

COMHAIRLE CHONTAE DHUN NA nGALL

Oifig Riarthóir na
gCruinnithe
Aras an Chontae
LEIFEAR
19 Meán Fomhair, 2014

FOGRA CRUINNITHE

Beidh Cruinniú Comhairle Chontae Dhún na nGall ar siúl Dé hAoine 26 Meán Fomhair, 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 leis 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 September, 2014

NOTICE OF MEETING

A Meeting of Donegal County Council will be held on Friday 26th September, 2014, at **11.00am 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 the Minutes of the July Meeting of Donegal County Council held on the 28th July, 2014.
- b) Confirmation of the Minutes of the Adjourned July Meeting of Donegal County Council held on the 31st July, 2014.

2. Disposal of Land – Section 211 of the 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 lease office accommodation in the Dungloe PSC, Gweedore Road, Dungloe to the Commissioners of Public Works in Ireland.
- 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 lease office accommodation in the Carndonagh Public Services Centre to the Commissioners of Public Works in Ireland.
- 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 lease office accommodation in the Milford Public Centre to the Commissioners of Public Works in Ireland.
- d) Notice under Section 211 of the Planning and Development Act 2000 (as amended) and under Section 183 of the Local Government Act 2001 – to lease office accommodation in Carndonagh Public Services Centre to Teagasc.
- e) Notice under Section 211 of the Planning and Development Act 2000 (as amended) and under Section 183 of the Local Government Act 2001 – to lease office accommodation in the Dungloe Public Services Centre to the Health Service Executive.
- f) 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 Clontyseer, Ballyshannon to Mr James Branley.

- g) 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 land at Moss Road, Churchtown, Carndonagh to the Trustees of Inishowen Rugby Club Carndonagh.

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 construction work for the R235 Castlefin Bridge Approach Road Improvement Scheme so as to improve a section of the R235 in the Townland of Castlefin and Mullanboy, which connects Castlefin and Castlederg.

4. Finance

- a) That Members consider whether they wish to pass a resolution to vary the Local Property Tax in Co Donegal in respect of 2015 by up to 15%.
- b) To resolve to apply to the Minister of the Environment, Community and Local Government to make an order allowing that the adjustment period for the purpose of harmonisation of the Annual Rate of Valuation in respect of the specified area, formerly the Town Council Area of Buncrana, be 12 years.
- c) To agree date for Statutory Budget Meeting.

5. Roads and Transportation

To approve the Machinery Yard Purchase and Plant Reconditioning Proposal 2015 – 2017.

6. Water and Environment

Irish Water – Clarification on Roles and Responsibilities. (Report to be circulated in advance of the Meeting)

7. Corporate

- a) To consider report on proposed amendments to Standing Orders.
- b) To adopt Draft Strategic Policy Committee Scheme 2014-2019.
- c) Filling of the casual vacancy on the Donegal Education and Training Board arising from the resignation of Clr Jack Murray.
- d) To confirm Inishowen Municipal District Nominee to the Donegal Heritage Forum.
- e) To consider request for additional nominees to the Board of Management of Letterkenny Theatre Management Company to consider request for two additional nominees.

- f) To approve the appointment of a third Director to Ballyshannon Leisure Centre Ltd.
- g) To note membership of the Donegal Local Community Development Committee.
- h) To note membership of the Donegal County Council Economic Development Committee.
- i) The Annual Golden Bridges Events held in Boston on the 8th and 9th October, 2014- Council participation.

8. Community and Enterprise

- a) To note update in relation to the Public Area Enhancement Scheme.
- b) To adopt the Draft County Donegal Heritage Plan 2014 – 2019.

9. Endorsement of Minutes

To note the Minutes of Meeting of County Heritage Forum held on the 19th September, 2013.

10. Authorisation of Attendance at Seminar, Training or Event

A.I.L.G. Training Modules:-

Finance - to be held Tuesday 9th September, 2014 at 10.00am in the Nuremore Hotel, Carrickmacross.

Housing - to be held Tuesday 21st October, 2014 in the (Kilmore Hotel) Cavan.

Planning – to be held Tuesday 11th November, 2014 in the Great Northern Hotel Bundoran.

Preliminary Notification

Local Authority Members Autumn Seminar to be held in the Inishowen Gateway Hotel Buncrana, Co Donegal from Friday 17th October to Saturday 18th October, 2014.

11. Conference Reports

Clr John Sheamais O Fearraigh

AILG Induction Training held 17th July, 2014 Sligo.

Clr Terence Slowey

AILG Induction Training held 17th June, 2014 Sligo Park Hotel.

AILG Finance/Budget 2015 Training held on 9th September, 2014, Nuremore Hotel, Carrickmacross.

Clr John O Donnell

AILG Induction Training held 17th June, 2014 Sligo.

Clr John Campbell

AILG Induction Training held 16th June, 2014 Sligo

12.Reception of Deputation

Reception of Deputation from Ireland West Airport Knock (5pm).

13.Cathaoirleach's Business

14.Chief Executive's Monthly Management Report

MOTIONS

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

INISHOWEN ELECTORAL AREA

Planning Control

15.Clr Ryan

"That this Council devise a mechanism within the provision of the existing Development Plan allowing an individual to put forward a viable proposal to bring about a resolution to regularise an unfinished estate without being subject to the full rigours of planning policy and in doing so be given flexible consideration." (C)

16.Clr Canning

"I would ask this Council to hold a Workshop that will include all the planners that are making the decisions on the ground in order to clarify with them that the assurances that we received from the Executive at the time of adoption of the Development Plan are carried out." (C)

Housing and Building

17.Clr McDermott

"To ask the Donegal County Council to give tenants in houses availing of the current SEAI Scheme being implemented by Donegal County Council the option of whether or not to take out their back boilers and to explain the rationality behind taking them out in the first place." (C)

Water and Environment

18.Clr Albert Doherty

"That Donegal County Council demands that representatives of Irish Water (Uisce Eireann) meet immediately with the Elected Members of the Council to brief and inform Councillors of their works

programmes for Donegal and that this Council directs the Irish Water Company to be amenable to the needs of the people of Donegal." (C)

Roads and Transportation

19. **Clr Bernard McGuinness**

"That Donegal County Council take over the following roads:-

Link Road between the LP1041 and the LS5211 at Black Mountain, Malin

Small Loop Road off connecting road off the L5391 and the L53912 at Lower Annaugh, Clonmany

200 metre ext to L11811 at Upper Cloontagh, Clonmany." (L)

LETTERKENNY ELECTORAL AREA

Corporate

20. **Clr Quinn**

"Donegal County Council calls on the Minister for Social Protection Joan Burton, to urgently close the legal loophole which allows the practise of informal insolvency by rogue employers which leaves workers unable to access their statutory entitlements." (O)

Finance and Emergency

21. **Clr McDaid**

"That this Council discusses the weak mobile phone and broad band service in Donegal and that we try to bring pressure on the Minister for Communications to improve this service urgently." (C)

Planning Control

22. **Clr McGarvey**

"To call on Donegal County Council to have a full public enquiry into the development at Aughadahor Beach, Carrigart in view of the fact that all ROWs and Access has been obstructed by the development, privatising a two km stretch of beach." (L)

23. **Clr Shields**

"That this Council adopt a new planning policy in relation to all planning applications in respect of Multi-Unit Developments (as defined by the Multi Unit Developments Act 2009) that (1) it be a pre-condition to commencement of any development of any housing units in any given Multi Unit Development that all roads and services necessary to serve the Multi-Unit Development be first completed to a

standard satisfactory for the Council to take over the roads and services on the basis that upon completion of the roads and services necessary to serve the Multi-Unit Development the Council will (subject to receiving an indemnity covered by a bond from the developer in respect of any damage to those roads and services during completion of the housing units) take over the roads and services prior to commencement of any development of any housing units." (C)

Roads and Transportation

24. Clr O'Donnell

"That Donegal County Council provides an update in relation to their plans to make part-time road workers full-time or provided with yearly contracts, as the current system is unfair to these employees and creates uncertainty in relation to their future with Donegal County Council." (C)

Finance

25. Clr Brogan

"I propose that this Council meet with Minister Joe McHugh and all Oireachtas Members to discuss our investment plans for our County in roads, housing, water, and sewage, tourism and job creation so that Donegal can put its best case forward towards a Stimulus Investment Plan for our county." (O)

Housing and Building

26. Clr McMonagle

"That this Council change its policy criteria on how it evaluates and awards Disability Housing Grants." (C)

DONEGAL ELECTORAL AREA

Roads and Transportation

27. Clr McEniff

"That the Council make it a priority to replace the footpaths at St Benildus Ave Ballyshannon." (L)

STRANORLAR ELECTORAL AREA

Planning Control

28. Clr McBrearty

"I am calling on the Government to establish an independent public inquiry into the flooding at Letterkenny General Hospital and why the new multi million euro extension was built in an area which was prone to flooding." (C)

Roads and Transportation

29. Clr Gary Doherty

"That this Council asks the Irish Government to affirm it's commitment to the A5 project. In particular, it asks that promises of funding be adhered to, so that as soon as the project is given the go ahead the Irish Government will not be the source of any delay." (C)

30. Clr McGowan

"That this Council discuss any future applications to the NRA-Dept for Funding on approach roads to Ballybofey and Stranorlar which have a high accident history." (L)

Housing and Building

31. Clr Liam Doherty

"That this Council condemn the Government for its failure to bring forward a Housing Bill to enable Council Housing Tenants to purchase their dwellings and call on the Government to bring forward a Housing Bill which includes construction of SI Housing and Multi Development Housing to meet the needs of the housing need in Donegal?" (O)

GLENTIES ELECTORAL AREA

Community and Enterprise

32. Clr Mac Giolla Easbuig

"Go ndéanfadh Comhairle Contae Dhún na nGall comhnascadh le Al Berh sa Bhruach Thiar le nascanna sóisialta agus eacnamaíochta a fhorbairt idir an dá áit."

"That Donegal County Council twin with Al Berh in the Westbank to develop economic/social links." (O)

33. Clr O'Domhnaill

"That this Council set up a county-wide Tidy Towns Competition whereby a Gold, Silver and Bronze Award is presented per Electoral Area and the competition judged by Council Staff." (C)

Roads and Transportation

34. Clr Bonner

"That Donegal County Council seeks Grant Aid from Central Government to enable, the Local Improvement Scheme Grants (LIS) and Bóithre Aise Grants to start up again in 2015." (C)

35. Clr M.T. Gallagher

"That this Council do an inspection of the roads along the Wild Atlantic Way in Donegal and compile a document/plan that can be presented to the Department to upgrade the route to an acceptable standard, and also write to the Department to ensure that funding is secured in 2015 to proceed with realignment of the N56 Dungloe to Glenties." (C)

Finance

36. Clr Slowey

"That Donegal County Council supports the abolition of Commercial Rates on Not for Profit Childcare facilities in Donegal." (C)

Water and Environment

37. Clr O Fearraigh

"That this Council condemn Irish Waters decision to delay the Gaoth Dobhair Sewage Scheme which was announced by then Minister Hogan last November, and demand that Irish water give a full update on all proposed Capital Schemes in Donegal and outline a timeline for the construction of these schemes." (L)

QUESTIONS

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

INISHOWEN ELECTORAL AREA

Roads and Transportation

38. Clr Canning

"Can this Council change the speed limit on a county road, if so, how long does it take?" (C)

39. Clr McDermott

"When will work on Lagg Beach, Malin begin as it has been in bad state for 2 years now?" (L)

40. Clr McDermott

"Is there any plans to fit street lights on the footpath on the Clonmany side of Ballyliffin where all the ducting has already been put in place?" (L)

Community and Enterprise

41. Clr Canning

"In relation to all of the viewpoints etc within Donegal that received an allocation as part of the Wild Atlantic Way, has any work or proposals been carried out, if so what are they?" (C)

Housing and Building

42. Clr Albert Doherty

"Profiling Challenges to the Education Sector in Donegal" (Report) Will Donegal County Council ensure that relevant Government Departments and Local Funding Agencies are briefed and urged to take account and act on this report and its recommendations particularly the need for greater "weighting" to be applied in terms of funding allocations to more deprived Local Authority areas?" (Donegal County Council) (O)

43. Clr Albert Doherty

"Has Donegal County Council thoroughly tested and examined its own housing stock to assess and ensure that no buildings are affected by the contaminant known as "Muscovite Mica" and provide assurance to members that this substance is no longer present in concrete blocks currently being produced?" (C)

Water and Environment

44. Clr Bernard McGuinness

"Have Irish Water been informed of the agreement between landowners at Mindoran, Clonmany and Donegal County Council regarding water from Mindoran Lough and as discussed in my motion considered at the November 2013 Council Meeting?" (C)

LETTERKENNY ELECTORAL AREA

Corporate

45. Clr Quinn

"Has Donegal County Council respected the request of all Members who opposed the co-operation with the abusive Gateway Scheme?" (C)

Water and Environment

46. Clr Quinn

"What volume of Gartan Water would be deemed "safe to consume" by a person of average health over period of 6 months?" (L)

47. Clr Brogan

"Has this Council asked Irish Water again to meet with the Elected Members of Donegal County Council to discuss the takeover of all our water services and sewerage plant and can Management outline the current role this Council has in this area now?" (C)

Planning Control

48. Clr McGarvey

"Will our In-House Engineers prepare a plan as a matter of urgency for Public Toilets in Rathmullan in view of the fact these were promised when agreement was reached to remove the old Potato Store?" (L)

Roads and Transportation

49. Clr Brogan

"What is the current status of the Letterkenny to Ramelton Road at Woodlands as its in a very dangerous state now?" (L)

50. Clr Kavanagh

"Can Donegal County Council apply for funding from the Interreg Programme to help fund the Bonagee Link Road Project?" (L)

Community and Enterprise

51. Clr Kavanagh

"Can Donegal County Council commit to continuing the "Heroes and Legends" initiative, held last year as part of the "The Gathering". The event could be organised on an annual or bi-annual basis, and could be a very positive promotion of Sport and Tourism for the County?" (O)

Finance

52. Clr Shields

"Can the Council confirm that it has regularised all tendering procedures and that there are no ongoing issues in relation to breach of Local Government tendering requirements which may be reported upon by Local Government Auditor following completion of his next audit?" (C)

DONEGAL ELECTORAL AREA

Water and Environment

53. Clr McEniff

"Would the Council please find out what proposals are in place and when they intend to deal with the water situation in Balllyshannon as it is destroying dishwashers, washing machines, kettles etc?" (L)

54. Clr Kennedy

"When is the County Council going to propose an end to the untreated water by fish tankers going to the Marine Harvest Salmon Stocks by road from Killybegs Water Treatment Plant as the roads are unfit for these tankers which are in excess of 40 tonnes each and will this involve laying pipes and if so when?" (L)

STRANORLAR ELECTORAL AREA

Roads and Transportation

55. Clr McBrearty

"What road markings have been completed in the Stranorlar MD and how many are left to complete on the program." (L)

56. Clr McBrearty

"Can I have a progress report on what roads have been completed as part of this years road program for the Stranorlar MD and for that report to be broken into the three overseers areas?" (L)

57. Clr Crawford

"Could I be updated on the response of OPW to any recent contacts re flood prevention measures in Raphoe?" (L)

58. Clr McGowan

"Please give details and timeframe for the installation of the new Pedestrian Crossing at Dromore Killygordon?" (L)

59. Clr McGowan

"Please can a Area by Area report be given on Hedge Cutting and Drainage of all our County Roads as was agreed by this Council over a year ago?" (C)

Water and Environment

60. Clr Crawford

"Has contact been made with Irish Water re attendance at meetings of Municipal Districts as their presence would be crucial?" (O)

61. Clr Gary Doherty

"What is the current status as regards funding to fix the abhorrent sewerage problems which exist in Lifford?" (L)

Community and Enterprise

62. Clr Crawford

"Has this Council a co-ordinated policy in relation to the erecting of community alert signs county-wide and state the policy existing?" (C)

Finance and Emergency

63. Clr Gary Doherty

"What is the status of this Council's proposed meeting with Eircom around the issue of rural broadband as approved by Members in March?" (O)

Housing and Building

64. Clr Liam Doherty

"How many SI Houses does this Council own, and of this how many are vacant?" (C)

65. Clr Liam Doherty

"How many Council Housing Applicants are on Council Waiting List in each Municipal District?" (C)

GLENTIES ELECTORAL AREA

Roads and Transportation

66. Clr Mac Giolla Easbuig

“An bhfuil go leor foirne ag Comhairle Contae Dhún na nGall san Ionad Glaonna le déileáil le glaonna as Gaeilge?”

Does DCC have adequate staff in Call Centre to deal with calls as Gaeilge?" (C)

67. Clr Bonner

"What funding is being sought to ensure that improvement works on N56 Road between Kilrairie, Glenties and Dungloe will recommence in 2015?" (L)

Housing and Building

68. Clr O'Domhnaill

"Can this Council allocate more resources to the Housing Section to allow for repair and maintenance works to be carried out on a needs basis to keep our Housing Stock up to an acceptable standard?" (C)

Water and Environment

69. Clr Mac Giolla Easbuig

"Cá huair a bheas insealbhú méadair uisce sa chontae críochnaithe?"

"When will the installation of Water Meters countywide be finished?"
(C)

70. Clr M.T. Gallagher

"Has a date for a meeting with Irish Water and Donegal County Council been secured?" (C)

71. Clr O'Domhnaill

"Can I receive a full rundown on the most up to date position regarding the Falcarragh Sewerage Scheme?" (L)

Community and Enterprise

72. Clr Bonner

"What progress has been made in ensuring that Dungloe Library will be opened on a full time basis?" (L)

73. Clr O'Fearraigh

"Will an allocation from Central Council Budget be provided to Aisteoiri Gaoth Dobhair to re-establish the Theatre which will be the only Theatre to be run through the medium of Irish?" (L)

74. Clr O'Fearraigh

"Does this Council receive an allocation from the OPW for the upkeep of monuments/historical structures?" (C)

75. Clr M.T. Gallagher

"How was the Tourism Fund in Budget 2014 allocated?" (C)

Corporate

76. Clr Slowey

"What Legal Services to this Council have been put out to tender in recent years as per Government requirements?" (C)

77. Clr Slowey

"Will Donegal County Council make the answers to all questions put by Councillors available to all Elected Members and the Media electronically?" (C)

78. **Resolutions for Other Councils/Bodies**

LEITRIM COUNTY COUNCIL

“That Leitrim County Council condemn the actions of Tamboran Resources Ltd who are pre-emptively trying to start fracking/drilling at the Belcoo Acheson/Glover Quarry in Co Fermanagh.”

KERRY COUNTY COUNCIL

“I am calling on the elected members of Kerry County Council to bring an end to all Political Parties holding Church Gate collections in Kerry as currently there are massive sums of money paid directly by the state towards the running of all political parties each year and I object to the pressure and intimidation being put on Mass goers. Collections at Churches should be solely for charities, voluntary and sporting organisations who are financially struggling to survive and are far more deserving.”

KERRY COUNTY COUNCIL

“That this Council rejects the elements of the Housing Miscellaneous Provisions Bill 2014 which would potentially remove up to 70% of those most in need, from our housing list.”

KERRY COUNTY COUNCIL

“That this Council calls on the Minister for Environment to ensure the recent decision on Planning Ref 13/493 does not become a precedent that prevents the development of future playgrounds near residential properties.”

KERRY COUNTY COUNCIL

“Will this Council write to the Gardai asking them to meet to discuss an ongoing problem of constant spinning of tyres in cars on Valentia Island, this is causing great difficulty with residents not being able to sleep at night. The Gardai have been informed on numerous occasions but this is still ongoing.”

SOUTH DUBLIN COUNTY COUNCIL

“That this Council calls on the Minister to introduce as a matter of priority Mandatory Oxygen Saturation screening with the use of Pulse Oximeters in every Maternity Hospital in the State as part of the general postnatal assessment of babies. These Pulse Oximeters already exist in all Maternity Hospitals for use in difficult births. Only seven of the twenty Maternity Hospitals in this State use this system, consequently over half of babies born with a heart defect are discharged without a diagnosis and relevant care. This has resulted in death and lifelong health problems which could have been improved with early diagnosis with the use of this simple and quick test.”

**MINUTES OF SEPTEMBER MEETING OF DONEGAL COUNTY
COUNCIL, HELD IN THE COUNTY HOUSE, LIFFORD ON 26TH
SEPTEMBER, 2014**

C/409/14 **MEMBERS PRESENT**

Cllrs J Campbell (Cathaoirleach), C Brogan, P Canning, T Conaghan, G Crawford, N Crossan, A Doherty, G Doherty, L Doherty, R Donaghey, M Farren, M T Gallagher, M Harley, J Kavanagh, N Kennedy, M C Mac Giolla Easbuig, F McBrearty, J P McDaid, M McDermott, S McEniff, I Mc Garvey, P McGowan, B McGuinness, G McMonagle, J Murray, S O'Domhnaill, J O'Donnell, J S O'Fearraigh, B O'Neill, M Quinn, J Ryan, D Shiels, T Slowey.

C/410/14 **OFFICIALS IN ATTENDANCE**

Mr Seamus Neely, Chief Executive, Mr Liam Ward, Director of Housing, Corporate & Planning Control/ Meetings Administrator, Mr Garry Martin, Head of Finance & Director of Information Systems & Emergency Services, Mr Joe Peoples, A/Director of Water & Environment, Mr Michael Heaney, Director of Community Culture & Planning, Mr Denis Kelly, Senior Executive Planner, Mr Stephen Flynn, A/Director Roads & Transportation, Mr Simon Harron, Executive Planner, Ms Anne Marie Conlon, Communications Officer, Ms Anne Marie Crawford, Staff Officer, Corporate Services.

C/411/14 **APOLOGIES**

Apologies were received from Cllrs Blaney, Bonner, Jordan and Mc Bride who were unable to attend the meeting.

C/412/14 **CONFIRMATION OF MINUTES OF MEETING OF DONEGAL COUNTY COUNCIL HELD ON THE 28TH JULY, 2014**

On the proposal of Clr Farren, seconded by Clr McMonagle the Minutes of the Meeting of Donegal County Council held on the 28th July, 2014 were approved.

C/413/14 **CONFIRMATION OF MINUTES OF ADJOURNED MEETING OF DONEGAL COUNTY COUNCIL HELD ON THE 31ST JULY, 2014**

On the proposal of Clr L Doherty, seconded by Clr Harley the Minutes of the Adjourned Meeting of Donegal County Council held on the 31st July, 2014.

C/414/14 DISPOSAL OF PROPERTY TO LEASE OFFICE
ACCOMMODATION IN THE DUNGLOE PSC

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

On the proposal of Clr Slowey, seconded by, Clr Canning, it was resolved to formally dispose by way of lease office accommodation in the Dungloe PSC, to the Commissioners of Public Works in Ireland 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/415/14 DISPOSAL OF PROPERTY TO LEASE OFFICE
ACCOMMODATION IN THE CARNDONAGH PSC

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

On the proposal of Clr A Doherty, seconded by, Clr McGuinness, it was resolved to formally dispose by way of lease office accommodation in the Carndonagh PSC, to the Commissioners of Public Works in Ireland 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.

Responding to a number of queries raised by Members the Chief Executive advised that consideration had been given to such disposals in the 2014 Budget preparations and that the Corporate Policy Group had reviewed same. Consideration had also been given, he added, to Workforce Planning Arrangements when deciding to proceed with the leases.

C/416/14 DISPOSAL OF PROPERTY TO LEASE OFFICE
ACCOMMODATION IN THE MILFORD PSC

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

On the proposal of Clr McGarvey, seconded by, Clr Kavanagh, it was resolved to formally dispose by way of lease office accommodation in the Milford PSC, to the Commissioners of Public Works in Ireland 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/417/14 DISPOSAL OF PROPERTY TO LEASE OFFICE
ACCOMMODATION IN THE CARNDONAGH PSC
Members considered the report circulated with the agenda, in relation to the above.

On the proposal of Clr A. Doherty, seconded by, Clr McGuinness, it was resolved to formally dispose by way of lease , office accommodation in the Carndonagh PSC, to Teagasc 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/418/14 DISPOSAL OF PROPERTY TO LEASE OFFICE
ACCOMMODATION IN THE DUNGLOE PSC
Members considered the report circulated with the agenda, in relation to the above.

On the proposal of Clr Slowey, seconded by, Clr McDermott, it was resolved to formally dispose by way of lease office accommodation in the Dungloe PSC, to the Health Service Executive 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/419/14 DISPOSAL OF PROPERTY AT CLONTYSEER,
BALLYSHANNON
Members considered the report circulated with the agenda, in relation to the above.

On the proposal of Clr Conaghan, seconded by, Clr Kennedy, it was resolved to formally dispose of property at Clontyseer, Ballyshannon to Mr James Branley 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/420/14 DISPOSAL OF LAND AT MOSS ROAD CHURCHTOWN
CARNDONAGH
Members considered the report circulated with the agenda, in relation to the above.

On the proposal of Clr McGuinness, seconded by, Clr Donaghey, it was resolved to formally dispose of land at Moss Road,

Churchtown, Carndonagh to the Trustees of Inishowen Rugby Club, Carndonagh 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.

Cllr A Doherty cited the need for the lands in question to be made available to other sporting clubs on request.

C/421/14 TAKING OF A DECISION WITH REGARD TO THE CARRYING OUT OF CONSTRUCTION WORK FOR THE R235 CASTLEFIN BRIDGE APPROACH ROAD IMPROVEMENT SCHEME SO AS TO IMPROVE A SECTION OF THE R235 IN THE TOWNLAND OF CASTLEFIN AND MULLANBOY

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

On the proposal, of Cllr McGowan, seconded by Cllr G. Doherty, 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 construction work for the R235 Castlefin Bridge approach road improvement scheme so as to improve a section of the R235 in the townland of Castlefin and Mullanboy, which connects Castlefin and Castlederg.

Members from the Stranorlar Municipal District said that the bridge in question was one of the busiest in Donegal and cited the need to raise awareness of the matter at national level.

C/422/14 VARIATION OF THE LOCAL PROPERTY TAX IN CO DONEGAL IN RESPECT OF 2015

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

Mr Garry Martin, Head of Finance outlined the main aspects of his report advising that there was now provision under Section 20 of the Finance (Local Property Tax) Act 2012 for Members to vary the Local Property Tax in County Donegal in respect of 2015 by up to 15%.

Cllr Quinn proposed, seconded by Cllr Mc Monagle that the Local Property Tax in Donegal be reduced by 15% and that strong

representation be made to National Government to provide fair and equitable funding for the County.

A number of Members however were of the opinion that such a decision warranted further clarification together with a guarantee that current service levels would not be affected.

The Chief Executive alluded to his report and drew Members attention to the estimated income and expenditure figures for 2014/15, together with the financial effects of varying the rate. He referred specifically to the desire of the Council to work with the Tourism Industry and to provide funding to aid the Industry in continuing its growth. Reduced income levels would, he noted, impact severely on such activities. A 15% reduction in the LPT would, he confirmed, mean that the Council would have €1.65 million less income at its disposal in 2015. It was expected, he said, that Donegal County Council would end the year with minimal variation in its own revenue deficit, thus demonstrating that decisions taken during the 2014 Budget had been correct.

He reminded Members that there had been agreement to defer payment of €1.6 million in loans in 2014. There was a limit, he said, as to how far this measure could be extended. €2.1 million had, it was noted, been taken from the Capital Reserve Accounts in 2014 to help balance the Revenue Account.

It was imperative, he said, that cognisance was taken of these adjustments together with the fact that a 15% reduction would result in €1.6 million less being available in 2015.

Members were informed that a reduction in income would have implications for potential recruitment approvals, and forward planning initiatives requiring funding. It was noted that there would be an impact also on discretionary roads funding, the operation of the Members Development Fund and various tourism projects/promotion initiatives across the County.

Cllr Crossan proposed, seconded by Cllr Kennedy that the Local Property Tax in Donegal should not be varied for 2015.

A lengthy debate ensued during which Members raised the following issues:-

- That the LPT was not a fair tax and should be based on a person's ability to pay.
- Donegal in a unique position in terms of its high level of unemployment and income deficit. Noted that Donegal was not on a level playing field as a result of decades of under funding.
- Greater weighting needed to be applied to Donegal given its disadvantaged status.
- Outlined need to seek additional capital investment and strongest possible representation sent to the Minister to ensure that Donegal receives its fair share of funding.
- Reduction in the rate may necessitate laying off temporary workers.
- Call for Senior Management to spell out where services could be cut.
- Suggested that Donegal should not vote on the matter and instead ask central government to provide monies for service provision.
- Concern expressed that there was no provision for persons to go before a court and explain why they could not pay the property tax. Highlighted lack of concessions/discount for vulnerable citizens.
- Contention that Members by voting were legitimising the tax and that there was no necessity to carry out a vote according to the legislation.
- LPT could only work if there was a mechanism for fair funding at central government level.
- Query as to what has happened to the monies collected in respect of the Household Charge?

C/423/14 ADJOURNMENT FOR LUNCH

On the proposal of Cllr Mc Brearty, seconded by Cllr G Doherty it was resolved to adjourn the meeting for lunch.

C/424/14 VARIATION OF THE LOCAL PROPERTY TAX IN CO
DONEGAL IN RESPECT OF 2015 CONTINUED

On resumption a number of Members commended the Chief Executive regarding decisions taken during Budget 2014. They noted that despite the negativity Donegal was moving in the right direction.

The Chief Executive responding to a query on the outcome of the discussions with the Department regarding additional funds, said that, as far as he was aware there was no prospect of getting further monies at this juncture. He outlined the need to retain some capacity for ring fencing monies with regard to projects progressed by the Members so as to make best use of all capital resources.

The Meetings Administrator confirmed that the proposal by Cllr Crossan, seconded by Cllr Kennedy to proceed with Option (b) and not vary the basic rate would be taken first.

Clr Brogan proposed, seconded by Cllr Mc Eniff that this be taken by recorded vote.

A recorded vote taken by the Meetings Administrator resulted in 20 voting for, 9 voting against with 3 abstentions.

Those voting in favour included

Cllrs Brogan, Canning, Conaghan, Crawford, Crossan, Donaghey, Farren, Harley, Kavanagh, Kennedy, Mc Daid, Mc Dermott, Mc Eniff, Mc Garvey, McGowan, Mc Guinness, O' Domhnaill, O' Neill, Ryan and Slowey. (20)

Those voting against included:-

Cllrs A Doherty, G Doherty, L Doherty, Gallagher, Mc Brearty, Mc Monagle, Murray, O' Fearraigh, and Quinn. (9)

Cllrs Campbell, Mac Giolla Easbuig and Shiels abstained.

Thus the resolution moved by Cllr Quinn and seconded by Cllr Mc Monagle to reduce the Local Property Tax by 15% fell.

Thus it was resolved in accordance with Section 20 of the Finance (Local Property Tax) Act 2012, as amended, that the Local Property Tax in County Donegal should be retained at the basic rate for the period of one year in respect of relevant residential properties situated in the administrative area of Donegal County Council.

C/425/14

MAKING OF AN ORDER FOR THE ADJUSTMENT PERIOD FOR THE PURPOSE OF HARMONISATION OF THE ANNUAL RATE OF VALUATION IN RESPECT OF THE SPECIFIED

AREA FORMERLY THE TOWN COUNCIL AREA OF
BUNCRANA BE 12 YEARS

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

The Head of Finance advised that in accordance with Circular Fin 06/2014 they were now obliged to consider whether or not to approve a twelve year adjustment period for the harmonisation of the Annual Rate of Valuation in respect of the former Town Council Area of Buncrana.

Cllr Crossan said that it was imperative that the rate in Buncrana remained at the current level.

The Chief Executive advised that there was an obligation on the Authority to achieve harmonisation and that the Council would take a decision annually on the Annual Rate of Valuation and the amount of Base Year Adjustment to be applied. He informed the meeting that a failure to adopt the resolution would result in equalisation having to be achieved in a relatively short timeframe. If passed, he added, it would most likely see the revaluation process through.

Cllr Ryan advised that it was a common misconception that the rates in Buncrana were lower than elsewhere. The multiplier, he said, was lower, but the valuations were higher.

Mr Garry Martin, Head of Finance responding to queries as to when the revaluation process would be completed nationally, affirmed that the Rates Amendment Bill was likely to go through the Seanad at the end of the year thus providing accelerated capacity for valuations. The proposal before the Members today, he added, was the best option for all concerned.

The Chief Executive responding to issues raised by Cllr Crossan affirmed that that rate payers in Buncrana would not be penalised as a result of the recommendation before Council and that there was an option to deal with the matter on an annual basis.

On the proposal of Cllr Donaghey, seconded by Cllr Gallagher it was resolved under Section (29)8 of the Local Government Reform Act 2014, to request the Minister to make an order that the adjustment period applicable to the specified area of Buncrana, be

greater than 10 years and that an extension be approved also for a further 2 years beyond this 10 year period.

C/426/14 TO AGREE DATE FOR STATUTORY BUDGET MEETING
After some debate it was resolved on the proposal of Clr Murray seconded by Clr O'Neill to hold the Statutory Budget Meeting on Tuesday 18th November, 2014 at 10.00 am.

Cllr Brogan outlined the need to focus on basic service delivery and asked that Members be supplied with a list of all Council assets including the proposals for dealing with same prior to the Budget Meeting taking place.

It was further resolved to hold a Budget Workshop on Tuesday 4th November, 2014.

C/427/14 APPROVAL OF THE MACHINERY YARD PURCHASE AND PLANT RECONDITIONING PROPOSAL 2015 – 2017

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

There was some concern that no provision had been made for the upgrade of basic equipment in the Stranorlar area.

Responding to a number of queries raised by Members the Acting Director of Roads & Transportation, Mr Stephen Flynn confirmed that the Machinery Yard had its own Deprecation Account and that there was a long term system of funding in operation which was self generating. Some costs, he noted, were recoverable from the NRA, most specifically those relating to Brine Salters and Brine Storage Vats.

He agreed to follow up in relation issues raised by Cllr Crawford regarding the Stranorlar area.

It was acknowledged that the market for the hire of this type of plant was limited and therefore not a viable option.

The items listed, it was noted, were larger plant and that individual areas had the capacity to hire in smaller items.

Mr Flynn confirmed also that certain adaptations would have to be made to the current fleet once the new equipment was procured but that this was standard procedure.

On the proposal of Clr Brogan, seconded by Clr Canning the Machinery Yard Purchase and Plant Reconditioning Proposal 2015 – 2017 was approved.

C/428/14 NOTING UPDATE IN RELATION TO THE PUBLIC AREA ENHANCEMENT SCHEME

Members noted the update in relation to the Public Area Enhancement Scheme.

C/429/14 ADOPTION OF THE DRAFT COUNTY DONEGAL HERITAGE PLAN 2014 – 2019

On the proposal of Clr Canning, seconded by Clr Gallagher the Draft County Donegal Heritage Plan 2014 – 2019 was adopted.

C/430/14 CIRCULATION OF REPORT ON CLARIFICATIONS ON ROLES AND RESPONSIBILITIES OF IRISH WATER

Members considered the report from the Director of Water & Environment dated 23rd September, 2014.

They expressed grave concern that the Executive were no longer authorised to provide responses to questions and motions that were now within the remit of Irish Water.

The Cathaoirleach responding to a number of requests confirmed that sufficient time would be devoted to the consideration of the matter.

A number of issues were raised including:-

- Lack of accountability surrounding a number of issues and the need for Irish Water to address ongoing issues for the people on the ground.
- Further clarity sought in relation to the operation and takeover of Group Water Schemes, with clarification needed also in relation to the payment of water charges for those participating in GWS
- Councillors left in the dark regarding Irish Water and grave concern expressed that the body in question had ignored consistent requests to meet and discuss issues of mutual interest.
- Outlined need for a framework to be put in place to ensure regular contact with Irish Water and an effective mechanism to deal with Member's representations.
- Concern as to whether Irish Water could pass on information to third parties outside the EU Economic zone.
- Whether Irish Water will expect consumers to pay for inadequate services.

- Suggested that the sole intent of Irish Water was to make a profit with little consideration for those struggling to make ends meet.
- General agreement that the transition to Irish Water had not been handled well.
- Noted that Northern Ireland Water had been operating in the North of Ireland for the last 7 years and that there had been few challenges to its overall operating mechanism.
- The Members role as public representatives had been diminished by the whole transfer process.

Cllr Crossan took the Chair for a brief period at this juncture.

Cllr Quinn proposed, seconded by Cllr Brogan that correspondence be forwarded to the Minister for the Environment, Mr Alan Kelly, T.D highlighting the difficulties being experienced by the Elected Members in obtaining information from Irish Water and also the fact that repeated requests to meet with the Utility Company had been met with little or no response.

Cllr Shiels referring to the Service Level Agreement alluded to the fact that nothing had changed and that the Council were still providing services on the ground. He outlined the need for clarity, and a mechanism put in place for dealing with Members representations.

Cllr Mc Gowan suggested that there be no further collaboration between Irish Water and Donegal County Council until such time as the request for a meeting had been attended to.

The Director of Water and Environment acknowledged that the transition process had been largely confusing for the general public. The Executive, he added, had taken the view that the status quo should be maintained particularly during the final term of the last Council. It was prudent, he said, at this stage to provide some clarity as a number of water related issues had been included under Motions and Questions in the current agenda. A wide range of issues particularly in relation to Charges, related exemptions, project development and minor capital works and the discretionary maintenance programme all now fell to be decided by Irish Water and not the Local Authority or Local Government Sector.

There was, he acknowledged, no problem with Members putting in a motion in relation to sewerage schemes etc but the Executive

were now no longer in a position to provide a response. Specific policy approaches, he said, were now the responsibility of Irish Water.

With regard to Group Water Schemes, it was noted, that original schemes served and maintained by the Council would be serviced and maintained by Donegal County Council under the Service Level Agreement.

He said he was hopeful that Group Schemes would be metered on an individual basis where the supply originated from a public source. Charging proposals, he confirmed, were now a matter for Irish Water. An assessed charge, he said, would be applied to the first bill for GWS consumers and that when meters were installed and consumption measured, there would hopefully be an opportunity for compensation.

Responding to concerns raised in relation to effluent discharge from Unfinished Estates, he said, he was confident that there would be positive investment to deal with non-functioning Treatment Plants.

Members were informed that contact had been made with the Managing Director of Irish Water regarding issues raised at the recent workshop and the request to meet with Donegal County Council.

There were calls also for details in relation to the new Pilot Scheme to be circulated to Members.

Cllr Brogan proposed, seconded by Cllr Mc Garvey that Member's concerns be relayed directly to Irish Water and that they be asked to confirm whether they intended to meet with the Council separately to advise on the transformation of the water industry.

C/431/14 ADJOURNMENT OF MEETING

On the proposal of Cllr Brogan, seconded by Cllr Eniff it was resolved to adjourn the meeting to 11am on Monday 29th September, 2014.

C/432/14 RECEPTION OF DEPUTATION FROM IRELAND WEST
AIRPORT KNOCK

Members welcomed Mr Joseph Gilmore, Managing Director, , and Mr Brian Mc Eniff, Trustee and Director, Ireland West Airport, Knock.

Mr Gilmore provided a comprehensive overview of the airport background, ownership structure and current operational status. It was, he said, a hub for regional economic growth in the West, North West and Midlands Regions providing international air connectivity and stimulating tourism, enterprise and job creation. It was noted that passenger growth had reached the 700,000 mark in 2014. with targeted growth for the period 2015-2023 expected to be in the region of 1.3m passengers.

He advised that the airport currently served 25 international destinations and that by 2023 the route network would service at least 37 such destinations. The airport location, he added, was a key selling point and ideally situated for tourists who wished to visit Donegal. Overseas promotions undertaken to date had also served to promote the West of Ireland with Donegal benefitting also.

The airport, he contended, was a key transport hub for the Donegal area, noting that in 2013 11% of overseas visitors coming into the airport had visited the County.

Ireland West Airport it was noted acknowledged had a key role to play in the future development of Donegal through:-

- Strategic development.
- Improved business and leisure connectivity.
- Growth in international inbound tourism.
- Doubling of bed nights and associated revenue.
- Increased economic revenue and spin off enterprises.

Mr Gilmore alluded to the Government commissioned report on Airport Growth which concluded that significant regional benefits would be generated from the growing airport business in the 10 year period up to 2023. This, he said, recommended that investment was sourced from Regional Authorities. Thus, he confirmed, that Ireland West Airport was seeking agreement in principle from Donegal County Council together with 6 other Local Authorities to

enter into investment proposals so as to assist in the delivery of this objective.

Concluding the presentation he outlined the benefits of such investment for Donegal. These included,

1. The doubling of overseas visitors to the region.
2. The doubling of tourism revenue through Ireland West.
3. Major increase in bed nights in Donegal to over 50,000 annually.

Members acknowledged the detailed and informative presentation noting that it was an issue that could be examined further at budget time. They outlined also the need for Failte Ireland and Donegal Tourism to be involved. The prospect of increased international inbound flights was also warmly welcomed.

Cllr A Doherty said he was unsure as to how this might benefit the Inishowen region, as in his opinion, the Inishowen area would be unlikely to benefit in any significant terms as its natural hinterland was serviced by Derry City Airport. He said he would like to see extensive marketing of the northern coastal counties backed by both Governments.

Cllr Mac Giolla Easbuig expressed concern that the proposal could have implications for the future development of Donegal Airport.

Mr Gilmore responded to a number of queries on the viability of international flights/ US bound flights in particular. He advised that there were plans to operate flights 2 or 3 times per week to an east coast destination by 2016 at the latest. With regard to the overall return on investment for each County, this, he confirmed, would be proportional to the initial investment and show a corresponding increase in bed nights.

The Airport, he said, would work with Failte Ireland and all Inter County Tourism Authorities to market Ireland West Airport Knock as the key access point for the Wild Atlantic Way.

Mr Brian Mc Eniff, Director Knock International Airport concluding the presentation outlined the need to create a Tourism Triangle encompassing Knock, Donegal Derry and Belfast thus

creating a network similar to that which has been operating in the Dublin/Galway/ Cork Regions for the last 40 years or so.

The Cathaoirleach thanked Mr Gilmore and Mr Mc Eniff for the excellent presentation.

C/433/14 MOTIONS AND QUESTIONS

The Meetings Administrator informed Members that the replies to questions and motions would be distributed at the Adjourned Meeting on the 29th September.