

COMHAIRLE CHONTAE DHUN NA nGALL

Oifig Riarthóir na gCruinnithe
Aras an Chontae
LEIFEAR
21 Eanáir 2014

Beidh Cruinniú Comhairle Chontae Dhún na nGall ar siúl Dé Luain 27 Eanáir, 2014, 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
21st January, 2014

NOTICE OF MEETING

A Meeting of Donegal County Council will be held on Monday 27th January, 2014, 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 25th November, 2014.
- b) Confirmation of Minutes of Adjourned Meeting of Donegal County Council held on the 9th December, 2014.

MOTIONS

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

STRANORLAR ELECTORAL AREA

Roads and Transportation

2. Clr G Doherty

"That this Council examines the possible funding opportunities to erect a new footpath on the N13 between Stranorlar and Kilross as a matter of priority." (L)

Corporate

3. Clr McGowan

"That Donegal County Council discuss supporting CE Scheme Promoters in the County by allowing CE Scheme Trainees to undertake Training/Courses in conjunction with the Council workers, courses such as SLG, Sign, Lighting and Guarding etc, as the CE Schemes are helping with the upkeep of every town and village in the County." (C)

GLENTIES ELECTORAL AREA

Roads and Transportation

4. Clr O'Domhnaill

"That this Council discuss the situation in Magheroarty Pier where Boats cannot use the Pier because of the influx of sand as well as fully outline a timeframe for design, consultation and construction of Groin/Breakwater to eradicate the problems which are being experienced at the Pier." (L)

Housing Capital

5. Clr M. T. Gallagher

"That this Council discuss the reasons how an inadequate treatment plant was installed in Gort Na Mona housing estate in Dungloe." (L)

Community and Enterprise

6. **Clr Slowey**

"That this Council work with Local Community Groups and Land Owners to expedite the opening up of the unused Railway Network Routes across Donegal to walkers." (C)

INISHOWEN ELECTORAL AREA

Planning

7. **Clr Canning**

"I would ask that this Council set up a "Travelling Workshop" throughout Inishowen, targeting all the main towns in order to facilitate and inform the public about the Takeover of Housing Estates finished and unfinished." (C)

Finance

8. **Clr Murray**

"That Donegal County Council provides monthly updates, at the full sitting of the Council, as to how it is reaching its new financial targets as adopted in the amendment to the Draft 2014 budget." (C)

9. **Clr McGuinness**

"Donegal County Council calls on the Government to review the Commercial Rates System and seeks exemptions for small and start up businesses." (C)

LETTERKENNY ELECTORAL AREA

Corporate

10. **Clr Larkin**

"That this Council request the presence of the HSE Manager in Charge of Orthodontist Service in Donegal to meet with Members to discuss issues pertaining to the service." (O)

Community and Enterprise

11. **Clr M McBride**

"That Donegal County Council contact the Fisheries Board to ask when they plan to reopen salmon fishing rivers currently closed as this hobby is a massive source of tourism revenue to County Donegal?" (O)

Planning and Economic Development

12. Clr Quinn

"That Donegal County Council immediately commences the take-over of all Un-Finished Estates." (C)

Roads and Transportation

13. Clr Blaney

"That Donegal County Council investigate the coastal erosion at Ballyhiernan Beach (White Shore), Fanad, to come up with a strategy to deal with the loss of dunes which has occurred, particularly after the recent storms." (L)

14. Clr Brogan

"I propose that this Council discuss the Letterkenny to Strabane and the A5 Project." (C)

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

- a) Notice under Section 211 of the Planning and Development Act 2000 (as amended) and under Section 183 of the Local Government Act 2001 – to dispose of property at Main Street, Ballyderowen, Burnfoot to Mr John McDaid.
- b) Notice under Section 211 of the Planning and Development Act 2000 (as amended) and under Section 183 of the Local Government Act 2001 – to dispose of property at Moneydarragh, Gleneely, Lifford to Mr Barry Folan.
- c) Notice under Section 211 of the Planning and Development Act 2000 (as amended) and under Section 183 of the Local Government Act 2001 – to dispose of property at 12 Gaddyduff, Clonmany to Ms Jacqui Fletcher.

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

- a) To approve carrying out of construction works to improve a section of the R263 in the Townland of Fintragh, which connects Killybegs to Cill Charthaigh, An Charraig and Gleann Cholmcille
- b) To approve carrying out of demolition and replacement of existing dwelling and decommissioning and replacement of existing septic tank with a new treatment plant and sand polishing filter including all associated works at Monclink, Drumoghill, Manorcunningham.

- c) To approve the carrying out of works to include for development of a single storey multi-use building with a floor area of 264m², a storage shed, external play area, site development works, parking areas for cars and coaches, overnight camper van parking facility and a designated facility for a 'park and ride' type transport system. Waste disposal will be by means of an on-site sewerage treatment unit and a sand polishing filter in the townland of Leirg an Dachtain, Teelin, Carrick, Co. Donegal. (Report to be circulated)

17. Housing

Consideration of Manager's Report and Adoption of the Draft Traveller Accommodation Programme 2014 to 2018.

18. Planning and Economic Development

To endorse the contents of the proposed submission to the Wind Energy Development Guidelines 2006.

19. Corporate

- a) To note obligation on members under (Part 15) Local Government Act, 2001 Ethics Framework to submit a declaration of Interest by the 28th February, 2014.
- b) To note obligation on members under the Local Elections (Disclosure of Donations and Expenditure Act 1999, as amended, to submit a donation statement by 31st January, 2014.
- c) To consider authorisation of Council Representation at the St Patrick's Day Celebrations in the USA.
- d) To consider and adopt the Annual Report for 2013 from the Donegal County Council Audit Committee.

20. Endorsement of Minutes

- a) Endorsement of the Confirmed Minutes of Meeting of Letterkenny Electoral Area Committee held on the 16th September, 2013.
- b) Endorsement of the Confirmed Minutes of Meeting of Glenties Electoral Area Committee held on the 17th September, 2013.
- c) Endorsement of the Confirmed Minutes of Adjourned Meeting of Letterkenny Electoral Area Committee held on the 20th September, 2013.

- d) Endorsement of the Confirmed Minutes of Adjourned Meeting of Letterkenny Electoral Area Committee held on the 7th October, 2013.
- e) Endorsement of the Confirmed Minutes of Meeting of Stranorlar Electoral Area Committee held on the 12th November, 2013.
- f) Endorsement of the Confirmed Minutes of Meeting of Donegal Electoral Committee held on the 13th November, 2013.

21. 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:-

- The Institute of Professional Training – An Inconvenient Reality to be held from Friday 31st January to Sunday 2nd February 2014 at the Gold Coast Hotel, Ballinacourty, Dungarvan, Co Waterford.
- LAMA Spring Seminar 2014 to be held from Friday 31st January to Saturday 1st February, 2014 at the Four Seasons Hotel, Monaghan.
- Annual CCBS/ICLRD - Cross Border Economic Development and the Border Development Zone Concept to be held from Thursday 30th to Friday 31st January, 2014 in the Cavan Crystal Hotel, Cavan.
- Celtic Conferences – Changes to Construction Tendering for Local Authorities to be held from Friday 31st January to Sunday 2nd February, 2014 in the Celtic Ross Hotel, Rosscarbery, West Cork.
- Ace Training – Sport and Community Planning to be held from Friday 7th to Sunday 9th February, 2014 at the Four Seasons Hotel, Carlingford, Co Louth.
- The Institute of Professional Training – From Ballot Box to the Council Chamber, to be held from Friday 14th to Sunday 16th February, 2014 at the Silver Tassie Hotel, Letterkenny.
- Ace Training – Waste Management Legislation – Responsibilities of Local Authorities in disposing and recycling Electrical and Electronic Equipment to be held from Friday 14th

to Sunday 16th February, 2014 in the Four Seasons Hotel, Carlingford, Co Louth.

- Reform of Ireland's Water Services Conference 2014 – Focus on Water Services Bill to be held Thursday 20th February, 2014 at the Royal Marine Hotel, Dun Laoghaire, Co Dublin.
- Training Seminar for Councillors – Seanad Reform and the Councillor to be held Thursday 20th to Saturday 22nd February, 2014 in the Millrace Hotel, Bunclody, Co Wexford.
- Clare Tourist Council and Clare County Council – Folklore – Heritage – Tourism Cead Mile Failte to 25th Annual Tourism Conference to be held Friday 21st to Saturday 22nd February, 2014 at the Falls Hotel, Ennistymon, Co Clare.
- 25th Colmcille Winter School to be held from Friday 21st to Sunday 23rd February, 2014 at the Colmcille Heritage Trust, Gartan, Church Hill, Letterkenny.
- Association of Irish Regions Seminar 2014 – 'Ireland's Regions Looking to the Future' to be held Friday 28th February, 2014 in the Kilronan Castle, Ballyfarnon, Co Roscommon.
- Association of County and City Councils to be held Thursday 6th and Friday 7th March, 2014 in the Slieve Russell Hotel, Ballyconnell, Co Cavan.

22. Conference Reports

Clr John Ryan

LAMA Spring Seminar 2013 held from Friday 5th and Saturday 6th April, 2013 at Ashdown Park Hotel, Gorey, Co Wexford.

Clr Paul Canning

LAMA Autumn Seminar held from Friday 11th to Saturday 12th October, 2013.

Clr Jack Murray

BA in Public Management IPA held from Saturday 12th and Sunday 13th October, 2013 at the IPA HQ Dublin.

Clr Michael McBride

How Local Authorities are affected by EU Law held Saturday 9th November, 2013.

Clr Brendan Byrne

Parcital Guide to Budget 2014 held from Friday 8th to Sunday 10th November 2013 at Carlingford Co Louth.

Clr Martin Harley

Training Seminar/ EU Law and ECHR held from Friday 8th to Sunday 10th November 2013 at the Carlton Sherwater Hotel, Ballinasloe, Co Galway.

Clr Paul Canning

Working together to increase Geothermal Energy Resource held Wednesday 13th November, 2013 at Newpark Hotel, Kilkenny.

Clr Michael McBride

The Effects of budget 2014 on the Irish Economy held Saturday 16th November, 2013 at the Park House in Clonmel.

Clr Michael McBride

Working together to increase Geothermal Energy in Ireland held Wednesday 13th November, 2013 at the Newpark Hotel, Kilkenny.

Clr Brendan Byrne

Focus Ireland held Wednesday 27th November, 2013 at the Aviva Stadium, Dublin 4.

OTHER

Clr Patrick McGowan

Committee of the Regions Annual Report 2013.

23. Manager's Report

24. Mayor's Business

QUESTIONS

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

STRANORLAR ELECTORAL AREA

Water and Environment

25. Clr G Doherty

"What is the Council's policy regarding the emptying of sewerage holding tanks in unfinished housing estates and has this policy changed since the handover to Irish Water?" (C)

Roads and Transportation

26. Clr G Doherty

"Can this Council provide me with all existing plans for the renewal/strengthening of Castlefinn Bridge?" (L)

27. Clr McGowan

"Please can an audit be carried out outside all Schools in the County as some safety measures are no longer working?" (C)

28. Clr McGowan

"Please can the Council outline a clear plan to widen and make safe the Approach Roads to Castlefinn Bridge?" (L)

GLENTIES ELECTORAL AREA

Community and Enterprise

29. Clr O'Domhnaill

"Can this Council create a plan to maximise the Tourism Potential of Ray Church in Falcarragh?" (L)

Roads and Transportation

30. Clr O'Domhnaill

"Can this Council price and provide funding for the re surfacing of Ballina Estate in Falcarragh which is in an urgent need of repair?" (L)

Corporate

31. Clr M. T. Gallagher

"What was the outcome of Donegal County Councils investigation into the "Whole System of Work" initiative undertaken by this Council through Consultants One Sigma?" (C)

32. Clr Slowey

"How many MANS systems were installed across County Donegal. Please state the location of each, the year of installation, the total capital cost, the amount contributed by this Council and the number of customers using each system today?" (C)

Water and Environment

33. Clr Slowey

"How many litter fines were issued by Donegal County Council in 2013 how many were paid and how many were advanced to prosecution? Please give breakdown by Electoral Area." (C)

34. Clr M. T. Gallagher

"What date will construction begin on Dungloe/Glenties sewage schemes?" (L)

INISHOWEN ELECTORAL AREA

Community and Enterprise

35. Clr Canning

"How much has been spent on the new signage for the 'Wild Atlantic Way' in Donegal?" (C)

Planning and Economic Development

36. Clr Canning

"Will the changes that are coming in on the 1st of March re the Building Control have an affect on planning applications received after that date?" (O)

Corporate

37. Clr Murray

"Has Donegal County Council any plans to take on new personnel through JobBridge or any similar scheme in which labour is carried out for less than the minimum wage?" (O)

38. Clr McGuinness

"What is the breakdown of the cost to the Council of the Budget 2014 Council Meetings (including workshops)?" (C)

Roads and Transportation

39. Clr McGuinness

"Can I have a listing of the recent storm damage in the County and the overall estimated costing for carrying out these repairs?" (C)

Finance

40. Clr Murray

"Does the Council foresee any potential circumstances throughout 2014 in which adjustments to the council's financial plans will be necessary?" (C)

LETTERKENNY ELECTORAL AREA

Community and Enterprise

41. Clr Larkin

"What steps have this Council taken for the introduction of a LEO office for Donegal?" (O)

Corporate

42. Clr Quinn

"Has Donegal County Council any plans to avail of the recently announced Scheme by Minister Hogan, which is to the dis-advantage of the Long Term Un-Employed?" (O)

Roads and Housing Design

43. Clr Larkin

"Can the Members be furnished with a works schedule and costing of all the works that are taking place in the County House, showing the

amendments that have taken place during this time to the original schedule?" (C)

Community and Enterprise

44. Clr M McBride

"How do Donegal County Council plan to spend the 250,000 euros extra included for Tourism Promotion in Budget 2014?" (C)

Planning and Economic Development

45. Clr Quinn

"In early July 2013 Sinn Fein Councillors Gerry McMonagle, Jack Murray and myself met with the County Manager to discuss the issue of Un-Finished Estates.

At this meeting we were assured that a substantial number of estates would be taken over by the Council prior to 31/12/13. It has now transpired that no estate was taken over and I want to know Why? I also want to know why my party was not afforded the courtesy of being informed that the Council's target would not be met." (C)

Water and Environment

46. Clr Blaney

"When does this Council hope to have the pipes replaced at Carland, Kerrykeel, Corry Portsalon and Doaghmore Fanad?" (L)

47. Clr Brogan

"Can this Council inform us if they have any more clarity on the operations of Irish Water?" (C)

Roads and Transportation

48. Clr Blaney

"When does this Council intend to have the sea wall beside Keadue Bridge reinstated?" (L)

49. Clr Brogan

"Can this Council give us an update on the current status of the Woodlands Roadworks? (L)

50. Motions from other Councils/Bodies

KERRY COUNTY COUNCIL

"That this Council, in conjunction with other Local Authorities, would have a direct representative dealing with all EU Funding."

CLONES TOWN COUNCIL

“That Clones Town Council calls on the Minister for Health Dr. James Reilly, TD to confirm that discretionary medical cards will not be withdrawn from cancer patients who are not considered terminally ill.

I would ask that the Minister make a clear unambiguous statement on this matter. Is the criteria being changed or is it not? Are the rules on the discretion by which medical cards will be issued being changed or are they not? The fact that we are getting mixed messages is causing cancer patients further distress.

In recent days I have listened to the genuine and extreme distress of people suffering from cancer and this situation needs to be clarified immediately so that patients can concentrate on getting better and not have to worry about how they are going to afford treatment.

I propose that this Motion be forwarded to the Minister for Health and circulated to each Town and County Council.”

CLARE COUNTY COUNCIL

“That Clare County Council calls on the Minister for Transport to extend the derogation period to allow adequate time to resolve the height restriction of 4.65 metres for vehicles using the country’s road network”

MACROOM TOWN COUNCIL

“That Macroom Town Council calls on the Minister for the Environment, Community and Local Government, members of Dail Eireann and Seanad Eireann that in the light of recommendations published on Wednesday October 30th 2013 by the Congress of Local and Regional Authorities, part of the Council of Europe which states that Ireland needs greater Constitutional Protection for Local Government and it is failing to protect Local Democracy and the Continued centralisation of power and decision making at National Level, instead of greater devolution to local communities”

LEITRIM COUNTY COUNCIL

“That Leitrim County Council call on the Government and Minister Phil Hogan to withdraw their proposal to introduce a levy on all vacant commercial premises. The pending Local Government legislation, which is due to come into effect in 2014, refers to changing the current process of waiving 100% of the commercial rates on business properties that are vacant and proposes to introduce a levy of 50% of the full rates payable on all properties that are vacant.

This new proposal is referred to in “Part 5, Section 31” of the pending legislation. This proposal, to bill all vacant commercial properties in Leitrim and all over the country at 50% of the full rates payable, is unacceptable and unthinkable.”

OFFALY COUNTY COUNCIL

“That Offaly County Council writes to the Minister for Health requesting that he lift the ban on Nurse Recruitment”

WATERFORD CITY COUNCIL

“Waterford City Council urgently requests the Government to have a total review of legislation in the area of Anti-Social Behaviour with the objective of strengthening the powers of the Gardai and Local Authorities to tackle this issue in an effective manner”

SOUTH TIPPERARY COUNTY COUNCIL

“I call on the Ministers for Finance, Education and Social Welfare to immediately review the flat fee of €33.00 introduced in the October Budget for apprentices attending Institutes of Technology. This fee is a barrier to training. To support the development of a skilled technical workforce in County Tipperary, I call for the fee to be waived.”

MINUTES OF JANUARY MEETING OF DONEGAL COUNTY COUNCIL,
HELD IN THE COUNTY HOUSE, LIFFORD ON 27TH JANUARY, 2014

C/51/14 MEMBERS PRESENT

Clrs I Mc Garvey, Mayor, D Alcorn, L Blaney, J Boyle, C Brogan, J Campbell, P Canning, G Crawford, G Doherty, P Doherty, R Donaghey, M Farren, M T Gallagher, M Harley, D Larkin, F Mc Brearty, M McBride, N Mc Bride, S McEniff, P McGowan, B Mc Guinness, J Murray, S O'Domhnaill, Barry O'Neill, M Quinn, J Ryan, and T Slowey.

C/52/14 APOLOGIES

Apologies were received from Clr Mickey Doherty and Clr Brendan Byrne who were unable to attend the meeting.

C/53/14 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 Denis Kelly, Senior Executive Planner, Ms Ann Marie Conlon, Communications Officer, Ms Kathleen McGowan, Staff Officer, Corporate Services.

C/54/14 VOTES OF SYMPATHY

Members from all political groupings extended their sympathy to Mr Declan Kerr, on the death of his father, Eunan; to Mr John Duffy on the death of his sister, to Mr Frank Sweeney on the death of his mother, Ann and to Mr Killian Smith on the death of his father, Thomas Kevin.

Members also sent their best wishes to Clr Mickey Doherty.

C/55/14 CLARIFICATION OF "LEGAL UNDERSTANDING" OF MEMBER BEING SUMMONED TO ATTEND MEETING

Clr Frank McBrearty requested that the Meetings Administrator provide a full legal opinion on the "legal understanding" of a member being called to a meeting of Donegal County Council. Mr Ward advised that a legal opinion on this matter was not available. He confirmed that same would be sought and circulated to members in due course.

C/56/14 CONFIRMATION OF MINUTES OF NOVEMBER MEETING OF DONEGAL COUNTY COUNCIL HELD ON THE 25TH NOVEMBER, 2013

On the proposal of Clr McGowan, seconded by, Clr McBride, , the Minutes of the November Meeting of Donegal County Council held on the 25th November, 2013 were adopted.

C/57/14 CONFIRMATION OF THE MINUTES OF ADJOURNED NOVEMBER MEETING OF DONEGAL COUNTY COUNCIL HELD ON THE 9TH DECEMBER, 2013

On the proposal of Clr M T Gallagher, seconded by, Clr S O' Domhnaill, the Minutes of the Adjourned November Meeting of Donegal County Council held on the 9th December, 2013 were adopted subject to the following amendment:-

C/617/13

“Following a lengthy debate Clr P Doherty proposed, seconded by Clr O Neill, that consideration of the variation be deferred until after the workshop in January and the publication of the new Planning Guidelines following which an agreed package **would be sent to the January Council meeting for discussion**”

C/58/14 ENDORSEMENT OF THE CONTENTS OF THE PROPOSED SUBMISSION TO THE ‘PROPOSED REVISIONS TO THE WIND ENERGY DEVELOPMENT GUIDELINES 2006 – TARGETED REVIEW IN RELATION TO NOISE, PROXIMITY AND SHADOW FLICKER

On the proposal of Clr F McBrearty, seconded by, Clr S O' Domhnaill, members agreed to bring the consideration of the above matter forward on the agenda.

Mr Michael Heaney, Director Community, Culture & Planning advised that the proposed targeted revisions to the Wind Energy Guidelines were published on 11th December 2013, by the Department of the Environment, Community & Local Government and that submissions had been invited by the DECLG up to 21st February 2014. He advised that a Council workshop (including the SPC Members) was held on the 20th January 2014, at which the ‘Proposed Revisions to the Wind Energy Guidelines 2006 – Shadow Flicker’ were considered. It was agreed at the Workshop that a submission in respect of the proposed revisions should be made to the DECLG following consideration by the full Council at their January meeting. He invited Mr Denis Kelly, Senior

Executive Planner, to take Members through the outline of the proposed submission.

Mr Denis Kelly outlined to Members the outcome of the workshop considerations as outlined in the report attached to the agenda and answered a number of queries that arose.

Following a short discussion and consideration of same, on the proposal of Clr S O' Domhnaill, seconded by Clr MT Gallagher, members agreed to endorse the proposed submission to the DECLG in respect of the "Proposed Revisions to the Wind Energy Development Guidelines 2006 – Targeted Review in Relation to Noise, Proximity and Shadow Flicker" and that it be submitted to the Department of the Environment, Community and Local Government.

At this point Clr Campbell referred to the discussion at the Adjourned Council meeting on 9th December 2013 in respect of the making of a proposed variation to the County Donegal Development Plan 2012-2018 (as varied), wherein wording of a proposed variation had been presented. Clr Campbell asked that the wording be now agreed with certain amendments. Clr Liam Blaney asked that further amendments be made in respect of Section 10.6 of the County Donegal Development Plan, so that the exclusion zone around Glenveagh is more defined and transparent. Following discussion, it was agreed that the executive would draft a transcript of the changes that Members are seeking to issue for consultation as part of a proposed variation. Members agreed to defer consideration and to deal with this matter later in the meeting.

C/59/14

CONSIDERATION OF MANAGER'S REPORT AND
ADOPTION OF THE DRAFT TRAVELLERS
ACCOMMODATION PROGRAMME 2014 TO 2018

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

On the proposal of Clr Canning, seconded by Clr McBride, members agreed to accept the Manager's Report and to adopt the Draft Travellers Accommodation Programme 2014 to 2018 without amendment.

C/60/14

FUNDING OPPORTUNITIES TO ERECT A NEW FOOTPATH ON THE N13 BETWEEN STRANORLAR AND KILROSS

On the proposal of Clr G Doherty, seconded by, Clr M Harley, the following motion was adopted:-

"That this Council examines the possible funding opportunities to erect a new footpath on the N13 between Stranorlar and Kilross as a matter of priority."

Members were informed that:-

“The Council can examine the possible funding opportunities to construct a new footpath on the N13 between Stranorlar and Kilross. As it is a National Primary Road, the most likely source of funding is the National Roads Authority. As a general rule, the NRA do not fund the construction of footpaths. The existing road is narrow and bendy. It is therefore likely that, if a footpath were to be constructed, it will be necessary to acquire land from adjacent landowners. This in turn will add to the cost of the footpath. In addition, the matter of the policy of constructing a footpath on such a location would need to be examined.”

In seconding the motion, Clr Harley raised the issue of upgrading the road as it was the responsibility of the NRA. He felt that the widening of the road with a hard shoulder rather than a footpath was the main issue.

Clrs McGowan and McBrearty both spoke in support of the motion. Clr McGowan requested that the Council examine funding for footpaths in the Stranorlar Electoral Area. Clr McBrearty called on the NRA to look at all the areas that need to be addressed.

Mr John McLaughlin, Director of Service, acknowledge the issues raised by the members. He confirmed that he would put the provision of footpath on the N13 on the list and would get an estimate for same. He confirmed that he would revert to the Local Area Meeting on this matter.

C/61/14

CALL FOR COUNCIL SUPPORT FOR THE CE SCHEMES THROUGH JOINT TRAINING INITIATIVES

On the proposal of Clr P McGowan, seconded by, Clr G Crawford , the following motion was adopted:-

"That Donegal County Council discuss supporting CE Scheme promoters in the County by allowing CE Scheme Trainees to undertake Training/Courses in conjunction with the Council workers, courses such as SLG, Sign, Lighting and Guarding etc, as the CE Schemes are helping with the upkeep of every town and village in the County."

Members were informed that:-

“The Council is happy to explore the option of facilitating Community Based CE workers to participate in mandatory training programmes that are required under Health & Safety etc. Such training programmes are delivered for Council employees through the Stranorlar Regional Training Centre. This centre is one of 5 Regional Training Centres nationally and Stranorlar provides training for counties Donegal, Sligo, Cavan and Monaghan, and overall the Management of the Centre rests with a Management Committee, which is representative of the four Counties concerned.

It may be possible to facilitate the training through the Stranorlar Regional Training Centre by incorporating CE Scheme participants onto Council organised courses if places are available. Alternatively, if numbers permit, it would be an option to organise separate training programmes solely for CE participants.

It is important to note that notwithstanding whatever option is deemed most practicable, there is a cost implication of providing this training which must be borne by the Community Group sponsoring the CE scheme. These costs are dependent on the course required and the number of days and participants involved.”

Clr McGowan thanked the Director of Services, for the response to his motion. He called on all agencies to find a way of working together on this matter. He reiterated that he was not proposing to subsidise Council workers with a C.E. Scheme and acknowledged that Temporary Road Workers were urgently needed in the Stranorlar Electoral Area.

In formally seconding the motion, Clr Crawford supported the comments by Clr McGowan. He urged the Council to use common sense in this matter and to make places available to CE Scheme participants on Training Courses in conjunction with Council staff.

Clr Larkin also spoke in support of the motion. He requested that confirmation that training courses and accreditation completed and achieved by Donegal County Council workers in relation to water connections and metering were being accepted by Irish Water.

Clr R Donaghey requested that Donegal County Council write to the Department of Environment raising the issue of the requirement to have twenty workers on a scheme before a supervisor can be appointed. She advised that this there were a lot of people who wanted to form schemes but they were being advised that there were insufficient funds for same.

Clrs McBride, Harley and McBrearty also spoke supported this motion. Clr McGarvey wished to be associated with the motion also.

Mr Liam Ward, Director of Corporate & Housing Services, advised the meeting that the Council would liase with the Commuity Employment Schemes to progress this matter in the most cost effective way possible. He cautioned that Community Employment Schemes must be aware that some cost would be involved in the provision of these courses.

C/62/14

DISCUSSION ON MAGHERAROARTY PIER

On the proposal of Clr O'Domhnaill, seconded by, Clr Pdraig Doherty, the following motion was adopted:-

"That this Council discuss the situation in Magheroarty Pier where Boats cannot use the Pier because of the influx of sand as well as fully outline a timeframe for design, consultation and construction of Groyne/Breakwater to eradicate the problems which are being experienced at the Pie and to prioritise the taking of measure to prevent further erosion of sand dunes at Magheraroarty"

Members were informed that:-

“It is acknowledged that the siltation at Magheroarty Pier has become a problem in recent weeks. Efforts are being made to get clearance from the Department to allow some short-term measures to make the waterway more accessible for pier users as soon as possible.

A Public Notice was published for a Foreshore License on 20 January 2014 which has a closing date for submissions of 17 February 2014. If granted, it is hoped to conduct a fuller scale dredging at the appropriate tide within the next few months.

The longer term solution to reduce the amount of dredging required is to construct a groyne/breakwater. It is anticipated that the Council will seek a grant of €50,000 in 2014 to advance the design of this project. Construction of the project would require a significant State Grant and Council matching funds which have not been identified at this time.”

In proposing the motion, Clr O Domhnaill advised the members of the background to this situation. He called on the Council to seek emergency permission from the Department to carry out the dredging works as tides will be out next week. He further requested that a provision of a breakwater be prioritised with the Department also. In relation to Magheraroarty Beach, he advised the meeting that if steps to prevent the further destruction of the sand dunes were not put in place the sea will encroach on the bay. He requested that an Engineer with specialist knowledge of erosion visit Magheraroarty and prepare a report on measures which can be taken to protect the beach.

Clrs P Doherty, Gallagher, Slowey and McGarvey spoke in support of this motion also.

Mr John McLaughlin, Director of Roads & Transportation, advised the members that the Council were working on a short timeline in this matter and looking at expediting procurement in this case. He confirmed that members would be advised of all developments and progress in this matter at local level.

He enquired as to whether the members were willing to divert Council funding to support these works. In relation to the Sand Dunes, Mr McLaughlin advised that non engineering solutions may be the best way to progress the matter.

Clr O Domhnaill expressed his appreciation for the response received and the support of other members. He called on the Council to set up a framework where local fishermen were consulted and the most cost effective solution brought about. Mr McLaughlin confirmed that the Council had no issue engaging with

locals on this matter. Mr McLaughlin advised that specialist help would be required to get a solution to this matter.

C/63/14 ADJOURNMENT FOR LUNCH

On the proposal of Clr McGarvey, seconded by, Clr N. McBride, it was agreed to adjourn for lunch.

C/64/14 DISCUSSION ON HOW AN INADEQUATE TREATMENT PLANT WAS INSTALLED IN GORT NA MONA HOUSING ESTATE IN DUNGLOE

At the outset of the consideration of this motion, Clr McBrearty proposed that the consideration of this motion be changed from a local motion to a County Motion. Mr L Ward, Meetings Administrator clarified the categorisation of motions. Following a discussion on the matter on the proposal of Clr McBrearty, seconded by Clr O Neill, the members agreed that the designation of the motion be amended from Local Motion to County Motion

On the proposal of Clr Gallagher, seconded by Clr Quinn , the following motion was adopted subject to the designation being changed to County:-

"That this Council discuss the reasons how an inadequate treatment plant was installed in Gort Na Mona housing estate in Dungloe."

Members were informed that:-

“The following information is provided to assist the members when discussing this motion.

The Gort na Mona Housing Scheme in Dungloe was purchased by Donegal County Council as a Turnkey Development. The selection of the Turnkey Developer followed a public procurement process. In a Turnkey Development, the Developer provides the land, designs the houses and builds the houses and turns over the development to the Council. The Turnkey Developer employs the Architect and any other professional services required to complete the development.

The Gort na Mona development secured planning permission in 2009 and duly proceeded to construction. Various certificates in accordance with the contract have been provided to the Council by

the Developer from Architects, Structural Engineers, Mechanical and Electrical Services and Contractors. The final defects certificate for the Turnkey Development issued on 18 July 2013 with the Council being fully responsible for the development thereafter.

Regarding the Wastewater Treatment Plant for the Housing Scheme, the planning permission required that an agreement certified secondary treatment system complete with a maintenance contract be installed. In order to establish the size of Treatment plant, the Developer and his Design Team determined that a Population Equivalent (PE) of 128 minimum was appropriate to the Scheme of 28 housing units. The Treatment Plant supplied has a capacity for a PE of 150 which is greater than the capacity required. Currently, there are 85 to 90 residents in the Housing Scheme. The Treatment Plant provided is compliant with the planning permission. In addition, the plant has been maintained in accordance with the manufacturer's instructions.

It has been reported that there is a nuisance odour at the plant in recent months. This was examined by the Council staff and the manufacturer on site. While no specific faults were identified, a number of suggestions were put forward and are under consideration at the moment.

It should be noted that the long term plan for waste water treatment for this Housing Scheme is for it to flow directly to the upgraded Dungloe Waste Water Treatment Plant and to get rid of the on site plant. The upgrading works for the Dungloe Treatment Plant are to begin shortly by Irish Water.

In addition, it should be noted that since 1 January 2014, Irish Water is the new Water Utility and have responsibility for the public sewerage network connecting to its Treatment Plants. In so far as this relates to Gort na Mona, Irish Water is responsible for the mainline sewers including this pre-treatment plant all of which connect to the Dungloe Treatment Plant. The split between the House Owner (Council) and Irish Water for the service laterals has not been defined but most likely will be in the vicinity of the boundary with the road, where the main sewer is located in the roadway. The formal paper transfer and mapping has not been completed for this Housing Scheme and this is similar across the county for other such housing schemes.”

Clr Maire Therese Gallagher spoke in support of her motion and gave the background to the problems in the estate. She expressed her disappointment with the response received and drew the members attention to Minute 104/13 of the Glenties Electoral Area Meeting where it was agreed that the issues in relation to this estate would be dealt with before the estate was taken over.

Clr Gallagher sought clarification of the “nuisance” odour mentioned in the response. She advised that this odour had been an issue since the estate was built. She queried whether the Council have any role in this matter or if was now a matter for Irish Water. Clr Gallagher requested an explanation as to how it could happen that the treatment plants for the last three estates taken over by the Council did not work.

In seconding the motion, Clr Mick Quinn commended Clr Gallagher for taking the motion forward. He raised concerns at the Council taking over this estate when they were aware that this problem existed. He felt that this issue had wider implications for other estates in the County.

Clr Slowey spoke in support of the motion. He queried why the report stated that occupancy of the estate was at 60% when the estate was fully occupied. He suggested that the aeration of the plant may alleviate the problem. He called for commencement of the Dungloe Sewerage System, which would solve the problem completely.

Clr McBrearty queried the large amount of money spent on this estate. He called on the Minister to have an enquiry into the cost of this estate and for the Public Accounts Committee to examine the amount of money spent on this estate. Clr McBrearty proposed that a copy of this motion be sent to Ministers Jan O Sullivan and Phil Hogan. He called for a special meeting to be held to discuss the issues on this estate and similar issues on other estates.

Clr M McBride advised the meeting that an estate in Kilmacrennan had a similar issue which was resolved. He felt that Engineers from the local areas could meeting to discuss a solution.

Clr G Crawford commended the council for widening this debate to a County wide issue. He felt that a permanent solution was

required but commended the Council on their role to date. He queried whether the Council had fully responded to the Auditor General's report on this estate. He called on the Council to put their response into the public domain.

Clr Canning advised the meeting that there were a number of estates with similar issues in Inishowen. He called on the Council to take action to alleviate the problems. He queried whether there were any turnkey developments which had not been taken over by the Council yet.

Clr D Alcorn advised the meeting that all of the issues raised had already been discussed at local level and a full and detailed report on this estate had been circulated to all members of the Glenties Electora Area. He called on the County Manager to examine the report and the response to the meeting today and to ensure the matter was fully investigated and any issues arising referred to the Developer. He also called for a start date for the Dungloe Sewerage Scheme.

Clr O Neill stated that the public were concerned at the value for money achieved on this project. He advised that the Auditor General had stated that value for money had not been achieved in this development. He felt that questions needed to be answered in relation to value for money. He called for answers to these questions to be issued within the next week or two.

Clr McGuinness supported the widening of the debate on this motion to a county motion.

Clr McGowan address the meeting and advised that he was confining his comments to the Stranorlar Electoral Area only. He noted the number of estates in the area which were boarded up or had water or sewerage issues. He called for an investigation into why this was allowed to occur. He advised the Council that there was small contractors who were willing to carry out works but could not get the contracts from the Council. He requested that a list of approved Contractors to be presented to Councillors.

Clr John Ryan requested that a value for money report on this and on the One Sigma affair be presented to the Council before the end of its term in May.

Mr S Neely, County Manager, addressed the meeting. He drew the members attention to the Mangers Report considered by the members at the Council Meeting in September 2012 which dealt with the Audit Report on the Turnkey Development at Meenmore, Dungloe. The County Manager read the extract of the report to the members. In this report the Local Government Auditor confirmed that there was “no suggestion in any of the work he had conducted that the contract was anything but awarded to the correct contractor” and that he “considered the matter closed”.

Clr McBrearty again called on the Minister to deal with this issue and for the matter to be referred to the Public Accounts Committee.

Mr John McLaughlin, Director of Services, Roads, advised the meeting that the response dealt with the motion as originally presented. He advised the meeting that there was no formal takeover for turnkey housing estates, but there was a defects period of 10 months. There were no known faults at the end of this period. The issue with this estate does not relate to the construction of the waste system but the behaviour of the waste in the tank. A report on the matter had been circulated to members of the Glenties Electoral Area. He advised the members that Irish Water were now responsible for the public sewers in the estate. He confirmed that the Council would continue to investigate the problems in this estate.

Clr Maire Therese Gallagher advised that this issue was raised prior to the estate being signed off in July 2013. She stated that she was unhappy with the response received to her motion and believed there was a value for money issue.

Mr McLaughlin advised that there were no works identified that the Contractor needed to do. He advised that the system required adjustment only.

C/65/14

MOTIONS UNDER URGENT BUSINESS

Members agreed to consider the following motions submitted in accordance with Standing Order No. 28

“That Donegal County Council call on the H.S.E. to retain the full time public health nurse on Arranmore Island”.

“In light of recent revelations regarding Irish Water, this Council calls on the Government and the Minister for Environment to disband Irish Water and revert back to the status quo of the service being delivered by Local Authorities”.

C/66/14 PROPOSED DRAFT VARIATION OF THE COUNTY DONEGAL DEVELOPMENT PLAN 2012 – 2018 (AS VARIED)
Following agreement of members earlier in the meeting to defer consideration to allow the executive an opportunity to draft a transcript of the changes that were being sought by Members, the transcript and an associated map of Glenveagh was circulated to Members. Following a short discussion and consideration of same, on the proposal of Clr S O’ Domhnaill, seconded by, Clr Gallagher, members agreed to initiate the public consultation provisions of Section 13 of the Planning and Development Act 2000 (as varied) so as to amend the County Donegal Development Plan 2012-2018 (as varied), with the following amendments . (Vide Appendix 1).

C/67/14 TAKING OF A DECISION WITH REGARD TO THE CARRYING OUT OF CONSTRUCTION WORKS TO IMPROVE A SECTION OF THE R263 IN THE TOWNLAND OF FINTRAGH, WHICH CONNECTS KILLYBEGS TO CILL CHARTHAIGH, AN CHARRAIG AND GLEANN CHOLMCILLE
On the proposal of Clr J Boyle, seconded by, Clr T Slowey, members agreed to bring consideration of this matter forward on the Agenda.

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

On the proposal, of Clr Boyle, seconded by Clr T Slowey, the carrying out of works under Part XI of the Planning & Development Act, 2000 (as amended) and Part 8 of the Planning & Development Regulations 2001(as amended) with regard to the carrying out of constructino works to improve a section of the R263 in the townland of Fintragh, which connects Killybegs to Cill Charthaigh, An Charraig and Gleann Cholmcille was approved.

C/68/14 TAKING OF A DECISION WITH REGARD TO THE CARRYING OUT OF WORKS TO INCLUDE FOR DEVELOPMENT OF A SINGLE STOREY MULTI-USE

BUILDING WITH A FLOOR AREA OF 264M2, A STORAGE SHED, EXTERNAL PLAY AREA, SITE DEVELOPMENT WORKS, PARKING AREAS FOR CARS AND COACHES, OVERNIGHT CAMPER VAN PARKING FACILITY AND A DESIGNATED FACILITY FOR A 'PARK AND RIDE' TYPE TRANSPORT SYSTEM. WASTE DISPOSAL WILL BE BY MEANS OF AN ON-SITE SEWERAGE TREATMENT UNIT AND A SAND POLISHING FILTER IN THE TOWNLAND OF LEIRG AN DACHTAIN, TEELIN, CARRICK, CO. DONEGAL

On the proposal of Clr Boyle, seconded by, Clr Slowey, members agreed to bring consideration of this matter forward on the Agenda. Members considered the report circulated with the agenda, in relation to the above.

On the proposal of Clr J Boyle, seconded by Clr T Slowey, the carrying out of works to include for development of a single storey multi-use building with a floor area of 264m2, a storage shed, external play area, site development works, parking areas for cars and coaches, overnight camper van parking facility and a designated facility for a 'park and ride' type transport system. Waste disposal will be by means of an on-site sewerage treatment unit and a sand polishing filter in the townland of Leirg an Dachtain, Teelin, Carrick, Co. Donegal was approved.

C/69/14

TAKING OF A DECISION WITH REGARD TO THE CARRYING OUT OF DEMOLITION AND REPLACEMENT OF EXISTING DWELLING AND DECOMMISSIONING AND REPLACEMENT OF EXISTING SEPTIC TANK WITH A NEW TREATMENT PLANT AND SAND POLISHING FILTER INCLUDING ALL ASSOCIATED WORKS AT MONCLINK, DRUMOGHILL, MANORCUNNINGHAM

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

On the proposal, of Clr P Canning, seconded by, Clr D Larkin , the carrying out of works under Part XI of the Planning & Development Act, 2000 (as amended) and Part 8 of the Planning & Development Regulations 2001(as amended) with regard to the carrying out of demolition and replacement of existing dwelling and decommissioning and replacement of existing septic tank with a new treatment plant and sand polishing filter including all associated works at Monclink, Drumoghill, Manorcunningham was approved.

C/70/14 DISPOSAL OF PROPERTY AT MAIN STREET
BALLYDEROWEN BURNFOOT TO MR JOHN MCDAID
Members considered the report circulated with agenda, in relation to the above.

On the proposal of Clr R Donaghey , seconded by, Clr D Larkin , it was resolved to formally dispose of property at Main Street Ballyderowen Burnfoot to Mr John McDaid, in accordance with the provisions of Section 211 of the Planning & Development Act, 2000 (as amended) and Section 183 of the Local Government Act, 2001.

C/71/14 DISPOSAL OF PROPERTY AT MONEYDARRAGH
GLENEELY LIFFORD TO MR BARRY FOLAN
Members considered the report circulated with agenda, in relation to the above.

On the proposal of Clr R Donaghey, seconded by Clr D Larkin , it was resolved to formally dispose of property at property at Moneydarragh, Gleneely, Lifford to Mr Barry Folan, in accordance with the provisions of Section 211 of the Planning & Development Act, 2000 (as amended) and Section 183 of the Local Government Act, 2001.

C/72/14 DISPOSAL OF PROPERTY AT 12 GADDYDUFF CLONMANY
TO MS JACQUI FLETCHER
Members considered the report circulated with agenda, in relation to the above.

On the proposal of Clr R Donaghey , seconded by Clr D Larkin, it was resolved to formally dispose of property at property at 12 Gaddyduff to Ms Jacqui Fletcher, in accordance with the provisions of Section 211 of the Planning & Development Act, 2000 (as amended) and Section 183 of the Local Government Act, 2001.

C/73/14 TO NOTE OBLIGATION ON MEMBERS UNDER THE LOCAL
ELECTIONS (DISCLOSURE OF DONATIONS AND
EXPENDITURE) ACT 1999 AS AMENDED, TO SUBMIT A
DONATION STATEMENT BY THE 31ST JANUARY,2014
Mr. Liam Ward, Meetings Administrator reminded Members of their obligation to submit a donation statement under the Local

Elections (Disclosure of Donations and Expenditure) Act, 1999 as amended, by the 31st January, 2014.

- C/74/14 TO NOTE OBLIGATION ON MEMBERS UNDER (PART 15) OF THE LOCAL GOVERNMENT ACT, 2001 ETHICS FRAMEWORK TO SUBMIT DECLARATION OF INTEREST BY THE 28TH FEBRUARY, 2014
Mr. Liam Ward, Meetings Administrator reminded Members of their obligation to submit a declaration of interest under Part 15 of the Local Government Act, 2001 (Ethics Framework), and to return same by the 28th February, 2014.
- C/75/14 AUTHORISATION OF COUNCIL REPRESENTATION AT THE ST PATRICK'S DAY CELEBRATIONS IN THE USA
On the proposal of Clr McBrearty, seconded by, Clr McGarvey, members agreed that the Mayor, Deputy Mayor and two officials represent Donegal County Council at the St Patrick's Day Celebrations in the USA.
- C/76/14 TO CONSIDER AND ADOPT THE ANNUAL REPORT FOR 2013 FROM THE DONEGAL COUNTY COUNCIL AUDIT COMMITTEE
On the proposal of Clr Slowey, seconded by, Clr McBride the members considered and adopted the Annual Report for 2013 from the Donegal County Council Audit Committee.
- C/77/14 ENDORSEMENT OF THE CONFIRMED MINUTES OF MEETING OF LETTERKENNY ELECTORAL AREA COMMITTEE HELD ON THE 16TH SEPTEMBER, 2013
On the proposal of Clr Larkin, seconded by, Clr McGarvey, the Minutes of the Meeting of the Letterkenny Electoral Area Committee held on the 16th September, 2013 were endorsed.
- C/78/14 ENDORSEMENT OF THE CONFIRMED MINUTES OF MEETING OF GLENTIES ELECTORAL AREA COMMITTEE HELD ON THE 17TH SEPTEMBER, 2013
On the proposal of Clr O Domhnaill, seconded by, Clr Slowey, the Minutes of the Meeting of the Glenties Electoral Area Committee held on the 17th September, 2013 were endorsed.
- C/79/14 ENDORSEMENT OF THE CONFIRMED MINUTES OF ADJOURNED MEETING OF LETTERKENNY

ELECTORAL AREA COMMITTEE HELD ON THE 20TH SEPTEMBER, 2013

On the proposal of Clr Blaney, seconded by, Clr McBride , the Minutes of the Adjourned Meeting of the Letterkenny Electoral Area Committee held on the 20th September, 2013 were endorsed.

C/80/14 ENDORSEMENT OF THE CONFIRMED MINUTES OF ADJOURNED MEETING OF LETTERKENNY ELECTORAL AREA COMMITTEE HELD ON THE 7TH OCTOBER, 2013

On the proposal of Clr McBride , seconded by, Clr McGarvey, the Minutes of the Adjourned Meeting of the Letterkenny Electoral Area Committee held on the 7th October, 2013 were endorsed.

C/81/14 ENDORSEMENT OF THE CONFIRMED MINUTES OF MEETING OF STRANORLAR ELECTORAL AREA COMMITTEE HELD ON THE 12TH NOVEMBER, 2013

On the proposal of Clr Harley, seconded by, Clr McGowan, the Minutes of the Meeting of the Stranorlar Electoral Area Committee held on the 12th November, 2013 were endorsed.

C/82/14 ENDORSEMENT OF THE CONFIRMED MINUTES OF MEETING OF DONEGAL ELECTORAL AREA COMMITTEE HELD ON THE 13TH NOVEMBER, 2013

On the proposal of Clr McEniff, seconded by, Clr J Boyle, the Minutes of the Meeting of the Donegal Electoral Area Committee held on the 13th November, 2013 were endorsed.

C/83/14 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 O Domhnaill, seconded by, Clr McGowan, 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

- The Institute of Professional Training – An Inconvenient Reality to be held from Friday 31st January to Sunday 2nd February 2014 at the Gold Coast Hotel, Ballinacourty, Dungarvan, Co Waterford.
- LAMA Spring Seminar 2014 to be held from Friday 31st January to Saturday 1st February, 2014 at the Four Seasons Hotel, Monaghan.
- Annual CCBS/ICLRD - Cross Border Economic Development and the Border Development Zone Concept to be held from Thursday 30th to Friday 31st January, 2014 in the Cavan Crystal Hotel, Cavan.
- Celtic Conferences – Changes to Construction Tendering for Local Authorities to be held from Friday 31st January to Sunday 2nd February, 2014 in the Celtic Ross Hotel, Rosscarbery, West Cork.
- Ace Training – Sport and Community Planning to be held from Friday 7th to Sunday 9th February, 2014 at the Four Seasons Hotel, Carlingford, Co Louth.
- The Institute of Professional Training – From Ballot Box to the Council Chamber, to be held from Friday 14th to Sunday 16th February, 2014 at the Silver Tassie Hotel, Letterkenny.
- Ace Training – Waste Management Legislation – Responsibilities of Local Authorities in disposing and recycling Electrical and Electronic Equipment to be held from Friday 14th to Sunday 16th February, 2014 in the Four Seasons Hotel, Carlingford, Co Louth.
- Reform of Ireland's Water Services Conference 2014 – Focus on Water Services Bill to be held Thursday 20th February, 2014 at the Royal Marine Hotel, Dun Laoghaire, Co Dublin.
- Training Seminar for Councillors – Seanad Reform and the Councillor to be held Thursday 20th to Saturday 22nd February, 2014 in the Millrace Hotel, Bunclody, Co Wexford.
- Clare Tourist Council and Clare County Council – Folklore – Heritage – Tourism Cead Mile Failte to 25th Annual Tourism Conference to be held Friday 21st to Saturday 22nd February, 2014 at the Falls Hotel, Ennistymon, Co Clare.
- 25th Colmcille Winter School to be held from Friday 21st to Sunday 23rd February, 2014 at the Colmcille Heritage Trust, Gartan, Church Hill, Letterkenny.

- Association of Irish Regions Seminar 2014 – ‘Ireland’s Regions Looking to the Future’ to be held Friday 28th February, 2014 in the Kilronan Castle, Ballyfarnon, Co Roscommon.
- Association of County and City Councils to be held Thursday 6th and Friday 7th March, 2014 in the Slieve Russell Hotel, Ballyconnell, Co Cavan.

C/84/14

CONFERENCE REPORTS

On the proposal of Clr McGowan, seconded by, Clr Blaney the following Conference Reports were noted:-

Clr John Ryan

LAMA Spring Seminar 2013 held from Friday 5th and Saturday 6th April, 2013 at Ashdown Park Hotel, Gorey, Co Wexford.

Clr Paul Canning

LAMA Autumn Seminar held from Friday 11th to Saturday 12th October, 2013.

Clr Dessie Larkin

BA in Public Management IPA held from Saturday 12th and Sunday 13th October, 2013 at the IPA HQ Dublin.

Clr Michael McBride

How Local Authorities are affected by EU Law held Saturday 9th November, 2013.

Clr Brendan Byrne

Parcital Guide to Budget 2014 held from Friday 8th to Sunday 10th November 2013 at Carlingford Co Louth.

Clr Martin Harley

Training Seminar/ EU Law and ECHR held from Friday 8th to Sunday 10th November 2013 at the Carlton Sherwater Hotel, Ballinasloe, Co Galway.

Clr Paul Canning

Working together to increase Geothermal Energy Resource held Wednesday 13th November, 2013 at Newpark Hotel, Kilkenny.

Clr Michael McBride

The Effects of budget 2014 on the Irish Economy held Saturday 16th November, 2013 at the Park House in Clonmel.

Clr Michael McBride

Working together to increase Geothermal Energy in Ireland held Wednesday 13th November, 2013 at the Newpark Hotel, Kilkenny.

Clr Brendan Byrne

Focus Ireland held Wednesday 27th November, 2013 at the Aviva Stadium, Dublin 4.

OTHER

Clr Patrick McGowan

Committee of the Regions Annual Report 2013

C/85/14 CALL TO EXPEDITE THE OPENING UP OF THE UNUSED RAILWAY NETWORK ROUTES ACROSS DONEGAL TO WALKERS

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

"That this Council work with Local Community Groups and Land Owners to expedite the opening up of the unused Railway Network Routes across Donegal to walkers."

Members were informed that:-

“Donegal County Council, working with Donegal CDB partners and local communities, has placed a strong emphasis on the development, maintenance and promotion of walking/trails infrastructure as community and tourism resources in all parts of the county. These projects, which have been flagged or initiated, are spread throughout all electoral areas. Some are integral parts of flagship projects e.g. Sliabh Liag, Malin Head, Inch Levels. Some are local initiatives advanced by local communities. Some are being developed as joint walking/cycleways. The “greenway” concept is one which is being explored in the county.

It is recognised that this sector provides a resource which can be consolidated and further developed and there are projects and potential projects in relation to trails, greenways and cycleways spread throughout the county which it would be proposed to pursue.

Towards this end, Donegal County Council will as a part of its overall tourism development and promotion activity, seek to use all of its resources and to acquire any expertise and external resources required and available to undertake the necessary research, consultation, planning and implementation of projects required to advance this sector. It is essential to have routes planned and ready for submission for the next phase of EU and Exchequer Funding for this sector.

Unused railway lines are potentially a key resource in the overall development of walking/cycle resources in Donegal. Some work

has been carried out on sections of disused railway lines to date and it would be proposed to take full advantage of this mostly latent resource as part of our overall effort in this sector.

A full work programme setting out how it would be proposed to carry out a development programme for 2014 and beyond is being prepared. Members will be kept updated on this and proposed work programme will be brought to relevant Electoral Area Committees and it would be proposed to submit routes/projects for financial assistance under all relevant programmes.”

In proposing the motion, Clr Slowey gave the background to this motion to the members . He reiterated its importance to tourism and local people.

Clr McGowan requested that a list of projects be provided and confirmation that East Donegal will be prioritised in the creation of new walkways.

In endorsing the motion Clr M McBride stated that members should be trying to get walks in their areas onto the “Greenway” map.

Clr Alcorn commended Clr Slowey for bringing this motion to the Council. He thanked the Council staff for the work carried out on walkways. He called on the Council to actively continue to develop walks in the County and requested an update on the status of applications for funding for walkways.

Clr N McBride also spoke in support of the motion and called for members, officials and local groups to work together to develop walks and cycle routes in the County.

In supporting the motion Clr G Doherty requested a report on the development of a walkway along the railway line from Lifford through Barnes Gap.

Clr Maire Therese Gallagher advised the meeting that Council officials had already carried out a lot of work in identifying owners of the railway lines. She requested that the plans should be distributed to all members and community groups. She called for power to be given to committees, with assistance from Local Authority, to achieve their goals.

Clr McBrearty commended Clr Slowey for taking the motion to the chamber and called for the Council to lobby for funding at a national level. He suggested that the campaign should be rolled out at a Countywide level.

Clr McGuinness also spoke in support of the motion and commended the Community Groups who had carried out a lot of works in the development of walkways. He felt that the appointment of a dedicated official for this work was warranted.

Clrs Boyle and Ryan also supported this motion.

Mr M Heaney, Director, Community, Culture and Planning, acknowledged all the comments and points raised by members. He agreed that he would revert with an update re East Donegal as requested by Clr McGowan. He advised members that substantial work in the mapping out of these lines had already been carried out by the Planning Service. He confirmed that it would form a central part of the Tourism Work Plan for 2014. He advised members that a new phase of funding would be introduced under Interreg 5 and Leader Programmes in 2015. It was important that the Council was ready to submit applications for funding. A comprehensive programme would be prepared identifying projects, where best to place them, what resources and expertise were required to ensure that a proposal for a project in each Electoral Area could be made.

C/86/14

TAKEOVER OF UN-FINISHED HOUSING ESTATES

On the proposal of Clr Canning , seconded by, Clr McBrearty, it was agreed to take motions no7 and 12 together.

On the proposal of Clr Canning, seconded by Clr McBrearty, the following motion was adopted.

"I would ask that this Council set up a "Travelling Workshop" throughout Inishowen, targeting all the main towns in order to facilitate and inform the public about the Takeover of Housing Estates finished and unfinished."

Members were informed that:-

Since the adoption of the amended Taking in Charge of housing estates policy in July 2013 DCC embarked on an awareness

campaign notifying the public of the new policy through e.g. press releases to local media outlets (press and radio) and the Council's web site.

At present there are 178 applications in hand. These comprise of 124 originally in the system and a further 54 received since advertisement of new policy and the subsequent public information campaign. It is intended to continue to use every means available to ensure that the community is aware of the new scheme and to encourage relevant persons to make application for taking in charge under the new scheme.

The undertaking of a travelling advisory workshop on the taking in charge policy is something that can be considered as part of ongoing efforts to inform and raise awareness in the community.

On the proposal of Clr Quinn, seconded by, Clr Canning, the following motion was adopted.

"That Donegal County Council immediately commences the take-over of all un-finished Estates."

Members were informed that:-

“Significant work has already been undertaken with regard since the resources were applied during mid-2013. The approach being pursued by the Unfinished Housing Development and Taking in Charge teams is to bring about a site resolution for each individual development. Mechanisms to achieve a particular site resolution will be pursued through enforcement action where applicable, as well as through the utilisation of available financial resources, including bonds, and PSI monies. Other sources of funding shall be pursued where appropriate, such as those funds potentially available to, and to be competed for, by local authorities under the recently announced Special Resolution Fund. Only when a satisfactory resolution to an unfinished estate has been achieved will DCC consider taking in charge.

The most efficient mechanisms for processing applications through the statutory procedures, particularly the requirement for public consultation on the taking in charge of roads within developments is currently being considered as there are a number of applications at this stage in the process.

Since the adoption of the policy last August substantial work has been undertaken in relation to the consideration of taking in charge of housing developments.

A comprehensive register for those estates that have submitted a request to be taken in charge has been set up to chart and manage the different actions involved in the overall process for each estate. Housing estates listed in the register have been categorised in terms of their overall finish and there are 178 estates on the register at present.

The Council will continue to deal with applications under the existing legislation. Work is ongoing with regard to the process of S. 180 of the Planning & Development Act and ultimately under S. 11 of the Roads Act. This work is being carried out in parallel to seeking solutions to the issues arising from the range of estates e.g., “unfinished estates” and other estates with legacy issues before their consideration under S. 180. However, with the transfer of water service functions to the new national utility from 1st January 2014, it is expected that the law in relation to the taking in charge of water/wastewater infrastructure will be reviewed to reflect this.”

In proposing his motion, Clr Canning stated that people were not aware of how to go about applying for their estate to be taken over and what they needed to do.

Clr Quinn spoke in support of his motion and advised that he was frustrated at the lack of progress in the take over of estates. He asked for clarity on how Donegal County Council are going to take over unfinished estates and when it will be done.

Clrs Donaghey, Larkin, M McBride, McGuinness, Murray, Ryan, McBrearty and McGowan spoke in support of the motion. Each member expressed their concern at the lack of progress in this matter and the need to set up ways to publicly consult people who were concerned.

Mr M Heaney, Director of Community, Culture and Planning , thanked the members for their contribution. He advised members that since the adoption of the policy by members 124 applications had been received. He welcomed all proposals to enable Donegal

County Council to get their message out to communities about the take over of estates.

He advised that Donegal County Council are examining all ways of remedying this situation and were looking at enforcement, bonds and public safety. He assured members that where funds were available estates that were ready for take over would be taken over. He advised members that the Council were not fully responsible for the delays and that lack of action by Developers was a contributory factor.

Clr Canning and Quinn thanked members for their support and welcomed the response given.

C/87/14

COUNTY MANAGER'S REPORT

Members considered the report circulated during the meeting in relation to the above. An update was provided in respect of the following:-

1. Housing & Corporate Services
 - (a) Housing Adaption Grant Schemes for Older People and People with a Disability.
 - (b) 2014 Local Authority Members' Association (LAMA) Awards
2. Roads and Housing Capital
 - (a) 2014 Non-National Road Grant Allocations
 - (b) 2014 National Roads Allocations
 - (c) Submission to Local Government Management Agency (LGMA) on recent Storm Damage in Donegal
3. Community, Culture & Planning
 - (a) Europe Direct Information Centre
 - (b) Regional Cultural Centre – current exhibitions
 - (c) County Archives Education Pack
4. Report on Potential Acquisition of Lifford and Rockhill Barracks

Clr Larkin requested that no decision would be taken in relation to Lifford and Rockhill Barracks until members had the opportunity to discuss same. Mr Neely, County Manager, assured Clr Larkin that this matter would be discussed in full at the February Council Meeting.

C/88/14 ADJOURNMENT OF THE COUNCIL MEETING

On the proposal of Clr Larkin, seconded by, Clr Alcorn, it was agreed to adjourn the Council meeting until 9.30am on Monday 24th February, 2014.

C/89/14 MOTIONS UNDER URGENT BUSINESS

In accordance with Standing Order 28 the following motion is presented under urgent business:-

“That Donegal County Council call on the HSE to retain the full time Public Health Nurse on Arranmore Island.”

Signed by: Clr Maire Therese Gallagher, Clr Michael O Currin, Clr Seamus O Domhnaill, Clr Gary Doherty, Clr Michael McBride, Clr Frank McBrearty, Clr Paul Canning, Clr Patrick Mc Gowan, Clr Gerry Crawford, Clr Terence Slowey, Clr John Campbell, Clr John Boyle, Clr Martin Harley, Clr Dessie Larkin, Clr Jack Murray, Clr David Alcorn, Clr Pdraig Doherty

In proposing the motion Clr Gallagher advised the members of the background to this motion. She confirmed that the motion was supported by every member of the Council present at the meeting and called on Donegal County Council to contact the HSE to reaffirm that this cut should not be happening.

Clr Alcorn seconded the motion and spoke in favour of it.

On the proposal of Clr Gallagher, seconded by, Clr Alcorn, the motion was agreed and carried with the support of all members present.

In accordance with Section 28 we hereby submit the following motion under urgent business:-

“In light of recent revelations regarding Irish Water, this Council calls on the Government and the Minister for Environment to disband Irish Water and revert back to the Status Quo of the Service being delivered by Local Authorities.”

Signed: Clr Liam Blaney, Clr Dessie Larkin, Clr Paul Canning, Clr Rena Donaghey, Clr Gerry Crawford, Clr David Alcorn, Clr Patrick McGowan, Clr Seamus O Domhnaill, Clr Mick Quinn, Clr Jack Murray, Clr Gary Doherty, Clr Marie Therese Gallagher, Clr

Frank McBrearty, Clr Michael McBride, Clr John Campbell and Clr Sean McEniff

In proposing the motion Clr Blaney advised the members of the background to same. He alleged that neither the general public and promoters of group water schemes knew what was happening. He called for the public to be allowed to have a say in the matter through public consultations.

Clr Brogan, in seconding the motion, queried the manner in which the legislation was passed through the Dail and Senate. He stated that he fully supported the motion to hand the service back to Local Authorities. He proposed that this motion be circulated to all other Councils.

Clr P Doherty opposed the motion. He felt that the take over by Irish Water would result in more investment in infrastructure with better water quality and less leakage.

Clr D Larkin spoke in favour of the motion. He felt that there was no clarity for group schemes or apartment owners/tenants in relation to billing. He stated that Donegal County Council were unable to answer most of the queries raised as they were national issues. He called for a meeting with Irish Water as soon as possible to clarify the situation regarding this and the priority list to 2015.

Clr McBrearty requested that copies of the minutes of the Rural Water Scheme Committee meetings be circulated to members. He stated that the Minister must realise that this Local Authority will hold him to account on this matter.

Clr Crawford sought clarification in relation to the Local Authority staff seconded to Irish Water. He queried whether their contracts were for a specific number of years or if they were opened ended.

A number of other members had indicated their desire to speak on the motion. The Mayor, informing the members that the time had arrived at which the meeting had to close, declared that the meeting stood adjourned to 9.30 am on 24th February, 2014.

This concluded the business of the meeting.

Signed: _____
Mayor

Dated: _____