

**MINUTES OF MARCH MEETING OF DONEGAL COUNTY COUNCIL HELD ON
27th MARCH, 2023 IN THE COUNTY HOUSE, LIFFORD**

C/75/23

MEMBERS PRESENT

Cllrs L. Blaney, Cathaoirleach, K. Bradley, C. Brogan, P. Canning, T. Conaghan, D. Coyle, G. Crawford, N. Crossan, T. Crossan, A. Doherty, R Donaghey, M Farren, M. Harley, DM Kelly, N. Kennedy, M Mac Giolla Easbuig, M. Mc Clafferty, M. McDermott, N. Mc Garvey, P McGarvey, P. McGowan, J. McGuinness, M. Mc Mahon, G. Mc Monagle, A. Molloy, J Murray, M. Naughton, J. O Donnell, J. S Ó Fearraigh, and B. Sweeny.

Online: Cllrs L Doherty, MT Gallagher, N Jordan, J Kavanagh, F Mc Brearty,

Apologies were received from Cllrs G Doherty, M McBride who were unable to attend the meeting

C/76/23

OFFICIALS IN ATTENDANCE

John G McLaughlin, Chief Executive, Patsy Lafferty, Director of Housing, Corporate and Cultural Services, Meetings Administrator, Bryan Cannon, A/Director of Roads & Transportation, Garry Martin, Director of Economic Development, Information Systems & Emergency Services, Michael Mc Garvey, Director of Water & Environment, Richard Gibson, Head of Finance, Liam Ward, Director of Community Development & Planning Services, Eamonn Brown, Divisional Manager, Corporate, Frances Friel, Communications Officer, William Colvin, Assistant Communications Officer, Anne Marie Crawford, Staff Officer.

C/77/23

**CONFIRMATION OF THE MINUTES OF THE JANUARY MEETING OF
DONEGAL COUNTY COUNCIL HELD ON THE 30TH JANUARY, 2023**

On the proposal of Cllr Sweeny, seconded by Cllr Bradley the Minutes of the January Meeting of Donegal County Council held on the 30th January, 2023 were adopted.

C/78/23

**CONFIRMATION OF THE MINUTES OF THE SPECIAL MEETING OF
DONEGAL COUNTY COUNCIL HELD ON THE 13TH FEBRUARY, 2023**

On the proposal of Cllr Kennedy, seconded by Cllr Kelly the Minutes of the Special Meeting of Donegal County Council held on the 13th February, 2023 were adopted.

C/79/23

**DISPOSAL OF LANDS AT CARRICKAFODEN, CARNDONAGH TO
MR JAMES MCLAUGHLIN**

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

On the proposal of Cllr A Doherty, seconded by Cllr Mc Dermott, it was resolved to dispose of lands at Carrickafoden, Carndonagh to Mr James McLaughlin in accordance with the provisions of Section 211 of the Planning & Development Act, 2000 (as amended) and under Section 183 of the Local Government Act 2001, (as amended).

C/80/23

DISPOSAL BY WAY OF LEASE ACCOMMODATION IN THE LETTERKENNY PUBLIC SERVICE CENTRE TO POBAL

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

On the proposal of Cllr Coyle, seconded by Cllr McMonagle, it was resolved to disposal by way of lease accommodation in the Letterkenny Public Service Centre to Pobal in accordance with the provisions of Section 211 of the Planning & Development Act, 2000 (as amended) and under Section 183 of the Local Government Act 2001, (as amended).

C/81/23

DISPOSAL OF LANDS AT RENNISON'S LANE, BUNDORAN TO LIAM CLANCY

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

On the proposal of Cllr Sweeny, seconded by Cllr Mc Mahon, it was resolved to dispose of lands at Rennison's Lane, Bundoran to Liam Clancy in accordance with the provisions of Section 211 of the Planning & Development Act, 2000 (as amended) and under Section 183 of the Local Government Act 2001, (as amended).

C/82/23

DISPOSAL BY WAY OF LEASE THE BIM OLD ICE PLANT AT GREENCASTLE PIER TO FOYLE FISHERMEN'S CO-OP SOCIETY LTD.

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

On the proposal of Cllr Farren, seconded by Cllr A Doherty, it was resolved to dispose by way of lease the BIM Old Ice Plant at Greencastle Pier to Foyle Fishermen's Co-Op Society Ltd in accordance with the provisions of Section 211 of the Planning & Development Act, 2000 (as amended) and under Section 183 of the Local Government Act 2001, (as amended).

Cllr N Crossan at this juncture said that he had raised a number of queries a few months ago in relation to allegations made by a certain Councillor last summer regarding corruption in Donegal County Council. He had, he confirmed, requested answers previously in relation to the matter and was now seeking clarity and an update on what had been done to date regarding such claims.

The Chief Executive advised that specific information was being sought in relation to same.

The Cathaoirleach asked the Chief Executive to follow up on the matter as requested.

Cllr Mc Brearty highlighted the fact that there was an ongoing Gardai investigation into the allegations made at the Budget Meeting two years ago and that the Chief Executive needed to acknowledge that.

He said that two sets of proceedings had been taken against him in respect of allegations that he had made against the Council.

The Cathaoirleach interjected and said that in light of the ongoing Gardai investigation there should be no further discussion on the matter.

Cllr Mc Brearty asked why Cllr Crossan had been allowed to raise the issue. He said that he was being prevented from raising the issue and as such was being subjected to bullying at every opportunity.

The Cathaoirleach asked that members stick to the issues on the agenda and was advised that Cllr Crossan had been allowed to raise his query on the basis that the matter had been discussed at the last Council Meeting.

He said that he was continuing with the meeting as there could be no public debate on a matter that was the subject of an ongoing Gardai investigation

C/83/23

TO APPROVE THE CARRYING OUT OF WORKS WITH REGARD TO THE DEMOLITION OF 1NO. EXISTING SINGLE STOREY DWELLING AND DOMESTIC GARAGE AND THE CONSTRUCTION OF 3NO. 2 BEDROOM SINGLE STOREY DWELLINGS AND ALL RELATED SITE WORKS AT MASSINESS, CREESLOUGH

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

On the proposal of Cllr McClafferty, seconded by Cllr N Mc Garvey, the carrying out of works with regard to the demolition of 1no. existing single storey dwelling and domestic garage and the construction of 3no. 2 bedroom single storey dwellings and all related site works at Massiness, Creeslough was approved in accordance with Part XI of the Planning & Development Act, 2000 (as amended) and Part 8 of the Planning & Development Regulations 2001(as amended).

C/84/23

TO APPROVE THE CARRYING OUT OF WORKS WITH REGARD TO THE UPGRADING OF TRAFFIC AND PEDESTRIAN FACILITIES ON THE L-2354 KILTOLE ROAD, CONVOY IN RESPECT OF THE L-2354 KILTOLE ROAD, CONVOY ACTIVE TRAVEL SCHEME.

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

On the proposal of Cllr McGowan, seconded by Cllr Harley the carrying out of works with regard to the upgrading of traffic and pedestrian facilities on the L-2354 Kiltol road, Convoy in respect of the L-2354

Kiltole Road, Convoy Active Travel Scheme was approved in accordance with Part XI of the Planning & Development Act, 2000 (as amended) and Part 8 of the Planning & Development Regulations 2001(as amended).

C/85/23

TO APPROVE THE PROPOSAL 2023 NON-NATIONAL ROADS BRIDGE STRENGTHENING PROGRAMME IN CO. DONEGAL

Members considered the report circulated with the agenda in relation to the above. On the proposal of Cllr O' Fearraigh, seconded by Cllr McMonagle the 2023 Non-National Roads Bridge Strengthening Programme in Donegal was approved.

C/86/23

TO ADOPT THE NORTH-WEST REGIONAL HOMELESS ACTION PLAN 2023-2028

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

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

Mr Eamon Brown Area Manager, Housing & Corporate delivered a presentation on the Homeless Action Plan for the North-West Region 2023-2028. He highlighted the aims and the methodology of the plan and noted that there had been extensive consultation with a wide range of stakeholders in the formulation of same and an extensive number of submissions received.

Members were advised that the strategic aim of the plan was to:

- Prevent Homelessness.
- Protect persons experiencing homelessness.
- Progress Pathways to Housing.
- Establish Good Governance and Funding Mechanisms.

A number of key findings were presented including an overview of the key housing issues in County Donegal together with an analysis of the actions required to achieve the stated aims.

A lengthy debate ensued with members raising the following issues:

- General welcome for the fact that the plan pointed out the specific pathways back from homelessness to housing.
- That Donegal County Council needed to make a strong commitment to resource the Action Plan so that additional pressure would not be placed on current housing stock.
- Homeless Clinics would be a good way of engaging with those who find themselves in this situation.
- Need to get the word out that there is a pathway for people to turn to when facing homelessness.

- Concern in relation to the current lack of emergency accommodation.
- No self-catering support accommodation in the county or emergency accommodation to address family hub needs.
- Emergency type hostel or purpose-built emergency accommodation options should be explored.
- Noted that there were seven houses in Anagaire which had been lying vacant for over a year. Lack of progress in Falcarragh also a concern.
- Query in relation to the slow pace of development in terms of accommodation to be provided through the various Housing Agencies concerned.
- One room units not particularly viable in a Donegal setting.
- Call for emergency accommodation centre to be located in each Municipal District.
- Noted that the previous plan had not been particularly successful.
- Private emergency capability was and is currently seriously depleted.
- No statistics exist in Donegal for those who are forced to live with family and friends.
- Donegal Domestic Violence Services Report 2018-2022 had highlighted the fact that 124 adults and 164 children met the 1988 definition of homelessness and that the resources were not there to cater for their needs.
- Why has approval not been forthcoming on the Homeless HAP Place Finder Service?
- Actions identified in the report must be implemented as soon as possible.
- Housing Agencies slow to work with builders and funding provision is much too slow.
- Staged payments for builders should be introduced.
- Need to start building houses again and bring to 2009 levels.
- Query as to how many houses the Council bought in 2023 to date.
- Way must be found to utilise many of the unfinished estates and sites scattered throughout the county.
- Thought needs to be given to addressing serious social issues when allocating and letting houses.
- Vacant industrial premises could be converted to accommodate 1 bed units.
- N56 access issues need to be addressed.
- Highlighted the fact that a number of sites in Ballybofey/Stranorlar could be utilised for accommodation purposes if a concerted effort was made to address the situation.
- Department interfering too much in the delivery of houses and guidelines are slow in issuing.

- Councillors need to have access to a system which can assist in the short term.
- Council must move now in relation to the many derelict houses that are available, and have a specific road map in terms of overall acquisition plans.
- Pressure must be put on Government to get the relevant circulars out so that the Council knows exactly where it stands as a Local Authority.
- Query as to whether the 2740 applicants listed on the housing list includes family units and whether or not HAP and Long-Term leases had been included.
- Has the Vacant Homes Officer been appointed/

On the proposal of Cllr Coyle, seconded by Cllr Canning it was resolved to adopt the North-West Homeless Action Plan 2023-2028.

Cllr Mc Brearty contended that the report did not deal with the true extent of the problems in social housing and that the executive had not provided the correct detail on the actual issues involved. He said that successive Cathaoirligh and Housing SPC members had also failed to deal with the issues concerned. He alluded to specific issues in St Johnston and said that members had not been adequately briefed in relation to the test results for these properties all of which pointed to the fact that there was something seriously wrong with IS465.

The Cathaoirleach asked Cllr Mc Brearty to stick to the matter on the agenda.

In response, he asked why there was an attempt to block his contribution to the meeting and contended that this was a deliberate attempt to stop him representing the people who had elected him.

He proceeded to query the findings in relation to the 11 unfinished houses in Raphoe and said that the test results provided in accordance with EN7713 clearly showed that there was something wrong with IS465.

The Cathaoirleach again called on Cllr Mc Brearty to stick to the matter on the agenda and said that the discussion in hand was not about IS465.

At this juncture Cllr Mc Brearty said that he was of the belief that the problems in housing in Donegal were as progressive as the Defective Concrete Blocks issue.

The Cathaoirleach again asked Cllr Mc Brearty to stop interrupting the meeting and said that he was simply trying to run the meeting as efficiently as possible. He said that he would have to cut Cllr Mc Brearty off the online discussion if he persisted to interrupt the proceedings.

He afforded Cllr Mc Brearty one final chance to contribute and finish his deliberation on the matter in hand, which was the consideration of the North-West Homeless Action Plan 2023-2028, otherwise, he said the meeting would have to be adjourned.

Cllr Mc Brearty addressing the meeting said that the executive had continued to cover up the true facts of the housing crisis in Donegal by not discussing information which the members were entitled to. The report, he said, was inadequate and information had been deliberately withheld in relation to the true status of the crisis. Donegal County Council were unable, he added to acquire single acquisitions as they were debarred from doing so by the Department, thus preventing efforts to deal with the housing crisis. The situation in the county was, he contended, progressive given the failure to address the underlying problems. Any further efforts to block his contribution would, he said, result in a High Court action. This, he said, was not a threat but a promise to do so.

Mr Patsy Lafferty, Director Housing, Corporate & Cultural Services said that this was a high-level plan which covered all the issues involved and was reflective of the many issues raised by members over the last 12 to 18 months. The challenge, he said, was in the implementation and that the Council was committed to applying and seeking the necessary resources and funding to ensure that the issues concerned were addressed.

He informed members that:

- In light of the Housing Acquisition policy agreed at the last meeting that the Council was in the mindset to buy houses and actively engage with vendors to pursue this aim.
- Recruitment of a Vacant Homes Officer was at the final stage and an appointment imminent.
- Of the 2740 applicants referred to in the plan, this included those on HAP and was reflective of the gross need.
- Most of the suggestions made by members in relation to acquisitions and emergency accommodation were part of the strategy going forward and would be implemented as soon as practical.

Cllr Mac Giolla Easbuig alluded to the fact that there were issues to be addressed should the Government provide the necessary funding given that there were anomalies in relation to the length of time on the waiting list and the urgency of the overall housing need.

Cllr Mc Monagle said it was imperative that a dedicated timeframe was provided for the implementation of the plan and the necessary supports and resources put in place. He asked for a commitment that a timeframe for the specific actions involved be brought to the next Housing SPC in terms of emergency accommodation, Homeless

Clinics to help and support tenants in receipt of eviction notices given the many different facets to the homeless situation.

Mr Patsy Lafferty, Director Housing, Corporate & Cultural Services acknowledged that this was an important issue and said that it would be a regular feature on the Housing SPC agenda as part of the local strategy going forward and in tandem with the regional plan. With regard to the issues raised by Cllr Mac Giolla Easbuig, he acknowledged that there were challenges in relation to this aspect and that there had been in the last week a follow-up discussion with the Department as to how equity issues would be addressed.

C/87/23

TO CONSIDER AND NOTE IN ACCORDANCE WITH SECTION 26(2) OF THE LOCAL GOVERNMENT FINANCIAL PROCEDURES & AUDIT REGULATIONS 2014, REPORT ON IRRECOVERABLE RATES FOR 2022

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

Cllr N Crossan asked what plans there were to deal with debtors who habitually refused to pay rates as opposed to those who had specific problems at a given point in time.

Cllr Mc Brearty, interjecting said that he was proposing that Donegal County Council should be investigated by the Serious Crime Squad and the Economic Crime Bureau in relation to irregularities in Finance.

The Cathaoirleach in reply said that such scurrilous allegations should not be made in public and asked him to refrain from any further commentary. He said that if he continued to interrupt then further steps would have to be taken.

On the proposal of Cllr Brogan, seconded by Cllr Canning it was resolved to adjourn the meeting for ten minutes.

C/88/23

RESUMPTION OF THE MEETING

On resumption, the Cathaoirleach said that reference had been made earlier to ongoing criminal investigations against the Council and financial irregularities. He confirmed that there were no Garda investigations ongoing in relation to the Council or with regard to financial irregularities in Donegal County Council, the Head of Finance or his team, and that the allegations made by Cllr Mc Brearty were totally untrue.

Cllr Mc Brearty refuted this and continued to interrupt the meeting despite being asked to refrain from interjecting whilst the Cathaoirleach was speaking.

The Cathaoirleach stated that the meeting was adjourned due to the continuous, persistent disruption by Cllr Mc Brearty and he was

persistently disregarding the rule of the chair, therefore in accordance with Paragraph 13 of Schedule 10 of the Local Government Act, 2001 as amended by Section 57 (d) of the Local Government Reform Act, 2014 he proceeded to outline the following:

13.(1) If—

(a) in the opinion of the person chairing a meeting (in this paragraph referred to as the “chair”), any member has been or is disorderly by persistently disregarding the ruling of the chair, or by behaving irregularly, improperly or offensively, or by otherwise obstructing the business of the meeting, and

(b) the chair has conveyed his or her opinion to the members present by naming the member concerned,

then the chair or any member may move “that the member named leave the meeting” and the motion, if seconded, shall be put and determined without discussion.

(2) Where a local authority decides in accordance with subparagraph (1) that a member leave a meeting, that member shall immediately leave the meeting and shall not be entitled to speak or to take any further part in that meeting on that day.

(3) Where in the opinion of the chair—

(a) there is general disorder which impedes the orderly transaction of business, or

(b) where a member against whom it was resolved that he or she leave the meeting by virtue of this paragraph refuses to do so,

the chair may adjourn the meeting for such period as he or she considers necessary in the interests of order.

The Cathaoirleach then put it to the floor that Cllr Mc Brearty leave the meeting and he sought a proposer and seconder for same. This was proposed by Cllr Murray and seconded by Cllr Mc Monagle

A recorded vote was then taken by the Meetings Administrator which resulted in 30 voting for with 1 voting against and one abstention.

Those voting in favour included:

Cllrs Blaney, Bradley, Canning, Conaghan, Coyle, Crawford, N Crossan, T Crossan, A Doherty, L Doherty, Donaghey, Gallagher, Harley, Jordan, Kavanagh, Kennedy, Mc Clafferty, Mc Dermott, N Mc Garvey, P Mc Garvey, Mc Gowan, Mc Guinness, Mc Mahon, Mc Monagle, Molloy, Murray, Naughton, O’ Donnell, O, Fearraigh and Sweeny (30)

Those voting against included:

Cllr Mc Brearty.

Cllr Mac Giolla Easbuig abstained.

The Cathaoirleach said that it had been resolved that Cllr Mc Brearty leave the meeting and he requested him to withdraw.

Cllr Mc Brearty did not leave the meeting.

A five-minute adjournment was agreed.

C/89/23

RESUMPTION OF THE MEETING

Cllr Mc Brearty did not leave the meeting and the Cathaoirleach proceeded to read into the record the provisions of Paragraph 13 (4)(a) & (b)1 of Schedule 10 of the Local Government Act, 2001 as amended by Section 57 (d) of the Local Government Reform Act, 2014 outlining the following:

(4) Where at a meeting –

(a) it has been resolved in accordance with subparagraph (1) that a member leave a meeting and the chair adjourns the meeting under subparagraph (3) because the member refuses to leave, and

(b) it has been resolved by further resolution that the member was the cause of the meeting being so adjourned,

then any remuneration to, and any allowances for expenses incurred, by that member concerned, as provided for by regulations under section 142, shall be reduced for the period of 12 months (irrespective of whether or not a local election is to be held during that period) from the date of the meeting concerned as follows:

(i) on the first occasion of it being resolved that the member refused to so leave, 10 per cent:

He stated that as Cllr Mc Brearty was the cause of the meeting being adjourned, he was seeking a proposer and seconder for the above. This was proposed by Cllr Harley, seconded by Cllr O' Donnell.

A recorded vote was then taken by the Meetings Administrator which resulted in 27 voting for the proposal with none against.

Those voting in favour included:

Cllrs Blaney, Bradley, Canning, Conaghan, Coyle, Crawford, N Crossan, T Crossan, A Doherty, Donaghey, Farren, Harley, Jordan, Kavanagh, Kennedy, Mc Clafferty, Mc Dermott, N McGarvey, P Mc

Garvey, Mc Gowan, Mc Guinness, Mc Monagle, Murray, Naughton, O' Donnell, O' Fearraigh, and Sweeny. (27)

The Cathaoirleach asked Cllr Mc Brearty a number of times to withdraw from the meeting and reminded him that he was not allowed to speak in light of the resolutions above which had been agreed by Council.

Cllr Mc Brearty continued to interrupt and the meeting was adjourned for five minutes.

C/90/23

RESUMPTION OF THE MEETING

The Cathaoirleach said that having requested Cllr Mc Brearty to adhere to the resolutions of Council to withdraw from the meeting, he has continued to speak, and he proceeded to read into the record the following extract from Standing Orders as referenced in Appendix 1 and in accordance with Paragraph 13 (5)(a) of Schedule 10 of the Local Government Act, 2001 as amended by Section 57 (d) of the Local Government Reform Act, 2014:

(5)(a) Where at a meeting—

(i) the resolutions referred to in clauses (a) and (b) of subparagraph (4) have been resolved, and

(ii) where, following the chair expressing the further opinion that the member has continued to be disorderly by disregarding the ruling of the chair, or by behaving irregularly, improperly or offensively, or by otherwise obstructing the business of the meeting and the chair has conveyed such further opinion to the members present by naming the member concerned, it has been resolved further by at least two-thirds of those present and voting, on a motion moved by the chair or any member (which motion, if seconded, shall have been put and determined without discussion) that for a specified period "the member stand suspended with immediate effect from all meetings of the local authority and any committee of the local authority, and all meetings of municipal district members" and the period so specified is, subject to clause (c), for at least one month but does not exceed 3 months,

then the consequences provided for by subparagraph (4) shall not apply to the member concerned in relation to that suspension except and to the extent provided for by clause (g) in respect of any other suspension.

The Cathaoirleach alluded again to the fact that he had no further option at this point in time. Members, he advised, needed to take

cognisance of the seriousness of the situation and the implications of same.

Members, he said, were now required to take a decision in relation to the overall suspension period which varied from a minimum of one month and a maximum of three months.

Cllr N Crossan proposed a three-month suspension, seconded by Cllr Mc Clafferty.

A recorded vote was then taken in relation to the above with 31 voting in favour and 1 voting against.

Those voting in favour included:

Cllrs Blaney, Bradley, Canning, Conaghan, Coyle, Crawford, N Crossan, T Crossan, A Doherty, Donaghey, Farren, Gallagher, Harley, Jordan, Kavanagh, Kelly, Kennedy, Mc Clafferty, Mc Dermott, N Mc Garvey, P Mc Garvey, Mc Gowan, Mc Guinness, Mc Mahon, Mc Monagle, Molloy, Murray, Naughton, O' Donnell, O, Fearraigh and Sweeny. (31)

Those voting against included:

Cllr Mac Giolla Easbuig

On the proposal of Cllr O, Donnell, seconded by Cllr Mc Clafferty it was agreed to adjourn the meeting for lunch.

C/91/23

RESUMPTION OF THE MEETING -TO CONSIDER AND NOTE IN ACCORDANCE WITH SECTION 26(2) OF THE LOCAL GOVERNMENT FINANCIAL PROCEDURES & AUDIT REGULATIONS 2014, REPORT ON IRRECOVERABLE RATES FOR 2022

Cllr Mc Brearty was no longer in attendance.

Mr Richard Gibson, Head of Finance in response to the query raised earlier by Cllr Crossan said the team in Income Collection worked very hard with all of its customers to ensure that rates were paid in full. He stated that there were a range of measures which were used and these were reflective of the customer's ability to pay. Rates were not written off, he added, and this was the last option availed off.

Cllr Crossan said that his query related to people who habitually refused to pay and enquired as to what options there were to deal with this scenario.

The Head of Finance responding said that the legal option was used in this instance to collect the rates in question. He noted that a new team of solicitors had come on board and had considerable experience in

terms of debt collection.

He informed Cllr Naughton that there were proposed valuation certificates out for most businesses in the county and that the new rate would be in force from January 2024. He said that most businesses had got notification of what their rates bill would be in 2024.

C/92/23 **TO NOTE DONEGAL COUNTY COUNCIL LCDC ANNUAL REPORT 2022**

Members considered and noted the report circulated with the agenda in relation to the Donegal County Council LCDC Annual Report for 2022.

C/93/23 **TO NOTE CORRESPONDENCE IN RELATION TO THE DEVELOPMENT OF IRELAND'S FOURTH OPEN GOVERNMENT NATIONAL ACTION PLAN (2023-2025).**

Members considered and noted the report circulated with the agenda in relation to the report on the development of Ireland's Fourth Open Government National Action Plan (2023-2025).

C/94/23 **TO AGREE DATE FOR SPECIAL PLENARY COUNCIL MEETING TO CONSIDER THE DRAFT COUNTY DEVELOPMENT PLAN REVIEW AND CHIEF EXECUTIVE'S REPORT ON THE DRAFT LETTERKENNY PLAN & LOCAL TRANSPORT PLAN (PUBLIC CONSULTATION ON DRAFT PLAN)**

Members considered the report circulated with the agenda in relation to the above. Mr Liam Ward, Director Community Development & Planning noted that a workshop for the Letterkenny/Milford MD members in relation to the Draft Letterkenny Plan and Local Transport Plan was scheduled to take place on the 30th March. It was thus intended, he advised to formally consider the CE report on the Draft Plan considered at a Special Plenary Meeting on the morning of the 24th April. It was intended, he advised, to have the report with members either at the end of the coming week or early next week. It was confirmed that this report would contain all the submissions received, together with the Chief Executive's recommendations as to how these submissions would be dealt with.

It was acknowledged that the submissions in question would consist of both statutory and private sector contributions.

Cllr Naughton asked if there would be a submission in relation to businesses outside the town boundaries.

He was informed that the review of the County Development Plan was at a much earlier stage and that what would be presented to the members on the 24th April was confirmation in relation to the content of the Draft Plan which would then go out to public consultation. He said that the process was at a much earlier stage in terms of the County Development plan. The issues in relation to such businesses had, he confirmed been raised at various workshops and the planning officers

had taken the points raised onboard. The draft in respect of the County Development Plan Review would be issued to members on the 6th April, he confirmed, well in advance of the 24th April.

It was unanimously agreed to hold a Special Plenary Meeting of Donegal County Council on Monday 24th April, 2023 to consider the following:

- (1) Draft County Development Plan Review.
- (2) Chief Executive's Report on the Draft Letterkenny Plan & Local Transport Plan (Public Consultation on Draft Plan)

C/95/23

TO APPROVE A PROPOSAL TO ENGAGE IN A SISTER AGREEMENT WITH PLYMOUTH COUNTY, MASSACHUSETTS

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

Mr Garry Martin, Director Economic Development, Information Systems and Emergency Services said that the report was self-explanatory and was a follow-up in relation to engagement that had taken place with the Department of Foreign Affairs in 2022. The proposal, he advised, was to approve a Sister Agreement with Plymouth County in order to explore mutually beneficial relationships in areas of economic development and other areas of common interest.

On the proposal of Cllr Brogan, seconded by Cllr Sweeny it was resolved to engage in a sister agreement with Plymouth County, Massachusetts, USA.

C/96/23

TO NOTE MINUTES OF THE CORPORATE POLICY GROUP MEETING HELD ON THE 23RD JANUARY, 2023

Members noted the minutes of the meeting of the Corporate Policy Group held on the 23rd January 2023.

C/97/23

ATTENDANCE AT CONFERENCE, SEMINAR OR EVENT

Having noted 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, and the Local Government (Expenses of Local Authority Members) Regulations, 2014(as amended). On the proposal of Cllr Brogan, seconded by Cllr Harley, it was resolved to authorise any member, if he/she so wished, to attend the following conferences/events, subject to the normal procedures:-

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

- i. Submission of a Conference Report.

Training

- ALLG Elected Member's Training Programme 2023.

Conferences

- Cross Border Tourism Conference 2023 "Growing your Visitors- Learning from the Past" to be held in the Four Seasons Hotel, Carlingford, Co Louth on the 29th March, 2023.
- "Inspiring Rural Creativity Conference" to be held from the 5th April to the 6th April, 2023 in the Abbey Hotel, Roscommon Town.
- "Connecting, Communicating and Collaborating - Irish Regions Cooperating across the EU: How Local Authorities can engage in European Programmes" to be held Wednesday 19th April, 2023 in the Radisson Blu, Athlone.
- Celtic Conferences – "Protecting your Mental Health as a Public Representative" to be held from the 21st to the 23rd April, 2023 in O' Donovan's Hotel, Clonakilty, Co Cork.

C/98/23

COMMERCIAL VACANCY RATES IN DONEGAL AND UPDATE ON THE EMPLOYMENT OF A VACANT HOMES OFFICER

On the proposal of Cllr McGowan, seconded by Cllr Crawford it was resolved to adopt the following motion:-

"Many reports from GeoDirectory over a number of years (based on a sample of 80 towns) have consistently highlighted the fact that Donegal has the highest commercial vacancy rate in the country. The 2022 GeoDirectory Report states that 'the town of Ballybofey in County Donegal had the highest town vacancy rate at 30.2%'. That Council Management outline a strategy to reverse this ongoing issue, and provide an update in relation to the employment of a Vacant Homes Officer and other staff to speed up processing times on vacant home grants, and also information on Town Regeneration Officer and Technicians".

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

He welcomed the response and alluded to the fact that Ballybofey had the highest vacancy rate for commercial buildings in the country and that this coupled with developments with the TEN-T Bypass would create many challenges now and into the future. He said that the Government had put considerable effort and funding into dealing with dereliction and that the time was right to tackle the issue head on. He welcomed the fact that the Council would be included in the work programme for the TRO and the VHO together with the various funding streams available under the Croí Conaithe and Town Centre First initiatives.

He said that current funding of €30k or €50k to deal with one off housing was not sufficient to deal with the issues given that in towns such as Milford and Lifford there were whole streets to be dealt with. He called for a plan to be put in place to identify projects that needed to be moved forward in each town and village.

Cllr Crawford concurred with this assessment.

There was no opposition to the motion.

C/99/23

CONSTRUCTION OF TWO NEW FIRE STATIONS TO REPLACE BOTH EXISTING STATIONS IN BALLYSHANNON AND BUNDORAN AND UPGRADE PLANS AND FUNDING FOR GLENCOLMCILLE FIRE STATION TO FINALLY CLOSE OUT THE DONEGAL FIRE SERVICE CAPITAL BUILDING PROGRAMME

On the proposal of Cllr Sweeny, seconded by Cllr Crawford it was resolved to adopt the following motion:

“Under Section 137 of the 2001 Local Government Act, (as amended by the 2014 Local Government Reform Act) in the interest of closing out the countywide Donegal Fire Service Capital Building Programme, that the Chief Executive of Donegal County Council submit plans, specification and cost estimates to the elected Council in relation to the three outstanding stations to comprise the construction of two new Fire Stations to replace both existing stations in Ballyshannon and Bundoran as per plenary Council resolution on 25th June, 2018, and that these plans, specifications and cost estimates be then formally submitted to the Department of Housing, Local Government, and Heritage requesting funding for both stations. Furthermore, I request consideration be given to the upgrade plans and funding for Glencolmcille Fire Station to finally close out the Donegal Fire Service Capital Building Programme.”

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

He said that he had submitted the motion given that there was deep concern in the Donegal community about the closure of a Fire Service in that locality and people were of the opinion that fire services were effectively being downgraded. He said that this brought with it a fear that there was a risk to life and property. Donegal County Council, needed, he said, to ensure that the best possible service was being provided to its citizens by retaining and improving its fire service and by fool proofing the service so that the best possible chance was given to the retained fire personnel concerned. The situation in South Donegal had, he confirmed, been ongoing for 20 years and that all concerned needed to see the matter resolved and in a conclusive manner. It was acknowledged that there had been a concerted attempt to resolve the matter locally, but that one final push was needed to secure funding for

the two replacement stations at Ballyshannon and Bundoran together with a suitable solution for Glencolmcille. This, he contended, was a realistic request and the rationale well founded. He said that he wanted to see an end to the debate and noted that the simple solution was to replace both stations and not close the Donegal base.

The procedures, he advised, had been put in place for the twelve other stations, with specific plans drawn up. He noted that a number of optimum locations had been identified on Council owned lands which could possibly reduce the overall cost. He asked for a plan to be prepared and presented to Council in a timely fashion so that it could be presented to the Minister for Housing, Local Government & Heritage for consideration.

The response, he advised, was not the one he was hoping for and included many reasons as to why the two stations should not proceed. The reasons to progress the two stations, he added, needed to be clearly identified. He said that a business case should be drawn up and presented with the aim of securing funding at national level given that the reply referenced the fact that Donegal County Council was willing to build the stations in question if the resources were in place.

He queried the €450,000 referenced to cover site identification costs, the preparation of plans, specifications and estimates for the two fire stations and said that this was excessive. He had difficulty also with the fact that members would have to identify the specific funding source.

Cllr Mc Mahon supporting the motion said that this had gone on for too long and that the people of Ballyshannon/Bundoran deserved the best possible service provided by two fire stations and that anything less would mean that members had failed people in these localities. The firemen themselves, he noted, had worked hard to keep the two stations going and that if there was to be a chance of economic development in the area then all associated services needed to be in place. He said that there had been tragedies in Creeslough and Bundoran and cognisance needed to be taken of the need to ensure that effective services were in place. He reiterated the need to put a business plan in place given recent developments in Ballyshannon with the new hospital and the presence of high-rise hotels in Bundoran all of which indicated that the demand existed for two stations.

He noted that it had been mentioned on a number of occasions that funding was not an issue. Fire service personnel, he noted were also becoming disillusioned.

There was no opposition to the motion.

Mr Garry Martin, Director Economic Development, Information Services and Emergency Services advised that a detailed response outlining the chronological order of events had been provided on the basis that the matter had been ongoing for a considerable period of time. It was, he

advised the consistent view of the Chief Fire Officers over that period that a single location to national standards was suitable. The view of the Chamber however, he said, reflected that this was not what was required and thus there has been a constant demand for two stations. The proximity of the two stations had been instrumental in forming national opinion and thus, he said, it had never been possible to deliver an evidential plan to support two locations. Members comments over the years and those of the fire service personnel had, he advised, been taken on board and a case made to put the best possible argument forward for two fire stations.

Donegal County Council, he said, had not been averse to building two stations if the funding was available, but that over the 41 years in question this argument had not been won.

The challenge, he said, at this juncture was that a review was taking place nationally and that there was a very real risk that the Council would be asked to consolidate the service further. The focus, he said, was to ensure that an appropriate service was in place and that the Council was entirely committed to doing so.

The motion as submitted, he acknowledged, asked for plans and specific cost issues to be considered. With rising construction costs, he said that the design costs would be a percentage of the overall price and asked to design and develop buildings at two locations yet to be identified. On the basis of current market trends and taking into consideration the above, it was estimated, he said, that the overall cost would be in the region of €4m to €4.5 million with design and site identification costs coming in at around €450,000.

Going forward, he said, and on the basis of the motion as submitted today there was little or no evidence to suggest that a different response to the one issued over the past 41 years would be forthcoming. He urged caution against spending money when there was little prospect of a positive outcome. The reality was, he said, that if members wanted to move forward on this basis, then they would have to identify where the initial design costs of €450,000 could be found and as to what other area of work they were prepared to forfeit in order to advance this project.

The Cathaoirleach called on the Donegal members to come together in a workshop format to discuss same and to assess where the monies could be found.

Cllr Sweeny said that there were 18 excellent crew members in Ballyshannon/Bundoran and that it was important that the matter was finalised for their sake. He cited the necessity of ensuring that a precedent was not set in terms of closing a fire station in Donegal.

Mr Garry Martin, Director Economic Development, Information Services and Emergency Services said that he was happy to explore any option but that it was not possible to use a site specification or plans that had been developed a number of years ago as building standards and regulations had changed in the meantime. What was being talked about here, he said, was a blank sheet with two sites as yet unidentified and building up a costing from that position. It was generally acknowledged, he said, that when such proposals were made to central Government there was an expectation that funding would be provided. In this case, he advised, there was an element of speculation involved as all evidence in the past pointed to the fact that funding would not be made available. He reiterated the fact that there was no budget to cover the initial design/acquisition costs. Responding to the comment that it had been demoralising for fire fighters, he said that it had also been demoralising from his own perspective as the likelihood of getting one station was now in doubt never mind two.

Cllr Sweeny said he appreciated the rationale expressed but affirmed that he was not looking for a full design specification to be drawn up and contended that it should be possible to utilise the plans and design specifications and all information gathered over the years. He said that Council sites could be utilised, and a proposal put forward to see if the money could be found but not at a cost of €450,000. There was, he confirmed, rationale and support for the proposal and contended that it should be submitted to the Minister for consideration. The matter was now at a crucial point, he advised, and that if an outcome was not achieved shortly then all concerned would be at a loss.

Cllr Sweeny concluding advised of the need to move forward with the proposal.

C/100/23

FREEDOM OF THE COUNTY TO CLANNAD

On the proposal of Cllr MacGiolla Easbuig, seconded by Cllr N McGarvey it was resolved to adopt the following motion:-

“Go dtabharfaidh Comhairle Contae Dhún na nGall Saoirse an Chontae do Chlannad mar aitheantas don mhéid ollmhór atá déanta acu ar son ár gCultúr, cur chun cinn na Gaeilge agus ár gceol traidisiúnta ar bhonn náisiúnta agus idirnáisiúnta”.

"That Donegal County Council give the Freedom of the County to Clannad to recognise their enormous contribution to our Culture, the promotion of our Irish language and our traditional Irish music both nationally and internationally".

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

He said that he was delighted to have the opportunity to propose the motion given that Clannad were one of the most renowned bands in

Ireland. A number of the founding members were, he advised no longer with us and their contribution needed to be acknowledged. This honour, was, he contended, long overdue in light of the efforts that the band had made to promote the Irish language, our unique history and culture and thus putting Gweedore firmly on the map. He paid tribute also to Baba and the late Leo Brennan whose guidance and encouragement had made all this possible.

Cllr Mc Garvey supporting the motion said that the band which had been formed in the 70s had been widely influential in the promotion of our language, culture and heritage through their passion for music. Moya Brennan, she said, had continued to nurture this great passion and was a mentor for up and coming musicians. She was delighted, she said that such recognition would be bestowed on the group for their long established record in the music industry and for what they have done for Donegal.

There was no opposition to the motion.

C/101/23

THAT DONEGAL COUNTY COUNCIL DEVELOP AND SUPPORT A STRATEGY TO FACILITATE THE PROMOTION AND PURCHASE OF FOOD AND OTHER GOODS WITH THE FAIRTRADE MARK

On the proposal of Cllr Murray, seconded by Cllr A Doherty it was resolved to adopt the following motion:

“That, Donegal County Council, as an important consumer and opinion leader, will develop, and support a strategy to facilitate the promotion and purchase of food and other goods with the FAIRTRADE Mark as part of its commitment to fair and sustainable development and to give marginalised producers a fair deal.

Aim

- *To be recognised by the people of Donegal as a County that actively supports and promotes Fairtrade and to increase the sale of products with the FAIRTRADE Mark.*
- *Donegal County Council resolves to contribute to the campaign to increase sales of products with the FAIRTRADE Mark by striving to achieve Fairtrade status for Bunrana, Clonmany, Ballyliffin as detailed in Fairtrade Ireland’s Towns Initiative.*
- *The initiative involves a commitment to and support of the following activities which will led by ChangeMakers Donegal, an IDP based, Irish Aid funded Global Citizenship Community Project which champions sustainability and solidarity across Donegal communities:*
- *Widely offer FAIRTRADE Mark food and drink options in Council offices and make them available for internal meetings*
- *Promote the FAIRTRADE Mark using Fairtrade Mark materials in refreshment areas and promoting the Fairtrade Town initiative in internal and communications and external newsletters*

- *Use influence to urge local retailers to provide Fairtrade options for residents by working with ChangeMakers Donegal in a campaign to engage with relevant business owners*
- *Use influence to urge local business to offer Fairtrade options to their staff and promote the FAIRTRADE Mark internally by working with ChangeMakers Donegal in a campaign to engage with relevant business owners*
- *Engage in a media campaign to publicise the Fairtrade Towns initiative by providing quotes/interviews as part of ChangeMakers Donegal's planned PR activities*
- *Allocate responsibility for progression of the Fairtrade Towns initiative to a member or group of staff who can become a member of the Steering Committee that meets twice a year*
- *Support the organisation of events and publicity during national Fairtrade Fortnight - the annual national campaign to promote sales of products with the FAIRTRADE Mark in partnership with ChangeMakers Donegal and Inishowen Development Partnership".*

Cllr Murray received a response from the Director of Economic Development, IS & Emergency services in relation to the above.

He said that he had been asked to move this positive motion by ChangeMakers Donegal and that the adoption of same and the achievement of fair-trade status would be a proud day for the people of Buncrana, Clonmany and Ballyliffen and for the entire county. He welcomed the approach taken by ChangeMakers in looking for assistance from the Council. It was, he contended

Fair Trade, he advised, guaranteed a fair price for farmers and enabled them to cover their production costs and make a living wage, whilst promoting sustainability business practices and contribute to the lives of farmers and workers in Developing Countries.

The passing of the resolution, he added, created an awareness and would assist people in looking at their consumption choices. He welcomed the response and the fact that contact would be made with ChangeMakers and that the passing of the resolution was a positive endorsement of their aims in what was a very honourable campaign.

Cllr A Doherty congratulated all involved and said that it had always been a delight to implement and promote fairtrade. He encouraged all outlets, supermarkets and shops to get involved.

There was no opposition to the motion.

Cllr Murray thanked members for their support.

EXTENSION OF THE EVICTION BAN TO BE EXTENDED AND THE PROVISION OF NECESSARY RESOURCES TO DONEGAL COUNTY COUNCIL TO ENABLE THEM TO ACTIVELY PURSUE TENANT-IN-SITU HOUSING PURCHASES AND THE PURCHASE AND REFURBISHMENT OF VACANT HOMES

On the proposal of Cllr A Doherty, seconded by Cllr McMonagle it was resolved to adopt the following motion:

"Donegal County Council calls for the eviction ban to be extended and further calls on Government to provide the necessary resources to Donegal County Council enabling Council to actively pursue tenant-in-situ housing purchases and the purchase and refurbishment of vacant homes".

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

He said that the eviction ban was designed to protect tenants and who met their obligations and delivered on their agreement with the landlord. Four days from now, he said, based on evidence from the Residential Tenancies Board, eviction notices would be served by landlords on 88 tenants in Donegal and this would be many more if not for the defective concrete blocks issue. The question was, he advised, where would these people go. Legislation to mitigate against the impact of the removal of the ban had been promised, he stated, but was not in place. He expressed concern that the appointment of a vacant homes officer in Donegal County Council was still underway.

There were issues also, he advised in terms of HAP tenants and the Council's treatment of those on the housing list. It was noted that the Minister had advised local authorities to proceed with purchase of houses yet there were questions to be answered in terms of the time factors involved and the need to ensure that sub-standard houses were not purchased.

He welcomed the fact that the response had confirmed that there were in-situ issues to be resolved and further context to be delivered. Thus he asked that the Council press for actions when the eviction ban is again in place to enable increased housing supply.

Cllr Mc Monagle said it was important that our opposition to the lifting of the ban was conveyed to the Department. He noted that little or no effort had been made to put the necessary infrastructure in place to deal with underlying issues concerned. There was little or no emergency accommodation in the county, a serious lack of housing and limited social housing, he noted.

It was acknowledged that Donegal had not been able to buy houses and that the impact of the mica crisis had created a perfect storm.

He called for a united approach and for the ban to be extended so that the necessary infrastructure could be put in place to support families.

The lifting of the ban on the 1st April, he noted, would create problems for the local authority which were not of its making and thus assistance was required and support and understanding for the situation that we have in Donegal at present.

There was no opposition to the motion.

Cllr Doherty concluding said that there was a lot of serious work to be done and asked that the motion be forwarded to the Department for consideration.

C/103/23

THAT DONEGAL COUNTY COUNCIL TAKE RESPONSIBILITY FOR THE MAINTENANCE OF COMMUNAL SEPTIC TANKS.

On the proposal of Cllr T Crossan, seconded by Cllr A Doherty it was resolved to adopt the following motion:

"That Donegal County Council take responsibility for the maintenance of communal septic tanks that are having a detrimental effect on the environment due to leakage and seepage of effluent especially in the vicinity of river courses or estuaries".

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

He said that many of the problems emanated from unfinished estates that nobody wanted to take responsibility for thus causing raw sewage to seep into our rivers and streams. He said that someone needed to take control of the situation and closure was required in terms of ongoing liaison between Donegal County Council and Irish Water to prevent such schemes from being consistently problematic. The Council, he said was reactive in a positive way but needed to be proactive in preventing these issues from happening. He said that he had been in contact with a number of agencies but had been unable to make contact with Irish Water.

It was imperative he added that there was a collaborative approach between Donegal County Council and Irish Water and the other relevant bodies to tackle this problem.

Cllr A Doherty supporting the motion said that the Council had committed to accessing funding but that it was daunting to hear that there might be upward of 230 estates that were causing problems. He noted that all the stakeholders involved needed to respond to Cllr Crossan's motion.

There was no option to the motion.

Mr Michael Mc Garvey, Director Water & Environment noted that the number of estates involved was extensive. The Department, he said, were looking at funding options. He acknowledged the work carried out by Paddy Mullen, Senior Executive Engineer and his team who had progressed the takeover of over 60 estates at this stage. He confirmed that the Council was committed to monitoring the situation and to interact with Irish Water to identify other funding sources.

Cllr Crossan welcomed the response and continuing periodic interventions but cited the need to ensure that all possible options for a long-term solution were actively pursued.

C/104/23

THAT A BUDGET BE IDENTIFIED FROM WITHIN OUR ROADS ALLOCATION FOR TRAFFIC CALMING/RAMPS TO ALLOW MUNICIPAL DISTRICTS CONTINUE WITH PEDESTRIAN SAFETY WORKS IN THEIR AREAS.

On the proposal of Cllr McMonagle, seconded by Cllr McMahan it was resolved to adopt the following motion:

"That a budget be identified from within our Roads Allocations for Traffic Calming/Ramps to allow MDs to continue with Pedestrian Safety works in their areas and that a discussion be had at the Roads SPC to deliver a definitive policy on Ramps/Traffic Calming measures for the County".

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

Alluding to the response, he said that he appreciated that discussion had taken place at SPC level and called for this to be driven forward and brought to Plenary Council for consideration. Councillors, he noted regularly brought in motions on traffic calming issues but the main area of contention was the fact that a specific budget did not exist. He said that funding should not be taken from other necessary roadworks but rather a dedicated budget be put on place to deal with traffic calming issues.

It was noted that there were specific measures in place in other counties and that this was not the case in Donegal. He referred to the recent introduction of a Zebra Crossing in Ballybofey / Stranorlar and which had been implemented without adequate public consultation. It was important, he said, that traffic calming measures could be accessed where and when they were needed. He asked that a policy be devised to assist with this objective with the aim of getting a specific budget for each MD on an annual basis.

Cllr Mc Mahon said that there were specific problems in the Donegal MD and that the use of ramps and or pedestrian crossings needed to be explored. It was imperative, he added, that a specific budget was put in place to accommodate same and acted on as soon as possible.

There was no opposition to the motion.

Mr Bryan Cannon, A/Director Roads & Transportation said that the balance here was to address the issue in terms of the different road users in our towns and villages across the county. These, he confirmed, needed to become a place where all road users have a balance of use. It was acknowledged that a number of schemes were ongoing but that a wholistic approach was not possible at this point in time. Specific locations, he noted, could have an intervention subject to the correct form of assessment which could assist in adjusting the balance. The policy context, he advised, was evolving and staff were pursuing all available funding options. He noted the comments made by Cllr Mc Monagle in relation to the creation of a specific budget for traffic calming measures.

Cllr Mc Monagle thanked members for their support and said that provision for a specific budget for each Municipal District was the way forward.

C/105/23

GRAVEYARD PROVISION IN DONEGAL.

On the proposal of Cllr Brogan, seconded by Cllr Crawford it was resolved to adopt the following motion:

"I propose that the senior management team of this Council meet with the inter-church group on graveyard provision in Donegal with a view to the setting up of a working group to address this ongoing and very challenging issue facing all parishes of various denominations"

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

He said that this had been talked about for a long time with no action. It was also considered, he added, in the context of the Draft Letterkenny Plan and again no specific recommendations had been identified. He cited the need for working group including the elected members to lead out on the matter as many graveyards were now at full capacity. Serious thought was warranted at this juncture, he advised, and expressions of interest should be sought through public advertisement.

Cllr Crawford outlined his support for the motion.

There was no opposition to the motion.

Mr Michael Mc Garvey, Director Water & Environment said that the response summarised the work carried out over the last number of years. He said that he would bring focus to the matter and was happy to progress same. There had been direct contact, he confirmed with Church and non-denominational representatives and this engagement had been informative. He said that an internal meeting had been

planned for next week and that an update would be provided through the Climate Action & Environment SPC and at MD level.

Cllr Brogan outlined the urgency of getting the working group up and running with representation from the different areas and asked for a commitment that this would be progressed. He said that a template had been agreed in terms of the members representation.

The Director of Service committed to getting the working group up and running but said that it was important that the relevant stakeholders were involved and that this would include engagement with the elected members. He agreed to include the formation of the working group on the agenda of the next Climate Action & Environment SPC.

C/106/23

CATHAOIRLEACH'S BUSINESS

Votes of Sympathy

A vote of sympathy was extended to the following:

- Simon Harron, Planning on the death of his mother, Dymphna.
- Charlene Gillespie, Community Development on the death of her mother, Mary Jane.
- Gerry Rushe, formerly Facilities Management on the death of his brother Joe.

Bravery Awards 2023

The Cathaoilreach informed members that Comhairle na Míre Gaile (Bravery Awards Council) had asked for nominations for the Bravery Awards 2023. He advised that nominations should be submitted to the National Bravery Awards Secretariat, 51 St Stephen's Green Dublin 2 by the 30th April, 2023.

Details he confirmed would be emailed after the meeting. The Bravery Awards Council, he said, had asked for help in creating an awareness of the initiative by sharing the information with constituents, local volunteering groups and agencies who may be interested in the awards.

Letter of Thanks – Mc Menamin Family

Members were informed that correspondence had been received from the Mc Menamin Family thanking members in the Lifford/Stranorlar MD for their support which had enabled Ben Mc Menamin take part in the European Pool Championships in Malta as a member of the Irish Pool Team.

C/107/23

CHIEF EXECUTIVE'S MANAGEMENT REPORT

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

The Chief Executive advised that if there were any specific issues then members could come back to him directly.

Cllr Mc Monagle queried what the next steps were in the provision of emergency accommodation and said that this needed to be prioritised in each Municipal District and a long-term strategy developed to complement same.

The Chief Executive acknowledged that this was an emotive issue and that the strategy going forward needed an immediate solution. He noted that the issues had been well articulated and said that he would work with the housing team and look at the situation in each Municipal District. He agreed to provide an update on the matter as soon as practical.

Cllr Mc Monagle said that there was a need to look in built up areas at buildings that could be acquired in a manner to those being utilised at present by the private sector. He suggested that it might be more practical at this juncture to build accommodation units rather than convert existing property.

Cllr A Doherty expressed concern that the Approved Housing Bodies had not provided any accommodation units in the Inishowen MD. He welcomed the fact that the Council was to receive funding for the employment of a Biodiversity Officer.

Compliments were paid to all involved with the Community Recognition Fund and Cllr Doherty asked that funding options be explored on a timely basis and that recognition be afforded to many of those groups who had not yet been able to avail of the resource.

Cllr Mc Gowan asked for an update on the status and plans for the N15 including any proposals for remediation works on the Corcam Bends.

Cllr Sweeny expressed disappointment at the fact that South Donegal had not been as successful in receiving funding under the Community Recognition Fund. He was informed that further clarification would be provided in respect of the overall funding provision.

He informed Cllr Mc Gowan that the objective had been held on the N15 for the last 20 years and that would be maintained until an alternative was put in place.

Mr Patsy Lafferty, Director Housing, Corporate & Cultural Services advised that there was ongoing engagement with the Approved Housing Bodies and that the CALF funding model would hopefully be more attractive to these bodies. He noted that they tended to provide accommodation in the areas where they had the land to proceed. Confirmation was also provided that the Approved Housing Bodies calculated their rents in line with the Differential Rents Scheme and in line with the local authority.

The following questions were noted

C/108/23 **DONEGAL COUNTY COUNCIL POSITIONS CURRENTLY FILLED IN A TEMPORARY CAPACITY**

Cllr Crawford submitted the following question:

How many positions are presently being filled in a temporary capacity within the Council and why is this?

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

C/109/23 **LIST OF COUNTY-WIDE CEMETERIES**

Cllr Crawford submitted the following question:

Can I have a list of cemeteries county-wide which this Council has some responsibility for and in how many of these does the Council carry out any works?

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

C/110/23 **LANDS AT LIFFORD COMMON**

Cllr Crawford submitted the following question:

With planning now in place for lands at Lifford Common, how will plans advance for potential employment opportunities which may have a county-wide economic benefit?

He received a response from the Director of Economic Development, Information Services & Emergency Services in relation to the above.

C/111/23 **CAN THE COUNCIL CARRY OUT AN AIR QUALITY ASSESSMENT ON LARGE TOWNS ON THE N15**

Cllr McGowan submitted the following question:

Can the Council carry out an air quality assessment on large towns on the N15 or request the appropriate agency to do so in order to address the public health concerns about pollution from traffic congestion? See link for details: AirQuality.ie <https://airquality.ie/>

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

C/112/23 **CAN THE COUNCIL WRITE TO THE MINISTER REGARDING THE STATISTICS ON SEAI PROGRAMMES IN THE COUNTY**

Cllr McGowan submitted the following question:-

Can the Council write to the Minister regarding the statistics on SEAI programmes in the county and seek clarity in relation to the following?

- *Information from the Atlantic Technological University that waiting lists of 2.5 years plus exist for the warmer homes scheme.*
- *Businesses across Donegal have no direct Solar PV grants despite promises of the same for a considerable time now and as such how many successful grants for the primary business grant called EXEED have been drawn down in this county other than grants meant for farmers?*

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

C/113/23

IMPACT OF PROPOSED OFFSHORE WIND FARM PROJECTS OFF THE COAST OF MALIN HEAD ON THE FISHING INDUSTRY IN THE COUNTY

Cllr A Doherty submitted the following question:

Will Donegal County Council note and respond to concerns highlighted on the impact of proposed offshore wind farm project off the coast of Malin Head on the fishing industry in the County, including on spawning grounds for crab and herring highlighted by local fishers? and Will Council request from Government following full consultation with members of the fishing industry in the county the provision of a fisheries management plan before any offshore wind farm is enabled to progress in the coastal areas concerned?

He received a response from the Director of Economic Development, IS and Emergency Services in relation to the above.

C/114/23

CONSIDERATION OF SUBMISSIONS RECEIVED SEEKING A CHANGE IN THE ZONED STATUS OF LANDS AND/OR URGING AGAINST ANY LIABILITY TO RESIDENTIAL ZONED LAND TAX

Cllr McMonagle submitted the following question:

Will Donegal County Council ensure that individual submissions received seeking a change in the zoned status of their lands and/or urging against any liability to RZLT are carefully considered and positively received? and Will Council further ensure that submissions received indicating current farm practice and use and confirming the land as an integral and essential part of farm business be exempt from Residential Zoned Land Tax”.

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

C/115/23

FLOOD RELIEF SCHEMES PASSED FOR DOENGAL AND THEIR START DATES.

Cllr McMonagle submitted the following question:

Can I have a list of the Flood Relief Schemes passed for Donegal and their start dates?

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

C/116/23 **UPDATE ON THE TEN-T, BONAGEE LINK, MANORCUNNINGHAM TO STRABANE AND BALLYBOFEY/STRANORLAR BYPASS**

Cllr Brogan submitted the following question:

Can we get an updated report on the Ten-T Project, Bonagee Link, Manorcunningham to Strabane and Ballybofey/Stranolar Bypass?

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

C/117/23 **PROGRESS MADE IN RELATION TO A NEW TESTING CRITERIA FOR DEFECTIVE CONCRETE BLOCKS TO REPLACE IS 465**

Cllr McMonagle submitted the following question:

Has there been any progress made in relation to a new testing criteria for Defective Concrete Blocks to replace IS 465?

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

C/118/23 **REQUEST FOR COPY OF OUR RECENT SUBMISSION TO DEPARTMENT ON THE PROPOSED GUIDELINES FOR THE MICA SCHEME**

Cllr Brogan submitted the following question:

Can we as a Council be forwarded on a copy of our recent submission to Department on the proposed guidelines for the Mica scheme?

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

C/119/23 **MOTIONS FROM OTHER COUNCILS**

Members noted the following motions from other Councils.

CAVAN COUNTY COUNCIL

"To ask Cavan County Council, having regard to the thousands of people who are suffering with adverse effects from Covid-19 for long periods of time (long Covid) –

- To write to the Minister for Health Mr Stephen Donnelly, T.D., the Oireachtas Health Committee and the HSE Chief Executive Officer requesting that the provision of Long Covid Clinics be retained and expanded.
- To raise it without Regional Health Board and/or local hospital and

- To circulate this motion to the rest of the Councils around the Country asking them to consider doing the same”.

CAVAN COUNTY COUNCIL

“That Cavan County Council request further protections for family farms by writing to the Minister for Agriculture, Food and the Marine demanding him to urgently intervene and prevent Semi-State body Coillte from entering into joint venture arrangements with the Gresham House Fund”.

“That we write to the Minister for Agriculture, Food and the Marine, Charlie McConalogue and Minister of State Pippa Hackett to outline that the forestry deal between Coillte and Gresham House and selling Irish lands to an outside fund is not in the best interest of the people of Ireland and that we should circulate to all Councils in Ireland”.

“That Cavan County Council call on the Minister for Agriculture, Food and the Marine to review the relationship between Coillte and Gresham House and the proper control of commercial afforestation”.

CLARE COUNTY COUNCIL

“In the context of the acknowledged desire, necessity and urgency to bring derelict and vacant properties back into use, I call on Clare County Council to write to the minister for Housing and Local Government requesting that the laudable Croi Conaithe scheme targeted to assist this objective is adjusted to allow owners of qualifying properties to access the scheme subject to conditions that this property is subsequently used for long term occupancy either through sale or long term lease”. If supported, I request this motion be circulated to all other local authorities.

CORK COUNTY COUNCIL

“That rather than its apparent aims of limiting public participation and access to justice, the new Planning & Development Bill would take the opportunity to address identified concerns with regard to Ireland’s need to meet the requirements of the Aarhus Convention, to which it is a signatory”.

DERRY CITY AND STRABANE DISTRICT COUNCIL

“That Council further recognizes the rail infrastructure neglect across the North West of this island since the then Stormont Government closed the crossborder rail network here in 1965.

-That Council reaffirms its position to support investment of rail in the city and its expansion to other parts of our Council District which will allow for greater regional connectivity.

-That Council recognizes the need, as consequence of the All Island Strategic Rail Review, for a feasibility business case into re-opening the Great Northern Railway, connecting Derry City to Strabane, Omagh, Dungannon and ultimately Portadown allowing for connectivity with Dublin, along with facilitating new connections in County Donegal.

-That Council actively seeks to engage with the Department of Infrastructure, Translink, Donegal County Council, Fermanagh and Omagh District Council, Mid Ulster District Council, Armagh, Banbridge and Craigavon Borough Council and the Dublin Government on jointly funding a feasibility study into re-opening the former Great Northern Railway line.

-That Council Officers report back to the Environment and Regeneration Committee with relevant options papers and costings in relation to the feasibility study.

-Council will write to DFI to ask for immediate clarification on what plans they have to secure the track bed off Victoria Road in order to extend rail south from Waterside Station, given the latest information received from Clanmil.

-Council notes the 'Restoring your Railway' fund in England, Government funding to support local communities to explore the options for restoring old lines and stations, and so will write to the NI Secretary of State and the Permanent Secretary of DFI to call for a similar scheme to be introduced here".

KERRY COUNTY COUNCIL

"That this Council calls on the new Minister for Defence to award the medals as recommended by Commandant Pat Quinlan to the veterans of Jadotville". Failure to do so is a stain on the reputation of the state.

SLIGO COUNTY COUNCIL

"That this local authority calls on the Fianna Fail, Fine Gael, The Greens and the Independents in Government to make provisions ASAP to include those on Working Family Payment to avail of the Fuel Allowance Payment Scheme". A copy of this motion to be sent to all local authority within the state.

SLIGO COUNTY COUNCIL

"This Council write to Minister for health asking him to make the CF medication Kaftrio available to all patients who require it within the State".

SLIGO COUNTY COUNCIL

"To call on Sligo County Council to write to the Minister of Transport Eamon Ryan to introduce a scheme, to make funding available to our regional roads to address realignment and other safety issues".

SLIGO COUNTY COUNCIL

"That this Council write to the Ministers for Communication and Justice seeking the introduction of legislation at an EU level so that social media accounts are traceable to people operating them. This would immediately stop anonymous abuse, online bullying and trolling".

SLIGO COUNTY COUNCIL

"Under the older and disability grants scheme, retired old age pensioners who have decided to put their affairs in order by transferring

their homes to their next of kin while retaining their right to live in their homes for the rest of their lives, now find themselves unable to avail of those grants. They live on their own. Their next of kin does not live in the house with them. The next of kin have their own house with mortgages and families expenses. The household income of the applicant who resides there and the registered owner and their spouse is taken into account, so the two household incomes exclude the applicant from the grant. I propose that Sligo County Council writes to the Minister and the Department to address this anomaly and to amend the terms and conditions of the schemes to exclude the income of the registered owner and their spouse if they do not reside in the property”.

SLIGO COUNTY COUNCIL

“That this Council write to the Minister for Health, the Taoiseach and the Tánaiste to ask for an explanation as to why Sligo and the North-West has not been included as a surgical hub and for Sligo University Hospital to be added to the list as the 6th surgical hub catering for the people of Sligo, Leitrim, Donegal, North Mayo and North Roscommon. Can this motion be shared with all TDs and local authorities in all of the aforementioned counties?”

TIPPERARY COUNTY COUNCIL

“I am looking for support from Tipperary County Council to strengthen the control of Dogs Act Legislation in Ireland. A complete reform of dog owner’s responsibilities must take place immediately for public and animal safety. An immediate review of the Dangerous Dogs Act must also take place banning ownership of these dogs in the State. A proper public indemnity insurance requirement must also be enshrined in new legislation for all dog owners. I am asking this Local Authority to write to the Minister for Agriculture, Minister for Rural and Community Development and Minister for Housing on this issue.”

TIPPERARY COUNTY COUNCIL

“That Tipperary County Council explores the possibility of offering Apprentice Schemes within the Council and in addition looks at the possibility of including an apprenticeship clause for contractors tendering for large council led construction projects”.

TIPPERARY COUNTY COUNCIL

“That Tipperary County Council request the Government to amend the Mother and Baby Homes redress scheme to include the 24,000 survivors who were excluded from the redress scheme”.

WESTMEATH COUNTY COUNCIL

“That Westmeath County Council would write to the Finance Minister to request immediate action using the expertise available to design and implement a comprehensive regional public banking system that makes full use of the remaining financial services infrastructure in local towns and other areas in this county to deliver an essential local banking service to local communities and businesses that would augment the

work of post offices and credit unions and give local people and business real finance and borrowing options and keep local towns thriving”.

WICKLOW COUNTY COUNCIL

“That the Members of Wicklow County Council object strenuously to the Coillte decision to partner with a UK based Investment Fund, Gresham House, in the purchase by this Fund of thousands of hectares of Irish Forestry lands depriving the Irish people of the profits accruing and at the same time driving up the price of agricultural land which could be bought by Irish farmers. Furthermore, this Council calls on the Government to halt this arrangement immediately and ensure that the future ownership of Irish forestry assets remain in the hands of the Irish People and that where local farmers who need more land to improve their viability would be able to buy back from this giant Coillte fund”.