 211 of the Planning & Development Act, 2000 and Section 183 of the Local Government Act, 2001.

C/129/13 TAKING OF DECISION WITH REGARD TO THE CONSTRUCTION OF TWO NO. WATER RESERVOIRS AT CROCKAVEENY HILL, CARROWMORE, GLENTOGHER, CARNDONAGH, CO DONEGAL

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

On the proposal, of Clr. M. Doherty, seconded by, Clr. McGuinness, the carrying out of works under Part XI of the Planning & Development Act, 2000 and Part 8 of the Planning & Development Regulations 2001, with regard to the construction of 2 No. Water Reservoirs at Crockaveeny Hill, Carrowmore, Glentogher, Carndonagh, Co. Donegal, was approved.

C/130/13 TAKING OF DECISION WITH REGARD TO PERMISSION FOR THE GLENTIES SEWERAGE SCHEME

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

On the proposal, of Clr. Slowey, seconded by, Clr. Alcorn, the carrying out of works under Part XI of the Planning & Development Act, 2000 and Part 8 of the Planning & Development Regulations 2001, with regard to the Glenties Sewerage Scheme was approved as follows:-

1. Amendments to means of access to approved access road to approved Pumping Station;
2. Removal of existing treatment facility at Clos Naomh Chonail Housing Estate and replacement with a new pumping station to be connected to new public sewer to form part of the overall Dungloe Glenties Sewerage Scheme.

Members considered the Draft Variation to the Buncrana and Environs Development Plan 2008 – 2014 and on the proposal of Clr. McGuinness, seconded by Clr. M. Doherty it was resolved to make the variation to the Buncrana and Environs Development Plan 2008 -2014 so that the public consultation process could be formally commenced.

C/131/13 CONSIDERATION OF THE DRAFT VARIATION TO THE BUNDORAN AND ENVIRONS DEVELOPMENT PLAN 2009 – 2015 AND THAT THE MEMBERS, BY RESOLUTION, PROPOSE TO MAKE THE VARIATION SO THAT THE PUBLIC CONSULTATION PROCESS CAN BE FORMALLY COMMENCED

Members considered the Draft Variation to the Bundoran and Environs Development Plan 2009 – 2015 and on the proposal of Clr. McEniff, seconded by Clr. Boyle it was resolved to make the variation to the Bundoran and Environs Development Plan 2009-2015 so that the public consultation process could be formally commenced.

C/132/13 CONSIDERATION OF THE DRAFT VARIATION TO THE LETTERKENNY AND ENVIRONS DEVELOPMENT PLAN 2009 – 2015 AS VARIED AND THAT THE MEMBERS, BY RESOLUTION, PROPOSE TO MAKE THE VARIATION SO THAT THE PUBLIC CONSULTATION PROCESS CAN BE FORMALLY COMMENCED

Members considered the Draft Variation to the Letterkenny and Environs Development Plan 2009 – 2015 as varied and on the proposal of Clr. N. McBride, seconded by, Clr. M. McBride it was resolved to make the variation to the Letterkenny and Environs Development Plan 2009 -2015 as varied so that the public consultation process could be formally commenced.

C/133/13 TO CONSIDER AND ADOPT THE ANNUAL REPORT FOR 2012 FROM THE AUDIT COMMITTEE IN DONEGAL COUNTY COUNCIL

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

On the proposal of Clr. Mc Eniff, seconded by, Clr. Crawford it was resolved to adopt the 2012 Audit Committee Annual Report.

C/134/13 ADJOURNMENT OF MEETING

On the proposal of Clr. Mc Guinness, seconded by, Clr. Slowey it was resolved to break for a short recess.

C/135/13 TO NOTE THE CONFIRMED MINUTES OF MEETING OF THE CORPORATE POLICY GROUP HELD ON THE 21ST JANUARY, 2013

Members noted the minutes of the meeting of the Corporate Policy Group held on the 21st January, 2013.

C/136/13 CONFERENCES

Having noted the revised arrangements under Section 142 5(d) of the Local Government Act, 2001, introduced by the Local Government (Expenses of Local Authority Members) Regulations 2006 and 2010 and directives issued by the Minister in that regard, on the proposal of Clr. Donaghey, seconded by, Clr. McGarvey, it was resolved to authorise any member, if he/she so wished, to attend the following conferences, subject to the normal procedures:-

1. Individual members not exceeding their annual budget for attendance at conferences.
 2. Payment of expenses for attendance to be conditional on the member furnishing documentary evidence of attendance.
 3. Submission of a Conference Report
-
- Mid West Regional Authority 18th Annual Conference “Economic Recovery – Progress In The Regions” to be held from Thursday 28th February, 2013 and Friday 1st March, 2013 at the Horse and Jockey Hotel, Thurles, Co. Tipperary.
 - Conference Water- our greatest natural resource how our councils deal with water and how we can Protect and Improve the Quality to be held from Friday 1st to Sunday 3rd March, 2013 in the Radisson Blu Hotel, Letterkenny.
 - Association of County and City Councils, Annual Conference to be held Thursday 7th March and Friday 8th March, 2013 at the Tower Hotel, Waterford City.
 - Public Affairs Ireland Special conference – A New Future for Local Government in Ireland to be held Wednesday 13th March, 2013 at the Westin Hotel, Dublin.
 - Tgr Seminars – “Community and Local Development Leader Funding and the Councillor” to be held from Friday 15th March, 2013 to Sunday 17th March, 2013 at the Four Seasons Hotel, Carlingford, Co Louth.
 - Training Seminar for Councillors – Local Government and Job Creation to be held Friday 22nd March and Saturday 23rd March, 2013 at the Millrace Hotel, Bunclody, Co Wexford.

- The Institute of Professional Training – 20th Amendment “Are plans to abolish and amalgamate Local Authorities Unconstitutional?” to be held from Friday 22nd to Sunday 24th March, 2013 at the Silver Tassie Hotel, Letterkenny, Co Donegal.
- TJK Conferences Ltd – Freedom of Information (FOI): Training Seminar for Councillors to be held from Friday 22nd March to Sunday 24th March, 2013 at the Woodfield House Hotel, Ennis Road, Limerick.
- LAMA Spring Seminar to be held Friday 5th and Saturday 6th April, 2013 at the Ashdown Park Hotel, Gorey, County Wexford.

C/137/13 CONFERENCE REPORTS

On the proposal of Clr. P. Doherty, seconded by, Clr. Slowey, the following conference reports were noted:-

Clr. Rena Donaghey

23rd Colmcille Winter School held from Friday 24th to Sunday 26th February, 2012 at Gartan.

Clr. Rena Donaghey

Heritage in Tidy Towns held Saturday 24th March, 2012

Clr. Mickey Doherty

L.A.M.A. held Friday 13th and Saturday 14th April, 2012 at the Tower Hotel, Waterford.

Clr. Rena Donaghey

National Housing Crisis held from Friday 1st to Sunday 3rd June, 2012 at the Silver Tassie.

Clr. Mickey Doherty

L.A.M.A. held Friday 28th and Saturday 29th September, 2012 at the Mount Errigal Hotel, Letterkenny.

C/138/13 TO CONSIDER REQUEST FOR RECEPTION OF DEPUTATION FROM CASTLEFIN PARTNERSHIP INITIATIVE LTD ON “THE WHITEHOUSE GARDEN PROJECT”

On the proposal of Clr. M. McBride, seconded by, Clr. N. McBride it was agreed to receive a deputation from Castlefin Partnership Initiative Ltd at a future meeting of the Council.

C/139/13 RECEPTION OF DEPUTATION FROM RESPOND HOUSING ASSOCIATION

The Mayor welcomed Mr. Paul Hargaden, Regional Manager, and Mr. Alan Mc Menamin, Resident Support Worker, NW Region to the meeting.

Introducing the presentation Mr. Hargaden advised that Respond's memorandum since its foundation had been to prevent and relieve hardship and distress amongst those who were homeless and those in need or living in adverse housing conditions. The organisation, he noted, was concerned with advancing education and relieving poverty, so as to further other charitable purposes beneficial to the community. Respond, he affirmed, strived to provide housing in supported communities and, where possible in integrated estates. Housing and Education, he added, were intrinsically linked.

Respond it was acknowledged provided a range of services including:

- Design and Master Planning
- Housing Provision
- Estate Management and Administration
- Community Development
- Education and Consultancy

Members were provided with a range of statistical information regarding the work of the organisation and the profile of those who accessed such services.

Respond it was acknowledged had to date over 5282 dwellings under its management, including 131 estates, 712 of these dwellings incorporated elderly units and 132 housed community buildings. A total of 10,795 residents were catered for overall.

With regard to the family profile of those accessing the service it was confirmed that a national study of Respond Housing Estates had generated the following information:-

- The ratio of Two and One-Parent Families in Respond Housing was 60/40.
- 70% of residents have a medical card compared to 30% in Ireland as a whole.
- Education levels are lower than the average Irish adult.
- 60% of mothers are full-time home-makers.
- 55% households have no earned income.
- Average weekly household income is €184.
- Mental Health problems affecting 22-30% of mothers.
- 24% of the clientele have a disability.

- 14% of children displayed some mental health difficulties with 9% deemed to have serious difficulties.

It was generally acknowledged that there were serious challenges facing all Social Housing providers namely;

1. The fact that social housing providers were being treated more and more like private landlords with regard to their obligations in relation to water charges, property tax etc.
2. Reduction in social welfare payments had affected Social Housing providers with rent reductions leading to a diminution of the service.
3. The net effect of such changes was increased difficulty in planning for new estates and investing in new housing stock.
4. Changes in the operating environment for all social housing providers including a dynamic shift in funding resulting in the elimination of the whole capital programme.

Members were informed that there were particular difficulties for the organisation given the significant risk element involved in acquiring new housing stock and the reduced rent capability of many of the tenants concerned.

Clr. Alcorn asked if contact details could be circulated for personnel in all the relevant Housing Organisations.

The Mayor cited the need for partnership between Local Authorities and the various Social Housing Organisations, noting the excellent service provided by Respond in the northwest region.

Members welcomed the informative presentation and proceeded to raise a number of queries in relation to the overall workings of the organisation. Mr. Hargarden thus informed the meeting that

- That all applicants receiving assistance from Respond came from the Local Authority Housing List.
- There was no right to buy in a voluntary housing scheme. It was noted that this was a central government decision and one that warranted further review.

- Succession issues re qualifying children, it was acknowledged, were dealt with in a compassionate manner. Any issues relating to same it was advised should be forwarded immediately to the relevant Respond Office.
- One off housing could be catered with the possibility of obtaining financial assistance through the Capital Assistance Scheme.
- It was acknowledged that there were particular difficulties in relation to the “right to buy issue” and that the jury was still out on how this could be accommodated into the overall process.
- Where there were specific difficulties with regard to rent payments, the review facility could be invoked. It was agreed that a copy of the rent calculation formula would be circulated to all Members for their information.
- The ongoing value of the Mortgage to Rent Scheme for families in difficulty was widely acknowledged.

Concluding the presentation, Mr. Hargaden welcomed the ongoing collaboration between Donegal County Council and Respond.

He confirmed that the organisation would be happy to address the Housing and Corporate SPC in relation to matters of mutual interest.

C/140/13

RECEPTION OF DEPUTATION FROM CROSS – BORDER DRIVING CHANGE PROGRAMME

Members welcomed Mr. Finian Joyce, Chief Fire Officer, Leitrim County Council and Mr. Ian Mc Quitty, Project Manager, Driving Change Project to the meeting.

Commencing the presentation, Mr. Finian Joyce advised that the aim of the presentation was to raise the awareness of, and the progress achieved as a result of the Cross Border Driving Change Project, which had been set up to examine new and innovative approaches needed to tackle driver error and reduce the number and severity of road traffic collisions in the eligible Border area.

The project partners it was acknowledged included:

- Department of Health, Social Services and Public Safety (N.I)
- Department of the Environment, Community and Local Government.
- N.I. Fire and Rescue Service.
- Border Fire Authorities of Donegal, Sligo, Leitrim, Cavan, Monaghan and Louth.
- Public Achievement. (PA)
- Co-operation and Working Together (CAWT)
- Scottish Fire and Rescue Service.

The project, he advised, had been formulated against the backdrop of the increasing number of road fatalities in the eligible border area during 2009. This included 963 collisions in the 6 Border Counties (ROI) resulting in 40 fatalities and 2334 collisions in the N.I Border area resulting in 60 fatalities.

Mr. Ian Mc Quitty addressing Members, said that the project comprised a two strand initiative aimed at building co-operation between Fire and Rescue Services North and South, along the Border Region so as to provide enhanced responses to Road Traffic Collisions.

Through investing in training and equipment and reviewing policies and procedures, and engaging with young people in the 17-25 age bracket along the border region it was hoped to deliver a range of initiatives to improve road safety.

This it was acknowledged was to be achieved through

1. Enhancing Cross-border response to RTCs by improved training for fire personnel in standards of extrication, incident management, and casualty handling at the scene of an accident.
2. Introduce a set of practical initiatives to enable fire and rescue staff to work better across both jurisdictions.
3. Promote road safety education by delivering targeted road safety information sessions and enhancing inter-agency and multi-sectoral working, thus creating a cross-cutting response to reduce the number of people killed or seriously injured on the road through an innovative model of practice.

4. Mr. Mc Quitty updated Members in relation to the specific outcomes which had been achieved through the progression of the three designated project aims. An overview of the progress to date was also provided.

Concluding the presentation Mr. Finian Joyce advised of the progress to date and confirmed that the overall project benefits included :-

- New ways of working together and improvements to responses to RTCs.
- Innovation in service delivery.
- Collaboration: strategic partnership working.
- Pilot approach: sharing learning, refining effectiveness in terms of service delivery.
- Identifying, creating and implementing best –practice approaches.
- Developed a potential for mainstreaming.

Mainstreaming, it was affirmed, particularly in relation to RTCs, involved developing better co-operation between the emergency services north and south whilst providing sufficient funding for RTC and First Responder Training. The development of joint training initiatives, cross-border collaboration and the establishment of enhanced communication links with local community and statutory bodies was also widely acknowledged. This potential for greater engagement with local communities, the development of accreditation training for youth coaches and associated linkages with DOE and Local Authority Roads Safety Officers were also recognised as being of immense importance.

Members at this juncture viewed a short video presentation compiled with the assistance of various schools in the Monaghan area.

The Mayor welcomed the comprehensive presentation complimenting all involved in the development of the initiative.

Clr. Farren took the chair for a brief period at this juncture in the absence of the Mayor.

Members outlined their support for the project acknowledging that considerable effort had been made in Donegal to promote road safety through the Road Safety Road-show initiative.

Concern was raised as to the status of in service co-operation between ambulance personnel in the border region with Members enquiring also as to whether or not information in relation to potential risks was circulated on a shared basis. It was acknowledged that there were major inconsistencies particularly in areas such as East Inishowen, whereby accident victims had to be taken to Letterkenny General Hospital when in fact they were in closer proximity to Altnagelvin Hospital

Mr. Ian Mc Quitty, concluding the presentation informed the meeting that €1.6 million had been provided for the delivery of the project and that a final project report encompassing specific recommendations would then be delivered to both Government Departments.

Mr. Finian Joyce confirmed that it would be possible to circulate a copy of the final report to each of the Local Authorities concerned.

Mr. Garry Martin, Head of Finance & Director of Emergency Services acknowledged the comprehensive nature of the data presented. He informed Members that there was ongoing collaboration with the N.I Fire Service in relation to service provision for East Donegal & East Inishowen. He advised that the Acting Chief Fire Officer was in regular contact with the Northern Ireland Fire Service.

Compliments were paid also to the Donegal Road Safety Working Group in respect of the excellent work carried out to date.

Mr. Finian Joyce responding to a query from Clr. Crawford advised that there was a general understanding that further co-operation needed to be developed with regard to cross-border emergency services in general.

He acknowledged the need for the ongoing sharing of information and advised that the final report in relation to the Driving Change Programme would be circulated to the six Local Authorities involved.

TO CONSIDER REPORT ON LIS 5523 (PREPARED IN
RESPONSE TO URGENT MOTION AT OCTOBER 2012
COUNCIL MEETING)

Members considered the report from the Director of Roads & Transportation, Mr. John Mc Laughlin, dated 25th February, 2013, circulated during the meeting in relation to the above.

Mr. John Mc Laughlin, Director Roads & Transportation provided Members with a comprehensive review of the entire report.

A lengthy debate ensued with Members raising a number of issues including:-

- The fact that the local community had expressed grave concern that the road in question could at some point be used to facilitate the construction of a windfarm.
- The validity of the three testimonials referred to in Pt. No. 5.
- Concern that persons identified on first page of the LIS application form had not been included under List 2 on page 2 (Names of all persons whose interests or land would benefit by the proposed work but who have not joined the application).
- Query as to the standard of the map included on page 14 of the report and the fact that it did not correspond to the map on the OSI Website.
- Query as to why turf cutting is not mentioned in the appendices.
- Issue re the validity of the determination that this is a road on an existing road.
- Noted that 1910 map indicated the presence of a Bridle Road with no clear surface or foundation. Suggested that Donegal County Council should not have taken on works at this location as part of the land in question had gone back original pasture.
- Concern that the Council was in effect creating a road.
- Maps on page 6 & 7 indicated two pieces of land yet only 1 holding has actually been listed on the application form.
- Concern expressed that the width of the road was 3.3m when in fact the permitted width was 3.0m as outlined in the Declaration of Exemption and in accordance with Section 5 of the Planning & Development Act, 2000.
- Funding of this LIS deemed a major issue and question as to whether or not the 10% own resource contribution was a typical occurrence. Members noted that there was a

reasonable expectation that the LIS grant and the local contribution would cover the overall cost.

- Requested clarity as to whether Donegal County Council could go on to private property and remove a road. Outlined need to consider the relevant legal implications.
- That the road identified on Map No. 8 and Map No. 9 is clearly not suitable for use in relation to windmill construction.
- Whether or not it was common methodology in LIS Schemes to use monies from the Roads Restoration Budget.

Members asked that they be briefed fully with regard to the overall implications involved in selecting options 1,2,3 or 4 as identified on page 21/22 of the report.

Clr. M. Doherty advised that he was of the opinion that option 1 was the most practical, given that the other suggestions outlined would incur a considerable wastage of money.

Clr. P. Doherty and D. Alcorn advised that they were in favour of Option No. 2.

Clr. Farren took the chair for a brief period in the absence of the Mayor.

On the proposal of Clr. Alcorn, seconded by Clr. P. Doherty it was resolved that as a gesture of goodwill consideration be given to the carrying out of repairs on the road from Donegal Airport to the Culacrick Road subject to the Local Roads Programme.

After some consideration on the proposal of Clr. Mc Guinness, seconded by Clr. Mc Gowan it was resolved to refer the matter back to the Glenties Electoral Area for consideration.

Mr. John Mc Laughlin, Director Roads & Transportation informed Members that it had been decided not to include the names of the three people from Scotland in the report as there could be data protection implications involved as the testimonials were given to him by third parties. The summary of their content is in the report. The testimonials, he confirmed, as submitted were sufficiently clear and had been received in the post.

The Historic 25” Ordnance Survey map, he confirmed, submitted on behalf of the applicants had been surveyed and mapped to show the lane, by a private survey firm.

Works to date, he advised, had been constructed in accordance with the application in hand.

Responding to a number of queries in relation to the removal of the road, he advised that it would be extremely difficult at this stage to remove same.

The cost of the report, he noted, had been minimal as it had been compiled in house; however if it was to have been compiled by an external consultant, it would have cost a substantial amount.

Referring to the quality of the road in question, it was, he said, highly unlikely that it could facilitate windmill construction.

In response to Clr. Alcorn’s query re the Culacrick Road, he agreed to examine the proposal in the context of what could be done at local level.

Concluding the debate Clr. Campbell on a point of order advised that there were applications in the Donegal Electoral Area which in his opinion were far more suitable for funding.

A counter proposal from Clr. Campbell to proceed with option 3 was not moved.

C/142/13 MAYOR’S BUSINESS

Irish Public Bodies Annual Conference

The Mayor thanked Ronan Foley and Pat Gilmore for their kind invitation to the Irish Public Bodies Annual Conference.

Launch of the Donegal Diaspora Website

Congratulations was extended to all involved in the launch of the Donegal Diaspora Website.

Loreto Community School Milford.

Congratulations was extended to the four students who recently won first place in the 1913 Strike & Lockout All Ireland Labour

Centenary Essay Competition. The mayor wished them well on their forthcoming trip to Brussels.

Launch of Donegal Border Villages Website.

Best wishes were extended to those involved in the launch of the above website.

Lifford & Killea Community Gardens.

The Mayor acknowledged the hard work and dedication of all involved in the launch of the Lifford and Killea Community Garden Project.

High Speed Broadband Solution for Donegal ERNACT –ENGAGE Project –Conference in Letterkenny on 12th February, 2013.

The Mayor welcomed the approach of the ENGAGE Project to encourage the public and private sectors to work together with local communities to establish new kinds of partnerships.

This conference, he confirmed, had examined the question of how rural parts of Europe could find the investment needed to progress the next generation of high speed broadband in these economically challenging times.

Killygordon Youth Club

The visit of the Killygordon Youth Club to the Mayor's Office was widely welcomed. He praised their ongoing petition in relation to Cyber Bullying and called on Members to sign the petition as circulated.

Anniversary of the Bruckless Drowning

The success of the commemoration event was widely welcomed with the Mayor thanking Clr. John Boyle for his help and assistance.

Launch of the Online Tourism Initiative

The launch of the new online tourism website earlier in the morning was widely welcomed.

Civic Receptions

On the proposal of Clr. Canning, seconded by, Clr. Brogan it was resolved to hold a Civic Reception in honour of three times World Champion Kick Boxing Champion, Natalie Mc Carron in the County House, Lifford.

On the proposal of Clr. P. Doherty, seconded by, Clr. Alcorn it was resolved to hold a Civic Reception in honour of Sadie Docherty, Lord Provost of Glasgow, acknowledging her considerable work in promoting the interests of the Donegal Diaspora in Glasgow.

On the proposal of Clr. Farren, seconded by, Clr. M. Mc Bride, it was resolved to hold a Civic Reception in honour of Patrick Tim Crerand, former Manchester United and Celtic Footballer, in recognition of his continuing efforts to promote the Donegal Diaspora and his ongoing work with the homeless in Manchester.

Civic Reception for the Donegal Senior Football Team.

The Mayor thanked Ms Kathleen Browne, Corporate Services and all the staff involved in the organisation of this event.

Donegal Association –Presentation of the Donegal Person of the Year Award.

The Mayor advised that it had been a privilege to attend this event, thanking all involved in the organisation of the event for the invitation and hospitality shown.

Irish Amateur Boxing Association Elite Finals

Having attended the IABA Elite Finals on the 22nd February, the Mayor applauded the efforts of Donegal Boxers Jason Quigley and Willie Mc Laughlin.

C/143/13 MANAGER'S REPORT

Members noted the contents of the Report circulated during the Meeting.

An update was provided in relation to the following:-

- (a) Donegal Tourism Limited – 2013 Work Programme
- (b) Donegal Gathering 2013 – Update
- (c) Seachtain na Gaeilge 2013
- (d) County Donegal Youth Orchestra Scoop National Award

C/144/13 MOTIONS FROM OTHER COUNCILS/BODIES

Members noted the following motions from other Councils:-

DUNDALK TOWN COUNCIL

“That in the interest of protecting our local water courses and public health, this Council calls on the Minister for Finance to end

the price differential between road and marked diesel and introduce a registration and rebate scheme for uses of marked diesel”

An amendment was also passed to include writing to the Minister for Agriculture, Marine, and Defence and all Local Authorities.

GALWAY CITY COUNCIL

“That this Council rejects the imposition of a Property Tax on Local Authority Houses and Houses by Voluntary Bodies.”

CLONES TOWN COUNCIL

Clr. Quinn outlined his support for this motion, advising that its passing was indeed timely and that a review of current practices was warranted at this juncture.

Members debated the practicalities involved.

Mr. Liam Ward, Meetings Administrator informed the meeting that Donegal County Council had no role in the appointment of Polling Clerks as this was a matter for the County Registrar.

The matter had however, he confirmed, been debated by the Housing & Corporate Services SPC. It would he confirmed be possible to write to the County Registrar informing her of the issues raised by Members.

“That this Council calls on the Minister of the Environment Community and Local Government to instruct all County Registrars, in future elections to take unemployed people off the dole on election day to carry out the duties required in polling stations, as there are many young people with the skills to do the work, and would be grateful for a few extra euro also saving the state on welfare for the day.

The practice of using people who are already in employment, and retired civil servants with good pensions, is wrong when so many of our people are on the breadline.”

BALLINASLOE TOWN COUNCIL

“That this Council completely rejects the decision of the Minister for the Environment, Community and Local Government, Phil Hogan, T.D. to abolish all Town Councils. This council is of the very firm view that abolishing the unit of local government closest to the people and indeed the most efficient unit of local government (Town Councils) certainly does not contribute in any

way to bringing “ Local Government” closer to the people. It is further proposed that this motion be circulated to all Local Authorities, T.D.’s, Senators in this State, to the AMAI and the Minister for Local Government for their consideration.”

WATERFORD CITY COUNCIL

“That Waterford City Council rejects the proposed amalgamation of Waterford City and County Councils as proposed in “Putting People First”, by the Minister for Environment.”

MONAGHAN COUNTY COUNCIL

“That having regard to the fact that 90% of all chicken product used in restaurants and take-aways is imported. Monaghan County Council writes to the Minister for Agriculture, Mr Simon Coveney T.D., requesting that legislation be introduced to ensure that all restaurants and takeaways must display, at the point of sale, details of the country of origin of their chicken product.”

MONAGHAN COUNTY COUNCIL

“That this Council calls for minimum jail term for anyone convicted of assaulting or threatening the life of a frontline emergency worker such as an on-duty garda, fireman, ambulance worker or nurse.”

MONAGHAN COUNTY COUNCIL

“That this Council calls for legislation to limit the height of overly tall boundary trees (such as leylandi) which affect neighbours “right of light” by casting excessive shade over another persons property.”

ENNIS TOWN COUNCIL

“That this Council write to the TD’s and Senators with constituency offices in the Ennis Town and request them to show solidarity with the hard pressed business community by paying the rates on their constituency offices.”

NORTH TIPPERARY COUNTY COUNCIL

“That this Council calls on the Department of Arts, Heritage and the Gaeltacht to re-examine the designation of lands as Special Protection Areas or Special Areas of Conservation within this County, where they are likely to have a negative impact on the value and use of agricultural lands.”

CLARE COUNTY COUNCIL

“That in view of the excessive burden placed on sporting, community and voluntary sectors in relation to the cost of water, that Clare County Council request the Minister for the Environment to allow Clare County Council to lessen the cost on these voluntary bodies by putting in place some legislative process at Government level.”

KERRY COUNTY COUNCIL

“That Kerry County Council calls on the Government to amend the relevant legislation concerning Local Area Plans so that the review period would be extended to 10 year cycles as distinct to the current review period.”

LIMERICK COUNTY COUNCIL

“That, Limerick County Council calls on the Government to ensure, by the most appropriate means, that banks in which the State holds majority shareholding should be governed by State nominated directors with the power to direct decision-making in the working of the bank, including determining salaries and pensions for bank employees; and, furthermore, that this Motion would be sent to all Local Authorities.”

LIMERICK COUNTY COUNCIL

“That, Limerick County Council calls upon the Minister for Public Expenditure and Reform to reform the present pensions and expenses, arrangements of Oireachtas Members, Senior Civil Servants, Judges, Semi State Senior Executives, including former office holders, in the interest of fairness.”

LIMERICK COUNTY COUNCIL

“That, Limerick County Council ask the Minister for Finance to include licensed coach and bus operators in the excise rebate that was granted to road hauliers in the 2013 Budget.

SLIGO COUNTY COUNCIL

“That Sligo Borough Council calls upon the Government to allow a Moneylenders Bill be enacted that introduces a cap of 40% APR rather than the current legislation which allows licensed moneylenders to charge interest rates as they see fit”

SLIGO COUNTY COUNCIL

“That conscious of the importance and significance of local democracy and local self government:

believing in the principle of subsidiarity;

recognizing that the purpose of local government is to promote the well being and quality of life of citizens and communities, through effective , accountable and democratic representation and efficient performance and delivery of services at a local level;

further recognising that the European Charter of Local Self Government, an international treaty of the Council of Europe which Ireland ratified in 2002 stresses the right of citizens to participate in the conduct of local affairs and that this right can be most directly exercised at local level; this Council expresses its disappointment and concern at the failure of central government to devolve real power to local government;

in addition this Council expresses its dismay at the proposal of the government to abolish all borough and town councils in the state.

And further this Council calls on the government to adhere to the principle of subsidiarity and to rescind the decision to abolish all borough and town councils;

and further this Council calls on the government and the Minister for the Environment, Community and Local Government to enhance the effectiveness of local self government and of democratic representation by providing for the devolution of powers and the devolution of greater decision making to local government”

SLIGO COUNTY COUNCIL

“That Sligo Borough Council write to the Minister for Justice, Mr. Alan Shatter, in relation to illegal money lending. Illegal money lending is having a devastating effect on low income families and individuals in our towns/cities. The members request the Dept. of Justice and Dept. of Social Protection conduct a review of the sanctions that exist against illegal money-lenders and issue guidance to senior Gardai to prioritise this issue for investigation and prosecution.”

This concluded the business of the meeting.

Certified: _____
Mayor.

Date: _____

