

COMHAIRLE CHONTAE DHUN NA nGALL

Oifig Riarthóir na
gCruinnithe
Aras an Chontae
LEIFEAR
24 Meán Fomhair, 2013

FOGRA CRUINNITHE

Beidh Cruinniú Comhairle Chontae Dhún na nGall ar siúl Dé Luain, 30 Meán Fomhair, 2013, ag **11.00 r.n. in Áras an Chontae, Leifear**

DO GACH BHALL DEN CHOMHAIRLE

A Chara

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

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

Mise, le meas

**Liam Mac a'Bhaird
Riarthóir Cruinnithe**

DONEGAL COUNTY COUNCIL

Office of Meetings Administrator
County House
Lifford
24th September, 2013

NOTICE OF MEETING

A Meeting of Donegal County Council will be held on Monday 30th September, 2013, at **11.00am in the County House, Lifford.**

TO EACH MEMBER OF DONEGAL COUNTY COUNCIL

Dear Councillor

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

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

Yours sincerely

**Liam Ward
Meetings Administrator**

AGENDA

1. Confirmation of Minutes

Confirmation of the Minutes of the July Meeting of Donegal County Council held on the 22nd July, 2013.

MOTIONS

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

LETTERKENNY ELECTORAL AREA

Corporate

2. Clr. Larkin

"That Donegal County Council call on this government to "Reverse it's Policy, which does not classify Down Syndrome as a Low incidence disability and as a consequence prevents these Children from availing of essential resource teaching hours." (If successful I would like this motion to be circulated to all other local authorities in the Country)."(O)

3. Clr. Quinn

"Donegal County Council demands that additional resources be allocated to M.A.B.S. in North Donegal as a matter of urgency." (O)

Roads and Transportation

4. Clr. Brogan

"That this Council discuss our resources and priorities for this Council for the remainder of 2013 and proposals for 2014 and confirm if issues of roads maintenance and housing maintenance are being addressed." (C)

DONEGAL ELECTORAL AREA

Roads and Transportation

5. Clr. McEniff

"That the Council discuss the problems concerning the influx of camper vans taking up spaces in prime carparks." (C)

Community and Enterprise

6. Clr. O'Neill

"I call on Donegal County Council to restore the full public library service hours to the Ballyshannon Public Library." (L)

Corporate

7. **Clr. Campbell**

"That Donegal County Council supports the campaign of the Restaurants Association of Ireland to keep the VAT rate for tourism and hospitality at 9% into 2014 and beyond." (O)

STRANOLAR ELECTORAL AREA

Community, Culture and Planning

8. **Clr. Crawford**

"That we discuss the possible implications for Tenants of Unfinished Estates that are having works carried out as the situation arises in problematic areas such as sewage, health and safety, in light of the take over by Irish water." (C)

Finance

9. **Clr. McGowan**

"That the County Manager outline what discussions have taken place between Minister Hogan's Department and the (CCMA) County Managers Association in relation to future Local Government funding including proposals for the distribution of the new Household Charge, and whether this will be in addition to the present LGF and proposals for a new Commercial Rate Scheme." (O)

Housing

10. **Clr. Harvey**

"That this Council ringfence a sum of money for Budget 2014 for the upgrade and repair of the Council's Housing Stock."

GLENTIES ELECTORAL AREA

Roads and Transportation

11. **Clr. Alcorn**

"That this County Council discuss the overgrowth along our Main and County Roads in Donegal, and have the Council any plan for dealing with this major problem in the future." (C)

Water and Environment

12. **Clr. Gallagher**

"That this Council prioritise the Burtonport Sewage Scheme with the Department, and have it re-instated on the Capital Scheme." (L)

Corporate

13. Clr. Slowey

"That this Council call on the Government to pass legislation putting an Electoral Commission in place to handle all Elections and Referenda in this State, together with updating of the Electoral Register." (O)

14. Clr. O'Domhnaill

"That we discuss the consequences of the Depleting Role of Councils within our nation given the emergence of Irish Water, the NRA, SUSI, NDLS, as well as the fact that we are unable to build or purchase any Houses in this County, properly maintain our Housing Stock or provide the full range of services to the Donegal Public whilst the democratic role of the Elected Representative is being totally undermined and power is being taken away from the People and into the hands of powerful Public Servants to the absolute detriment of services within our county." (O)

INISHOWEN ELECTORAL AREA

Corporate

15. Clr. Donaghey

"To ask the Government to reverse in this year's budget the recent decision to cut Farm Assist Payments as they did at a time when farmers are most vulnerable and most reliant upon this payment, particularly after the severe impact of the fodder crisis and to base future assessments on a 10 year period, not on the previous year only." (O)

Planning and Economic Development

16. Clr. Canning

"In keeping with the recent High Court decision in the case of Wicklow County Council, I would ask that this Council offers a Planning Permission Retention Waiver to all domestic dwelling owners that have their dwelling constructed and occupied for a period of 4 years or more on condition that it does not cause pollution or traffic safety hazard to the public or the landscape." (C)

Community and Enterprise

17. Clr. Murray

"That Donegal County Council presents a report on all possible solutions (including connections to the mains) which would resolve the sewerage problems in the three estates in Bridgend currently experiencing difficulty with mechanical plants." (L)

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

- a) Notice under Section 211 of the Planning and Development Act 2000 (as amended) and under Section 183 of the Local Government Act 2001 – to dispose of plot of land at Tullymore, Ardara to the Legal Personal Reps of Alice O’Brien deceased.
- b) Notice under section 211 of the Planning and Development Act 2000 (as amended) and under Section 183 of the Local Government Act 2001 – to dispose of plot of land at Killybegs Industrial Road to Artic Fish (Processing Company).
- c) Notice under section 211 of the Planning and Development Act 2000 (as amended) and under Section 183 of the Local Government Act 2001 – to dispose of two plots of land comprising of 0.437 acres and 0.976 acres at Bruckless, to Mr Declan Erskine, Bruckless, Co . Donegal.
- d) Notice under section 211 of the Planning and Development Act 2000 (as amended) and under Section 183 of the Local Government Act 2001 – to dispose of property at St Catherine’s Road, Killybegs comprising 0.045Ha to Mr. Joseph Cunningham, Drimnafinagle, Kilcar, Co. Donegal.

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

- a) To approve carrying out of works with regard to the upgrade of the Waste Water Treatment Plant at Ardnagappery, Gweedore and construction of a Sewage Pumping Station at Magheragallan, Gweedore.

20. Community, Culture and Enterprise

- a) Presentation by Donegal County Council on key areas of tourism.
- b) To select two nominees to participate in the CROSPLAN II – Cross Border Spatial Planning and Training Network.
- c) To adopt Indicative Text of Annual Report 2011/2012.

21. Corporate and Housing

- a) To note and approve the HEG Scheme for the year 2013/2014.
- b) “Putting People First” Transitional Planning Report.

22. Finance

- a) To consider the Three Year Capital Programme for Donegal County Council for the period 2013 – 2015 inclusive.

- b) Update on Revenue Budget 2013. (Verbal Update)

23. Roads and Transportation

- a) Extinguishment of Public Right of Way at Mahgeragallon Road, Gweedore, Co. Donegal.
- b) To agree a date for Workshop on Winter Maintenance. (Proposed date 3rd October, 2013 – 10.00am to 1.00pm.)
- c) Approval of the Council's 2013 Plant Purchase and Plant Reconditioning Proposal 2013.
- d) To note the funding application for Bridge Strengthening Works Programme 2014.

24. Endorsement of Minutes

- a) Endorsement of the Confirmed Minutes of Meeting of Island Committee held on the 19th March, 2013.
- b) Endorsement of the Confirmed Minutes of Meeting of Inishowen Electoral Area Committee held on the 14th May, 2013.
- c) Endorsement of the Confirmed Minutes of Meeting of Donegal Electoral Area Committee held on the 15th May, 2013.
- d) Endorsement of the confirmed Minutes of Meeting of Glenties Electoral Area Committee held on the 21st May, 2013.
- e) Endorsement of the Confirmed Minutes of Meeting of Letterkenny Electoral Area Committee held on the 8th July, 2013.
- f) Endorsement of the Confirmed Minutes of Meeting of Glenties Electoral Area Committee held on the 16th July, 2013.
- g) Endorsement of the Confirmed Minutes of Inishowen Electoral Area Committee held on the 16th July, 2013.
- h) Endorsement of the Confirmed Minutes of Annual General Meeting of Donegal Electoral Area Committee held on the 17th July, 2013.
- i) To note the Minutes of Meeting of the Corporate Policy Group held on the 15th July, 2013.

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

Authorisation of representation at a seminar, meeting or event under Section 142 (5) of Local Government Act, 2001, S.I. No 668 of 2006, Local Government (Expenses of Local Authority Members) Regulations 2006, S.I. No 37 of 2010, Guidelines given by the

Minister for the Environment, Heritage and Local Government in relation to the Local Government Act, 2001 (Section 142) Regulations 2010:-

- Superior Training Services – Local Government and Enterprise Development to be held from Thursday 3rd to Saturday 5th October, 2013 at the Holyrood Hotel, Bundoran, Co. Donegal.
- ACE Training – New Tendering Requirements for Local Authorities to be held from Friday 4th to Sunday 6th October, 2013 at the Four Seasons Hotel, Carlingford, Co Louth.
- LAMA Autumn Seminar 2013 Local Authorities “Driving Economic Development” to be held Friday 11th and Saturday 12th October, 2013 at the Falls Hotel, Ennistymon.
- Tgr Seminars – 50 Ways to access funding for community programmes relevant to Councillors to be held Friday 11th and Saturday 12th October, 2013 at the Bunratty Castle Hotel, Bunratty, Co. Clare.
- BG Seminarz – Council Budgets Preparation, Adoption and Amendments to be held from Friday 11th to Sunday 13th October, 2013 in the Quality Hotel, Killarney, Co. Kerry.
- ACE Training – Sport and Community Planning to be held Friday 11th to Sunday 13th October, 2013 at the Park Hotel, Clonmel, Co. Tipperary.
- BG Seminarz – Future Energy Needs Wind Turbines to Nuclear to be held Friday 25th and Saturday 26th October, 2013 in the Clanree Hotel, Letterkenny.
- Celtic Conferences – “Design Guidelines for the Planning and Development of Rural Housing” to be held from Friday 25th to Sunday 27th October, 2013 at the Celtic Ross Hotel, Rosscarbery, Co. Cork.
- The Institute of Professional Training – Training Seminar 1) Seanad – The Result 2) C.D.B’s out – S.E.C’s in to be held from Friday 25th to Sunday 27th October, 2013 at the Mount Errigal Hotel, Letterkenny.
- Tgr Seminars – Putting People First-Update on its implementation to date to be held Friday 25th and Saturday 26th October, 2013 at the Grainne Suite, Bunratty Castle Hotel, Bunratty, Co. Clare.

26. Conference Reports
Clr Dessie Larkin

BA (Hons) Public Management held from 31st August to 1st September, 2013 at the IPA Dublin.

Clr Dessie Larkin

Annual Conference Association of Municipal Authorities of Ireland held from 11th to 14th September, 2013 in Clonakilty Cork.

27. Request for Deputation

To consider the request by the Glenties Windfarm Information Group to address a meeting of Donegal County Council.

28. Manager's Report

29. Mayor's Business

QUESTIONS

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

LETTERKENNY ELECTORAL AREA

Water and Environment

30. Clr. Larkin

"Would the Council update me with the current status of the Letterkenny Trunk sewage scheme?" (L)

31. Clr. Brogan

"Has there been any progress with the Department in relation to the Trunk Sewer Works in Letterkenny, and what efforts are being made to add the Dromore and wider Bunnagee area to the Department listing?" (L)

Planning

32. Clr. Larkin

"How many estates have applied for take-over and how many have been successful under the recently introduced Council policy?" (C)

Community and Enterprise

33. Clr. Quinn

"What plans are in place to ensure that the outstanding works relating to the Mill Street area will be completed as a matter of urgency?" (Tullyhoman/Pettigo Project) (L)

34. Clr. Quinn

"How much has been spent to date on the Tullyhoman/Pettigo Project, How was the expenditure broken down and what remains to be spent?" (L)

Finance

35. Clr. Brogan

"Will the Council confirm if it has yet compiled all the assets of the Council, and when these will be presented to the Elected Members, so that as a Council we can decide how best to use our assets?" (C)

DONEGAL ELECTORAL AREA

Water and Environment

36. Clr. Boyle

"Could the Council provide a list of intended Group Water Schemes prior to Irish Water taking over responsibility and maintenance in the future?" (C)

37. Clr. Campbell

"In relation to sewage treatment in Mountcharles, What plans have been developed and what is the likely timeline for funding/completion of the works?" (L)

Roads and Transportation

38. Clr. O'Neill

"Can Donegal County Council immediately replace the Zebra Crossing lights on either side of the Allingham Bridge Roundabout in Ballyshannon, with new Zebra Crossing lights and new crossing paint work?" (L)

Community and Enterprise

39. Clr. O'Neill

"Will Donegal County Council consider Ballyshannon for a Council led application for a Public Art Project under the Building Peace through the Arts - Re-Imaging Communities Scheme, that includes border counties?" (L)

STRANOLAR ELECTORAL AREA

Housing

40. Clr. Crawford

"Will the Council review the Policy in relation to 1 bedroom lets to people over 65 years in view of the declining home supports?" (C)

41. Clr. Harvey

"How many uninhabitable Council Houses have been repaired and let (broken down per electoral area since the Budget 2013)?" (C)

Roads and Transportation

42. Clr. Crawford

"Will the Council please forward me information it has made to or received from OPW in relation to recent flooding in Ballindrait?" (L)

43. Clr. McGowan

"Can Donegal County Council agree a funding mechanism to finish widening the approach road to Castlefinn Bridge, in light of the ongoing demand in the Castlefin area to have this project completed?" (L)

Planning

44. Clr. McGowan

"How can Donegal County Council fulfil its statutory functions in relation to its role as a Housing Authority and Derelict Buildings Control when the Council itself is one of the biggest offenders in the County?" (C)

45. Clr. Harvey

"Can the Council give a breakdown per Electoral Area of the Housing Estates which have applied to be taken over under the new policy for Unfinished Estates?" (C)

GLENTIES ELECTORAL AREA

Corporate

46. Clr. Alcorn

"Is Donegal County Council satisfied with the New Telephone Central Service and have many complaints been received from the public?" (C)

47. Clr. Slowey

"Please provide details as to where the previously listed WSW payments, Pre and Post Agresso, were initially processed?" (C)

48. Clr. Slowey

"What provision are Donegal County Council making to have the Electoral Registers updated this year?" (C)

Community and Enterprise

49. Clr. Alcorn

"What is the expected time frame for the delivery of the Burtonport Foreshore Licence that Donegal County Council paid substantial monies to the Department some three years ago?" (L)

50. Clr. O'Domhnaill

"Can I receive a full response to the question I posed at the July Meeting in regards to Magheraroarty Beach and Environs plan (item No 46) and also receive information regarding when Donegal County Council are going to enact such a plan to ensure the tourism potential of the Area is fully achieved?" (L)

Roads and Transportation

51. Clr. Gallagher

"Will this Council ensure that the Contract Scheme for Road Repairs is prioritised early in 2014 to ensure that the saga of 2013 is not repeated?" (C)

Housing

52. Clr. Gallagher

"How many tenant purchase schemes have been initiated in 2010, 2011, 2012, 2013?" (C)

Water and Environment

53. Clr. O'Domhnaill

"Can an Integrated Constructed Wetland plan be prepared for the Falcarragh and Gortahork Waste Water Treatment as soon as is possible given the sewerage and pollution problems being experienced in the area and the suitability of the area for a Wetlands organic development?" (L)

INISHOWEN ELECTORAL AREA

Roads and Transportation

54. Clr. Donaghey

"What progress has been made on protection of Beach Erosion at Ludden and Lisfannon, Buncrana?" (L)

Water and Environment

55. Clr. Donaghey

"What progress has been made regarding the "Take Over" of Group Water Schemes in Donegal prior to takeover of Irish Water?" (C)

Planning and Economic Development

56. Clr. Canning

"How many enforcement letters have been sent out to clients in relation to unauthorised development within a domestic dwelling, garage or site works including site entrance and effluent treatment in last 4 years?" (C)

57. Clr. Canning

"How many staff are presently working within the Planning Enforcement section?" (C)

Community and Enterprise

58. Clr. Murray

"Can this Council outline its findings of its investigation into the possible environmental impacts in Inishowen of the proposed Gasification Plant in Maydown, Derry as agreed following my motion?" (O)

59. **Motions from other Councils/Bodies**

BUNDORAN TOWN COUNCIL

"That this Council in conjunction with Ballyshannon Town Council, Donegal county Council and Fermanagh Council discuss the opening of the old railway line from Bundoran to Pettigo to be used as a walking/cycling track to encourage walkers and cyclists to the area."

DUNDALK TOWN COUNCIL

"That this Council calls on the Government to give official recognition status to Irish sign language which would improve the lives and well being of our deaf and hard of hearing citizens."

MACROOM TOWN COUNCIL

"That this Council requests the minister for agriculture, Food and the Marine and his Department to subsidise the cost associated with the price of registration of ponies, horses and donkeys."

MACROOM TOWN COUNCIL

"That Macroom Town Council calls on Minister Phil Hogan to write to all Town Councils explaining the breakdown of exact savings that are to be made by the proposed abolishment of Town Councils".

LIMERICK CITY AND COUNTY COUNCIL

"That, Limerick County Council calls on the Government to carry out a serious review of its present policies on Free Legal Aid with a view to having people who currently qualify for Free Legal Aid making a substantial contribution themselves; and that having been means-

tested as eligible for Free Legal Aid, applicants would select from a panel of the legal profession, directly employed by the State on a fixed annual salary; and that recipients of Free Legal Aid should have the cost associated with this aid paid back through the following ways: (i) if in receipt of Social Welfare, a weekly deduction should be taken from same, (ii) if a property owner, a charge should be put on this property which could be collected with interest if that property is sold in the future, or handed down.”

OFFALY COUNTY COUNCIL

“That Offaly County Council support the Restaurant Association of Ireland’s campaign “Keep Vat at 9% and to ask all other Local Authorities to do likewise.”

KILDARE COUNTY COUNCIL

“That this Council calls on the Minister for the Environment, Community and Local Government in the context of his proposed reform of local government, to ensure that funding will be allocated in a fair manner across the proposed Municipal Districts within the Local Authorities.”

KILDARE COUNTY COUNCIL

“In view of the ongoing housing crisis in the local authority sector, this council calls on the Department of Environment, Community and Local Government housing section to invest a minimum of €100,000,000 on a house building programme. This to alleviate the huge housing waiting list while at the same time providing employment for a sector of people who have gone through very difficult times.”

CARRICKMACROSS TOWN COUNCIL

“That Carrickmacross Town Council notes that a significant piece of immigration reform legislation is currently due to come before the US House of Representatives. This has the potential to positively transform the situation for the estimated 50,000-70,000 undocumented Irish people in the United States.

That we hereby agree to write to Congressman John Boehner, speaker in the US House of Representatives commending this legislation and encouraging its approval by Congress.

That we circulate a copy of this motion to each local authority on the island of Ireland and to the Minister for Foreign Affairs and Trade, Mr. Eamonn Gilmore.”

CLONES TOWN COUNCIL

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

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

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

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

MONAGHAN COUNTY COUNCIL

“In light of the Government’s improved financial situation, that this Council calls on the Minister for Social Protection to increase all Old Age Pensions to match the inflation rate over the last three years.”

WATERFORD CITY COUNCIL

“Waterford City Council commends the 10 former workers from Waterford Crystal in respect of their pensions, welcomes of the decision of the European Court of Justice, recognises the European Court of Justice has found the former Government failed in its obligations to the workers, accepts that the judgement must go back to the High Court but calls on the Government to compensate all former workers of Waterford Crystal and to transpose into Irish Law the 2008 EU Directive and insure it gives protection to all Irish workers and their pensions in the future.”

WATERFORD CITY COUNCIL

“That Waterford City Council recognizes that the trafficking, exploitation and abuse of women and girls is taking place in Waterford and throughout the Country as a direct result of

prostitution. That Waterford City Council believes human rights abuses can be ended by targeting the demand for prostitution by introducing laws which make it an offence to pay for sex and is seeking such laws. We note the success of similar laws in other European countries. That Waterford City Council will convey its views to the Minister for Justice.”

**MINUTES OF MEETING OF DONEGAL COUNTY COUNCIL, HELD IN
THE COUNTY HOUSE, LIFFORD ON 30TH SEPTEMBER, 2013**

C/440/13 MEMBERS PRESENT

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

C/441/13 OFFICIALS IN ATTENDANCE

Mr Seamus Neely, County Manager, Mr Liam Ward, Director of Corporate and Housing/Meetings Administrator, Mr Joe Peoples, A/Director of Water and Environment, Mr John McLaughlin, Director of Roads & Transportation, Mr Garry Martin, Head of Finance & Director of Emergency Services, Mr Denis Kelly, Senior Executive Planner, Mr Barney McLaughlin, Administrative Officer, Mr Kevin O'Connor, Tourism Development Co-ordinator, Ms. Ann Marie Conlon, Communications Officer, Ms Annemarie Crawford, Staff Officer, Corporate Services.

**C/442/13 CONFIRMATION OF THE MINUTES OF JULY MEETING OF
DONEGAL COUNTY COUNCIL HELD ON THE 22ND JULY,
2013**

On the proposal of Clr. Larkin, seconded by, Clr. Donaghey, the Minutes of the July Meeting of Donegal County Council held on the 22nd July, 2013 were approved.

**C/443/13 DISPOSAL OF PLOT OF LAND AT TULLYMORE ARDARA
TO THE LEGAL PERSONAL REPS OF ALICE O'BRIEN
DECEASED**

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

On the proposal of Clr. Alcorn, seconded by, Clr. O'Domhnaill, it was resolved to formally dispose of land at Tullymore, Ardara to the Legal Personal Reps of Alice O'Brien deceased, in accordance with the provisions of Section 211 of the Planning & Development Act, 2000 (as amended) and Section 183 of the Local Government Act, 2001.

C/444/13 DISPOSAL OF PLOT OF LAND AT KILLYBEGS INDUSTRIAL ROAD TO ARTIC FISH (PROCESSING COMPANY)

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

On the proposal of Clr. Boyle, seconded by, Clr. O'Domhnaill, it was resolved to formally dispose of land at Killybegs Industrial Road to Artic Fish (Processing Company), in accordance with the provisions of Section 211 of the Planning & Development Act, 2000 (as amended) and Section 183 of the Local Government Act, 2001.

C/445/13 DISPOSAL OF TWO PLOTS OF LAND COMPRISING OF 0.437 ACRES AND 0.976 ACRES AT BRUCKLESS TO MR DECLAN ERSKINE, BRUCKLESS

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

On the proposal of Clr. Boyle, seconded by, Clr. Campbell, it was resolved to formally dispose of two plots of land comprising of 0.437 acres and 0.976 acres at Bruckless, to Mr Declan Erskine, Bruckless, Co. Donegal, in accordance with the provisions of Section 211 of the Planning & Development Act, 2000 (as amended) and Section 183 of the Local Government Act, 2001.

C/446/13 DISPOSAL OF PROPERTY AT ST CATHERINE'S ROAD, KILLYBEGS COMPRISING 0.045Ha TO MR JOSEPH CUNNINGHAM, DRIMNAFINAGLE, KILCAR

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

On the proposal of Clr. Boyle, seconded by, Clr. Campbell, it was resolved to formally dispose of property at St Catherine's Road, Killybegs comprising 0.045Ha to Mr Joseph Cunningham, Drimnafinagle, Kilcar, Co Donegal, in accordance with the provisions of Section 211 of the Planning & Development Act, 2000 (as amended) and Section 183 of the Local Government Act, 2001.

C/447/13 TAKING OF DECISION WITH REGARD TO THE UPGRADE OF THE WASTE WATER TREATMENT PLANT AT

ARDNAGAPPERY, GWEEDORE AND CONSTRUCTION OF A SEWAGE PUMPING STATION AT MAGHERAGALLAN

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

On the proposal, of Clr. O'Domhnaill, seconded by, Clr. Alcorn, the carrying out of works under Part XI of the Planning & Development Act, 2000 (as amended) and Part 8 of the Planning & Development Regulations 2001(as amended) with regard to the upgrade of the Waste Water Treatment Plant at Ardnagappery, Gweedore and construction of a Sewage Pumping Station at Magheragallan, Gweedore was approved.

C/448/13 EXTINGUISHMENT OF PUBLIC RIGHT OF WAY AT MAGHERAGALLON ROAD, GWEEDORE, CO DONEGAL

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

On the proposal of Clr. Alcorn, seconded by, Clr. O'Domhnaill the extinguishment of the Public Right of Way at Magheragallon Road, Gweedore was approved, to include:-

- A section of the L-1283-1 from a point with its junction to the L-1283-4 to a point 140m north of the said junction.
- A section of the L-1283-1 from a point with its junction to the L1283-4 to a point 350m south of the said junction.
- A section of the L-1283-4 from a point with its junction to the L1283-1 to a point 150m east of the said junction.

C/449/13 TO AGREE A DATE FOR WORKSHOP ON WINTER MAINTENANCE

On the proposal of Clr. Donaghey, seconded by, Clr. Larkin, it was resolved to hold a workshop to discuss Winter Maintenance issues on Thursday 3rd October, 2013 at 10.00am in the County House, Lifford.

C/450/13 APPROVAL OF THE COUNCILS 2013 PLANT PURCHASE AND PLANT RECONDITIONING PROPOSAL 2013

Members considered the report circulated with the agenda in relation to the above. Clr. Mc Brearty expressed concern in relation to the proposal and queried the rational in spending the monies concerned given the current funding difficulties in areas such as

roads and housing maintenance. It was agreed at this juncture to defer consideration of the matter to later in the meeting.

- C/451/13 TO NOTE THE FUNDING APPLICATION FOR BRIDGE STRENGTHENING WORKS PROGRAMME 2014
Members considered the report circulated with the agenda, in relation to the above.
On the proposal of Clr. Larkin, seconded by, Clr. Donaghey, the Bridge Strengthening Works Programme 2014 was noted.
- C/452/13 ENDORSEMENT OF THE CONFIRMED MINUTES OF MEETING OF ISLANDS COMMITTEE MEETING HELD ON THE 19TH MARCH, 2013
On the proposal of Clr. O'Domhnaill, seconded by, Clr. P. Doherty, the Minutes of the Meeting of the Islands Committee Meeting held on the 19th March, 2013 were endorsed.
- C/453/13 ENDORSEMENT OF THE CONFIRMED MINUTES OF MEETING OF INISHOWEN ELECTORAL AREA COMMITTEE HELD ON THE 14TH MAY, 2013
On the proposal of Clr. Donaghey, seconded by, Clr. M. Doherty, the Minutes of the Meeting of the Inishowen Electoral Area Committee held on the 14th May, 2013 were endorsed.
- C/454/13 ENDORSEMENT OF THE CONFIRMED MINUTES OF MEETING OF DONEGAL ELECTORAL AREA COMMITTEE HELD ON THE 15TH MAY, 2013
On the proposal of Clr. Boyle, seconded by, Clr. McEniff, the Minutes of the Meeting of the Donegal Electoral Area Committee held on the 15th May, 2013 were endorsed.
- C/455/13 ENDORSEMENT OF THE CONFIRMED MINUTES OF MEETING OF GLENTIES ELECTORAL AREA COMMITTEE HELD ON THE 21ST MAY, 2013
On the proposal of Clr. P. Doherty, seconded by, Clr. O'Domhnaill, the Minutes of the Meeting of the Glenties Electoral Area Committee held on the 21st May, 2013 were endorsed.
- C/456/13 ENDORSEMENT OF THE CONFIRMED MINUTES OF MEETING OF LETTERKENNY ELECTORAL AREA COMMITTEE HELD ON THE 8TH JULY, 2013

On the proposal of Clr. Larkin, seconded by, Clr. McGarvey, the Minutes of the Meeting of the Letterkenny Electoral Area Committee held on the 8th July, 2013 were endorsed.

C/457/13 ENDORSEMENT OF THE CONFIRMED MINUTES OF MEETING OF GLENTIES ELECTORAL AREA COMMITTEE HELD ON THE 16TH JULY, 2013

On the proposal of Clr. O'Domhnaill, seconded by, Clr. P. Doherty, the Minutes of the Meeting of the Glenties Electoral Area Committee held on the 16th July, 2013 were endorsed.

C/458/13 ENDORSEMENT OF THE CONFIRMED MINUTES OF MEETING OF INISHOWEN ELECTORAL AREA COMMITTEE HELD ON THE 16TH JULY, 2013

On the proposal of Clr. Donaghey, seconded by, Clr. Farren, the Minutes of the Meeting of the Inishowen Electoral Area Committee held on the 16th July, 2013 were endorsed.

C/459/13 ENDORSEMENT OF THE CONFIRMED MINUTES OF ANNUAL GENERAL MEETING OF DONEGAL ELECTORAL AREA COMMITTEE HELD ON THE 17TH JULY, 2013

On the proposal of Clr. Campbell, seconded by, Clr. Boyle, the Minutes of the Annual General Meeting of the Donegal Electoral Area Committee held on the 17th July, 2013 were endorsed.

C/460/13 TO NOTE THE CONFIRMED MINUTES OF THE CORPORATE POLICY GROUP HELD ON THE 15TH JULY, 2013

Members noted the Confirmed Minutes of Meeting of the Corporate Policy Group held on the 15th July, 2013.

C/461/13 CONFERENCES

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

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

- Superior Training Services – Local Government and Enterprise Development to be held from Thursday 3rd to Saturday 5th October, 2013 at the Holyrood Hotel, Bundoran, Co. Donegal.
- ACE Training – New Tendering Requirements for Local Authorities to be held from Friday 4th to Sunday 6th October, 2013 at the Four Seasons Hotel, Carlingford, Co Louth.
- LAMA Autumn Seminar 2013 Local Authorities “Driving Economic Development” to be held Friday 11th and Saturday 12th October, 2013 at the Falls Hotel, Ennistymon.
- Tgr Seminars – 50 Ways to access funding for community programmes relevant to Councillors to be held Friday 11th and Saturday 12th October, 2013 at the Bunratty Castle Hotel, Bunratty, Co. Clare.
- BG Seminarz – Council Budgets Preparation, Adoption and Amendments to be held from Friday 11th to Sunday 13th October, 2013 in the Quality Hotel, Killarney, Co. Kerry.
- ACE Training – Sport and Community Planning to be held Friday 11th to Sunday 13th October, 2013 at the Park Hotel, Clonmel, Co. Tipperary.
- BG Seminarz – Future Energy Needs Wind Turbines to Nuclear to be held Friday 25th and Saturday 26th October, 2013 in the Clanree Hotel, Letterkenny.
- Celtic Conferences – “Design Guidelines for the Planning and Development of Rural Housing” to be held from Friday 25th to Sunday 27th October, 2013 at the Celtic Ross Hotel, Rosscarbery, Co. Cork.
- The Institute of Professional Training – Training Seminar 1) Seanad – The Result 2) C.D.B’s out – S.E.C’s in to be held from Friday 25th to Sunday 27th October, 2013 at the Mount Errigal Hotel, Letterkenny.
- Tgr Seminars – Putting People First-Update on its implementation to date to be held Friday 25th and Saturday 26th October, 2013 at the Grainne Suite, Bunratty Castle Hotel, Bunratty, Co. Clare.

Clr. Quinn noted that it had been agreed previously to look at the issue of conference approval, and enquired as to why a report on the matter had not as yet been presented to Council.

Mr. Liam Ward, Meetings Administrator confirmed that the matter had been reviewed by the Housing & Corporate SPC and presented to the Corporate Policy Group for their consideration, and a decision made to continue with the existing arrangements.

It was possible, he confirmed, to bring the report to full Council.

C/462/13 TO NOTE CONFERENCE REPORTS

On the proposal of Clr. Larkin, seconded by, Clr. Donaghey, the following conference reports were noted:-

Clr Dessie Larkin

BA (Hons) Public Management held from 31st August to 1st September, 2013 at the IPA Dublin.

Clr Dessie Larkin

Annual Conference Association of Municipal Authorities of Ireland held from 11th to 14th September, 2013 in Clonakilty Cork.

C/463/13 REQUEST FOR DEPUTATION

On the proposal of Clr. O'Domhnaill, seconded by, Clr. Campbell, it was resolved that a deputation from the Glenties Windfarm Information Group could address the October meeting of the Council.

C/464/13 MAYOR'S BUSINESS

Clr. Mc Garvey updated Members in relation to the following:-

Votes of Sympathy

A vote of sympathy was extended to the following:

- The family of the late Paddy Devenney, Derrynamansher, Annagry, formerly Glenties Roads Office.
- The family of the late John Carlin, Crossroads, Killygordon, former Rate Collector Donegal County Council.
- The family of the late Seamus Fallon, Multi Skilled Operator, Bundoran Town Council.
- Cllr, Michael Grant, Bunrana Town Council on the death of his brother, John Grant.

- Anne Mullally, County Library on the death her brother, John Callaghan.
- James Peoples, Roads, Milford, Area on the death of his mother, Bridget Peoples.
- Hugh Alexander, Water & Environment, Stranorlar on the death of his mother, Bernie Alexander.
- Joe Alexander, Station Officer, Stranorlar Fire Service on the death of his mother, Bernie Alexander.
- Peadar Molloy, Library Service on the death of his father, Patrick Molloy.

Correspondence from Family of late Councillor Bernard Mc Glinchey

Members noted correspondence from the family of the late Clr. Bernard Mc Glinchey outlining their appreciation for the sympathy and support received on the death of Bernard.

Events Attended

Clr. Mc Garvey informed the meeting that in his capacity as Mayor he had attended the events outlined below:-

- Unveiling of a plaque at the Car Park on the lower slopes of Mt Errigal highlighting the achievements of local man Jason Black on climbing both Mt Errigal and Mt Everest.
- Attendance at the Ulster GAA SFC Final on the 21st July, 2013.
- Attendance at the “Taste of Donegal Food Festival” in Donegal Town on the 23rd -25th August, 2013.
- Presentation of certificates at the “ConneXions that Matter” Event in The Guildhall, Derry on the 12th September, 2013.
- Met with the Rathmullan Historical Committee on their recent vist to the County House.
- Meeting with the Australian Ambassador to Ireland in Glenveagh.
- Ceremony in Sligo Town Council.
- Tip O’ Neill Diaspora Award in Buncrana .

- Malin Waters Conference.
- Attendance with the County Manager and the Director of Roads & Transportation at a Meeting with An Taoiseach, Mr. Enda Kenny, T.D and Minister for Transport, Mr. Leo Varadkar regarding the A5 Project.
- Attendance with the Director of Roads & Transportation at a Meeting with Mr. Danny Kennedy, Minister for Regional Development, NI Assembly to discuss ongoing developments in relation to the A5 and associated works for the N14 and N15.

Invitation to Boston – November 2013

The Mayor informed Members that an invitation had been received from Mr. Eugene O' Flaherty, State Representative, 2nd Suffolk District, The Commonwealth of Massachusetts to visit Boston and the Massachusetts State House for a reception with the aim of maintaining and fostering relations between Donegal and Massachusetts. It was noted that this would provide an opportunity to build on the beneficial relationships established by previous delegation in the last number of years.

Clr. Campbell said that prior to approval, it was imperative that a full itinerary be provided and consideration given to the overall benefits of the trip.

Clr. P. Doherty proposed, seconded by, Clr. N. Mc Bride that the invitation be accepted and that the Mayor accompanied by the County Manager and the Director of Community Culture and Planning travel to Boston to attend the meeting in the Massachusetts State House.

The County Manager informed Members that a definitive itinerary had yet to be agreed, but that given the time constraints involved it was necessary to make Members aware of the event at this juncture. Arrangements, he confirmed, would have to be made mid-October. He advised that arrangements were being made to meet with the following:-

- Dr. Frank Talty, Co Director of the UMASS Lowell Centre for Irish Partnerships for mutual benefit which fosters

collaborations and partnerships with educational institutions in Ireland and Northern Ireland across an interdisciplinary spectrum.

- Mr. Michael J. Graney, Senior Vice President of Business Development Economic Development Council of Western Massachusetts, a private non-profit corporation that helps businesses expand, relocate and succeed in Western Massachusetts.
- Mr. Paul Williamson, Director & Industry Co-ordinator at the Maine Ocean & Wind Industry Initiative , an organisation with considerable experience in developing on-shore and off-shore wind initiatives.
- Ms Pamela Goldberg, Chief Executive Officer, Massachusetts Technology Collaborative which specialises in supporting industry led growth initiatives in the digital economy.
- Ms Susan Windham Bannister, President , CEO of the Massachusetts Life Sciences Centre, an Investment Agency supporting life sciences innovation, research, development and commercialisation.
- Mr. Eugene O' Flaherty, State Representative, Massachusetts State House who has been instrumental in developing political links between Massachusetts and Donegal.
- Senator Therese Murray, Senate President, Massachusetts State House who has invited the Donegal Delegation to meet with her in Boston to develop networking opportunities.
- Dr. Robert Mauro, Director Irish Institute Centre for Irish Programs, Boston College to discuss the development of educational linkages.
- Mr. Rob Mc Carron, Vice President for Government Relations and General Counsel, Association of Independent Colleges & Universities to establish further connections with the Irish Diaspora.
- Boston City Council to look at their innovative tourism promotion programme..
- Mr. Tim Murray, President , CEO, Worcester Chamber of Commerce to look at the dynamics employed in supporting existing businesses and promoting economic development in the Worcester region.

Clr. Campbell thanked the County Manager for the detailed overview of the trip and asked that consideration be given to extending an invitation to representatives of the various business and tourism organisations in the County affording them the opportunity to travel with the delegation at their own expense.

Clr. N. Mc Bride and Clr. F. Mc Brearty noted that influential contacts had been made and considerable benefits accrued as a result of previous trips to Boston.

Clr Mc Brearty said he was of the opinion that the delegation should be extended to include a representative from all of the political groupings.

Clr. Mc Gowan outlined the benefit of having one trade mission per year led by the County Manager, accompanied by the Mayor, a representative from each of the political groupings and personnel from the County Development Board, the Letterkenny Institute of Technology etc.

On the proposal of Clr. Mc Brearty, seconded by, Clr. Mc Eniff it was resolved that Clr. Larkin in his capacity as Chair of the County Development should also accompany the delegation.

Clr. M. Doherty further proposed, seconded by, Clr. Mc Guinness that Clr. N. Mc Bride be included in the delegation to visit Boston.

C/465/13

APPROVAL OF THE COUNCIL'S 2013 PLANT PURCHASE AND PLANT RECONDITIONING PROPOSAL 2013

The Director of Roads & Transportation, Mr. John Mc Laughlin informed Members that the recommendation before them for the purchase of additional plant was reflective of the need to ensure that adequate resources were available to pursue the various roads programmes, and the effective operation of the Winter Maintenance Programme. The Council, he confirmed, operated a Plant Replacement fund which operated outside of the Budget process and was not part of the Revenue Budget. There were, he noted, sufficient monies in the fund to cover the costs involved with the replacement of larger plant and there were no plans at this juncture to change smaller fleet vehicles such as vans. It was acknowledged that there was a need to modernise the fleet given that 18 in total were required for surface dressing and 21 used in

the implementation of the Winter Maintenance Programme, with 3 held for reserve purposes.

The Director of Roads & Transportation advised that the decision taken a number of years ago to build up a reserve fleet had been a prudent one and permitted the Council to proceed with plant replacement at this juncture.

Clr. Mc Brearty said he could not agree with this expenditure given the serious funding deficit in both the Roads and Housing Maintenance Programmes for the Stranorlar Electoral Area. He expressed concern also at the €1million projected spend on remedial works to the County House.

Clr. Brogan whilst recognising the need to upgrade plant and maintain offices to specific standards said he was dismayed that Councillors had not been informed of this Capital Reserve Fund.

The need for transparency was highlighted with Members citing the need to maintain and progress basic service provision. A number of Members advocated however the necessity of maintaining the core fleet so as to alleviate any dependency on general market forces. It was acknowledged that there was an ongoing tradition of hiring in vehicles over and above the core fleet and that a focus needed to be maintained on keeping the workforce at current levels. The benefits of obtaining a new fleet together with the associated warranties were discussed.

A number of issues were raised and clarification requested on a range of matters including:

- The balance remaining in the Capital Replacement Fund when Plant Purchase monies are extracted.
- A breakdown of the €18,000 costing for identification markers on hired plant
- Cost of purchasing lorries today as opposed to a number of years ago.
- Clarity as to whether monies from the capital Reserve Fund could be used in other areas.
- Concern as to whether the €1million of own resources allocated at budget time was still available for road maintenance.
- Suggested that monies allocated might be better deployed in housing/roads maintenance.

- Whether there had been any liaison with other Local Authorities with regard to the possibility of bulk buying.

Members highlighted the need for a value for money assessment. It was noted also that a well maintained fleet was essential if road works were to be carried out earlier in the year.

On the proposal of Clr. N. Mc Bride, seconded by, Clr. Farren, Members resolved to approve the purchase of the following:-

1. 6 no 6 wheel lorries and the reconditioning of 10 no lorries and 2 no phoenix gritters along with the conversion of 2 no tar sprayers to single operation at a cost of €755,200.00
2. Installation of tracking device hardware and Bluetooth in all specialist and plant lorries where same are not currently installed at a cost of €18,050.00.
3. The purchase of Stick on/magnet Donegal County Council identification markers for hire plant at a cost of €18,000.

Responding to Members queries the County Manager informed the Meeting that the Council operated two specific funds i.e. the Revenue Fund dealing with day to day operations and the Capital Fund which effectively involved investing monies to create a dedicated asset.

There were, he confirmed, three sources of funding at the Council's disposal including, grants from Central Government, the SEUPB etc, loan funding drawn down in the form of a capital loan and the reserve fund which was contained within the Councils own resources. It had, he confirmed, been clearly established in the past that monies from the Central Reserve Fund could not be used to fund the revenue account.

He reminded Members of the concerted effort made to manage the Council finances and the securing of a term loan of €48m to address the issue of unfunded capital balances. It was prudent, he said, to use the reserve fund rather than creating a specific obligation which would have to be provided for in the forthcoming budget.

Concluding the debate, the Director of Roads & Transportation confirmed that there were sufficient monies in the Reserve Fund to cover plant replacement as there had been minimal plant

replacement in the past few years. Donegal County Council, he added, was in a good position, given that many other Authorities had to go down the route of loan procurement to cover such expenditure. With an aging fleet necessitating ongoing repairs it was acknowledged that the time was right to proceed with such a programme.

An overhaul of practices in the Machinery Yard, it was acknowledged, had resulted in reduced costs for the service as a whole. Members were informed that there were no plans to change the van fleet given the impending changeover to Irish Water, and that the fleet had already been reduced from 30 to 24 lorries.

The identification markers referred to in the report, it was noted, were required specifically for hired plant. The logo, it was confirmed, cost in the region of €70 and the magnet retailed at €40.

It was confirmed that there would be very little benefit in trading in the older plant and that some would be kept for parts.

Concluding the debate, Mr. Mc Laughlin confirmed that there was presently €2.16 million in the Reserve Fund with €791, 250 earmarked for plant replacement in 2013.

Current market forces, he noted, augured well for procurement of this nature and there was added value in that the fund was self generating and would replenish itself over the next two years.

C/466/13

CALL FOR REVERSAL ON GOVERNMENT POLICY
SURROUNDING NOT CLASSFYING DOWN SYNDROME AS
A LOW INCIDENCE DIABILITY

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

"That Donegal County Council call on this Government to
"Reverse it's policy, which does not classify Down Syndrome as a
Low Incidence Disability, and as a consequence prevents these
Children from availing of essential resource teaching hours."

Clr. Larkin acknowledged the presence of Ms Gina Grant, Vice Secretary, Donegal Down's Syndrome Society in the Chamber and paid tribute to the excellent work carried out by the society,

including the considerable effort made by Ms Grant to highlight the plight of Down's Syndrome children in the County.

With over 47 Down's Syndrome children attending school in Donegal it was imperative, he added, that it was classed as a low incidence disability.

He asked that correspondence be forwarded to An Taoiseach, Mr. Enda Kenny, T.D and the Minister for Education, Mr. Ruairi Quinn, T.D, requesting a review of the criteria involved, so that children with Down's Syndrome could avail of all opportunities within the mainstream education programme.

It was requested that a copy of the motion be forwarded to all Local Authorities for consideration.

Clr. Mc Gowan proposed, seconded by, Clr. Brogan that the motion be reclassified as countywide so as to allow all Members participate in the debate.

He further proposed that the motion be forwarded to the Constitutional Convention Committee for consideration.

Members were unanimous in their support for the motion and raising a number of issues including:-

- The need to lobby Oireachtas Members on the seriousness of the situation with a view to initiating change at national level.
- The necessity of pursuing the matter on the basis of equality for all and the protection of those most vulnerable in our society.

Thanking Members for their support, Clr. Larkin, seconded Clr. Mc Gowan's proposal that the content of the motion be forwarded to the Constitutional Convention Committee and asked that a copy also be circulated to the Education Training Boards Ireland.

C/467/13 ADJOURNMENT FOR LUNCH

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

C/468/13 SUBMISSION OF MOTION UNDER URGENT BUSINESS

Motion No 1

A request signed by Clrs. M. Mc Bride, Campbell, Gallagher, Harvey, Mc Brearty, Farren, O' Neill, N. Mc Bride, M. Doherty, Donaghey, Canning, Larkin, Quinn, Murray, O' Domhnaill, Mc Gowan, Alcorn, Crawford, Mc Eniff, and Brogan to have the following motion discussed as urgent business in accordance with Standing Order No. 28 was read into the record;-

“That this Council will facilitate a meeting including all Non-Council Members of the Joint Policing Committee with a specific purpose of discussing the recent spate of break- ins and thefts in County Donegal”.

On the proposal of Clr. Gallagher, seconded by, Clr. M. Doherty it was resolved to consider same prior to the close of business.

C/469/13 ALLOCATION OF ADDITIONAL RESOURCES TO M.A.B.S. IN NORTH DONEGAL

On the proposal Clr. Quinn , seconded by, Clr. Donaghey, the following motion was adopted:-

"Donegal County Council demands that additional resources be allocated to M.A.B.S. in North Donegal as a matter of urgency."

Clr. Quinn noted that the average waiting time for an appointment with MABS in North Donegal was 21 weeks, a situation which was intolerable in the present climate. A recent response on the matter from the Minister for Social Protection, Ms Joan Burton, T.D. was, he said, most unhelpful. The current economic difficulties were he advised, magnifying the crisis and thus called on Members of the Government parties to put pressure on their colleagues at national level to deal with situation in North Donegal.

Clr. Donaghey outlined in detail the difficulties being experienced on the ground, noting that MABS Offices were struggling to deal with the fallout from failing businesses, those in mortgage arrears, as well as their original target group.

Concern was expressed also at the lack of Citizens Information/Money Advisory Services in the Ballybofey/Stranorlar area. Clr. Mc Gowan asked that this resource issue be addressed.

Concluding the debate, Clr. Quinn asked that the motion be forwarded to the Minister for Social Protection , Ms Joan Burton, T.D and reference made to the urgency of the request.

C/470/13 CALL FOR A DISCUSSION ON RESOURCES AND PRIORITIES FOR THE COUNCIL FOR THE REMAINDER OF 2013 AND PROPOSALS FOR 2014

On the proposal of Clr. Brogan , seconded by, Clr. Gallagher , the following motion was adopted:-

"That this Council discuss our resources and priorities for this Council for the remainder of 2013 and proposals for 2014 and confirm if issues of roads maintenance and housing maintenance are being addressed."

Members were informed that:-

“The Council’s Budget process generally sets out the resources and priorities of the Council for the year ahead. This is often supplemented during the year by developments such as notification of State Grants or indeed new circulars that issue from time to time from our Government Departments. As discussed elsewhere in the meeting, the Council has had to make expenditure adjustments in 2013 principally due to the reducing income that the Council collects.

Irish Water will take over the provision of Water Services from January 1, 2014 and this will see responsibility for this function transfer to the new utility company. It is expected that the Council will provide a service to Irish Water under a Service Level Agreement and Irish Water will pay the Council for its services in this regard.

In 2014, the Council will not need to budget for Water Services and one of the main considerations will be dividing available Own Resource monies between the remaining services including Roads and Housing as mentioned in the motion. The Council has long seen these services as priority areas - even if at times they have been hard to fund with the many demands facing the Council.

While the Housing Budget for the remainder of 2013 remains unchanged, there was €19,000 extra jobs stimulus monies made available during the year and the Roads Budget has seen an

additional €3m for pavement strengthening and approximately another €1m diverted to road maintenance as a result of flexibility offered by the Department of Transport early in 2013.”

Clr. Brogan said he was of the opinion that the Council was heading in a direction which would put it out of sync with the vast majority of the electorate. It was imperative, he noted, that derogation was sought from the Department, so that adequate manpower resources were in place for basic service provision. Centralisation of Services such as Higher Education Grants, Driving Licences, Medical Cards etc had, he noted, been less than successful and there was further uncertainty in terms of the takeover by Irish Water.

Clr. Brogan proposed, seconded by, Clr. Mc Eniff that a workshop be held to discuss the implications and priorities for service provision going forward.

He highlighted the need to discuss both housing and roads maintenance issues, efficiency programmes and the ongoing plans for the Public Service Centres.

Members proceeded to highlight a number of additional issues also requiring clarification. These included;

- What resource issues were in place to deal with problematic unfinished estates.
- How monies raised through development charges had been utilised.
- The need to identify all Council Resources going forward.
- The amount of arrears monies outstanding.
- The arrangements if any for dealing with water arrears when Irish Water take over.
- Confirmation as to how monies returned from Central Government and the Insurance Board had been utilised.
- The status of the additional works, if any, which had been carried out as a result of the additional allocation for housing maintenance in Budget 2013.
- Request that an updated listing of all Council assets be made available.

The County Manager welcomed the proposal to hold a workshop noting that plans to hold a workshop of this nature back in July had

to be deferred as a result of the unavailability of the Members at that time.

Responding to earlier comments, he confirmed, that there were no proposals to close Motor Tax Offices. He advised of the need to hold the workshop as soon as possible in order to feed into the 2014 Budgetary process.

C/471/13 PRESENTATION BY DONEGAL COUNTY COUNCIL ON KEY AREAS OF TOURISM

Members welcomed, Mr. Barney Mc Laughlin, Divisional Manager, Community, Culture & Planning together with Mr. Kevin O' Connor, Tourism Development Co-ordinator to the meeting.

Mr. Mc Laughlin updated Members in relation to the Donegal Gathering 2013, the ongoing engagement with the Donegal Diaspora , and the range of initiatives undertaken to promote and enhance product development in the County.

It was acknowledged that the Gathering Initiative had been most successful with €30,000 funding being provided under the auspices of the Local Community Fund and €25, 000 provided by the IPB for events in the County. Considerable interest, he confirmed, had been generated as result of the Donegal Gathering Website. 10,000 events calendars to date had been printed and distributed to Tourism Ireland Offices abroad and the Derry and Belfast Northern Ireland Tourist Boards with an extensive marketing campaign also taking place at the City of Derry, Ireland West Airport Knock and Donegal Airport.

There was acknowledgement also of the strong working relationship which had developed through a network of media partners both at local and national level. Mr. Mc Laughlin alluded also to the excellent coverage provided also in the social media forum. The success of the new tourism website- govisitdonegal.com was widely welcomed and Members were updated in relation to ongoing developments within the Donegal Diaspora Project.

Going forward it was acknowledged that enhanced resources needed to be channelled into product development. A fine example of this was deemed to be The Wild Atlantic Way Project involving

the development of a driving route along the Atlantic Coast of Ireland from Donegal to Cork. The development of 34 discovery points along the coast of Donegal it was hoped would result in increased visitor number and develop mobility and linkages between destinations thus enhancing the Donegal Brand.

Concluding the first stage of the presentation, Mr. Mc Laughlin informed Members that the Department of Transport, Tourism and Sport were currently running a public consultation process in relation to tourism policy and had invited submissions on the matter by the 1st November, 2013.

Mr. Kevin O' Connor, Tourism Development Co-ordinator outlined in detail the marketing strategies employed in the development of the Donegal Tourism Website which had been designed to present Donegal as an attractive family friendly destination and used a combination of excellent photography, strong products/ services and easy navigation to encourage visitors to visit the County.

Performance indicators, the demographic spread of those using the site and an analysis of the target market groups was provided. An overview of the various promotional strategies employed in the 2013 Marketing Campaign was presented to Members. Overall it was acknowledged that occupancy rates in the County were up by approximately 5% and that the "Gathering Initiative" had contributed to this statistic. Events associated with the Derry- UK City of Culture 2013 Programme were also deemed to be instrumental in this increase.

A synopsis of plans for the 2014 season was presented with particular reference being made to the publication of the new pocket tourist guide.

The County Manager paid tribute to the achievements of those involved in tourism promotion in the County. He advised of the need to build on the many positive developments initiated in 2013 and the necessity of ensuring that the overall marketing strategy connected with and impacted on the local business community.

Members welcomed the informative and positive presentation with a number highlighting the fact that all stakeholders needed to be included in the process. A lengthy debate ensued with a number of

suggestions being made in relation to the further development of the tourism product. These included;-

- Promotion of Donegal as destination for walking and fishing
- Development of a Donegal App and blogging network.
- Increased use of the social media network to market and promote the County.
- Need for a more international focus in the marketing of the County..
- Call for Tourism Ireland to step up to the mark particularly in relation to Micro Tourism.
- Creation of a Donegal Brand with specific focus on aspects such as our Gaelic speaking tradition .
- Different language groupings needed to be catered for on the website with specific focus on the German market.
- Need for a dedicated tourism product in the North West of the County. Suggested that Mt Errigal be developed and promoted as such.
- Need for representation at Tour Operators Conventions etc.
- Importance of retaining the 9% VAT Rate for the hospitality industry.
- Continued effort needed in respect of the Riverlinks Project and Marine Tourism.
- Whether any consideration had been given to developing a third county-wide festival in the Ballybofey/Stranorlar area.
- Ongoing promotion of our islands as a unique tourism product.

The Mayor thanked all concerned for their constructive comments and paid tribute to the Community Culture and Enterprise Section for their excellent work to date in the field of tourism promotion.

C/472/13

PROBLEMS CONCERNING THE INFLUX OF CAMPER VANS TAKING UP SPACES IN PRIME CARPARKS

On the proposal of Clr. Mc Eniff , seconded by, Clr.O' Neill, the following motion was adopted:-

"That the Council discuss the problems concerning the influx of camper vans taking up spaces in prime carparks."

Members were informed that:-

The use of recreational camper vehicles is getting more common. They are used by visitors and at times local people going on trips for a few days sometimes within the region. In general they are to be welcomed and form part of our tourism programme. It is understood that the matter being raised here is how they are being accommodated and the importance of keeping "prime" car parks principally for car parking.

The Council may make bye-laws as to the use of any car park provided by them and these bye-laws may include any or all of the following:

- (a) restrict the classes of vehicles which may be admitted to the car park;
- (b) specify the charges to be made for the use of the car park;
- (c) specify the periods for which vehicles may remain in the car park.
- (d) specify the conditions subject to which vehicles may use the car park.

Should the Council wish to progress any bye-laws the Council may wish to address this through the Roads Strategic Policy Committee.

Consideration could also be given at a Electoral Area to car parks where members wish by laws to be enacted should members so wish an these notified to the SPC.

There is a balance to be obtained between allowing the private sector to come forward and offer Camper Van parking and associated facilities such as sewer, water and electricity connections and the Council as a public body interested in catering for visitors and providing the facilities.

It is noted that Buncrana has provided a camper van park with facilities on the edge of town in 2012 and this has seemed to work well with very positive views being expressed by users”.

Clr. Mc Eniff welcomed the reply and cited the need to liaise also with the Garda authorities. It was generally agreed that the matter

should be considered in detail by all Electoral Areas and that there was a need to introduce some form of capping system.

Members noted that there had been specific problems over the summer months particularly in relation to commercial travellers.

It was suggested that the motion be forwarded to the Minister and other Local Authorities for consideration and that there was room also for the Traveller Accommodation Committee to be involved.

Mr. John Mc Laughlin, Director Roads & Transportation advised that Members could consider the implementation of specific bye-laws. This he noted could be addressed at the next Roads & Transportation SPC and there would also be an opportunity for the various Electoral Areas to feed into this policy mechanism.

Clr. Mc Eniff in conclusion called for immediate follow-up and action in relation on the matter and to the matter.

C/473/13

REVERSAL OF CUTS TO FARM ASSIST PAYMENTS

On the proposal of Clr. Donaghey , seconded by, Clr.Mc Gowan, the following motion was adopted:-

"To ask the Government to reverse in this year's budget the recent decision to cut Farm Assist Payments as they did at a time when farmers are most vulnerable and most reliant upon this payment, particularly after the severe impact of the fodder crisis and to base future assessments on a 10 year period, not on the previous year only."

Clr. Donaghey advised of the many difficulties facing the farming community at present. It was imperative, she added, that everything possible was done to reverse the budget cuts to Farm Assist particularly at a time when farmers were most vulnerable and reliant on this payment. She asked that a copy of the motion be forwarded as soon as possible to the Minister for Social Protection, Ms Joan Burton, T.D.

Clr. Mc Gowan proposed, seconded by, Clr. Donaghey that a delegation from the Farming Community be allowed to be invited to address the Council. The Mayor advised however that this needed to be done in accordance with existing protocols.

He confirmed that it would be possible to consider a request from the group in question to address Members at the next appropriate meeting of the Council.

It was generally agreed however that the problems being experienced in 2013 were a regular occurrence given the impact of the prevailing weather patterns on all aspects of farming and thus warranted special consideration and attention at national level.

C/474/13 RESTORATION OF LIBRARY SERVICE HOURS IN BALLYSHANNON

On the proposal of Clr. O' Neill, seconded by, Clr. Boyle, the following motion was adopted:-

"I call on Donegal County Council to restore the full public library service hours to the Ballyshannon Public Library."

Members were informed that:-

"Donegal County Council aims to maintain services at their existing levels across the countywide network of libraries with a view towards providing the best possible service for the community.

The Council also works with communities through its Taobh Tire Network. The present service, including the service in Ballyshannon, is being provided in the context of the resources available to the library service at present.

Any opportunities for an increase in library services in Ballyshannon (and other relevant areas) in the future will be availed of."

Clr. O' Neill advised of the need to enhance library services in Ballyshannon given the fact that there were 6 primary schools and one post primary school in the area, all creating a significant level of demand. It was also he noted the oldest Library in the County.

A comparative analysis of Library Opening hours across Donegal, he noted clearly indicated that Ballyshannon was being unfairly treated. He called for the possible utilisation of the Job Bridge Scheme and or Student Placement Programme to enhance service provision.

There was a need for a joined up approach, he added, and the positioning of the Library on Council owned property. He asked also that the possibility of re-hiring some of the former library staff be investigated. The Community in Ballyshannon would, he confirmed, work with Donegal County Council to secure the best possible solution.

Members were reminded of the staff limitations in place but assured that every option would be explored to ensure the provision of a satisfactory service.

C/475/13 CALL FOR SUPPORT OF THE RESTAURANTS ASSOCIATION TO KEEP THE 9% VAT RATE FOR HOSPITALITY AND TOURISM

It was unanimously agreed to defer consideration of the following item to the Adjourned September Council Meeting.

C/476/13 DISCUSSION ON THE POSSIBLE IMPLICATIONS FOR TENANTS OF UNFINISHED ESTATES WHERE WORKS AREA BEING CARRIED OUT IN AREAS SUCH AS SEWAGE AND HEALTH AND SAFETY, IN LIGHT OF THE TAKE OVER BY IRISH WATER

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

"That we discuss the possible implications for Tenants of Unfinished Estates, that are having works carried out as the situation arises in problematic areas such as sewage, health and safety in light of the take over by Irish Water."

Members were informed that:-

“Donegal County Council’s revised Policy on the Taking in Charge of Housing Developments under the provisions of Section 180 of the Planning and Development Act 2000-2013 was adopted at the Council Meeting on the 22nd July 2013.

Following the adoption of the revised policy the Council initiated a public awareness campaign inviting applications for consideration under the new policy.

Each application will be individually considered in the context of the policy. In cases where there are deficits in the infrastructure such as water/wastewater plant, options will be reviewed, on a case by case basis in accordance with the agreed policy, to develop a resolution plan.

This will involve an assessment of the available funding from different sources including grants under the Public Safety Initiative, security bonds and contribution from developers/residents.

Estates where intervention is needed to deal with matters of failing water/wastewater infrastructure which could have Health and Safety implications, and where an application for taking in charge has been received, will be prioritised for processing. This will include the preparation of site specific Resolution Plans which will provide a long term and sustainable solution.”

Clr. Crawford alluded to the problems currently being experienced in a local housing estate on the outskirts of Lifford whereby a foul discharge was seeping from a manhole at the entrance to the estate and running onto the main National Primary Road from Lifford to Letterkenny. He noted that the problem was minor in comparison to some estates but that the issue was in itself seriously affecting the day to day life of many families.

He was, he said, heartened by the contention in the concluding paragraph of the reply that where an application for taking in charge had been received, it would be prioritised for processing.

He acknowledged also the ongoing intervention by the Water Services Section.

Issues such as this, he added, needed to be considered also in the context of the changeover to Irish Water.

The time was right, he acknowledged, to take a proactive approach and he proceeded to suggest that the time might be opportune to meet with delegations from two of the estates in Lifford and one in St Johnston, so as to address specific concerns and explore the options for managing a way forward.

Acknowledging that considerable initiative had already been undertaken, a number of Members enquired as to the nature of the healthy and safety criteria being used.

Tribute was paid also to Mr. Paul Kelly, Senior Executive Planner and his team for the work undertaken to date. Recognising that the issue was one that merited a county-wide solution, they outlined the need for the establishment at Budget time of a specific fund to deal with the most problematic estates.

Mr. Joe Peoples, Director Water & Environment said that the Council was dealing with a range of legacy issues and that considerable initiative had been undertaken already with the establishment of the “Revised Policy for the Taking in Charge of Housing Estates “ as agreed at the July Meeting.

He advised that the problems were considerably more than waste water issues and that every opportunity would be taken to enforce the existing legislation. There was need also, he affirmed, to look at the utilisation of security bonds, development charges, grant aid opportunities available from the Public Safety Initiative and exceptional funding measures so as to obtain a sustainable solution in the long-term.

Responding to Clr. Crawford’s request for a meeting with representatives from the various estates, he confirmed that it would take at least a month to carry out the preparatory work and that it would not be prudent to have a meeting until this was completed.

He was, he said, awaiting further direction with regard to the takeover by Irish Water but that it would be prudent for estates to be taken in charge prior to this development.

Attention was drawn to the fact that there had only been 11 applications for takeover following the new policy change in July.

To this end he encouraged those who had not made an application to date to do so immediately.

Concluding the debate, Clr. Crawford welcomed the frank commentary from the Director of Service. The issues highlighted were, he noted, not confined to the Stranorlar Electoral Area.

With regard to the current difficulties in Lifford, he advised that a solution could be found with some effort and energies needed to be concentrated in obtaining funds for special case needs. He thus proposed, seconded by, Clr. Crawford that as soon as a specific package was in place that efforts would be concentrated on securing a dedicated funding mechanism to deal with the problem.

C/477/13 MOTION UNDER URGENT BUSINESS

The Meetings Administrator read into the record the following motion submitted earlier in the meeting in accordance with Standing Order No 28.

“That this Council will facilitate a meeting including all Non-Council Members of the Joint Policing Committee with a specific purpose of discussing the recent spate of break-ins and thefts in Donegal”.

Clr. M. Mc Bride alluded to the growing number of incidents in Donegal and the Letterkenny area in particular. A number of factors, he advised, contributed to the problem namely,

- Under resourcing of the Gardaí.
- The inordinate length of time taken to process criminal cases.
- Limited capacity for holding criminals.

The cross-border nature of the problem, he noted, should also be considered and there was some suggestion that cameras should be installed on cross-border entry points.

After some deliberation it was resolved on the proposal of Clr. M. Mc Bride, seconded by, Clr. N. Mc Bride to hold a Special Meeting of Donegal County Council on Friday 18th October, 2013 at 2pm in the County House, Lifford with all Non- Council Members of the Donegal Joint Policing Committee in attendance, so as to discuss the recent spate of break-ins and thefts in the County.

C/478/13 ADJOURNED COUNCIL MEETING

On the proposal of Clr. Alcorn, seconded by, Clr. Mc Gowan it was resolved to adjourn the September Meeting of Donegal County Council to 10.00am on Monday 21st, October, 2013.

C/479/13 WORKSHOP – FINANCIAL ISSUES AND “PUTTING PEOPLE FIRST” TRANSITIONAL PLANNING REPORT/

On the proposal of Clr. M. McBride, seconded by Clr. N. McBride, it was resolved to hold a Workshop on Friday 18th October, 2013 at 10.00am in the County House, Lifford to discuss the following items:-

- (a) Budget 2013 and 2014 – Implications and Priorities
- (b) “Putting People First”-Transitional Planning Report.