

20th November, 2018

TO ALL MEMBERS OF DONEGAL COUNTY COUNCIL
--

The Adjourned September Meeting of Donegal County Council, will be held on Monday 26th November, 2018 at 10.00am, in the County House, Lifford to consider the unfinished business listed below:-

Items 21 - 52.

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

Meetings Administrator

MINUTES OF ADJOURNED MEETING OF DONEGAL COUNTY
COUNCIL HELD IN THE COUNTY HOUSE, LIFFORD ON 26th
NOVEMBER, 2018

C/326/18 MEMBERS PRESENT

Cllrs S Ó'Domhnaill (Cathaoirleach), E Bonner, J Campbell, P Canning, T Conaghan, G Crawford, N. Crossan, A Doherty, L Doherty, M Doherty, R Donaghey, M. T. Gallagher, A Glackin, M Harley, N Kennedy, M C Mac Giolla Easbuig, F Mc Brearty Jnr, M Mc Bride, J P McDaid, M Mc Dermott, I Mc Garvey, P McGowan, G McMonagle, M Naughton, J S O'Ferraigh, and T Slowey.

C/327/18 OFFICIALS IN ATTENDANCE

Seamus Neely, Chief Executive, Joe Peoples, Director of Housing, Corporate and Cultural Services / Meetings Administrator, John McLaughlin, Director of Roads & Transportation, Michael Mc Garvey, A/Director of Water & Environment, Richard Gibson, A/Head of Finance, Eunan Quinn, Senior Planner, Anne Marie Conlon, Communications Officer, Sean O'Daimhin, Oifigeach na Gaeilge, Anne Marie Crawford, Staff Officer.

C/328/18 IMPLEMENTATION OF A STRICT POLICY ON THE
ERECTION OF POSTERS AND SIGNAGE

Cllr Kennedy proposed, seconded by Cllr Mc Garvey that the following motion be adopted:-

"I am calling on Donegal County Council to introduce and implement a strict policy on the erection of posters and signage throughout the County."

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

She outlined the need for a joint approach and combined response from the Roads, Planning and Environment services. Signage, she added, was often a distraction for many drivers. One possible solution, she contended, was to have all signage erected at one particular location within the relevant town boundaries.

The motion, it was acknowledged, was timely given that the Local Elections are due to take place in 2019.

Cllr Mc Garvey supporting the motion outlined the need for some semblance of control and queried the need for signage given that most advertising was now social media based.

Cllr Canning proposed, seconded by Cllr Naughton not to adopt the motion on the basis that current enforcement measures were unfair and weighted against the local business community. There was a need, he contended, for legislation which would allow local businesses to advertise in a regulated manner and create a competitive working environment for all concerned.

After some debate it was resolved that the matter should be considered further by the Community Enterprise & Planning SPC.

C/329/18 COLLECTIVE BARGAINING RIGHTS -PAY INEQUALITY FOR MEMBERS OF THE DEFENCE FORCES

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

"That Donegal County Council calls on the Minister of Defence to implement the recommendation of the European Committee of Social Rights to allow for collective bargaining rights and to address the issues of pay inequality for members of the Defence Forces."

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

There was no opposition to the motion.

C/330/18 PROVISION OF DOWNSTAIRS BEDROOM EN-SUITE FACILITIES IN SOCIAL HOUSING PROJECTS

On the proposal of Cllr Crawford, seconded by Cllr Mc Gowan the following motion was adopted:-

"That this Council liaise with the Dept of Housing Planning and Local Government to ensure that Departmental guidelines include, the provision of downstairs bedroom en-suite facilities in the provision of social housing projects."

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

He said that the issue was one that affected not only the elderly, but many other sections of the community, and that the provision of a downstairs bedroom en-suite facility should be provided in social housing schemes.

Cllr Mc Gowan supporting the motion said that it was imperative that issues such as this were addressed at design stage.

There was no opposition to the motion.

Mr Joe Peoples, Director Housing, Corporate & Cultural Services indicated that the assessment of need enabled the Council to design schemes to meet particular requirements and that there is ongoing liaison with the Department in instances where a downstairs bedroom is needed.

It was agreed that the matter could be included on the agenda for the next scheduled meeting with the Department.

Cllr Crawford concluding the debate advised of the need to be proactive rather than reactive given the current population demographics.

C/331/18 NECESSITY OF INCREASING GRANTS PAID TO ELDERLY AND DISABLED PEOPLE

On the proposal of Cllr Mc Gowan, seconded by Cllr Crawford the following motion was adopted:-

"That this Council increase the grants paid to Elderly & Disabled People under the "Housing Adaptations Grants for People with a Disability, Mobility Aids Grants and the Housing Aid for Older People Grant and thus calls on the Minister to increase the grant allocation to the Council in this regard."

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

He alluded to the fact that applicants were often not in a position to pay for the balance of the works and that the contribution amounts could be anything up to 40% for applicants in low income brackets. No-one, he contended, should have to pay more than 20% of the overall cost. Often such works, he noted, led to other works thus

placing an additional burden on the applicant. There were also, he said, far too many charges at the planning application stage.

Cllr Crawford supporting the motion asked for further clarity in relation to the issue of the Council employing its own Occupational Therapist and as to whether or not the proposal was feasible in the long term.

Mr Joe Peoples, Director of Housing, Corporate & Cultural Services confirmed that the total in 2018 for Housing Adaptation and Housing Aid grants would be €2million with €400,000 of this provided by the Council. He said that a recommendation had been considered by the SPC to increase the various limits for work under the various categories and this would be brought to the Council Meeting in January 2019 for approval. The SPC, it was noted had recommended that the new limits be applied for applications received on or after the 1st December, 2018.

Cllr Mickey Doherty said that cognisance also needed to be taken of the fact that very often adaptation works led to additional works causing the applicant's contribution to rise above the 20% contribution threshold.

There was no opposition to the motion.

Cllr Mc Gowan said that a consistent approach was needed in all Municipal Districts, but contended, that the applicant should never have to contribute more than 20% of the overall cost.

It was agreed to contact the Department of Housing, Planning & Local Government regarding a review of the maximum grant amounts, under the various grant categories.

C/332/18 ELECTED MEMBERS ROLE IN SELECTING ROADS UNDER THE FOUR YEAR ROADS PROGRAMME

On the proposal of Cllr Mc Brearty, seconded by Cllr Slowey the following motion was adopted:-

"Calling on Donegal County Council to clarify the role that the Elected Members have in selecting roads for the County under its four year programme."

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

He highlighted the fact that the roads programme for the Stranorlar Municipal District had been agreed by the six elected members concerned. It was noted that the role of the Oireachtas Members was simply to lobby the Department with regard to the provision of extra funding.

Cllr Slowey supporting the motion said that the general public were very often not familiar with the process and called on the Roads SPC to ensure that the four year programme is published on the website in a timely fashion.

There was no opposition to the motion.

Mr John Mc Laughlin, Director of Roads & Transportation said that the programme was published on the website and that the issue of timing could be looked at.

C/333/18 CATHAOIRLEACH'S BUSINESS

It was agreed that this would be considered under Cathaoirleach's Business for the November Meeting.

C/334/18 CHIEF EXECUTIVE'S REPORT

It was agreed that this would be considered under the Chief Executive's Report for the November Meeting.

The following Questions were noted.

C/335/18 PROGRESS ON MOTION PASSED BY DONEGAL COUNTY COUNCIL CALLING FOR A TASKFORCE FOR THE DONEGAL GAELTACHT

Cllr Gallagher submitted the following question:-

“Has any progress and/or reply been received following motion passed by DCC calling for a Task Force for the Donegal Gaeltacht?”

Cllr Gallagher received a response from the Director of Economic Development, Information Systems and Emergency Services in relation to the above.

C/336/18 REQUEST FOR DETAILS IN RELATION TO ALL HOUSING UNITS OBTAINED/BUILT BY DONEGAL COUNTY COUNCIL FOR 2016,2017 AND 2018 TOGETHER WITH THE NUMBERS AND LOCATIONS FOR THE NEXT THREE YEARS 2019-2021

Cllr Gallagher submitted the following question:-

“Could I receive in tabular format all housing units obtained/built by DCC for the years 2016, 2017 and 2018 and the proposed numbers and locations for it over the next three years 2019, 2020, and 2021?”

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

C/337/18 BREAKDOWN OF MD HOUSE INSPECTIONS RELATING TO THOSE IN RECEIPT OF HAP PAYMENT AND INSPECTION OF RENTED PROPERTIES NOT IN RECEIPT OF HAP. COMPLAINTS IN RELATION TO RENTAL PROPERTIES.

Cllr Mac Giolla Easbuig submitted the following question:-

“An dtig leis an Chomhairle sonraí a thabhair dom ar na scrúduithe cigireachta a rinne Rannóg na dTithe orthu siúd a fhaigheann íocaíocht HAP agus na sonraí sin a léiriú maidir le gach Ceantar Bardais?

Chomh maith, an dtig leis an Chomhairle sonraí a thabhair do ar na scrúduithe cigireachta a rinneadh orthu siúd i dtithe ar cíos agus nach bhfuil ag fáil aon íocaíocht faoin scéim HAP agus na sonraí sin a léiriú maidir le gach Ceantar Bardais?

Fosta, an dtig leis an Chomhairle briseadh síos a thabhairt ar líon na ngearán atá faighte ag an Chomhairle maidir le foirgnimh/tithe ar cíos agus sin a léiriú maidir le gach Ceantar Bardais?”

Can the Council please provide me with a breakdown per MD of house inspections carried out by the housing section of those in receipt of HAP payment and inspection carried out per MD of rented properties that are not in receipt of HAP payment. Also can the Council provide me with a breakdown per MD of complaints received in relation to rental properties?”

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

C/338/18 ROAD CLOSURES IN THE MUNICIPAL DISTRICT AREAS
Cllr Jack Murray submitted the following question:-

"Can this Council establish a system by which all councillors are emailed in advance of all road closures in their Municipal District?"

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

C/339/18 FUNDING FOR ENERGY SAVING REPLACEMENT LAMPS
Cllr Paul Canning submitted the following question:-

"Have we secured funding for energy saving replacement lamps throughout the County?"

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

C/340/18 PURCHASE OF A COUNCIL OWNED DREDGER
Cllr Rena Donaghey submitted the following question:-

"What progress has been made regarding the purchase of a Council owned dredger for the County?"

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

C/341/18 VACANT PROPERTIES IN THE MUNICIPAL DISTRICTS
Cllr Jack Murray submitted the following question:-

"How many properties in each Municipal District have been vacant for more than six months, and of these, how many require further renovation?"

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

C/342/18 NUMBER OF S.I. HOUSES BUILT IN DONEGAL OVER LAST FIVE YEARS

Cllr Martin McDermott submitted the following question:-

"To ask the Council how many SI council houses have been built in the county over the last 5 years broken down per MD?"

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

C/343/18 USE OF WEEDKILLER AND ITS CONSEQUENCES FOR THE ENVIRONMENT AND ITS HANDLERS

Cllr Albert Doherty submitted the following question:-

"Does Donegal County Council note the concerns and reservations nationally reported regarding the use of the "Roundup " brand produced by Monsanto and its harmful consequences for the environment and its handlers?"

Will Donegal County Council explore alternatives to the council's use (if the practice) of toxic substances in the authority's control and / or removal of unwanted vegetation?"

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

C/344/18 SEWERAGE AND WATER PROJECTS IN THE COUNTY PLANNED TO COMMENCE/RECOMMENCE IN 2018 AND 2019.

Cllr Albert Doherty submitted the following question:-

"What briefing information has Irish Water give to Donegal County Council regarding all Sewerage and Water Projects planned to commence/recommence in County Donegal in years 2018 and 2019?"

Does Irish Water's planned projects for 2018/19 respond adequately to the Environmental Protection Agency's required Remedial Action List (RAL) for County Donegal including projects previously awarded to the Lagan Construction Group, commenced, now suspended and due to complete by 2018 years end?"

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

C/345/18 NUMBER OF PLANNING ENFORCEMENT LETTERS SENT TO BUSINESSES IN RELATION TO SIGNS.

Cllr Paul Canning submitted the following question:-

“How many planning enforcement letters have been sent out to businesses in relation to signs?”

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

C/346/18 NUMBER OF HOUSES OWNED BY THE COUNCIL AND THE NUMBER OF MAINTENANCE STAFF IN EACH MUNICIPAL DISTRICT

Cllr Gerry McMonagle submitted the following question:-

"Can I have a breakdown in tabular form per Municipal District of the number of houses that the council own, and how many maintenance staff we have per Municipal District servicing those houses?"

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

C/347/18 NEED FOR A JOINT STRATEGY TO ADDRESS ONGOING PROBLEMS WITH WATER AND SEWAGE TREATMENT PLANTS

Cllr Gerry McMonagle submitted the following question:-

"Has this Council engaged with Irish Water with a view to adopting a Joint Strategy to address the ongoing problems being experienced across this County by residents without a proper and fit Water and Sewage Treatment Plants?"

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

C/348/18 IDENTIFICATION OF THE BEST USE OF COUNCIL ASSETS AND THE UTILISATION OF THESE IN A MANNER BENEFICIAL TO ALL

Cllr Ciaran Brogan submitted the following question:-

"What steps have been taken by this Council with a view to identifying the best use of all our Council assets in each Municipal

District, together with the identification of relevant funding opportunities so as to utilise these assets in a manner beneficial to all."

Cllr Brogan received a response from the A/Head of Finance in relation to the above.

C/349/18 TEN-T PROJECTS IN DONEGAL

Cllr Ciaran Brogan submitted the following question:-

"Can we have an updated report on the Ten-T projects and a timeframe for same?"

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

C/350/18 TRAFFIC ACCIDENTS – PROCEDURES WHEN ROAD WORKS ARE TAKING PLACE.

Cllr Adrian Glackin submitted the following question:-

"What are the procedures currently in place if a traffic accident occurs in an area where road works are taking place? Incidents of emergency services being held back have been reported?"

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

C/351/18 FUNDING FOR LIS SCHEMES

Cllr Micheál Naughton submitted the following question:-

"Has Donegal County Council requested more funding from the Minister for LIS schemes, due to the huge number of roads that require immediate work?"

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

C/352/18 NUMBER OF PUBLIC LIGHTS COMMISSIONED OUTSIDE THE TOWN BOUNDARIES

Cllr Gary Doherty submitted the following question:-

"How many new public lights have been commissioned outside town boundaries by Donegal County Council since 2014?"

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

C/353/18 EXTENSION OF THE WINTER GRITTING PROGRAMME

Cllr Gerry Crawford submitted the following question:-

"What progress has been made in efforts to enable some extension of the winter gritting programme for 2018/2019?"

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

C/354/18 CLAIMS MADE AGAINST THE ROADS SECTION AND THE ACTION BEING TAKEN BY THE COUNCIL

Cllr Patrick McGowan submitted the following question:-

"Please give a report on claims made against the roads section over the term of the present Council with details on the number of claims, payments made, and the criteria used to settle claims, outlining what action the Council is taking to safeguard drivers, pedestrians and others from being exposed to personal injury or vehicle damage which can be life changing, and can a breakdown be given on the annual roads maintenance funding received over this last ten years and how funding levels affect public safety and wear and tear on vehicles"?

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

C/355/18 FUNDING FOR FLOODING AS ALLOCATED PER MUNICIPAL DISTRICT

Cllr Frank Mc Brearty Jnr submitted the following question:-

"Can I have a break down of funding from DCC, Gov and OPW for flooding which has been given to each MD over the Past 10 years?."

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

C/356/18 MONIES COLLECTED IN ROAD TAX FROM 2015-2017

Cllr Gerry Crawford submitted the following question:-

"What is the amount of money collected in road tax by this Council for years?-

2015, 2016 and 2017."

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

C/357/18 RESPONSE FROM THE MINISTER REGARDING RESTRICTIONS IN THE TENANT PURCHASE SCHEME, AFFORDABLE HOUSING, COUNCIL HOUSING LOAN CRITERIA AND THE SI HOUSING SCHEME.

Cllr Patrick McGowan submitted the following question:-

"Has there been any response from Minister Damien English following his meeting last year with this Council in Lifford in relation to the restrictions around the Tenant Purchase Scheme, Affordable Housing, Council Housing Loan Criteria, and the SI Housing Scheme etc?"

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

C/358/18 FUNDING FOR HISTORICAL AND TOURISM INITIATIVES

Cllr Frank Mc Brearty Jnr submitted the following question:-

"Can I have a break down of funding given to each Municipal District for historical and tourism over the past 10 years?"

Cllr Mc Brearty Jnr received a response from the Director of Economic Development, Information Systems and Emergency Services in relation to the above.

C/359/18 MOTIONS FROM OTHER COUNCILS

Members noted the following motions from other Councils:-

CLARE COUNTY COUNCIL - MUNICIPAL DISTRICT OF WEST CLARE

"We the West Clare Municipal District Councillors Ian Lynch, Gabriel Keating, Christy Curtin, Richard Nagle, Bill Slattery, Bill Chambers, PJ Kelly and Michael Hillery unanimously agreed at a

Special Meeting of the Municipal District Council held on 27th August 2018 to call on the Government to enact the Dáil motion passed in November 2016 in support of protecting and developing the Post Office network and its services.

In doing so we ask that they,
Postpone the closures of post offices for a 3 year period, to facilitate a restructure of the post office services.”

LIMERICK CITY AND COUNTY COUNCIL

That, this Council would call on the Taoiseach and his Government to legislate to ensure that employees who have a recognised degree would be legally entitled to be paid a liveable wage and that their employers would not obstruct these graduates from being in pensionable and unionised jobs and this resolution would be circulated to each Local Authority ain the country and to the Local Authority Members’ Association (LAMA) and the Association of Irish Local Government (AILG).”

LIMERICK CITY AND COUNTY COUNCIL

“That the Minister for Health, Mr. Simon Harris, TD, and the Minister of State with Special Responsibility for Disabilities, Mr. Finian McGrath, TD, bring forward legislation that all Government Grants, Social Welfare Payments and all other State Supports be categorised as non-means tested Universal Payments for people with Disabilities.”

MONAGHAN COUNTY COUNCIL

In light of what has been one of the worst droughts ever, this MD now calls on the Minister for Agriculture to immediately make hardship funding available to assist the farming community given the severe shortage of fodder quantified by some as up to 5 million tonnes. This will not or cannot be made up now with at least 60% of the growing season already passed.”

LEITRIM COUNTY COUNCIL

“That Leitrim county Council call on the Department of Education and Skills and/or Department of Health to introduce a scheme to provide all teachers and Special Needs Assistants with Occupational First Aid Training, encompassing CPR.”

KILDARE COUNTY COUNCIL

“That the Council write to the insurance regulator and all home insurance providers who offer policies within County Kildare, voicing our concern, disappointment and opposition to the apparent misinterpretation of the current Catchment Flood Risk Assessment and Management Studies (CFRAMS) maps by the insurance industry and the fact that this misinterpretation is now affecting house sales within County Kildare.

It was agreed to refer this motion to the Financial Ombudsman and to all Local Authorities for their attention and consideration.”

This concluded the business of the meeting.

Cathaoirleach

Dated