

# COMHAIRLE CHONTAE DHUN NA nGALL

Oifig Riathóir na gCruinnithe  
Aras an Chontae  
Leifear  
24 Meán Fómhair, 2024

## FÓGRA CRUINNITHE

### DO GACH BHALL DEN CHOMHAIRLE

A Chara,

Beidh Cruinniú de Chomhairle Contae Dhún na nGall ar siúl **Dé Luain, 30 Meán Fómhair 2024 ag 11.00 r.n in Áras an Chontae, Leifear.** Ta clár an chruinnithe leis seo. Seolfar nasc leictreonach chuig an chruinniú i gcomhfhreagras eile.

Beidh Clár Orduithe an Phríomh-Fheidhmeannaigh le feiceáil ag an chruinniú

Mise, le meas



Pádraig Ó Laifearaigh  
Riathóir Cruinnithe

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## DONEGAL COUNTY COUNCIL

Office of Meetings Administrator  
County House  
Lifford  
24<sup>th</sup> September, 2024

### NOTICE OF MEETING

#### TO EACH MEMBER OF DONEGAL COUNTY COUNCIL

Dear Councillor,

A Meeting of Donegal County Council will be held on **Monday 30<sup>th</sup> September, 2024 at 11.00am in the County House, Lifford.** The agenda for the meeting is attached. An online link to join the meeting will issue separately.

The Register of Chief Executive Orders will be available for inspection at the meeting.

Yours sincerely



Patsy Lafferty  
Meetings Administrator

## AGENDA

1. **Confirmation of Minutes**
  - a) Confirmation of the Minutes of the Special Meeting of Donegal County Council held on the 16<sup>th</sup> of May, 2024.
  - b) Confirmation of the Minutes of the July Meeting of Donegal County Council held on the 22<sup>nd</sup> July, 2024.
  - c) Confirmation of the Minutes of the Special Meeting of Donegal County Council held on the 23<sup>rd</sup> July, 2024.
  
2. **Disposal of Land – Section 211 of the Planning and Development Act, 2000(as amended)**
  - a) Notice under Section 211 of the Planning and Development Act, 2000 (as amended) and under Section 183 of the Local Government Act 2001 (as amended) – to dispose of land at Dunmore, Falcarragh to Joseph Corcoran Jnr.
  - b) Notice under Section 211 of the Planning and Development Act, 2000 (as amended) and under Section 183 of the Local Government Act 2001 (as amended) – to dispose of land at Ardmeen, Crolly, to Hugh & Geraldine Walsh.
  - c) Notice under Section 211 of the Planning and Development Act, 2000 (as amended) and under Section 183 of the Local Government Act 2001 (as amended) – to dispose of two plots of land at Ardmore, Muff to Anne Mc Laughlin.
  - d) Notice under Section 211 of the Planning and Development Act, 2000 (as amended) and under Section 183 of the Local Government Act 2001 (as amended) – to dispose of land by way of lease at Rathmullan Pier to Rathmullan Sailing & Watersports School, C/O Rathmullan District Resource Centre.
  - e) Notice under Section 211 of the Planning and Development Act, 2000 (as amended) and under Section 183 of the Local Government Act 2001 (as amended) – to dispose of land at 9 Ard McCool, Stranorlar to Mary Kathleen, Critchley.
  
3. **Taking of decision pursuant to the Planning and Development Act, 2000 (Part XI), and the Planning and Development Regulations, 2001**
  - a) To approve the carrying out of works with regard to the Old Garda Station, Malin Town.
  - b) To approve the carrying out of works with regard to the proposed refurbishment and extension project at Waterworld, Atlantic Way, Drumacrin, Bundoran, Co Donegal.
  - c) To approve the carrying out of works in respect of the construction of a bridge extension and road realignment along the R-232 at Glenmore

Bridge over the Loughultan River between Tieveboy and Glenmore, Co Donegal.

- d) To approve the construction of a two-storey rural S.I dwelling including wastewater treatment and all associated site development works at Cruckakeehan, Annagry, Co Donegal.
- e) To approve the carrying out of works at a high collision location to improve a section of the N15 in the vicinity of the existing priority junction between the N15 and R232 at Laghey, Co Donegal.

4. **Roads & Transportation**

To adopt the Road Traffic (Special Speed Limits) (County of Donegal) (Amendment) Bye-Laws 2024.

5. **Environment**

To make the Donegal County Council (Presentation of Kerbside Waste for Collection) Bye-Laws, 2024.

6. **Corporate**

- a) To adopt the Draft Traveller Accommodation Programme 2025 to 2029.
- b) Draft Scheme for the Establishment and Operation of Strategic Policy Committees 2024-2029.
- c) Election of Members to the Donegal Heritage Forum.
- d) Election of Members to Fort Dunree.

7. **Finance**

- a) To agree date for 2025 Statutory Budget Meeting.
- b) To agree Overdraft Accommodation of €10,000,000 for the full year ending 31st December, 2025.
- c) That Members consider whether they wish to pass a resolution to vary the rate of Local Property Tax in County Donegal by up to 15% in respect of a period of one or more years commencing in 2025.

8. **Planning**

To consider and endorse submissions to the review of the National Planning Framework to include:

- a) Northwest City Region (NWCR) Submission.
- b) Donegal County Council (DCC) Submission.

9. **Community Development**

To note change in the membership of the Donegal Local Community Development Committee.

10. **Endorsement of Minutes**

To note minutes of the meeting of the Corporate Policy Group held on the 15<sup>th</sup> July, 2024.

## 11. **Attendance at Conference, Seminar or Event**

Authorisation of representation at a seminar, meeting or event under Section 142 (5) of Local Government Act, 2001, S.I. No. 668 of 2006, Local Government (Expenses 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).

### Training

- AILG Autumn Seminar held on the 11<sup>th</sup> and 12<sup>th</sup> September, 2024 in the Hillgrove Hotel, Monaghan.
- AILG Elected Members Autumn Training Programme
- AILG & Office of the Planning Regulator Seminar “*Overview of the Planning System*” in the Bridge House Hotel, Tullamore on the 28<sup>th</sup> September, 2024.
- LAMA Autumn Seminar to be held on the 17<sup>th</sup> & 18<sup>th</sup> October, 2024 in the Newgrange Hotel, Navan, Co Meath.

### Other

- Attendance of the Mayor of Letterkenny at the 78<sup>th</sup> Independence Day of India event at India House, Foxrock, Dublin on the 15<sup>th</sup> August, 2024.
- Attendance & participation of ICBAN members on the ICBAN Capacity Building Programme 2024-2025

### Travel Abroad

- Attendance of the Cathaoirleach at the Dúiche Workshop “Capitalising on Culture, Competing the Difference” in Leuven, Belgium from the 14<sup>th</sup> to the 18<sup>th</sup> October, 2024.
- Attendance of the Cathaoirleach at the Golden Bridges Events in the USA from the 11<sup>th</sup> to the 14<sup>th</sup> November, 2024.
- Attendance of the Cathaoirleach at the EMA Forum in Amsterdam on the 20<sup>th</sup> and 21<sup>st</sup> November, 2024.
- ICBAN Members Study visit to the Borderlands Region of Scotland at the end of November 2024.
- Attendance of the Cathaoirleach at the 135<sup>th</sup> anniversary celebrations for the Donegal Association of Philadelphia in Philadelphia from the 6<sup>th</sup> to the 8<sup>th</sup> December, 2024.

## 12. **Conference Reports**

- Attendance by the Mayor of Letterkenny, Cllr Gerry Mc Monagle at the 78<sup>th</sup> Anniversary of India’s Independence at India House, Foxrock, Dublin.

## MOTIONS

### LIFFORD-STRANORLAR MUNICIPAL DISTRICT

#### Water & Environment

13. Cllr Patrick Mc Gowan

"That this Council write to Uisce Éireann, the Department of Housing, Local Government and Heritage and to Minister Darragh O' Brien unanimously calling for Lough Mourne Reservoir to be extended to include the Letterkenny MD and to include outlying areas not covered, upgrading all existing networks and upgrading reservoirs within the existing Lifford/Stranorlar MD".

### INISHOWEN MUNICIPAL DISTRICT

#### Community Development

14. Cllr Albert Doherty

"That this Council welcomes the roll out nationwide of the Healthy Age Friendly Homes Programme, particularly confirmation of the placing of co-ordinators in each of the 31 local authorities, Calls now on Donegal County Council to continue to provide and assist the network of support dedicated to helping all citizens live well as they age and ensure that older people receive the right support, at the right time, in the right place".

#### Roads & Transportation

15. Cllr Terry Crossan

"In light of the fact that 14 people, to date, have died on our Donegal roads, I propose that permanent speed cameras are installed at specific locations throughout the county. As a precursor to this, a pilot scheme, at least, should be initiated to evaluate the potential success and impact of such a scheme".

16. Cllr Martin Farren

"That Donegal County Council engage with the Department of Transport in relation to the Regional Roads in parts of Donegal where a number of accidents have occurred".

17. Cllr Paul Canning

"Given the success of the raised tables in Newtowncunningham, I would ask that the road safety team and the roads engineers within this county put in place a proper low-cost safety plan that includes raised tables in areas that are witnessing high traffic speed in built up areas".

#### Civil Defence

18. Cllr Joy Beard

With the winter storm season fast approaching, it is imperative that those homeowners who feel unsafe living in properties affected by the presence of defective concrete, or temporary accommodation such as static caravans

while remediation work is taking place, have a place of refuge during severe weather events.

“This motion calls on Donegal County Council to amend its existing Civil Defence Plan to provide rest centres for all affected homeowners when a red weather warning has been issued by Met Eireann”.

**Housing**

19. **Cllr Fionán Bradley**

"That this Council will adopt a policy to provide housing in every new social housing development in the county for those with SEN, AEN and physical disabilities".

**Defective Concrete Blocks**

20. **Cllr Ali Farren**

"I propose a motion that Donegal County Council agrees to purchase the homes of families who are impacted by both defective concrete blocks and flooding in areas where OPW and Donegal County Council are developing flood relief schemes. This would allow families whose homes were knowingly built in flood plains by the Donegal County Council planning department to be relocated out of these dangerous areas. Currently families on these flood plains cannot move forward on the enhanced defective block scheme because of the high risk of flooding impacting on the remediated home again. None of these families can obtain flood insurance and will therefore be unable to reinstate their remediated home when it does flood again. This proposal would allow these families to either purchase a new home or rebuild one on land that is safe to do so. Currently they are in limbo waiting for flood relief schemes that are going to take far too long to deliver and they do not have the time to wait because of the increasing structural damage that is being caused by defective blocks to their homes”.

**LETTERKENNY/MILFORD MUNICIPAL DISTRICT**

**Housing**

21. **Cllr Gerry Mc Monagle**

"That this Council seek an immediate meeting with Minister for Housing, Local Government and Heritage Darragh O'Brien TD to discuss the delays in the implementation of the DCB Remediation Scheme, the mental and physical health impacts that these delays are having on hundreds of families forced to continue to live in these deteriorating houses and impress upon him the importance that this scheme be implemented without further delay, furthermore call on this council to initiate a quick repair scheme on the worse affected homes until such times that the DCB Scheme for social houses is implemented”.

**Roads & Transportation**

22. **Cllr Michael Mc Bride**

"That the hedge cutting policy currently in place be reviewed as it is not working for farmers, bus operators or contractors at present”.

23. Cllr Donal Mandy Kelly

"That this Council look into installing ASD ( Autism Spectrum Disorder ) parking bays throughout Donegal please as it has been brought to my attention that ASD parking permits do not permit families with children with autism/additional needs to park in Disabled Parking Bays therefore we have no allocated parking bays available in Donegal to facilitate such families". It is vitally important that such families have the option of allocated bays particularly at Schools, Hospitals, Shopping Centres, and also on the main streets of our towns and villages please.

**Corporate**

24. Cllr Tomás Sean Devine

"Can the council support my motion in that all presentations be forwarded by email before council meetings while I respect and appreciate the amount of work goes into this work, I do believe they take up too much time at council meetings plus it would give councillors time to read over and ask questions if need be". I do believe we need to use the time we have at meetings to discuss the issues that affect the people that elected us.

**Finance**

25. Cllr Ciaran Brogan

"I propose that Donegal County Council prioritises its core services, i.e. Housing, Roads and Recreation Amenities in this new council term".

**Defective Concrete Blocks**

26. Cllr Declan Meehan

"That this Council will facilitate online public streaming of all meetings of the Defective Concrete Blocks Committee".

**GLENTIES MUNICIPAL DISTRICT**

**Corporate**

27. Cllr Micheál Choilm Mac Giolla Easbuig

"Cáineann agus diúltaíonn an Chomhairle seo an úsáid roghnaitheach den nós imeachta eiseachadta i gcoinne áitritheoirí an chontae seo agus in aon chuid eile de na 26 contae, imeachtaí arna n-agairt ag oifigigh na Breataine sna 6 chontae áitithe, bunaithe ar fhianaise a deirtear a bailíodh agus a tiomsaíodh na blianta fada ó shin ag Constáblacht Ríoga Uladh agus a bhfuil a chlú millte le fada an lá.

Fórsa atá iomráiteach as a pháirteachas, a sheicteachas, a chlaonpháirteachas coiriúil agus an droch-chóireáil brúidiúil ar líon mór daoine atá faoina choimeád. Ina theannta sin, fórsa a theip orthu minic go leor fianaise ríthábhachtach a choinneáil maidir le gníomhartha dílseoirí, ach is cosúil go bhfuil fianaise curtha ar fáil acu anois maidir leis na daoine sin.

Ní próiseas cuí an dlí é an rud atá ag tarlú anseo leis na himeachtaí eiseachadta seo, ach a mhalairt air sin, is mí-úsáid polaitiúla é chun aird a tharraingt ar shiúl ó fhoréigean stáit na Breataine.

Iarraimid, mar ionadaithe tofa ar Chomhairle Contae Dhún na nGall, ar an rialtas i mBaile Átha Cliath críoch láithreach a chur leis na himeachtaí scannalacha seo”.

"This council condemns and rejects the selective use of the extradition procedure against residents of this county and any other part of the 26-Counties, proceedings invoked by British officials in the occupied 6 counties based on so-called evidence supposedly collected and collated many decades ago by the long-discredited Royal Ulster Constabulary.

A force notorious for its partisanship, sectarianism, criminal collusion and brutal maltreatment of countless people in its custody. A force, moreover, that failed so often to retain crucial evidence in relation to loyalist actions yet apparently has now produced evidence in relation to these individuals.

What is happening here with these extradition proceedings is not the due process of law but is instead the misuse of power for crass political purpose in order to distract from British state violence.

We as elected representatives to Comhairle Contae Dhún na nGall therefore call upon the government in Baile Atha Cliath to order a halt to these outrageous proceedings immediately”.

### **Planning**

28. **Cllr Denis Mc Gee**

“I propose the motion that Donegal County Council provide test results from the testing of quarries throughout the county that were done according to the IS EN 12620 standard for raw aggregate as adopted in 2002 by the Irish state”.

This information needs to be forthcoming at the earliest opportunity as the public should have confidence that the products that they are buying is of the recommended standard. Donegal County Council have a duty of care to every citizen of the county to ensure that any building products are of the highest standard.

29. Cathaoirleach’s Business.

30. Chief Executive’s Management Report.

## **QUESTIONS**

### **LIFFORD-STRANORLAR MUNICIPAL DISTRICT**

#### **Information Systems**

31. **Cllr Patrick Mc Gowan**

Can this Council request a face-to-face meeting with NBI (National Broadband Ireland) to discuss how the Fibre Network is being rolled out in the County and what role if any is being played by the existing provider?



### **Roads & Transportation**

32. Cllr Patrick Mc Gowan

Can the Council ensure that the county's N15 is included in any review of the Government's National Development Plan especially the remaining uncompleted section to Lifford?

## **INISHOWEN MUNICIPAL DISTRICT**

### **Housing**

33. Cllr Albert Doherty

How many AHBs in Donegal are presently in contact with DCC and developers, requesting housing need confirmation from DCC confirming an interest in providing additional Social Homes in Donegal and finalising agreements with housing developers?

What are the current timelines between receipt by DCC and response of queries to AHBs on this matter?

In what DCC municipal areas are the current AHB housing provision proposals located?

34. Cllr Fionán Bradley

To ask the Director of Housing what plans or provisions are being made to rehouse those who have a disability and who live in one of our social houses which has DCB while their home is being remediated, when a social housing remediation scheme is established?

### **Planning**

35. Cllr Albert Doherty

NWRA have called for "Urgent Investment" in infrastructure in the region, pointed out that the region received less than 10% of investment in large projects and stated that a policy of positive discrimination is needed to deliver regional equality in the region.

What contribution and submission has DCC included in the recent Project Ireland 2040 review that supports and demands regional equality in Donegal and the Northwest area?

36. Cllr Joy Beard

Since the council executive first became aware of the defective concrete products being supplied by manufacturers in Donegal, how many quarries have been closed due to enforcement action by the council?

### **Defective Concrete Blocks**

37. Cllr Joy Beard

Could the council write to Minister Darragh O'Brien to apply pressure to ensure that the 10% increase in the cap that was announced under the "Enhanced Defective Concrete Block Scheme" will be applied retrospectively? As stated by Minister O'Brien during the Dail debate on Thursday 20 June 2022 - "Existing applicants under the current scheme will not be disadvantaged from being early movers and will benefit

retrospectively from the increased grant amounts and allowances that will be available under the enhanced scheme."

## **LETTERKENNY/MILFORD MUNICIPAL DISTRICT**

### **Housing**

38. **Cllr Gerry Mc Monagle**

How many social houses are now vacant due to DCB, and where are they located?

39. **Cllr Gerry Mc Monagle**

With the roll out of Air to Water heating systems across our social housing schemes around the county will the Council be responsible for the maintenance and upkeep of these systems going forward or will it be the responsibility of the tenant?

40. **Cllr Tomás Sean Devine**

We have council tenants living in appalling conditions due to defective concrete, cracks, black mould, and dampness rodents etc. What emergency plan is in place for these people, and can the council not go into estate agents throughout the county and buy homes as there are 100s for sale?

We are steady being told that the money is not an option from the housing minister, surely this is a fast option to rehouse people plus sort our housing problem.

41. **Cllr Declan Meehan**

Can the Housing Directorate put in place a plan to carry out remedial repair works, including painting, addressing mould, and crack-filling ahead of the autumn and winter seasons, for Council-owned DCB houses across the county, in lieu of the much-anticipated, long-delayed Social Housing Remediation Programme for Defective Blocks?

### **Planning**

42. **Cllr Tomás Sean Devine**

Can Donegal County Council please fast-track the taking over of unfinished estates as there are people living in appalling conditions between roads and water outages on a regular basis and also on the basis that numerous promises have been made that these issues would be fixed over the past number of years?

### **Planning**

43. **Cllr Michael Mc Bride**

When do we plan to have our weekly planning meetings fully reinstated around the county?

### **Roads & Transportation**

44. Cllr Ciaran Brogan

Can we get an updated report on applications made to the Department of Transport and to Transport Infrastructure Ireland on our behalf for Donegal, and the progress of 2023 and 2024 allocations to date?

45. Cllr Donal Mandy Kelly

Can this Council write to the relevant departments requesting that the current commencement date to cut hedges be reviewed and pulled forward as the current date September 1st is too late in the year and causing serious havoc particularly on our roads in relation to vision lines and a number of other safety concerns, please?

Cllr Declan Meehan

46. Will this Council consider the extension of the winter gritting programme to include public transport routes across the county, to allow for the efficient and dependable operation of public transport in Donegal?

### **Economic Development**

47. Cllr Ciaran Brogan

What steps can Donegal County Council take to remove and prevent sabotaging and damage done with red paint causing huge reputational damage to our tourism market and our county brand of Donegal despite the huge efforts by so many people to invest in and promote our true potential in the last number of years in both private and public investment?

### **Finance**

48. Cllr Michael Mc Bride

When will the review by Donegal County Council regarding the tendering process for those wishing to tender for council work be complete?

## **GLENTIES MUNICIPAL DISTRICT**

### **Planning**

49. Cllr Denis Mc Gee

Donegal County Council is a Building Control Authority under the Building Control Acts 1990 to 2014. It has the role of monitoring compliance with Building Regulations and has strong powers of inspection and enforcement under the Acts. In the case of situations where homeowners are concerned that the building professional and or engineer that is engaged with the remediation of their home is in breach of current building regulations, what measures has Donegal County Council in place to deal with such situations, given its role of Building Control Authority as its requirement to review and monitor the implementation of the Enhanced Grant Scheme?  
Donegal County Council has a duty of care to protect all its citizens in these situations.

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

**LEITRIM COUNTY COUNCIL**

“That Leitrim County Council call on the Minister for Finance, Jack Chambers to reduce the VAT rate from 13.5% to 9% for the hospitality sector. With the amount of cafes, restaurants and pubs shutting due to increased operating costs, the cost-of-living impacting visitors and footfall, and inflation impacting prices, this sector is being significantly and badly impacted. I ask for this motion be approved and sent to other County Councils for their consideration and support.”

**LEITRIM COUNTY COUNCIL**

“That Leitrim County Council call on the Minister for Finance, and the Government to again look at reducing the VAT rate from 13.5% back to 9% for the food and restaurant sector. Restaurants & cafes are finding it extremely difficult to survive with the current rate of VAT.”

**LEITRIM COUNTY COUNCIL**

“That Leitrim County Council write to Eamon Ryan, Minister for Environment, Climate and Communications expressing our deep concern and disappointment with government plans to build a Strategic Gas Emergency Reserve in Ireland in the form of a Fracked Gas Import Terminal as per action 17 of the Energy Security in Ireland to 2030 (Energy Security Package) published November, 2023. We ask him to change the new policy and instead ban LNG terminals in Ireland, in policy and in line with the May 2021 Policy Statement on the Importation of Fracked Gas without conditions and in line with the Programme for Government.”

**ROSCOMMON COUNTY COUNCIL**

It was agreed to write to the Minister for Environment seeking the imposition of tougher and increased new fines to deter illegal dumping.

**ROSCOMMON COUNTY COUNCIL**

It was agreed to send a letter to the Taoiseach calling for a reduction in match funding requirements for major capital projects applied for by Roscommon County Council.

Roscommon County Council recognises the current percentage reduction in match funding requirements for the North - West. However, in light of increasing construction costs and consultancy costs, the current percentage required of circa 10% is not sustainable going forward for smaller local authorities.

**ROSCOMMON COUNTY COUNCIL**

It was agreed to send a letter to the Minister for Finance Jack Chambers and Minister for Tourism Catherine Martin seeking the reintroduction of the 9% VAT rate for the hospitality sector.

**SLIGO COUNTY COUNCIL**

“That Sligo County Council writes to the Minister for Social Protection to request a review of existing community employment schemes in place in the state with a view to putting in place an ambassador/caretaker scheme

for every village in Ireland, that a person, or persons be paid accordingly to support tidy towns and community development groups with maintaining and enhancing their communities. For example, a village with a settlement of 100 or less, may be eligible for one worker, 1000 plus two workers etc. That this motion be forwarded to the Taoiseach, Tánaiste and all other Local Authorities for consideration.”

**SLIGO COUNTY COUNCIL**

“To call on Sligo County Council to develop and rollout a scheme to build rural housing to support rural families and the rural communities and to seek funding from government for staff to implement the scheme.”

**WEXFORD COUNTY COUNCIL**

“That Wexford County Council write to Minister Helen McEntee and An Taoiseach Simon Harris to ask the Government to adopt a zero-tolerance approach toward gender based violence and ask that mandatory minimum sentencing be introduced in every conviction of sexual, domestic or gender based violent assault.”

**MINUTES OF SEPTEMBER MEETING OF DONEGAL COUNTY COUNCIL HELD ON 30<sup>TH</sup> SEPTEMBER, 2024 IN THE COUNTY HOUSE, LIFFORD**

**C/288/24 MEMBERS PRESENT**

Cllrs N Kennedy, Cathaoirleach, J Beard, L Blaney, F Bradley C Brogan, J Brogan, P Canning, D Coyle, T Crossan, A Doherty, G Doherty, A Farren, M Farren, N Jordan, D. M Kelly, D McGee, P McGowan, M Mc Mahon, G McMonagle, D Meehan, A Molloy, D Nic Mheanman, JS Ó Fearraigh, M Scanlon.

*Online:* Cllrs M Boyle, T. S Devine, J Kavanagh, M MacGiolla Easbuig, M Harley, M McBride, M McClafferty, M McDermott, P McGarvey, J Murray, M Naughton.

*Apologies:* B Carr, M Harley.

**C/289/24 OFFICIALS IN ATTENDANCE**

John G McLaughlin, Chief Executive, Patsy Lafferty, Director of Housing, Corporate & Culture/Meetings Administrator, Bryan Cannon, Director of Roads & Transportation, Richard Gibson, Director of Finance, Garry Martin, Director of Economic Development, Information Systems & Emergency Services, Michael McGarvey, Director of Water & Environment, Liam Ward, Director of Community Development & Planning Services, Tanya Kee, Senior Executive Officer, Frances Friel, Communications Officer, William Colvin, Clerical Officer, Róise Ní Laifeartaigh, Rannóg na Gaeilge, Dónall MacGiolla Choill, Tacaíocht do Sheirbhísí Aistriúcháin, Anne Marie Crawford, Staff Officer.

**C/290/24 CONFIRMATION OF THE MINUTES OF THE SPECIAL MEETING OF DONEGAL COUNTY COUNCIL HELD ON THE 16<sup>TH</sup> MAY, 2024**

On the proposal of Cllr M Farren, seconded by Cllr Canning, the minutes of the Special Meeting of Donegal County Council held on the 16<sup>th</sup> of May, 2024 were adopted.

**C/291/24 CONFIRMATION OF THE MINUTES OF THE JULY MEETING OF DONEGAL COUNTY COUNCIL HELD ON THE 22<sup>ND</sup> OF JULY, 2024**

On the proposal of Cllr Meehan, seconded by Cllr Coyle, the minutes of the July Meeting of Donegal County Council held on the 22<sup>nd</sup> of July, 2024 were adopted.

**C/292/24 CONFIRMATION OF THE MINUTES OF THE SPECIAL MEETING OF DONEGAL COUNTY COUNCIL HELD ON THE 23<sup>RD</sup> OF JULY, 2024**

On the proposal of Cllr M Farren, seconded by Cllr C Brogan, the minutes of the July Meeting of Donegal County Council held on the 23<sup>rd</sup> of July, 2024 were adopted.

**C/293/24 DISPOSAL OF LANDS AT DUNMORE, FALCARRAGH TO JOSEPH CORCORAN JNR.**

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

On the proposal of Cllr O'Fearraigh, seconded by Cllr C Brogan, it was resolved to disposal of lands at Dunmore, Falcarragh to Joseph Corcoran

Jnr. 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/294/24

**DISPOSAL OF LANDS AT ARDMEEN, CROLLY TO HUGH & GERALDINE WALSH**

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

On the proposal of Cllr MacGiolla Easbuig, seconded by Cllr Molloy, it was resolved to disposal of lands at Ardmeen, Crollly to Hugh & Geraldine Walsh 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/295/24

**DISPOSAL OF TWO PLOTS OF LAND AT ARDMORE, MUFF TO ANNE MCLAUGHLIN**

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

On the proposal of Cllr T Crossan, seconded by Cllr M Farren, it was resolved to dispose of two plots of land at Ardmore, Muff to Anne 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/296/24

**DISPOSAL OF LAND BY WAY OF LEASE AT RATHMULLAN PIER TO RATHMULLAN SAILING & WATERSPORTS SCHOOL, C/O RATHMULLAN DISTRICT RESOURCE CENTRE.**

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

On the proposal of Cllr C Brogan, seconded by Cllr Blaney, it was resolved to dispose of land by way of lease at Rathmullan Pier to Rathmullan Sailing & Watersports School, C/o Rathmullan District Resource Centre 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/297/24

**DISPOSAL OF LANDS AT 9 ARD MCCOOL, STRANORLAR TO MARY KATHLEEN CRITCHLEY**

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

On the proposal of Cllr Scanlon, seconded by Cllr McGowan, it was resolved to dispose of lands at 9 Ard McCool, Stranorlar to Mary Kathleen Critchley 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/298/24 **TO APPROVE THE CARRYING OUT OF WORKS WITH REGARD TO THE OLD GARDA STATION, MALIN TOWN.**

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

On the proposal of Cllr A Doherty, seconded by Cllr M Farren, the carrying out of works with regard to the Old Garda Station, Malin Town 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/299/24 **TO APPROVE THE CARRYING OUT OF WORKS WITH REGARD TO THE PROPOSED REFURBISHMENT AND EXTENSION PROJECT AT WATERWORLD, ATLANTIC WAY, DRUMACRIN, BUNDORAN, CO. DONEGAL**

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

On the proposal of Cllr McMahon, seconded by Cllr Jordan, the carrying out of works with regard to the proposed refurbishment and extension project at Waterworld, Atlantic Way, Drumacrin, Bundoran 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/300/24 **TO APPROVE THE CARRYING OUT OF WORKS IN RESPECT OF THE CONSTRUCTION OF A BRIDGE EXTENSION AND ROAD REALIGNMENT ALONG THE R-232 AT GLENMORE BRIDGE OVER THE LOUGHULTAN RIVER BETWEEN TIEVEBOY AND GLENMORE, CO. DONEGAL**

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

On the proposal of Cllr Naughton, seconded by Cllr Jordan, the carrying out of works in respect of the construction of a bridge extension and road realignment along the R-232 at Glenmore Bridge over the Loughultan River between Tieveboy and Glenmore, Co. Donegal 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/301/24 **TO APPROVE THE CONSTRUCTION OF A TWO-STOREY RURAL S.I. DWELLING INCLUDING WASTEWATER TREATMENT AND ASSOCIATED SITE DEVELOPMENT WORKS AT CRUCKAKEEHAN, ANNAGRY, CO. DONEGAL**

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

On the proposal of Cllr Mac Giolla Easbuig, seconded by Cllr Ó Fearraigh, the construction of a two-storey rural S.I. dwelling including wastewater



treatment and associated site development works at Cruckakeehan, Annagry, Co. Donegal 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/302/24

**TO APPROVE THE CARRYING OUT OF WORKS AT A HIGH COLLISION LOCATION TO IMPROVE A SECTION OF THE N15 IN THE VICINITY OF THE EXISTING PRIORITY JUNCTION BETWEEN THE N15 AND R232 AT LAGHEY, CO. DONEGAL**

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

On the proposal of Cllr McMahon, seconded by Cllr Naughton, the carrying out of works at a high collision location to improve a section of the N15 in the vicinity of the existing priority junction between the N15 and R232 at Laghey, Co. Donegal 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/303/24

**TO MAKE THE ROAD TRAFFIC (SPECIAL SPEED LIMITS) (COUNTY OF DONEGAL) (AMENDMENT) BYE-LAWS 2024**

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

On the proposal of Cllr McMonagle, seconded by Cllr Scanlon, it was resolved to make the Road Traffic (Special Speed Limits) (County of Donegal) (Amendment) Bye-Laws, 2024.

C/304/24

**TO MAKE THE DONEGAL COUNTY COUNCIL (PRESENTATION OF KERBSIDE WASTE FOR COLLECTION) BYE-LAWS, 2024**

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

On the proposal of Cllr McGowan, seconded by Cllr G Doherty, it was resolved to make the Donegal County Council (Presentation of Kerbside Waste for Collection) Bye-Laws, 2024.

Cllr Mc Gowan was informed that there was no change to the payment method and the “Pay as you Go” and “ Pay by Weight” systems were still in operation.

C/305/24

**TO ADOPT THE DRAFT TRAVELLER ACCOMMODATION PROGRAMME 2025 TO 2029**

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

On the proposal of Cllr Canning, seconded by Cllr C Brogan, it was resolved to adopt the Draft Traveller Accommodation Programme 2025 to 2029.

- C/306/24 **DRAFT SCHEME FOR THE ESTABLISHMENT AND OPERATION OF STRATEGIC POLICY COMMITTEES 2024-2029**  
It was unanimously agreed to defer the matter to later in the meeting.
- C/307/24 **ELECTION OF MEMBERS TO THE DONEGAL HERITAGE FORUM**  
On the proposal of Cllr Mac Giolla Easbuig, seconded by Cllr Molloy, it was resolved that Cllr O' Fearraigh would represent the Glenties MD on the Donegal Heritage Forum. The following representation on the Donegal Heritage Forum, Cllrs A Doherty, D Coyle, M McMahon, G Doherty and John S Ó' Fearraigh was unanimously agreed.
- C/308/24 **ELECTION OF MEMBERS TO FORT DUNREE**  
On the proposal of Cllr Canning, seconded by Cllr A Farren, it was resolved to endorse the nomination of Cllrs Beard and Bradley to the Board of Fort Dunree.
- C/309/24 **TO AGREE DATE FOR 2025 STATUTORY BUDGET MEETING.**  
On the proposal of Cllr Kelly, seconded by Cllr M Farren it was resolved to hold the 2025 Statutory Budget Meeting on Wednesday 4<sup>th</sup> December, 2024.
- C/310/24 **TO AGREE OVERDRAFT ACCOMMODATION OF €10,000,000 FOR THE FULL YEAR ENDING 31<sup>ST</sup> DECEMBER, 2025.**  
Members considered the report circulated with the agenda in relation to the above.

It was noted that the Bank had made, and was continuing to make, available to the Council and overdraft facility (the facility) for the purposes of the working capital needs of the Council as may be required from time to time.

After due consideration, it was resolved on the proposal of Cllr M Farren, seconded by Cllr Scanlon, and in accordance with Section 106 of the Local Government Act, 2001, as amended, and subject to the sanction of the Minister for Housing, Local Government & Heritage that:

“It is in the best interests of the Council and in line with its statutory rights and obligations to avail of the Facility and provide the Guarantee up to an amount of ten million euro (€10,000,000).

Accordingly, the Council agrees to avail of the Facility and provide the Guarantee.

Each of the persons undertaking the roles of Donegal Chief Executive and the Director of Finance from time to time be authorised, together and separately, to negotiate the terms of each of the facility letters put, and to be put, in place to document the Facility (each, a “Facility Letter” and together, the “Facility Letters”), together with any amendments or variations to the Guarantee or replacement Guarantee, and to sign each such Facility Letter and Guarantee by way of acceptance of the terms of

such document (including, without limitation, all terms and conditions referred to in each such Facility Letter) and that each such signed Facility Letter and Guarantee shall be fully binding on, and enforceable against, the Council; and

The Council ratifies the availing of the Facility by the Council, within the limits specified, and confirms the execution of all Facility Letters together with the Guarantee”.

C/311/24

**THAT MEMBERS CONSIDER WHETHER THEY WISH TO PASS A RESOLUTION TO VARY THE RATE OF LOCAL PROPERTY TAX IN COUNTY DONEGAL BY UP TO 15% IN RESPECT OF A PERIOD OF ONE OR MORE YEARS COMMENCING IN 2025**

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

Mr Richard Gibson, Director of Finance gave an overview of his report, outlining the relevant statutory legislation and background to the Local Property Tax. This, he said, was the first major milestone in the 2025 budgetary process and noted that LPT income in 2024 had been €28m comprising 15% of the Council’s total income for 2024. €10.5m, he confirmed, was collected from Donegal households and €17.5 allocated centrally. Donegal, he informed members gets the largest single equalisation distribution of any county in Ireland and this is used to provide a range of important local Council services. All of the borrowing undertaken by the Council in recent years, it was noted, had been carried out on the strength of the Local Property Tax and income generated from commercial rates.

He drew attention to the fact that the Council was now empowered to make multi-annual decisions and could set the local adjustment factor to the end of the current Council term. It was noted however that if the decision was to return to the base rate, then the matter would have to be revisited again in 2025.

It was confirmed that 13 responses had been received on foot of the consultation period and that the Department and Revenue Commissioners had to be informed of the Council’s decision to vary the rate by the 15<sup>th</sup> October at the latest.

Members were informed that the baseline allocation for Donegal in 2025 was €26.6 million and that a decision to keep the 15% increase would mean that Donegal County Council’s LPT income would remain the same in 2025. This he said was worth €1.4m to the Council. Additional income created by retaining the upper adjustment rate would, he advised, be retained in full by the Council, but any reduction to the baseline rate would not be made up by the Equalisation Fund and result in a loss of income to the Council.

There was acknowledgement that four out of five households (80%) paid

their LPT at the lowest rate. Since 2020 it was noted that this amounted to €103 per household per year. There was a common misconception, he added, that the rate had increased year on year. The decision to have the rate at plus 15% amounted to an additional cost of 26c per week or €13.50 per year for 80% of the households in Donegal. This equated to 65c per week for those in the second valuation band and 91c for those in the third valuation band. This, he advised, was less than a euro for 98% of the households in Donegal.

As part of the LPT process, the Council, he said, was obliged to prepare preliminary estimates of income and expenditure in advance of the ongoing budget preparations. This, he confirmed, highlighted the need to retain the LPT at the current level for 2025 and beyond. The main impacts were, he added:

- The impact of inflation on the cost of providing Council services.
- Increases in pay under the national pay agreements, including those connected with the WRC agreement on pay and conditions for Retained Fire Fighters.
- The impact of inflation and cost-of-living challenges on income generated from Commercial Rates and other sources.
- Existing and emerging co-financing demands under the Capital Programme.
- The elimination of income from Non-Principal Private Residence Charges from March 2025.
- The requirement to continue to reduce the structural dependence on nonstandard and unsustainable income lines, including reserves, in the Revenue Budget process.

Retention of the current rate would, he advised protect the €1.4m Council income and, to put that amount in context, would, if used for borrowing, be the equivalent of providing capacity to borrow €19m over the next twenty years for the Capital Programme. It was noted that €1.4m was equivalent to the combined funding for the Members Development Fund, the Development Fund Initiative and the allocation for the Tidy Towns Groups and represented one fifth of the budget for housing maintenance or the total annual income collected from parking charges and fines. He alluded to the fact that it was twice what was collected in planning application fees annually and more than the combined annual contributions to An Grianan Theatre, Finn Valley Swimming Pool, Ballyshannon Swimming Pool and Waterworld in Bundoran and also equivalent to the annual budget for Parks and Open Spaces and twice the annual contribution towards housing assistance grants.

Concluding he highlighted the following:

1. That a return to the baseline would result in €1.4m less funding in 2025.
2. A 15% reduction would generate €2.8m less in income.
3. A decision to repeat the 15% increase for 2025 would protect the

€1.4m and ensure that households in Donegal would pay the same level of charges in place since 2020.

The Chief Executive said that on several occasions throughout the year members had to make decisions in relation to financial matters that affected the Council's future. The overall funding model, he said, whilst not perfect was the preferred model at present and that much could be done with the €1.4m LPT income.

Alluding to the borrowing requirement he said that this was invaluable in that loans secured and paid back over a twenty-year period would generate the capacity to deliver capital projects for the benefit of future generations. He recommended that the rate be retained at plus 15% for the next five years as this would provide certainty going forward.

He said that a reduction in LPT would mean that monies would have to be sourced elsewhere and alluded to the fact that loans had been drawn down on the strength of decisions taken in previous years.

Donegal, he advised, had been particularly successful this past number of years in securing various projects and funding and said it would be prudent to keep the momentum going. He cited the successful completion of Portsalon Pier as one of those projects which had benefited from the co-funding aspect.

A lengthy debate ensued, and members advised of the following:

- Many families were not able to pay the LPT and therefore it should be reduced.
- People in Defective Concrete Block affected houses should not have to pay. Noted that this was applicable at present but only for those availing of the new DCB Scheme. Self-declaration should be an option for DCB affected homeowners.
- Better funding model needed and suggestion that the €14 billion Apple repayment could be used to fund local authority requirements.
- Not an equitable tax an unfair on people in rural Donegal.
- Query as to the implications for the Glenties MD.
- Noted that social housing tenants and defective concrete block homeowners did not have to pay the LPT.
- LPT Rate was not a major issue during the local election campaign.
- Noted that it was a specific issue for many in the Donegal Municipal District.
- Sinn Fein grouping indicated that this was a regressive and unjust austerity tax and that the people of Donegal already paid their fair share in terms of motor tax, development levies and commercial rates, universal social charge, value added tax etc. Noted that the national Sinn Fein alternative budget proposals called for this to be reduced by 20% in 2025 and abolished within five years.

- Allocation of LPT income has not been equal across all Municipal Districts and this reflected in (1) the failure to address staffing problems in the Letterkenny Public Services Centre (2) lack of housing provision in the Milford Electoral Area and (3) the Letterkenny Milford MD with 40% of the social housing in Donegal has only one housing engineer.
- Cognisance needs to be taken of the overall value for money aspect and whether the LPT income is being spent wisely.
- LPT must be retained at the current rate so as to safeguard borrowing requirements, match funding applications and the various projects that are ongoing together with those at proposal stage.
- Concern that a reduction would impact on projects such as the Buncrana Leisure Centre.
- Query as to how a reduction would impact on the spend of capital investment and the impact if any on the Tús Nua Regeneration project in Carndonagh.
- Noted that there were limited options for funding local government nationally and that people were not seeing value for money in terms of overall service provision.
- Call for members to have confidence in the executive and to consider the impact that a reduction would have on communities county-wide.
- Noted that only 13 submissions had been received in total.
- Concern expressed that members were being pushed into retaining the status quo.
- Query as to whether a reduction would lead to an increase in commercial rates.

Cllr Mc Gowan requested that a list of projects and services which could possibly be impacted by a reduction in the LPT be provided in respect of the Lifford/Stranorlar Municipal District. He said that he had no qualms about supporting the retention of the rate at plus 15% above the baseline and contended that any reduction would see monies go to other counties such as Dublin, Kerry, or Cork. He said that people were right to criticise the Council if service delivery was unsatisfactory, but that it was imperative that current funding levels were maintained.

Cllr Canning asked for a breakdown of the projects that would have to be shelved if the LPT rate was cut and queried what % of the Members Development Fund, Development Fund and the Infrastructure Fund would be impacted. This was endorsed by Cllr Kavanagh.

Cllr Kavanagh proposed, seconded by Cllr Mc Gowan that the rate of the Local Property Tax in Donegal be varied by plus 15% from the baseline in respect of the period 2024-2029.

Cllr Mac Giolla Easbuig said that he could not support any increase in the LPT and proposed, seconded by Cllr J Brogan that the rate of the Local

Property Tax in Donegal be reduced by 15% from the baseline.

C/312/24 **ADJOURNMENT OF THE MEETING**

On the proposal of Cllr Blaney, seconded by Cllr Mc Gowan it was resolved to adjourn the meeting until 2.30pm.

C/313/24 **THAT MEMBERS CONSIDER WHETHER THEY WISH TO PASS A RESOLUTION TO VARY THE RATE OF LOCAL PROPERTY TAX IN COUNTY DONEGAL BY UP TO 15% IN RESPECT OF A PERIOD OF ONE OR MORE YEARS COMMENCING IN 2025**

The Chief Executive addressing the meeting outlined the fact that there was a specific timeline for agreeing the LPT rate and stated that the Housing Capital Programme was fully funded by Government. Alluding to the borrowing capacity generated by the €1.4m LPT income, he acknowledged the significance of same in assisting with co-funding requirements. He drew attention to the fact that the co-funding requirement for Department Projects and URDF projects had been reduced in 2023. Any reduction, he advised, would result in the scaling back of current ambitions. This was something, he added, which would ultimately be a matter for the members.

The Director of Finance provided an insight into the level of investment and budget capacity over the past number of years and noted that the Capital Budget had risen from €25m in 2014 to €127m in 2023, all made possible by the increase in borrowing, facilitated by LPT income and monies generated from commercial rates. He said that the Municipal District Budget Workshops were due to commence in the coming week and that conversations could be had in relation to various priorities. He noted however that €1.4m less in income would result in less work being done.

With regard to Local Government funding, he said that the Senior Management teams across all local authorities and the Director of Finance Association nationally of which he was Chair, were all working hard to secure an increase in Local Government funding. This, he said, would continue, but for now the LPT was the only mechanism available and was unlikely to change overnight. A minus fifteen percent reduction in the LPT would, he advised result in the loss of €2.8m in income.

Members again asked for specific examples of what would be impacted if the LPT was reduced from the current level. Several issues were then raised including:

- Whether all Council assets were being properly utilised and could some of these be used to generate income.
- Was the option available to refinance a number of Council loans?
- Clarification requested as to whether €1.4m was being lost or €19m in total.
- Noted that a vacuum existed in that much of the 2025 budgetary discussions had yet to take place.

- Highlighted the fact that the retention of the current LPT rate in Donegal for a further five-year period would give the Council a strong bargaining position and borrowing capacity for the next five years. By demonstrating an ability to secure and repay loans it would send a message to the Department that Donegal was willing and ready to avail of any available funding mechanisms.
- Requested a commitment that the Members Development Fund, the Development Fund Initiative, Infrastructure Fund and projects such as Fort Dunree, Inishowen Greenway Projects and the funding for Buncrana Leisure Centre would not be cut if the LPT rate was reduced.

The Director of Finance informed members that a decision was required by the 15<sup>th</sup> October in relation to the local adjustment factor and that there would be no further detail available at that point in time to influence the decision. Any necessary spending cuts, he added, would be discussed prior to the publication of the 2025 Budget Book. He proceeded to give an overview of where the various elements of discretionary expenditure were and how this equated to the €1.4m income line that would be lost if a reduction in the LPT was agreed.

He clarified in response to a query by Cllr Mc Gee that in this year's budget there was €28m of LPT income in total. This was made up of €10.5 m collected in Donegal and €17.5m from the Equalisation Fund and €1.4m in income which was 15% of what was collected locally. €1.4m was, he said what it would take to draw down €19m and repay over a twenty-year period. He referred also to the fact that the Council's asset book included social housing, the road network etc and that these were assets that could not be sold. The importance of maintaining sustainable income lines was highlighted.

Several loans it was confirmed had been repaid early from annual surpluses and this had created the capacity for additional borrowing.

The Senior Management Team proceeded to give an outline of the possible impact that a reduction in LPT income would have for their respective Directorates.

Cllr Mac Giolla Easbuig said that he could not support any increase in the LPT and proposed, seconded by Cllr J Brogan that the rate of the Local Property Tax in Donegal be reduced by 15% from the baseline.

At this juncture, Cllr Mc Bride said that he was of the opinion that the LPT was an unfair tax and proposed seconded by Cllr Meehan that the rate of the Local Property Tax in Donegal be retained at the baseline rate.

A recorded vote was then taken by the Meetings Administrator in relation to the proposal by Cllr Mac Giolla Easbuig, seconded by J Brogan to reduce the rate of the LPT in Donegal by 15% from the baseline.



This resulted in 2 voting for the proposal, 17 voting against and 5 no abstentions.

Those voting in favour included:

Cllrs J Brogan and Cllr Mac Giolla Easbuig. (2)

Those voting against included:

Cllrs Blaney, Boyle, Bradley, C Brogan, Canning, Coyle, M Farren, Kavanagh, Kelly, Mc Clafferty, Mc Dermott, Mc Garvey, Mc Gee, Mc Gowan, Molloy, Naughton and Scanlon. (17)

The following abstained:

Cllrs Beard, T Crossan, A Doherty, G Doherty, A Farren, Jordan, Mc Bride, Mc Monagle, Meehan, Murray, Nic Mheanman and O' Fearraigh.(12)

The motion fell.

A recorded vote was then taken in relation to the proposal by Cllr Mc Bride, seconded by Cllr Meehan to retain the rate of the Local Property Tax in Donegal at the baseline rate.

This resulted in 13 voting for with 17 against and 2 no members abstaining.

Those voting for included:

Cllr J Brogan, T Crossan, Devine, A Doherty, G Doherty, Jordan, Mac Giolla Easbuig, Mc Bride, Mc Monagle, Meehan, Murray, Nic Mheanman, and Ó Fearraigh. (13)

Those voting against included:

Cllrs Blaney, Boyle, Bradley, C Brogan, Canning, Coyle, M Farren, Kavanagh, Kelly, Mc Clafferty, Mc Dermott, Mc Garvey, Mc Gee, Mc Gowan, Molloy, Naughton and Scanlon. (17)

Cllrs Beard and A Farren abstained. (2)

Thus, the motion fell.

The Meetings Administrator proceeded to take a vote in relation to the proposal by Cllr Kavanagh, seconded by Cllr Mc Gowan to retain the Local Property Tax in Donegal at its current rate for the next five years i.e. at 15% above the baseline rate.

This resulted in 17 voting for, 14 voting against and 2 abstentions.

Those voting in favour included:

Cllrs Blaney, Boyle, Bradley, C Brogan, Canning, Coyle, M Farren, Kavanagh, Kelly, Kennedy, Mc Clafferty, Mc Dermott, Mc Garvey, Mc Gowan, Molloy, Naughton and Scanlon. (17)

Those voting against included:

Cllr J Brogan, T Crossan, Devine, A Doherty, G Doherty, Jordan, Mac Giolla Easbuig, Mc Bride, Mc Gee, Mc Monagle, Meehan, Murray, Nic Mheanman, and Ó Fearraigh. (14)

Cllrs Beard and A Farren abstained.

Thus, it was resolved in accordance with the Local Property Tax (Local Adjustment Factor) Regulations 2022 and under Section 20 of the Finance (Local property Tax) Act 2012 (as amended) to vary the rate of Local Property Tax in County Donegal by plus 15% of the baseline for the period 2024 to 2029.

C/314/24 **DRAFT SCHEME FOR THE ESTABLISHMENT AND OPERATION OF STRATEGIC POLICY COMMITTEES 2024-2029.**

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

Mr Patsy Lafferty, Director Housing, Corporate & Cultural Services advised that members were now being asked to formally adopt the Draft Strategic Policy Scheme 2024-2029 with or without modification and that following same the process to select members and sectoral representation would commence.

Alluding to the summary of the 243 submissions received, he advised of the following:

That the Council did not have a policy making role in respect of the DCB Scheme and that its role was to administer the scheme on behalf of the Department of Housing, Local Government & Heritage. Thus, he said, that the setting up of a separate Defective Concrete Blocks SPC Committee would not be consistent with what the SPCs were designed for.

He noted that the Council had in accordance with Section 51 of the Local Government Act, 2001 (as amended) established a specific Defective Concrete Blocks Committee and that this was the most appropriate means for discussing and highlighting the relevant issues and for bringing them to the attention of the Department. He recommended that the DCB Committee look at any changes in its membership or structure that would best accommodate the issues highlighted in the 236 individual submissions.

Cllr Mc Gee queried whether or not there would be an SPC established

specifically to deal with the Defective Concrete Blocks issue and if not why not.

Mr Patsy Lafferty, Director Housing, Corporate & Cultural Services in response said that Donegal County Council had no policy making role and managed the DCB Scheme on behalf of the Department. The Council, he noted had set up a committee with a specific role to focus on the DCB issue. The DCB committee itself, he said, could look again at its structure and revert back to Council if it wished to change its modus operandi.

Cllr C Brogan noted that all members would have an opportunity to sit on at least two SPCs and there was unanimous agreement that the DCB Committee should have all the backing and support it needed to adequately represent the DCB issue.

Mr Michael Mc Garvey, Director Water & Environment, said that the issue of a separate SPC had been discussed and it had already been noted that the Council did not have a policy making role in respect of the DCB Scheme. It was acknowledged that the setting up of a dedicated SPC would not be consistent with what Strategic Policy Committees were designed for. He said that he had arranged to meet with the Chair and with Cllr Mc Gee representing the Vice Chair to discuss the terms of reference for the committee going forward.

Cllr Meehan said that assurance was needed that community and sectoral representatives would be permitted to sit on the committee and alluded specifically to the need to include representatives from the Mica Action Group.

Cllr Mc Dermott said that there were 15 Councillors on the committee and that consideration needed to be given as to how five more groupings could be included on the committee. He would he said be meeting with the Director of Service along with Cllr Mc Gee and that the matter could then be discussed further at the next DCB Committee Meeting. He said that there would be difficulties in managing a committee which could have potentially up to 25 number representatives.

Cllr Beard said that one the biggest concerns was to ensure that all stakeholders were represented including the health and education sectors and the Mica Action Group. She cited the need for monthly meetings of the committee.

Cllr Mc Dermott said that provision existed to bring in the various groupings and that the deputation process could accommodate this. He would, he said, welcome anyone that could help and lobby to get the best deal possible for homeowners.

Cllr G Doherty said that all members wanted the DCB Committee to be as powerful and effective as it could possibly be and welcomed the opening up of the membership and any provision that could facilitate the reception

of relevant delegations. The DCB Committee in its present state, he acknowledged, had greater flexibility than a Strategic Policy Committee, given that SPCs had structured guidelines as to their overall membership. SPC membership, he added, would not facilitate all interested stakeholders in this case. There was, he confirmed more flexibility in keeping the DCB Committee which could effectively draw up its own rules.

Cllr Mc Monagle concurred and noted that the policy enshrined in the DCB Scheme was not the making of Donegal County Council and that there was therefore no policy role or control in relation to the governing legislation despite the Councils efforts to date. Members on the Regional Health Forum, he advised, had continually raised mental health, general health and children's health issues arising from the DCB issue with no specific response to date. He said the best way forward at present was to continue with the DCB Committee.

Mr Patsy Lafferty, Director Housing, Corporate & Cultural Services responding to a query from Cllr Mac Giolla Easbuig on foot of the submission requesting the establishment of an Irish & Language or Gaeltacht sub-committee of an SPC, to focus on strategies and recommendations for the promotion of the Irish Language. He said that there was already a committee in place entitled 'Coiste na Gaeilge' which dealt with the issues outlined and that the recommendation was for this to continue.

Cllr Mc Gee said it was imperative that the translation service was made available at DCB Committee meetings.

Mr Liam Ward, Director Planning & Community Development said that the Council had adopted a policy in relation to the provision of translation services with same being available at Plenary, MD and Islands Committee Meetings. This commitment, he added, had been given based on resource implications. It was important, he said, that members did not go away with the impression that the service would now be available at SPC and other committee meetings. Any change, he said, would require an overall review and consideration of the available resources.

On the proposal of Cllr C Brogan, seconded by Cllr G Doherty it was resolved to adopt the Draft Scheme for the Establishment and Operation of Strategic Policy Committees in Donegal for the period 2024- 2029 subject to the following:

- That the title of the 'Community, Social & Cultural' SPC be amended to the 'Community, Social, Culture & Gaeltacht' SPC.
- Each SPC includes the issue of Climate Action & Biodiversity as part of its SPC Meeting Agenda.

Members proceeded to appoint the SPC Chairs Designate to their respective Strategic Policy Committees.

On the proposal of Cllr C Brogan, seconded by Cllr Mc Dermott it was resolved to appoint **Cllr Liam Blaney as the Chair of the Housing & Corporate Strategic Policy Committee.**

On the proposal of Cllr C Brogan, seconded by Cllr Mc Dermott it was resolved to appoint **Cllr Donal Mandy Kelly as the Chair of the Community, Social, Culture & Gaeltacht Strategic Policy Committee.**

On the proposal of Cllr G Doherty, seconded by Cllr T Crossan it was resolved to appoint **Cllr Gerry Mc Monagle as the Chair of the Planning Strategic Policy Committee.**

On the proposal of Cllr G Doherty, seconded by Cllr T Crossan it was resolved to appoint **Cllr Noel Jordan as the Chair of the Roads & Transportation Strategic Policy Committee.**

On the proposal of Cllr Scanlon, seconded by Cllr Kennedy it was resolved to appoint **Cllr Pauric Mc Garvey as the Chair of the Economic Development Strategic Policy Committee.**

On the proposal of Cllr Scanlon, seconded by Cllr Kennedy it was resolved to appoint **Cllr Michael Mc Clafferty as the Chair of the Climate Action & Environment Strategic Policy Committee.**

C/315/24 **ADJOURNMENT OF THE MEETING.**

It was unanimously agreed to adjourn the meeting until 12 noon on Monday 7<sup>th</sup> October following the Special Plenary Housing Meeting at 10am.