

**COMHAIRLE CHONTAE DHUN NA nGALL**

Oifig Riarthóir na  
gCruinnithe  
Aras an Chontae  
LEIFEAR  
23 Eanáir, 2018

**FOGRA CRUINNITHE**

Beidh Cruinniú Comhairle Chontae Dhún na nGall ar siúl Dé Luain 29 Eanáir, 2018, 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 Phríomh-Fheidhmeannaigh le feiceáil ag an gcruinniú.

Mise, le meas

**Seosamh O’Piobla  
Riarthóir Cruinnithe**

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**DONEGAL COUNTY COUNCIL**

Office of Meetings Administrator  
County House  
Lifford  
23<sup>rd</sup> January 2018

**NOTICE OF MEETING**

A Meeting of Donegal County Council will be held on Monday 29<sup>th</sup> January 2018, 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 Chief Executive’s Orders will be available for inspection at the meeting.

**Yours sincerely**

**Joe Peoples  
Meetings Administrator**

# AGENDA

## **1. Confirmation of Minutes**

- a) Confirmation of the Minutes of the Budget Meeting of Donegal County Council held 20<sup>th</sup> November 2017.
- b) Confirmation of the Minutes of November Meeting of Donegal County Council held on the 27<sup>th</sup> November, 2017.
- c) Confirmation of the Minutes of the Adjourned Budget Meeting of Donegal County Council held on the 1<sup>st</sup> December, 2017.
- d) Confirmation of the Minutes of the Adjourned November Meeting of Donegal County Council held on the 13<sup>th</sup> December, 2017.

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

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 by way of lease office space to Pobal in Letterkenny Public Services Centre, Neil T Blaney Road, Letterkenny.

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

To approve the carrying out of improvement works at the Machinery Yard Site, Lifford to include the construction of 2 No. new lightweight sheds, an additional bay to the workshop, an industrial sized wash bay, a pumping station, improving the yards security and demolition of an existing derelict shed and wall at the Roughan, Lifford, F93 RC53 in the Stranorlar MD.

## **4. Corporate & Cultural Services**

- a. To fill Casual Vacancy on Strengthening Families Programme Advisory Board - NW Alcohol Forum.
- b. To consider authorisation of Council representation at the St Patrick's Day Events in the USA.
- c. To note obligations on Members under the Local Elections (Disclosure of Donations & Expenditure) Act, 1999 as amended, to submit a Donation Statement by 31<sup>st</sup> January, 2018.
- d. To note obligations on Members (Part 15) Local Government Act, 2001 Ethics Framework to submit declaration of interest by the 28<sup>th</sup> February, 2018.
- e. To approve the strategic priorities and actions in the Draft Donegal – Culture and Creativity Strategy 2018 – 2022.

**5. Roads & Transportation**

Request for approval to raise a loan for public lighting improvements.

**6. Endorsement of Minutes**

To note the Minutes of the Corporate Policy Group Meeting held on the 18<sup>th</sup> September, 2017

**7. Attendance at Conference, Seminar 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 or 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, and the Local Government (Expenses of Local Authority Members) Regulations, 2014.

**Training**

AILG Training Programme for Elected Members – February to June 2018.

**Conferences**

- Celtic Conferences – EU Cohesion Policy 2014 – 2020 to be held from Friday 2<sup>nd</sup> to Sunday 4<sup>th</sup> February 2018 at the Four Seasons Hotel, Carlingford, Co Louth.
- Responding to Brexit – risks, opportunities and priorities for policy to be held Thursday 8<sup>th</sup> February, 2018 Central Dublin.
- 29<sup>th</sup> Colmcille Winter School, Housing Provision in Ireland to be held Friday 23<sup>rd</sup> and Saturday 24<sup>th</sup> February 2018 in the Colmcille Heritage Centre, Gartan, Churchill, Co Donegal.

**Conferences Abroad**

Meeting of the CPMR Political Bureau in Patras (Greece) from Wednesday 7<sup>th</sup> to Friday 9<sup>th</sup> March, 2018.

**8. Conference Reports**

- a) Clr Noel Jordan – Golden Bridges held Friday 17<sup>th</sup> November, 2017 at the Seaport Hotel, Boston.
- b) Clr Gerry McMonagle – Elected Members Training Seminar on Local Authorities and Regional Assemblies Managing Executive Governance on Friday 15<sup>th</sup> and Saturday 16<sup>th</sup> December, 2017 at the Connaught Hotel, Galway.

**9. Request for Deputation**

To consider request from the Irish Farmers Association in relation to the provision of Greenways and the implementation of same.

**MOTIONS**

**INISHOWEN MUNICIPAL DISTRICT**

**Planning**

**10. Cllr Paul Canning**

"Taking on board recent information from An Bord Pleanála in relation to large housing development proposals stating that 900 applications have already received a negative decision due to close proximity to flood plains, I would ask this council to put pressure on CFRAM to deliver their mapping system sooner rather than later in order to inform the Forward Planners prior to adoption of the Development Plan."

**Water and Environment**

**11. Cllr Albert Doherty**

"That Donegal County Council lead, work effectively with Tidy Town Committees, Community and Voluntary groups and property owners to resolve and redress identified and noted " derelict site issues" in the county. The pending 2018 Tourism season, Tidy Town Competition and world wide publicity opportunity presented by Ballyliffin and Donegal hosting of the "Dubai Duty Free Irish Open" necessitates early essential progress with the process."

**Community & Enterprise**

**12. Cllr Jack Murray**

"That Donegal County Council recognises the potential that the "Gathering at Scalp" project has in terms of county-wide tourism benefits, acknowledged that, as the largest public art piece in Ireland, it will be known across Ireland and commits to following Derry City & Strabane District Council in giving our full support to the initiative."

**LETTERKENNY MUNICIPAL DISTRICT**

**Roads and Transportation**

**13. Cllr Ciaran Brogan**

"I propose that Council call on the Government to re establish the specific roads improvement scheme funding for regional roads (formerly EU/Co Finance Scheme) and that this Council review our

allocation within the county to accommodate roads networks that incur huge traffic volumes and are deteriorating due to lack of funding."

14. Cllr Liam Blaney

"That any roads in this County that are damaged by any organisation (e.g. Irish Water, Eircom etc) are fully reinstated at no cost to this Council."

**Housing and Building**

15. Cllr Adrian Glackin

"I ask that this Council calls on the Housing Minister to increase the income threshold for housing applicants, and we also call on the Minister to introduce a more people friendly Council Mortgage scheme for people wishing to buy their homes."

**Corporate**

16. Cllr Michael McBride

"That Donegal County Council would ask Minister Donohoe to consider the implementation of a preferential tax rate for medical consultants in order to attract suitable personnel for posts, in light of the lengthy waiting lists in the health service."

17. Cllr Ian McGarvey

"That this Council request the Minister for Health to attend a meeting of the Council to address the ongoing unsatisfactory provision of Health Services to the people of Donegal."

DONEGAL MUNICIPAL DISTRICT

**Roads and Transportation**

18. Cllr Noel Jordan

"I am asking this Council to write to the Department to fast track the necessary funding to repair the flood damage in the county."

**Finance**

19. Cllr Niamh Kennedy

"For this Council to carry out a pilot scheme to incentivise premises owners on main streets in Towns and Villages in the County to reopen their buildings for local businesses to regenerate the town centres."

20. Cllr Barry O'Neill

That this Council discuss the Fire Station Capital Programme and the immediate requirements going forward.

### **Corporate**

#### 21. Cllr John Campbell

"This council calls on the executive to review and amend the current procedures used for processing freedom of information requests to more closely align with departmental best practice guidance such as their model publication scheme guidance."

### **STRANORLAR MUNICIPAL DISTRICT**

### **Roads and Transportation**

#### 22. Cllr Gerry Crawford

"That this Council debate the powers available to it in relation to the maintenance of water tables and the prevention of run off water flooding roads."

#### 23. Cllr Patrick McGowan

"That the Council carry out a survey of tier two town storm drainage systems with a view to planning for fluvial flooding and applying for funding."

### **Corporate**

#### 24. Cllr Gary Doherty

"That Donegal County Council calls on the Minister for Health to immediately invest the necessary funding to open the 19-bed short stay ward in order to alleviate the on-going trolley crisis in Letterkenny University Hospital."

### **GLENTIES MUNICIPAL DISTRICT**

### **Water and Environment**

#### 25. Cllr Seamus O'Domhnaill

"That this Council provide paper/cardboard recycling facilities at the Bring Bank sites across the County."

### **Planning & Economic Development**

#### 26. Cllr Marie Therese Gallagher

"Considering that the Glenties Municipal District is classed as the most deprived rural area in the Pobal Deprivation index, That this Council in partnership with Roinn na Gaeltachta establish an emergency deprivation task-force for the Donegal Gaeltacht. This task-force should include (but not exclusive to) representatives from

- Department of Rural and Community Development
- Roinn na Gaeltachta
- Department of Agriculture and Marine

- National Transport Authority
- Udaras na Gaeltachta
- Health Service Executive
- Primary, Secondary and third level educators
- Donegal County Council."

### **Roads & Transportation**

#### **27. Cllr Micheál Cholm Mc Giolla Easbuig**

"Go n-iarrann an Chomhairle seo go ndéanfar innealra breise griotála a cheannach chun cuidiú linn clár griotála an gheimhridh a leathnú amach de réir mar atá luaite agus iarrtha ag Comhairleoirí Contae in achan cheann de na ceantracha bardais".

"This Council calls for additional gritting machinery to be procured to allow for the expansion of the winter gritting programme in line with the demands highlighted by Councillors in all Municipal Districts".

#### **28. Cathaoirleach's Business**

#### **29. Chief Executive's Monthly Management Report**

### **QUESTIONS**

#### **INISHOWEN MUNICIPAL DISTRICT**

### **Housing**

#### **30. Cllr Albert Doherty**

"What was the number of recipients and the total amount paid by Donegal County Council annually to private landlords under RAS in the period 2013 - 2017?"

#### **31. Cllr Jack Murray**

"How many council houses do Donegal County Council intend to build or acquire this year?"

### **Roads and Transportation**

#### **32. Cllr Albert Doherty**

"What was the number of bridges on the local and regional road network inspected by the Council and deemed to warrant early and necessary repair following the August 22nd deluge, what was the number in each Municipal district, have repairs necessary been costed and additional government financial assistance been sought by the

council from relevant departments to complete bridges repair programme?"

### **Planning**

33. Cllr Jack Murray

"Does Donegal County Council plan to have planners available to the public more often, that is on a weekly basis?"

## **LETTERKENNY MUNICIPAL DISTRICT**

### **Corporate**

34. Cllr Ciaran Brogan

Can I have clarification on the process this Council has in place for Irish Water to reinstate council roads after replacing piping networks and are these monies allocated directly to roads?"

35. Cllr Ciaran Brogan

"Can this Council outline the Ten-T projects including the current stage and timeframe and clarify if any CPO is being pursued this year on any of these proposals?"

### **Water and Environment**

36. Cllr Ian McGarvey

"Will Irish Water make a statement that our Public Water supply is safe to use and drink, and if not what issues need to be addressed?"

### **Planning**

37. Cllr Ian McGarvey

"Can I have details of arrangements that the Planning Service has in place to monitor compliance with planning legislation"?

## **DONEGAL MUNICIPAL DISTRICT**

### **Corporate**

38. Cllr John Campbell

To ask the executive to provide a table or graphic to indicate the following information:

- 1) Parts of our functional area that currently have a resolution in force adopting Part III of the Gaming and Lotteries Act 1956.
- 2) Parts of our functional area that currently do not have a resolution in force adopting Part III of the Gaming and Lotteries Act 1956.
- 3) The dates such resolutions were adopted for each discrete part.



### **Emergency Services**

39. Cllr Barry O'Neill

"What is the up-to-date position in relation to the independent Consultant that was employed by Donegal County Council to assess the need for new Fire Stations at Ballyshannon and Bundoran?"

### **Roads & Transportation**

40. Cllr John Campbell

"To ask the Director of Roads, in relation to the ongoing LIS, can he outline the interpretation of the criteria set out in the 2002 memo used to determine eligibility, specifically the process applied by his staff to verify compliance with such criteria and the process by which such verifications/determinations were crosschecked and signed off.(including the grade of officers or staff involved in the work)"

## **STRANORLAR MUNICIPAL DISTRICT**

### **Housing**

41. Cllr Gerry Crawford

"How many houses were built bought or inspected and approved under the HAP Scheme in 2017 by this Council?"

42. Cllr Patrick McGowan

"How many applications has the Council received under the Repair and Leasing Scheme introduced in February 2017 and please give details on how the Council views the scheme?"

### **Corporate**

43. Cllr Gerry Crawford

"With the upcoming new general data protection regulations in May. What changes if any will this bring in relation to the retention of scanned documentation after the applicant receives social housing, or is no longer eligible, or fails to respond to a housing needs assessment?"

### **Water and Environment**

44. Cllr Liam Doherty

"Could I get a list of the chemicals that are used in the treatment of the county's water supply?"

### **Planning Control**

45. Cllr Patrick McGowan

"Can the Council outline any policies or plans to tackle derelict or run down buildings in our towns and give a progress report on same?"

### GLENTIES MUNICIPAL DISTRICT

#### *Housing and Building*

46. Cllr Marie Therese Gallagher

"Could I receive a copy of the proposed housing capital projects?"

#### *Roads and Transportation*

47. Cllr Marie Therese Gallagher

"Has this Council had any engagement with the OPW to establish a river-cleaning programme?"

### 48. Motions from Other Councils/Bodies

#### CLARE COUNTY COUNCIL

"That Clare County Council requests the Minister for Agriculture to put a plan in place to help Clare farmers through an imminent fodder crisis next year."

#### CARLOW COUNTY COUNCIL

"That Carlow County Council calls on the Minister for Agriculture, Food and the Marine to produce adequate information to ensure ease of access and understanding of complex requirements for persons with disabilities, who are required to comply with European and national certification and guidelines, particularly in the agricultural sector. The Minister is called upon to address and if need arise, legislate for the ongoing issues involving persons with disabilities in the interest of equality and paying particular attention to literacy issues among farmers, to also put in place services and facilities in recognition of the many farmers and members of rural Ireland who have difficulty getting the appropriate certification to carry out day to day agricultural activity, in particular, this council asks the Minister to consider the case concerning Edward "Ned" Deering who recently went before the European Parliaments committee of petitions where the case remains open. Finally, this Council calls on the Minister to recognise that the role of 'access officers' within the department are not fit for purpose."

#### GALWAY CITY COUNCIL

"That Galway City Council write to the Department of the Environment and request that they prepare legislation regarding the disposal of paint under the Producer Responsibility Initiative similar to the WEE Scheme where paint would be brought back to the suppliers and disposed of by the paint companies."

### CLARE COUNTY COUNCIL

“That Clare County Council call on the Minister for Social Protection to reverse the unfair and discriminatory policy of penalising home makers that took some time out to care for their family prior to 1994 and to address the Austerity measure that penalised approximately 35,000 people, mainly women, that was brought in by the Government on 6th April 2012 concerning Contributory Pension Entitlements and if the motion is agreed that the request be sent to the Minister and also circulated to all other Councils”.

### WEXFORD COUNTY COUNCIL

“That this Council resolves that the guidance issued by the Data Protection Commissioners should not supercede the public interest role of Councillors both to oversee the allocation of houses and to provide input based on local knowledge to assist in the allocation of housing and that a draft protocol to balance these competing interests be brought forward.”

### WATERFORD CITY AND COUNTY COUNCIL

“In consideration and recognition of the brave women and men in the emergency services who put their lives at risk to save others, who again were not found wanting during the recent extreme weather conditions, and whose lives were put at unnecessary risk by individuals who entered the sea during the status Red weather alert, this Council calls on the Government to introduce legislation as quickly as possible, to make it an offence for a person or persons to enter the water, that being the sea or river, during a status red weather warning. To also make it an offence to enter the water, that being the sea or river, when the area has been closed by either the local council or the Gardai as a matter of public safety.”

### TIPPERARY COUNTY COUNCIL

“We call on the Minister for Environment to amend the legislation with regard to collection of waste so as to allow small operators to provide a service to those who live in remote areas, areas where large vehicles cannot access or where householders have very limited amounts of waste and lack storage space for bins. Such small operators should be permitted to meet requirements in relation to pay by weight, by weighing their loads at the point of disposal. This would facilitate householders, allow the small operators to continue in business and also reduce the likelihood of illegal dumping of waste.”

**MINUTES OF JANUARY MEETING OF DONEGAL COUNTY COUNCIL,  
HELD IN THE COUNTY HOUSE, LIFFORD ON 29<sup>TH</sup> JANUARY, 2018**

**C/01/18**      MEMBERS PRESENT

Cllrs G Mc Monagle (Cathaoirleach), L Blaney, E Bonner, C Brogan, J Campbell, P Canning, T Conaghan, G Crawford, N. Crossan, A Doherty, G Doherty, L Doherty, R Donaghey, M Farren, M. T. Gallagher, A Glackin, M Harley, N Jordan, J Kavanagh, N Kennedy, M C Mac Giolla Easbuig, M Mc Bride, J P Mc Daid, M McDermott, I Mc Garvey, P McGowan, B McGuinness, J Murray, M Naughton, S O' Domhnaill, J O'Donnell, J S O'Ferraigh, B O'Neill, J Ryan, & T Slowey.

**C/02/18**      OFFICIALS IN ATTENDANCE

Seamus Neely, Chief Executive, Joe Peoples, Director of Housing, Corporate and Cultural Services / Meetings Administrator, John McLaughlin, Director of Roads & Transportation, Liam Ward, Director of Community, Enterprise & Planning Services, Michael Mc Garvey, Director of Water & Environment, Garry Martin, Director of Finance , Information Systems & Emergency Services, Anne Marie Conlon, Communications Officer, Sean O' Daimhin, Oifigeach na Gaeilge, Anne Marie Crawford, Staff Officer.

**C/03/18**      APOLOGIES

Apologies were received from Cllr Mc Brearty who was unable to attend the meeting.

**C/04/18**      CONFIRMATION OF THE MINUTES OF THE BUDGET  
MEETING OF DONEGAL COUNTY COUNCIL HELD ON THE  
20<sup>TH</sup> NOVEMBER, 2017

On the proposal of Cllr Crawford, seconded by, Cllr Mc Garvey the minutes of the Budget meeting of Donegal County Council held on the 20<sup>th</sup> November, 2017 were adopted.

**C/05/18**      CONFIRMATION OF THE MINUTES OF THE NOVEMBER  
MEETING OF DONEGAL COUNTY COUNCIL HELD ON THE  
27<sup>TH</sup> NOVEMBER, 2017

On the proposal of Cllr G Doherty, seconded by, Cllr Mc Dermott the minutes of the November meeting of Donegal County Council held on the 27<sup>th</sup> November, 2017 were adopted.

**C/06/18**      CONFIRMATION OF THE MINUTES OF THE ADJOURNED  
BUDGET MEETING OF DONEGAL COUNTY COUNCIL  
HELD ON THE 1<sup>ST</sup> DECEMBER, 2017

On the proposal of Cllr Bonner, seconded by, Cllr Canning the minutes of the Adjourned Budget meeting of Donegal County Council held on the 1<sup>st</sup> December, 2017 were adopted.

C/07/18 CONFIRMATION OF THE MINUTES OF THE ADJOURNED NOVEMBER MEETING OF DONEGAL COUNTY COUNCIL HELD ON THE 13<sup>TH</sup> DECEMBER, 2017

On the proposal of Cllr Naughton, seconded by, Cllr Mc Garvey the minutes of the Adjourned November meeting of Donegal County Council held on the 13<sup>th</sup> December, 2017 were adopted.

C/08/18 DISPOSAL BY WAY OF LEASE OF OFFICE SPACE TO POBAL IN LETTERKENNY PUBLIC SERVICES CENTRE, NEIL T BLANEY ROAD, LETTERKENNY

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

On the proposal of Cllr Mc Bride, seconded by Cllr Gallagher it was resolved to dispose of, by way of lease property in the Letterkenny Public Services Centre, Neil T Blaney Road, Letterkenny to Pobal for a period of five years commencing on the 1<sup>st</sup> April, 2018 and subject to an annual rent of €4,500 to include associated facilities management charge in accordance with the provisions of Section 211 of the planning & Development Act, 2000 (as amended) and under Section 183 of the Local Government Act 2001, (as amended).

Cllr Brogan said he was of the opinion that too much office space was being provided to state agencies and that greater emphasis should be placed on improving Municipal District services.

C/09/18 TO APPROVE THE CARRYING OUT OF IMPROVEMENT WORKS AT THE MACHINERY YARD SITE, LIFFORD TO INCLUDE THE CONSTRUCTION OF 2 NO. NEW LIGHTWEIGHT SHEDS, AN ADDITIONAL BAY TO THE WORKSHOP, AN INDUSTRIAL SIZED WASH BAY, A PUMPING STATION, IMPROVING THE YARDS SECURITY AND DEMOLITION OF AN EXISTING DERELICT SHED AND WALL AT THE ROUGHAN, LIFFORD, F93 RC53 IN THE STRANORLAR MD.

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

On the proposal of Cllr Crawford, seconded by Cllr G Doherty the carrying out of improvement works at the Machinery Yard site , Lifford to include the construction of 2 No. new lightweight sheds, an additional bay to the workshop, an industrial sized wash bay, a pumping station, improving the yards security and demolition of an existing derelict shed and wall at the Roughan, Lifford, in the Stranorlar MD under Part XI of the Planning & Development Act, 2000 (as amended) and Part 8 of the Planning & Development Regulations 2001(as amended) was approved

Cllr Crawford welcomed the works and said that it was timely in light of the recent flooding events. He asked that every effort be made to expedite same and outlined also the need to move forward with plans for the Army Barracks and Council owned lands in Lifford.

C/10/18      CASUAL VACANCY ON STRENGTHENING FAMILIES  
PROGRAMME ADVISORY BOARD DISPOSAL- NW  
ALCOHOL FORUM

It was unanimously agreed to defer the matter to the March Council Meeting.

C/11/18      AUTHORISATION OF COUNCIL REPRESENTATION AT ST  
PATRICK'S DAY EVENTS IN THE USA

On the proposal of Cllr Mc Gowan, seconded by Cllr Mc Bride it was resolved that the Cathaoirleach, the Leas Cathaoirleach and the Chief Executive or his representative attend the St Patrick's Day Events in the USA.

Cllr Kavanagh informed the meeting that he had received correspondence from Jörg Reichl, Mayor of Rudolstadt , Germany inviting the Mayor of Letterkenny and a delegation from the Letterkenny Municipal District to visit Rudolstadt for the St Patrick's Day events.

On the proposal of Cllr Brogan, seconded by Cllr Mc Bride it was resolved that the Mayor of Letterkenny and an nominated official attend the St Patrick's Day events in Rudolstadt.

The Chief Executive alluded to the fact that the Council's Tourism Unit was targeting the German tourist market over the next couple of years and that links with Rudolstadt could prove useful in the long term.

C/12/18 TO NOTE OBLIGATION ON MEMBERS UNDER THE LOCAL ELECTIONS (DISCLOSURE OF DONATIONS AND EXPENDITURE) ACT, 1999 AS AMENDED, TO SUBMIT A DONATION STATEMENT BY 31<sup>ST</sup> JANUARY, 2018

Members were reminded of their obligation to submit a donation statement under the Local Elections (Disclosure of Donations and Expenditure) Act, 1999 as amended, by the 31<sup>st</sup> January, 2018.

C/13/18 TO NOTE OBLIGATIONS ON MEMBERS UNDER (PART 15) OF LOCAL GOVERNMENT ACT, 2001 ETHICS FRAMEWORK TO SUBMIT DECLARATION OF INTEREST BY THE 28<sup>TH</sup> FEBRUARY, 2018

Members were reminded 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 28<sup>th</sup> February, 2018.

C/14/18 TO APPROVE THE STRATEGIC PRIORITIES AND ACTIONS IN THE DRAFT DONEGAL CULTURE AND CREATIVITY STRATEGY

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

On the proposal of Cllr Harley, seconded by Cllr Gallagher it was resolved to approve the strategic priorities and actions in the Draft Donegal – Culture and Creativity Strategy 2018 – 2022 and to submit the plan to the Creative Ireland Office.

C/15/18 LOAN APPROVAL PUBLIC LIGHTING IMPROVEMENTS

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

Mr John Mc Laughlin, Director of Roads & Transportation advised that a detailed schedule of works was required in order to upgrade the public lighting system in the county and to comply with the energy reduction targets set nationally for all public bodies. €13m was needed, he confirmed, to complete the programme. It was noted that the T.I.I. would fund lights on national routes with work already underway.

Presently, he said, funding was not available nationally but the need to upgrade the lights was urgent, and the Council had to be in

a position to undertake the work as soon as possible. Funding options, he advised, would be kept under review.

Members would, he confirmed, be updated at MD level in relation to the scale of works and programme details.

Concern was expressed however that the new LED lights did not light up shop fronts and that this would be a particular difficulty going forward.

Mr Mc Laughlin noted that there had been a huge change with regards the available technology and that LED lights had significantly reduced in price. The replacement process, he acknowledged would be slow. Thus the loan it was confirmed would be staged over a five year period and updates would be provided in relation to the work programme.

Cllr Blaney called on the ESB to pay all or at least part of the costs involved.

Responding the Director of Service informed members that the ESB had exited the programme a number of years ago and that it was now SSE Airtricity Solutions who were responsible for the maintenance of same.

He noted that there were still some issues to be resolved in terms of blackspots on existing poles but that all the lights had to meet the standard requirements. LED lights, he added, needed little maintenance and would assist the Council in meeting its energy reduction targets.

On the proposal of Cllr Harley, seconded by Cllr Mc Gowan it was resolved to approve the raising of a loan totalling €13 million in order to fund the upgrading of public lighting in Donegal.

C/16/18 TO NOTE MINUTES OF MEETING OF THE CORPORATE POLICY GROUP HELD ON THE 18<sup>th</sup> SEPTEMBER 2017.

On the proposal of Cllr Gallagher, seconded by Cllr Canning the minutes of the meeting of the Corporate Policy Group held on the 17<sup>th</sup> September, 2017 were noted.

C/17/18 ATTENDANCE AT CONFERENCES/SEMINARS/EVENTS

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 -2018 as amended and directives issued by the Minister in that regard, on the proposal of Cllr Canning, seconded by, Cllr Kavanagh, it was resolved to authorise any member, if he/she so wished, to attend the following conferences, subject to the normal procedures:-

- i. Individual members not exceeding their annual budget for attendance at conferences.
- ii. Payment of expenses for attendance to be conditional on the member furnishing documentary evidence of attendance.
- iii. Submission of a Conference Report.

### **Training**

AILG Training Programme for Elected Members – February to June 2018.

### **Conferences**

- Celtic Conferences – EU Cohesion Policy 2014 – 2020 to be held from Friday 2<sup>nd</sup> to Sunday 4<sup>th</sup> February 2018 at the Four Seasons Hotel, Carlingford, Co Louth.
- Responding to Brexit – risks, opportunities and priorities for policy to be held Thursday 8<sup>th</sup> February, 2018 Central Dublin.
- 29<sup>th</sup> Colmcille Winter School, Housing Provision in Ireland to be held Friday 23<sup>rd</sup> and Saturday 24<sup>th</sup> February 2018 in the Colmcille Heritage Centre, Gartan, Churchill, Co Donegal.

### **Conferences Abroad**

Meeting of the CPMR Political Bureau in Patras (Greece) from Wednesday 7<sup>th</sup> to Friday 9<sup>th</sup> March, 2018.

C/18/18

### **TO NOTE CONFERENCE/ EVENT REPORTS**

Members noted the following conference reports:-

- Cllr Noel Jordan – Golden Bridges held Friday 17<sup>th</sup> November, 2017 at the Seaport Hotel, Boston.
- Cllr Gerry McMonagle – Elected Members Training Seminar on Local Authorities and Regional Assemblies Managing Executive Governance on Friday 15<sup>th</sup> and Saturday 16<sup>th</sup> December, 2017 at the Connaught Hotel, Galway.

C/19/18 RECEPTION OF DELEGATION FROM THE IRISH FARMERS ASSOCIATION

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

On the proposal of Cllr Canning, seconded by Cllr Kennedy it was resolved that a delegation from the Irish Farmers Association could address a future meeting of Donegal County Council.

C/20/18 THAT THIS COUNCIL PUT PRESSURE ON CFRAM TO DELIVER THEIR MAPPING SYSTEM SOONER RATHER THAN LATER

On the proposal of Cllr Canning and seconded by Cllr McGowan the following motion was adopted:-

"Taking on board recent information from An Bord Pleanála in relation to large housing development proposals stating that 900 applications have already received a negative decision due to close proximity to flood plains, I would ask this Council to put pressure on CFRAM to deliver their mapping system sooner rather than later in order to inform the Forward Planners prior to adoption of the Development Plan."

Cllr Canning received a response from the Director of Community, Enterprise & Planning Services in relation to the above.

He highlighted the seriousness of the issue and outlined the need for greater interaction with developers prior to planning applications being made.

Cllr McGowan supporting the motion alluded to two specific examples in the Ballybofey/ Stranorlar area.

There was no opposition to the motion.

Mr Liam Ward, Director of Community, Culture & Planning advised that flood mapping for the purposes of facilitating Strategic Flood Risk Assessment of draft land use plans is available to the Council for use in preparing land use plans. There was, he confirmed continuing engagement with CFRAM and any new information that became available would be reviewed and reflected in future alterations to plans within the County.

Cllr Canning welcomed the update provided and acknowledged the need to have information available county-wide.

C/21/18

#### DERELICT SITES

On the proposal of Cllr Albert Doherty and seconded by Cllr G Doherty the following motion was adopted:-

"That Donegal County Council lead, work effectively with Tidy Town Committees, Community and Voluntary groups and property owners to resolve and redress identified and noted " derelict site issues" in the County. The pending 2018 Tourism season, Tidy Town Competition and world wide publicity opportunity presented by Ballyliffin and Donegal hosting of the "Dubai Duty Free Irish Open" necessitates early essential progress with the process."

Cllr Doherty received a response from the Director of Water & Environment in relation to the above.

He acknowledged the excellent work carried out by the Tidy Towns Committees and various Community/ Voluntary Groups. He welcomed the fact that every effort would be made in 2018 to ensure the early promotion of the schemes in advance of the tourism season.

Many of these groups, he said, were now at an impasse in terms of the derelict site issue and it was also hampering their chances of making gains in the Tidy Towns competition.

There was an onus on the Local Authority, he said, to clean up these sites under powers given to them by the Derelict Site Act 1990.

Current processes, were, he advised, slow and he thus called for Donegal County Council to lead out on the matter and engage with the various community groups to resolve any issues that arose.

Cllr Doherty alluded to the fact that the Tidy Towns Reports each year referred to the derelict site issue and that year on year overall scores were reduced because of this blight on the landscape.

There was no opposition to the motion.

Mr Liam Ward, Director of Community, Culture & Planning Services said that every effort would be made to ensure that a targeted response was provided to the groups concerned.

Mr Michael Mc Garvey, Director of Water & Environment said he was confident that a proactive approach could be taken and that every effort would be made to work collectively with the members and the public to address the problem.

Cllr Doherty welcomed the response provided and cited the need for the Local Area Plans to take cognisance of the derelict site issue.

C/22/18 RECOGNITION FOR THE POTENTIAL OF THE GATHERING AT SCALP PUBLIC ART PIECE

It was agreed to defer this item to later in the meeting.

C/23/18 THE GOVERNMENT TO RE ESTABLISH THE SPECIFIC ROADS IMPROVEMENT SCHEME FUNDING FOR REGIONAL ROADS

On the proposal of Cllr Brogan and seconded by Cllr Donaghey the following motion was adopted:-

"I propose that Council call on the Government to re establish the specific roads improvement scheme funding for regional roads (formerly EU/Co Finance Scheme) and that this Council review our allocation within the county to accommodate road networks that incur huge traffic volumes and are deteriorating due to lack of funding."

Cllr Brogan received a response from the Director of Roads & Transportation in relation to the above.

He said that the withdrawal of specific road improvement grants for regional roads back in 2012 had major implications and that the effects were now clearly visible county-wide. Roads in the Letterkenny area had, he advised, benefited enormously from this funding in the past, however the continuing lack of investment meant that regional and local roads were now deteriorating.

He said that in the past some Town Councils had been able to avail of block grants for areas with significant levels of population. This

avenue of funding, it was noted, had also disappeared and that Letterkenny was now only getting 7% of available funding. A return to the old mileage system of allocation, he added, would be a better option for Letterkenny.

Cllr Donaghey said that the lack of investment in local and regional roads was now at a critical stage.

Roads allocations in Donegal were, she confirmed, only 48% of what was needed to keep the network in good condition. Nationally, she said, the Department of Transport had confirmed that €580m was needed to maintain roads nationwide. The reality was, she added, that there would be a €256m under spend this year and this lack of investment was hampering regional development.

There was no opposition to the motion.

Mr John Mc Laughlin, Director of Roads & Transportation confirmed that he would forward the request to the Government Chief Whip and the Minister for Transport. He advised members that allocation of funding for road networks with large volumes of traffic could be reviewed through the Roads SPC.

Cllr Brogan concluding said that it was imperative that a special case be made to the Department of Transport given the extent of the road network in Donegal. He asked also that each member be updated as to the status of the prioritised list of improvement works.

C/24/18 REINSTATEMENT OF ROADS DAMAGED BY OTHER ORGANISATIONS

On the proposal of Cllr Blaney and seconded by Cllr McBride the following motion was adopted:-

"That any roads in this County that are damaged by any organisation (e.g. Irish Water, Eircom etc) are fully reinstated at no cost to this Council."

Cllr Blaney received a response from the Director of Roads & Transportation in relation to the above.

He said he was firmly of the opinion that the full cost should be borne by the person who damaged the road. He expressed concern

that works were being delayed on the basis that other utility companies had signalled an intention to undertake specific works. Such delays, it was noted were unacceptable and members of the public were forced to use roads which were deteriorating rapidly year on year.

Donegal County Council, he said, needed to make sure that the roads were reinstated and restored to their original condition.

Cllr Mc Bride expressed concern that monies from the Council's own roads budget were being used for reinstatement purposes.

There was no opposition to the motion.

Mr John Mc Laughlin, Director Roads & Transportation said that any external organisation seeking to open a public road had to seek a licence from the Council to do so, and that the Council applied reinstatement conditions and levied a fee based on set rates for the county.

It would, he confirmed, prove difficult to impose full reinstatement costs. He said that he would look into the issues raised by Cllrs Blaney and Mc Bride.

There was no opposition to the motion.

Cllr Blaney concluding alluded to specific issues that had arisen in the Kerrykeel/ Fanad area . He cited the need to seek full road reinstatement costs and said that this should be done after a specific period of time had elapsed and the condition of the road was clearly established.

C/25/18

INCREASE IN THRESHOLD FOR HOUSING APPLICANTS  
TOGETHER WITH THE INTRODUCTION OF A MORE  
PEOPLE FRIENDLY COUNCIL MORTGAGE SCHEME

On the proposal of Cllr Glackin and seconded by Cllr Gallagher the following motion was adopted:-

"I ask that this Council calls on the Housing Minister to increase the income threshold for housing applicants, and we also call on the Minister to introduce a more people friendly Council Mortgage Scheme for people wishing to buy their homes."

Cllr Glackin received a response from the Director of Housing, Corporate & Cultural Services in relation to the above.

He said that the Council Mortgage Scheme needed to be made more accessible so as to assist young people in getting on the property ladder. Welcoming the response, he said, it was imperative that the income threshold were reviewed. He asked for an update in relation to the relevant criteria as advised by the Department.

Cllr Gallagher said that a number of issues needed to be addressed at national level and it was evident that in the past the loan scheme had not been utilised enough.

The ongoing result, she contended, was that tenants were caught up in a vicious circle with no mechanism to buy or even rent suitable accommodation. Local Authorities, she advised, needed to have an input and be able to draw up their own schemes.

There was no opposition to the motion.

Mr Joe Peoples, Director Housing, Corporate & Cultural Services alluded to the fact that there were two distinct elements to the motion. The Council, he said, would write to the Minister requesting a review of the social housing income thresholds.

With regard to the provision of housing loans it was noted that a new Rebuilding Ireland Home Loan Scheme would be available from the 1<sup>st</sup> February, 2018. The benefits of same, he advised, were yet to be evaluated, but one of the key aims of the scheme was to increase access to the housing market for individuals who had been unable to get a mortgage from other lending institutions.

There was a responsibility on Donegal County Council, he said, to ensure that people had access to the scheme and that all relevant information was made available.

Cllr Glackin welcomed the response and said that he hoped that the new loan scheme would afford people the opportunity to get on the housing ladder.

Concluding the Director of Housing, Corporate & Cultural Services confirmed that those who had applied under the previous housing

loans scheme and were unsuccessful, could reapply under the new scheme.

C/26/18 PREFERENTIAL TAX RATE FOR MEDICAL CONSULTANTS

On the proposal of Cllr McBride and seconded by Cllr Slowey the following motion was adopted:-

"That Donegal County Council would ask Minister Donohoe to consider the implementation of a preferential tax rate for medical consultants in order to attract suitable personnel for posts, in light of the lengthy waiting lists in the health service."

Cllr Mc Bride alluded to the fact that very often medical posts were left vacant for long periods of time to the detriment of the patient. He cited the need for a specific package to be introduced so that long term vacancies could be filled. Similar tax breaks, he advised, had been introduced in other areas and had proved most successful.

Cllr Blaney supporting the motion said that very effort needed to be made to reduce current waiting lists.

There was no opposition to the motion.

Cllr Mc Bride thanked members for their support and said that he would await a response from the Minister for Health.

C/27/18 ONGOING UNSATISFACTORY PROVISION OF HEALTH SERVICES IN DONEGAL AND REQUEST THAT THE MINISTER FOR HEALTH MEET WITH THE MEMEBRS OF DONEGAL COUNTY COUNCIL

On the proposal of Cllr McGarvey and seconded by Cllr Crawford the following motion was adopted:-

"That this Council request the Minister for Health to attend a meeting of the Council to address the ongoing unsatisfactory provision of Health Services to the people of Donegal."

Cllr Mc Garvey highlighted a number of areas of concern and said that very little was being done to improve health service provision despite vast amounts of money being pumped into the service annually. As a public representative, it was, he said, his obligation to raise and highlight such deficiencies in both the hospital and



community care settings and ensure that the service provided was fair and inclusive of all.

Cllr Crawford supporting the motion paid compliment to the staff in the Health Service Executive who performed their duties way beyond what was required of them.

He alluded to the fact that the Donegal County Council representatives on the Health Forum Executive consistently highlighted issues at Regional Forum Meetings encompassing a broad range of service areas. The crux of the matter, he advised, was that the HSE representatives had no real decision making powers.

There was no opposition to the motion.

Cllr Mc Garvey concluding the debate said that the centralisation of the health service had been a disaster for Donegal and called for decision making to be returned to the regions.

C/28/18 ADJOURNMENT FOR LUNCH

On the proposal of Cllr Donaghey, seconded by Cllr Blaney it was resolved to adjourn the meeting for lunch until 2.15pm.

C/29/18 FAST TRACK FUNDING TO REPAIR THE FLOOD DAMAGE

Members considered the following motion submitted by Cllr Jordan:-

"I am asking this Council to write to the Department to fast track the necessary funding to repair the flood damage in the County."

Cllr Jordan received a response from the Director of Roads & Transportation in relation to the above.

He said it was imperative that funding was fast tracked so that people affected by flooding could return to their homes. He noted that the CFRAM report had been completed yet no effort had been made to fast track funding.

Cllr Albert Doherty said that despite significant funding being made available there were a number of areas and projects that required specific clarification and that this needed to be reflected in

the motion forwarded to the Minister. He identified a number of areas of concern namely,

- Issues relating to flooding in rivers and associated safety concerns.
- Damage caused to Council grounds and the Council's own housing stock.
- Residual issues in relation to perimeter fencing between Carndonagh Community School and the Donagh River.
- The destruction of the playground at St. Patrick's Boys NS , Carndonagh.
- Need for additional funding with regard to the safeguarding and replacing of riverbank fencing and security.

Thus on the proposal of Cllr Jordan seconded by Cllr A Doherty it was resolved to amend the motion as follows:

" I am asking this Council to write to the relevant Government Departments to fast track the necessary funding to repair flood damage in the County and that a copy be forwarded to the following for their attention;-

- Minister Shane Ross, T. D., Minister for Transport, Tourism & Sport.
- Minister Eoghan Murphy, T.D., Minister for Housing, Planning & Local Government.
- Minister Richard Bruton, T.D., Minister for Education & Skills. Minister Michael Ring, T.D., Minister for Rural & Community Development.
- Minister of State, Kevin Moran, T.D., Minister of State at the Department of Public Expenditure and Reform with special responsibility for the Office of Public Works and Flood Relief

There was no opposition to the motion.

Mr John Mc Laughlin, Director of Roads & Transportation acknowledged that there had been a significant response from the Department of Transport and that the recoupment of monies was progressing as anticipated. A number of the items mentioned, he confirmed, were outside of the council's responsibility but said that it would be possible to highlight same to the relevant Government Ministers.

C/30/18 PILOT SCHEME TO INCENTIVISE PREMISES OWNERS ON MAIN STREETS IN TOWNS AND VILLAGES

On the proposal of Cllr Kennedy and seconded by Cllr Crossan the following motion was adopted:-

"For this Council to carry out a pilot scheme to incentivise premises owners on main streets in Towns and Villages in the County to reopen their buildings for local businesses to regenerate the town centres."

Cllr Kennedy received a response from the Director of Finance, Information Systems and Emergency Service in relation to the above.

She said that a multi-disciplinary approach was needed and that it would be a good idea if Donegal County Council could publish a comprehensive guide which would assist premises owners in looking at various options for opening buildings in the centres of towns and villages.

Cllr Crossan supporting the motion said that such a scheme could promote smaller industries such as Arts and Crafts Shops etc. The Council, he said, needed to show initiative and assist those small businesses who were not in a position to compete with main stream shops.

There was no opposition to the motion.

Mr Garry Martin, Director of Finance , Information Systems and Emergency Services said that there had been various interventions looked at countrywide and that it would be possible to explore these options at SPC.

Cllr Kennedy welcomed the response and said that every effort needed to be made to renew and regenerate town centres so as to create vibrant working communities.

C/31/18 FIRE STATION CAPITAL PROGRAMME

On the proposal of Cllr O'Neill and seconded by Cllr Campbell the following motion was adopted:-

"That this Council discuss the Fire Station Capital Programme and the immediate requirements going forward".

Cllr O'Neill received a response from the Director of Finance, Information Systems, & Emergency Service in relation to the above.

He said that a lot of debate had taken place recently in relation to the Fire Service Capital Programme. There had been, he advised, much engagement and research carried out in relation to the Ballyshannon and Bundoran Fire Stations.

He welcomed the fact that capital funding was to be sought to replace the fire station in Glencolmcille but noted that the stations in Ballyshannon and Bundoran were critical pieces of infrastructure and provided extensive fire ground cover in the south west of the county. It was widely acknowledged, he said, that neither were fit for purpose and he enquired as to why the review of operational fire cover for both stations had not been completed within the designated timeframe.

Cllr Campbell supporting the motion said that he did not think that the report would give members what they were looking for. The Fire Service Plan, he advised, was the members' plan and thus a matter for them to resolve.

Mr Garry Martin, Director of Finance, Information Systems and Emergency Services confirmed that the intention was to actively complete the Fire Station Capital Programme. The Draft Section 26 Plan would, he advised, come back to Council later in the year when specific issues had been rounded out.

With regards the operational cover review, the delay here, he confirmed, had resulted from the fact that a request from the consultants for additional data had delayed the report. The Donegal Municipal District members would, he said, be consulted when the report was concluded.

There was no opposition to the motion.

Cllr O'Neill concluding said that he hoped that the member's priorities would be reflected in the report.

C/32/18

PROCESSING OF FREEDOM OF INFORMATION REQUESTS

On the proposal of Cllr Campbell and seconded by Cllr Mac Giolla Easbuig the following motion was adopted:-

“This Council calls on the executive to review and amend the current procedures used for processing freedom of information requests to more closely align with departmental best practice guidance such as their model publication scheme guidance.”

Cllr Campbell received a response from the Director of Housing, Corporate, & Cultural Services in relation to the above.

He raised a number of issues namely:

- Minutes of meetings on the website do not have the associated reports attached.
- Purchase Orders had not been updated since the second quarter of 2017.
- That there was a need to review the document search and collation procedures in relation to information sought under FOI.
- Cognisance needed to be taken of the Council’s obligation to publish an FOI Disclosure Log.

Cllr Mac Giolla Easbuig outlined his support for the motion.

There was no opposition to the motion.

Mr Joe Peoples, Director Housing , Corporate & Cultural Services noted that there were specific housekeeping issues to be addressed, but that every effort would be made to look at best practice in dealing with FOI requests.

He said that there was an obligation on the Council to provide as much information as was permitted and that he could discuss the issues raised with Cllr Campbell.

C/33/18

FLOODING ON ROADS

On the proposal of Cllr Crawford and seconded by Cllr Brogan the following Motion was adopted:-

"That this Council debate the powers available to it in relation to the maintenance of water tables and the prevention of run off water flooding roads."

Cllr Crawford received a response from the Director of Roads & Transportation in relation to the above.

He welcomed the comprehensive reply but said that there were a number of examples in the Stranorlar Municipal District where no attempt had been made to clear water tables thus creating undue hardship for the residents/road users.

Enough was not being done, he said, to alleviate the situation and in many cases flooding could be prevented if the necessary drainage was carried out. More preventive action, he contended, was required.

Cllr Brogan supporting the motion said that the Council did not employ enough outdoor staff and that many of the problems that arose were down to drains and gullies not being cleared out. It was a matter he contended of going back to basics and focusing on the employment of more outdoor staff.

There was no opposition to the motion.

Mr John Mc Laughlin, Director of Roads & Transportation alluded to his reply and the fact that the Roads Authority's powers in relation to road drainage were dictated by Section 76 of the 1993 Roads Act. There was a need, he said, to maintain a fair and balanced approach.

He informed Cllr Crawford that a considerable amount of work in relation to the maintenance of water tables had been carried out in the Stranorlar Municipal District over the past number of years.

There was an onus, he acknowledged to prioritise works locally and also to work in co-operation with local landowners.

Further discussion, he said, could take place at MD level and priority works could be agreed.

Cllr Crawford said that he accepted the fact that the Council was obliged to operate in accordance with the Roads Act but the reality

was that issues on the ground were not being resolved satisfactorily.

C/34/18 FLUVIAL FLOODING AND SURVEY OF TWO TIER TOWN STORM DRAINS

On the proposal of Cllr McGowan and seconded by Cllr Canning the following Motion was adopted:-

"That the Council carry out a survey of tier two town storm drainage systems with a view to planning for fluvial flooding and applying for funding."

Cllr McGowan received a response from the Director of Roads & Transportation in relation to the above.

He alluded to specific problems in the Finn Valley area and said that a survey of all drainage systems was urgently required so as to plan effectively for fluvial flooding and secure the necessary funding to address these issues.

A survey was timely also at this juncture, he advised, given the impending publication of the CFRAMS study.

Cllr Canning supporting the motion said that there was a need for a co-ordinated approach and one that encompassed all aspects of the problem.

There was no opposition to the motion.

Mr John Mc Laughlin, Director Roads & Transportation whilst acknowledging the need and purpose for the survey suggested that the matter be put on hold pending the announcement of the CFRAMS Projects.

The cost of proceeding with a survey at this stage would, he confirmed, be in the region of €50,000 to €100,000 per Tier Two town.

Cllr Mc Gowan said however that €50k to €100k was small in comparison to the flood damage costs incurred by businesses in Ballybofey/ Stranorlar. Ongoing road closures because of flooding related issues were also a problem, he added.

C/35/18 FUNDING TO OPEN THE SHORT STAY WARD IN LETTERKENNY UNIVERSITY HOSPITAL

On the proposal of Cllr G Doherty and seconded by Cllr Glackin the following Motion was adopted:-

"That Donegal County Council calls on the Minister for Health to immediately invest the necessary funding to open the 19-bed short stay ward in order to alleviate the on-going trolley crisis in Letterkenny University Hospital."

Cllr Doherty said that there was critical under investment in Letterkenny University Hospital and in other services locally within the Health Service Executive.

He alluded to the following:-

- An increasing number of patients were now being forced to wait on trolleys.
- 20,000 Donegal people were currently waiting on procedures.
- No significant investment of funding in Community Hospitals.

The fact that funding was refused to open the short stay ward, was, he confirmed, an outrage and every effort needed to be made to keep the matter to the forefront both at local and national level.

Cllr Glackin supporting the motion advised of the need for continued focus on the issue.

There was no opposition to the motion.

Cllr Doherty thanked members for their support and asked that a copy of the motion be forwarded as soon as possible to the Minister for Health.

C/36/18 PAPER/CARDBOARD RECYCLING FACILITIES AT BRING BACK SITES

On the proposal of Cllr O'Domhnaill and seconded by Cllr McDermott the following Motion was adopted:-

"That this Council provide paper/cardboard recycling facilities at the Bring Bank sites across the County."



Cllr O'Domhnaill received a response from the Director of Water & Environment in relation to the above.

He said that Donegal County Council had been leaders in educating and informing people on how to conduct their civic duties yet the issue of paper/cardboard recycling was a recurring one.

It was suggested that skips could be located at designated locations such as hospitals etc and the income generated used for internal funding purposes. The Department, he added, could be contacted with regard to funding this type of initiative given that most of the material generated through illegal dumping was recyclable.

He called on the Council to adopt a forward thinking approach and lead out on such initiatives.

Cllr Mc Dermott said that recycling facilities at Bring Back Centres should be available to the general public all week and at weekends not just at specific dedicated opening hours.

There was no opposition to the motion.

Mr Michael Mc Garvey, Director Water & Environment said that the Council were in the process of retendering for the operation of the Bring Back Centres and that seven day opening was a pre-requisite.

In relation to the initiation of a pilot project this was something, he advised, which could be referred to the Water & Environment SPC and the Department contacted when a position was agreed.

Cllr O' Domhnaill welcomed the response and asked that every effort be made to put the service in place.

C/37/18

EMERGENCY DEPRIVATION TASK FORCE DONEGAL  
GAELTACHT

On the proposal of Cllr Gallagher, seconded by Cllr O'Domhnaill the following Motion was adopted:-

"Considering that the Glenties Municipal District is classed as the most deprived rural area in the Pobal Deprivation index, That this Council in partnership with Roinn na Gaeltachta establish an

emergency deprivation task-force for the Donegal Gaeltacht. This task-force should include (but not exclusive to) representatives from

- Department of Rural and Community Development
- Roinn na Gaeltachta
- Department of Agriculture and Marine
- National Transport Authority
- Udaras na Gaeltachta
- Health Service Executive
- Primary, Secondary and third level educators
- Donegal County Council."

Cllr Gallagher received a response from the Director of Community, Enterprise & Planning Services in relation to the above.

She said that the statistics clearly identified the Donegal Gaeltacht as being at the wrong end of the major deprivation scales. There was a necessity, she added, to make the Gaeltacht a positive place to live and work in.

Welcoming the response she acknowledged the fact that the terms of reference for such a task-force needed to be set out clearly in advance of the development of any short/long term plan.

Issues such as youth retention, investment in communities and infrastructure, she advised, needed to be addressed at national level. This vision, she said, was sadly lacking at present.

Cllr O' Domhnaill said that the profile that had emerged from the Pobal Index had clearly identified the Donegal Gaeltacht as being one of the most deprived areas in rural Ireland. A task-force for the Gaeltacht, he advised, would help to ensure that the region kept its population, utilities, services and language identity. There was room also, he said, in collaboration with Udarás na Gaeltachta to ensure that an effective road map for the Donegal Gaeltacht was drawn up going forward.

There was no opposition to the motion.

Mr Liam Ward, Director Community, Culture & Planning Services said that it was critically important that Roinn na Gaeltachta and Udarás na Gaeltachta were at the forefront of any such task-force.

Donegal County Council, he said, would play a supporting role in this initiative.

Members were also informed that a delegation from the Joint Oireachtas Committee for the Irish Language, the Gaeltacht and the Islands were due to visit Donegal in early February and had planned to meet with the Council Executive to discuss the development of the Donegal Gaeltacht.

Cllr Gallagher acknowledged that a lot of good work had been carried out to date and that this combined with much private investment had failed to turn the tide of deprivation.

Concluding she called on the Minister for Rural and Gaeltacht Affairs to establish a task-force to examine and address deprivation issues in the Donegal Gaeltacht.

C/38/18

PROCUREMENT OF ADDITIONAL GRITTING MACHINERY

On the proposal of Cllr McGiolla Easbuig and seconded by Cllr Campbell the following Motion was adopted:-

“Go n-iarrann an Chomhairle seo go ndéanfar innealra breise griotála a cheannach chun cuidiú linn clár griotála an gheimhridh a leathnú amach de réir mar atá luaite agus iarrtha ag Comhairleoirí Contae in achan cheann de na ceantracha bardais”.

"This Council calls for additional gritting machinery to be procured to allow for the expansion of the winter gritting programme in line with the demands highlighted by Councillors in all Municipal Districts.

Cllr McGiolla Easbuig received a response from the Director of Roads & Transportation in relation to the above.

He called for additional gritting machinery to be procured so that the range of the Council gritting programme could be extended further. He alluded to particular issues in the Bunbeg and Magheroarty areas.

Cllr Campbell outlined his support for the motion.

There was no opposition to the motion.

Mr John Mc Laughlin, Director of Roads & Transportation said that the programme covered in excess of 1000km of roads throughout the county but that it was not possible to grit 100% of the network given current budget and resource requirements. It was intended, he said, to hold a workshop in the coming weeks to review the winter gritting programme.

Cllr Mac Giolla Easbuig concluding said that the procurement of additional gritting machinery would alleviate some of the problems and as such should be actively explored.

C/39/18 RECOGNITION FOR THE POTENTIAL OF THE GATHERING AT SCALP PUBLIC ART PIECE

On the proposal of Cllr Murray, seconded by Cllr A Doherty the following motion was adopted:-

"That Donegal County Council recognises the potential that the "Gathering at Scalp" project has in terms of countywide tourism benefits, acknowledges that, as the largest public art piece in Ireland, it will be known across Ireland and commits to following Derry City & Strabane District Council in giving our full support to the initiative".

Cllr Murray received a response form the Director of Community , Enterprise & Planning Services in relation to the above.

He said that this had the potential to be a flagship tourism project and if given the go ahead would be the largest public art piece in the Republic of Ireland. The fact that Derry City and Strabane District Council had supported the project was, he said, a clear indication of its relevance.

Cllr A Doherty supporting the motion outlined the historical significance of the piece and the fact that it would help boost the tourism potential of the county.

There was no opposition to the motion.

Mr Joe Peoples, Director Housing, Corporate and Cultural Services said that the Council was supportive of the project in principle as it had the potential to become a flagship tourism project. A number of statutory consents, he advised, needed to be put in place to enable to project to go ahead.

Cllr Murray said that the project would generate long term benefits for the entire northwest region.

C/40/18 CATHAOIRLEACH'S BUSINESS

*Votes of Sympathy*

- Brenda Ferguson, Housing, Letterkenny on the death of her brother, Liam.
- Frances Crampsie, Central Library, Letterkenny on the death of her mother, Eileen Bradley.
- Ronnie Sayers, Machinery Yard, Lifford on the death of his mother Elizabeth Jane.
- Michael Mc Fadden, Planning, Lifford on the death of his brother, Liam.
- Michael Callaghan, formerly Water & Environment, Milford on the death of his wife Margaret.
- Tommy Doherty, Housing, Stranorlar on the death of his father, Paddy.
- The family of the late Joseph Doherty (former Plant Operator - Milford and Dunfanaghy).
- Niall Mc Ivor, Planning & Economic Development on the death of his father Sean.
- The family of the late Paddy Harte, former T.D and member of Donegal County Council.
- The family of the late Noel Mc Dermott, Chapel Road, Brinaleck
- The family of the late William Wilson, Manorcunningham.

*Announcement of Donegal Person of the Year.*

The Cathaoirleach informed members that he had attended the announcement of the Donegal Person of the Year Award in Dublin on the 19<sup>th</sup> January, 2018. He congratulated Shay Given on his nomination and thanked the Donegal Association in Dublin for their continued support and promotion of the county.

*Donegal Sports Star Awards.*

The Donegal Sports Star Awards, he advised, had been held on the 26<sup>th</sup> January honouring the sporting achievements of individuals and teams from a wide variety of Sports.

He paid tribute to all associated with the awards and acknowledged the openness and willingness to engage which had been shown by the guest speaker, Ken Doherty.

*Special Council Meeting – Strategic Infrastructural Development*  
Mr Liam Ward, Director Community, Enterprise & Planning Services said that a Special Meeting would be required to consider the report from the Planning Authority to An Bord Pleanála in relation to Strategic Infrastructural Development for the construction of up to 19 number wind turbines in the townlands of Meenbog, (ED Goland), Croaghonagh and Cashelnavean.

Planning legislation, he advised, required the report to be considered by members prior to the submission and their recommendations if any attached for consideration.

It was unanimously agreed that a meeting to consider same would be held on the 19<sup>th</sup> February, 2018 at 10am in the County House, Lifford.

He drew member's attention to the fact that they had already made specific recommendations with regard to wind energy in the Draft County Development Plan 2018-2024.

*Planning Workshop – Draft County Development Plan*  
It was unanimously agreed to hold a Planning Workshop on Monday 16<sup>th</sup> April, 2018 at 2pm in the County House, Lifford to consider further aspects of the Draft County Development Plan 2018-2024.

*Special Council Meeting – Draft County Development Plan*  
It was unanimously agreed to hold a Special Meeting of Donegal County Council on Monday 9<sup>th</sup> May, 2018 to consider and adopt the Draft County Development Plan 2018 -2024.

*Workshop – Winter Gritting Programme*  
It was unanimously agreed to hold a workshop on Monday 19<sup>th</sup> February, 2018 in the County House, Lifford to review the winter gritting programme.

The Cathaoirleach paid tribute to the Donegal County Council road gritting teams, acknowledging the fact that they often worked in dangerous conditions to keep our road network open and accessible.

*Fisheries Committee*

The Director of Housing, Corporate, & Cultural Services responding to a query from Cllr Jordan in relation to the establishment of a Fisheries Committee, said that he would follow up on this.

*Tourism Unit*

He acknowledged the work of the Tourism Unit, noting that many positive results had been achieved with regard to tourism infrastructure and visitor number over the past year.

*Ireland's Best Young Entrepreneur – Regional Final*

Congratulations were extended to the following Donegal businesses selected to represent Donegal at the National IBYE finals in Dublin in March, 2018:-

- Thomas Mc Laughlin – Tadáis
- Ciara Mc Glynn – Niche Specialist Staffing Partners

C/41/18

CHIEF EXECUTIVE'S REPORT

Members considered the report and addendum circulated in relation to the above. An update was provided in relation to the following:-

1. Corporate Matters
  - Inishowen Digital Innovation Hub
2. Community, Enterprise & Planning
  - County Development Plan 2018-2024
  - Seven Strategic Towns Local Area Plan 2018 – 2024
  - Social Inclusion and Community Activation Programme 2018-2022
  - Dubai Duty Free Irish Open in Ballyliffin 2018
  - Irelands Best Young Entrepreneur (IBYE) 2018

- Local Enterprise Office 2017 Grant Aid
- IPB Pride of Place Awards

### 3. Housing, Corporate & Cultural Services

- Creative Ireland
- Library Service
  1. Read DL
  2. Healthy Ireland at your Library
  3. Work matters
- Museum Service
 

CINE project
- County Donegal Heritage Office
 

European Year of Cultural Heritage

### 4. Local Electoral Area Boundary Committees – Invitation for Submissions

### 5. Second Housing Summit – 22<sup>nd</sup> January 2018

Cllr Donaghey welcomed the establishment of a Digital Hub in Buncrana and paid tribute to all associated with its development. She cited the need to have further hubs located at various locations in the county.

Cllr Campbell asked that members be provided with an update on the progress and status of motions submitted for consideration at plenary council level.

Cllr Mac Giolla Easbuig asked that consideration be given to funding Amharclann Gweedore on an all year round basis.

Cllr Mc Gowan outlined the need to resolve funding issues in relation to the Donegal Road, Ballybofey and asked that the T.I.I. be contacted as a matter of urgency.

The Chief Executive informed members that the executive would not be making a submission to the Local Electoral Area Boundary Committee but that if members wished to make a single submission



or contribute to a group submission that it would be possible to co-ordinate same.

Cllr Brogan said it was imperative that the executive provided some guidance going forward. Cllr Gallagher said that time needed to be set aside to consider the implications of any possible changes.

It was acknowledged that it would be possible to facilitate these requests and thus it was unanimously agreed that a workshop would be held on Wednesday 14<sup>th</sup> February, 2018 to consider possible submission to the Local Electoral Area Boundary Committee.

Cllr Campbell asked that an analysis be provided showing how Donegal fared in comparison with other counties.

Mr Joe Peoples, Director Housing, Corporate & Planning Services said that members would be issued with further information prior to the workshop and he encouraged the party groupings to meet prior to this discussion.

**The following questions were noted.**

C/42/18      AMOUNT PAID TO PRIVATE LANDLORDS UNDER RAS

Cllr A Doherty submitted the following question:-

"What was the number of recipients and the total amount paid by Donegal County Council annually to private landlords under RAS in the period 2013 - 2017?"

Cllr A Doherty received a response from the Director of Housing, Corporate and Cultural Services in relation to the above.

C/43/18      COUNCIL HOUSES

Cllr Murray submitted the following question:-

"How many council houses do Donegal County Council intend to build or acquire this year?"

Cllr Murray received a response from the Director of Housing, Corporate and Cultural Services in relation to the above.

C/44/18      REPAIR OF BRIDGES

Cllr A Doherty submitted the following question:-

"What was the number of bridges on the local and regional road network inspected by the Council and deemed to warrant early and necessary repair following the August 22nd deluge, what was the number in each Municipal District, have repairs necessary been costed and additional government financial assistance been sought by the Council from relevant Departments to complete bridges repair programme?"

Cllr Doherty received a response from the Director of Roads & Transportation in relation to the above.

C/45/18 AVAILABILITY OF PLANNERS

Cllr Murray submitted the following question:-

"Does Donegal County Council plan to have Planners available to the public more often that is on a weekly basis?"

Cllr Murray received a response from the Director of Housing, Corporate & Cultural Services in relation to the above.

C/46/18 IRISH WATER AND REINSTATEMENT OF COUNCIL ROADS

Cllr Brogan submitted the following question:-

"Can I have clarification on the process this Council has in place for Irish Water to reinstate council roads after replacing piping networks and are these monies allocated directly to roads?"

Cllr Brogan received a response from the Director of Roads & Transportation in relation to the above.

C/47/18 TEN-T PROJECTS

Cllr Brogan submitted the following question:-

"Can this Council outline the Ten-T projects including the current stage and timeframe and clarify if any CPO is being pursued this year on any of these proposals?"

Cllr Brogan received a response from the Director of Roads & Transportation in relation to the above.

C/48/18 IRISH WATER

Cllr McGarvey submitted the following question:-

"Will Irish Water make a statement that our Public Water supply is safe to use and drink, and if not what issues need to be addressed?"

Cllr McGarvey received a response from the Director of Water & Environment in relation to the above.

C/49/18 COMPLIANCE WITH PLANNING LEGISLATION

Cllr McGarvey submitted the following question:-

"Can I have details of arrangements that the Planning Service has in place to monitor compliance with planning legislation"?

Cllr McGarvey received a response from the Director of Community, Enterprise & Planning in relation to the above.

C/50/18 GAMING AND LOTTERIES

Cllr Campbell submitted the following question:-

To ask the executive to provide a table or graphic to indicate the following information:

- 1) Parts of our functional area that currently have a resolution in force adopting Part III of the Gaming and Lotteries Act 1956.
- 2) Parts of our functional area that currently do not have a resolution in force adopting Part III of the Gaming and Lotteries Act 1956.
- 3) The dates such resolutions were adopted for each discrete part.

Cllr Campbell received a response from the Director of Housing, Corporate & Cultural Services in relation to the above.

C/51/18 FIRE STATIONS IN BALLYSHANNON AND BUNDORAN

Cllr O'Neill submitted the following question:-

"What is the up-to-date position in relation to the independent consultant that was employed by Donegal County Council to assess the need for new Fire Stations at Ballyshannon and Bundoran?"

Cllr O'Neill received a response from the Director of Finance, Information Systems & Emergency Services in relation to the above.

C/52/18 LIS CRITERIA

Cllr Campbell submitted the following question:-

“To ask the Director of roads, in relation to the ongoing LIS, can he outline the interpretation of the criteria set out in the 2002 memo used to determine eligibility, specifically the process applied by his staff to verify compliance with such criteria and the process by which such verifications/determinations were crosschecked and signed off.(including the grade of officers or staff involved in the work).”

Cllr Campbell received a response from the Director of Roads & Transportation in relation to the above.

C/53/18 HAP SCHEME

Cllr Crawford submitted the following question:-

"How many houses were built bought or inspected and approved under the HAP Scheme in 2017 by this Council?"

Cllr Crawford received a response from the Director of Corporate, Housing & Cultural Services in relation to the above.

C/54/18 REPAIR AND LEASING SCHEME

Cllr McGowan submitted the following question:-

"How many applications has the Council received under the Repair and Leasing Scheme introduced in February 2017 and please give details on how the Council views the scheme?"

Cllr McGowan received a response from the Director of Corporate, Housing & Cultural Services in relation to the above.

C/55/18 DATA PROTECTION

Cllr Crawford submitted the following question:-

"With the upcoming new general data protection regulations in May, what changes if any will this bring in relation to the retention of scanned documentation after the applicant receives social housing, or is no longer eligible, or fails to respond to a housing needs assessment?"

Cllr Crawford received a response from the Director of Corporate, Housing & Cultural Services in relation to the above.

C/56/18 WATER SUPPLY TREATMENT

Cllr Doherty submitted the following question:-

"Could I get a list of the chemicals that are used in the treatment of the County's water supply?"

Cllr Doherty received a response from the Director of Water & Environment in relation to the above.

C/57/18 DERELICT BUILDINGS

Cllr McGowan submitted the following question:-

"Can the Council outline any policies or plans to tackle derelict or run down buildings in our towns and give a progress report on same?"

Cllr McGowan received a response from the Director of Community, Enterprise & Planning in relation to the above.

C/58/18 HOUSING CAPITAL PROJECTS

Cllr Gallagher submitted the following question:-

"Could I receive a copy of the proposed housing capital projects?"

Cllr Gallagher received a response from the Director of Housing, Corporate & Cultural Services in relation to the above.

C/59/18 RIVER CLEANING PROGRAMME

Cllr Gallagher submitted the following question:-

"Has this Council had any engagement with the OPW to establish a river-cleaning programme?"

Cllr Gallagher received a response from the Director of Roads & Transportation in relation to the above.

C/60/18 MOTIONS FROM OTHER COUNCILS

Members noted the following motions from other Councils.

CLARE COUNTY COUNCIL

“That Clare County Council requests the Minister for Agriculture to put a plan in place to help Clare farmers through an imminent fodder crisis next year.”

#### CARLOW COUNTY COUNCIL

“That Carlow County Council calls on the Minister for Agriculture, Food and the Marine to produce adequate information to ensure ease of access and understanding of complex requirements for persons with disabilities, who are required to comply with European and national certification and guidelines, particularly in the agricultural sector. The Minister is called upon to address and if need arise, legislate for the ongoing issues involving persons with disabilities in the interest of equality and paying particular attention to literacy issues among farmers, to also put in place services and facilities in recognition of the many farmers and members of rural Ireland who have difficulty getting the appropriate certification to carry out day to day agricultural activity, in particular, this council asks the Minister to consider the case concerning Edward “Ned” Deering who recently went before the European Parliaments committee of petitions where the case remains open. Finally, this Council calls on the Minister to recognise that the role of ‘access officers’ within the department are not fit for purpose.”

#### GALWAY CITY COUNCIL

“That Galway City Council write to the Department of the Environment and request that they prepare legislation regarding the disposal of paint under the Producer Responsibility Initiative similar to the WEE Scheme where paint would be brought back to the suppliers and disposed of by the paint companies.”

#### CLARE COUNTY COUNCIL

“That Clare County Council call on the Minister for Social Protection to reverse the unfair and discriminatory policy of penalising home makers that took some time out to care for their family prior to 1994 and to address the Austerity measure that penalised approximately 35,000 people, mainly women, that was brought in by the Government on 6th April 2012 concerning Contributory Pension Entitlements and if the motion is agreed that the request be sent to the Minister and also circulated to all other Councils”.

#### WEXFORD COUNTY COUNCIL

“That this Council resolves that the guidance issued by the Data Protection Commissioners should not supercede the public interest role of Councillors both to oversee the allocation of houses and to provide input based on local knowledge to assist in the allocation of housing and that a draft protocol to balance these competing interests be brought forward.”

#### WATERFORD CITY AND COUNTY COUNCIL

“In consideration and recognition of the brave women and men in the emergency services who put their lives at risk to save others, who again were not found wanting during the recent extreme weather conditions, and whose lives were put at unnecessary risk by individuals who entered the sea during the status Red weather alert, this Council calls on the Government to introduce legislation as quickly as possible, to make it an offence for a person or persons to enter the water, that being the sea or river, during a status red weather warning. To also make it an offence to enter the water, that being the sea or river, when the area has been closed by either the local council or the Gardai as a matter of public safety.”

#### TIPPERARY COUNTY COUNCIL

“We call on the Minister for Environment to amend the legislation with regard to collection of waste so as to allow small operators to provide a service to those who live in remote areas, areas where large vehicles cannot access or where householders have very limited amounts of waste and lack storage space for bins. Such small operators should be permitted to meet requirements in relation to pay by weight, by weighing their loads at the point of disposal. This would facilitate householders, allow the small operators to continue in business and also reduce the likelihood of illegal dumping of waste.”

