

**MINUTES OF MEETING OF MUNICIPAL DISTRICT OF LETTERKENNY-
MILFORD MEETING, HELD IN LETTERKENNY PUBLIC SERVICES
CENTRE, ON 14th JANUARY, 2020 AT 2:00 P.M.**

MDL 1/20 MEMBERS PRESENT

Cllr. Liam Blaney
Cllr. Kevin Bradley
Cllr. Ciaran Brogan
Cllr. Donal Coyle
Cllr. Jimmy Kavanagh
Cllr. Donal Kelly
Cllr. Michael Mc Bride
Cllr. Ian McGarvey
Cllr. Gerry McMonagle
Cllr. John O'Donnell

MDL 2/20 OFFICIALS PRESENT

Liam Ward, Director of Service
Patricia McIntyre, Area Manager, Housing & Corporate Services
Linda McCann, Senior Staff Officer, Housing & Corporate Services
Graham Diamond, Executive Planner
Fergal Doherty, S.E.E./Area Manager, Roads & Transportation
Joe Ferry, A/Senior Executive Chemist
Francis Conaghan, Development Officer

The meeting was chaired by Cllr. John O'Donnell.

MDL3/20 VOTES OF SYMPATHY

The Members offered their sympathies to Cllr. Gerry McMonagle on the passing of his mother and to the family of the late PJ Blake former Member of the Letterkenny Town Council.

MDL4/20 MATTERS ARISING FROM THE MINUTES

There were no matters arising from the Minutes of 12 November, 2019.

**MDL5/20 ADOPTION OF MINUTES OF MDL MEETING HELD ON 12
NOVEMBER, 2019**

On the proposal of Cllr. Kevin Bradley and seconded by Cllr. Ciaran Brogan, the Minutes of MDL Meeting held on 12 November 2019, were adopted.

MDL6/20 CAR PARK AT OLIVER PLUNKETT ROAD

On the proposal of Cllr. Jimmy Kavanagh and seconded by Cllr. Ciaran Brogan, the following motion was adopted:

“That the Council liaise with the Department of Social Protection on Oliver Plunkett Road with a view to improving safety measures for staff and clients using the car park at Oliver Plunkett Road .”

The Members were advised that:

“Roads staff have arranged to meet representatives from the Social Welfare Department, regarding safety issues and investigate the potential improvement of lighting.”

On proposing the motion Cllr. Kavanagh advised that concerns were raised by management of Department of Social Protection and asked that CCTV would be installed. Cllr. Kavanagh welcomed the response.

On seconding the motion Cllr. Brogan supported the motion.

MDL7/20

CIRCULAR ROAD RESINSTATEMENT

On the proposal of Cllr. Gerry McMonagle and seconded by Cllr. Ciaran Brogan, the following motion was adopted:

“That this MD immediately reinstate the Circular Road surface to a satisfactory and safe condition for motorist and engage with Irish Water to seek a comprehensive and time allocated Road Surfacing Programme from them on all roads in Letterkenny recently dug up due to the Sewage Upgrade Programme.”

The Members were advised that:

“The Circular Road is programmed to be reinstated within the next 10 weeks. Roads continuously engage with IW in relation to programming of surfacing works in conjunction with ongoing civil works in accordance with the Dept of Transport guidelines.”

On proposing the motion Cllr. McMonagle advised that he was inundated with complaints regarding the reinstatement at the roundabout and asked that the 10 week reinstatement programme was brought forward.

On seconding the motion Cllr. Brogan supported the motion and asked that the criteria for reinstatement was re-examined.

MDL8/20

ABBEY PARK, MANORCUNNINGHAM

On the proposal of Cllr. Gerry McMonagle and seconded by Cllr. Ciaran Brogan, the following motion was adopted:

“That this MD works with Manorcunningham Tidy Towns to help landscape and tidy up the green verges at Abbey Park, Manorcunningham.”

The Members were advised that:

“The Housing Section will be happy to work with the Manorcunningham Tidy Towns to help landscape and tidy up the green areas at Abbey Park, Manorcunningham.”

On proposing the motion Cllr. McMonagle said that the Tidy Towns asked for assistance in landscaping and provide skip to clear an area of dumping. Cllr. McMonagle welcomed the assistance offered by the Housing Department and agreed to forward a contact name to the Housing Department.

On seconding the motion Cllr. Brogan supported the motion.

MDL9/20

MAGHERENNAN HEIGHT – TAKING IN CHARGE

On the proposal of Cllr. Kevin Bradley and seconded by Cllr. John O’Donnell, the following motion was adopted:

“That Donegal County Council take over Magherennan Heights in Letterkenny.”

The Members were advised that:

“The procedure and policy for the taking in charge of residential developments is set out in the Council's 2015 policy document which states that the procedure for taking in charge will begin on foot of an application from the majority of the owners of houses in the development or from the developer, as appropriate.

To date, no application has been received in respect of Magherennan Heights in Letterkenny.

Upon receipt of an application, the Planning Authority will respond to this application and determine what works, if any, will be required to bring the estate to Taking in Charge standard and seek to have these works carried out so that the estate can be taken over in a timely manner.”

On proposing the motion Cllr. Bradley advised that works were undertaken by Irish Water and tarmac surfaced was left damaged. Cllr. Bradley asked that the estate be taken in charge and the tarmac reinstated.

On seconding the motion Cllr. O’Donnell supported the motion and noted the response regarding submitting an application to the Council. Cllr. Bradley agreed to coordinate submission of application with the resident association.

MDL10/20

CHURCHILL TO LETTERKENNY ROAD

On the proposal of Cllr. Kevin Bradley and seconded by Cllr. John O’Donnell, the following motion was adopted:

“Calling on this Council to put cats eyes on the Main Road between Churchill and Letterkenny as it is a dark death trap.”

Members were advised that:

“The Letterkenny to Churchill Road is a Regional Road with an average width of 6metres +. The road is lined with centre road markings in accordance with guidance, with some sections programmed for refreshment this year. The current policy in relation to Road Studs is that they are provided on new higher speed roads and new rural national roads. There is currently no funded programme or policy in place for the retrofitting of road studs to Regional Roads, and this matter should be referred to the Roads SPC for furtherance and development of a programme countywide if deemed appropriate.

On proposing the motion Cllr. Bradley said this was a very busy road which was dark and dangerous at night time.

On seconding the motion Cllr. O’Donnell supported the motion and asked that funding was sought under safety measures.

Fergal Doherty advised that there was no current programme of funding for retrofitting regional roads, a costing had been requested for inclusion should a programme be implemented.

MDL11/20 CHURCHILL TO LETTERKENNY ROAD

On the proposal of Cllr. Kevin Bradley and seconded by Cllr. John O’Donnell, the following motion was adopted:

“Calling on this Council to erect proper signage at the Play area in Churchill.”

Members were advised that:

“The Play Area at Churchill was developed, and is managed by the Churchill Community Development Group. Accordingly, responsibility rests with the group to ensure that all signs deemed necessary are erected. The Council is available to provide the group with examples of signage used at other Council owned Play Areas to assist them in the design and procurement of signage for their Play Area. The Council has worked successfully with this Group recently in the delivery of the Town & Village improvements (2017 allocation), which included the development of local Trails areas, Village Improvement works and the promotion of Tourism & Recreation in the area.”

On proposing the motion Cllr. Bradley advised that warning signs approaching the play park was necessary for oncoming traffic.

On seconding the motion Cllr. O’Donnell referred to previous signage put in place by the Council at Kilmacrennan play park and asked that the same measures be implemented in Churchill.

MDL12/20 **CULLION ROAD / LECK ROAD JUNCTION**

On the proposal of Cllr. Donal Coyle and seconded by Cllr. Ciaran Brogan, the following motion was adopted:

“That this Council, as a matter of urgency provide lights and signage at the junction of the Cullion Road and Leck Road at Ready Mix.”

Members were advised that:

“With regards to lighting, it is intended that a further workshop will be held with members later in the year in relation to further announced funding for the Footpath & Public Lighting Programme. This location is to be included for consideration along with the other locations. Recent upgrading of line markings and improvement of vision lines was carried out at this junction. Additional advance warning signage will be erected presently.

On proposing the motion Cllr. Coyle advised asked that due to a high volume of traffic on both road and number of serious accidents at this junction, that the Council improve signage and road markings advising motorists of the upcoming junction in particular on the Leck Road as a matter of urgency.

On seconding the motion Cllr. Brogan supported the motion and asked that vision lines be improved.

MDL13/20 **MAGHERBEG N.S.**

On the proposal of Cllr. Donal Coyle and seconded by Cllr. Liam Blaney, the following motion was adopted:

“That this Council reinstall barrier at Magherbeg National School.”

Members were advised that:

“Crash Barriers on National Roads are done through the TII Contracts. Roads have notified the TII via the Geo App system that this particular barrier needs to be surveyed and examined, and put on their work schedule for repair.”

On proposing the motion Cllr. Coyle asked that the barrier was instated and noted the response.

On seconding the motion Cllr. Blaney supported the motion.

MDL14/20 **CRASH BARRIER AT N14 CARRICK, MANORCUNNINGHAM**

On the proposal of Cllr. Donal Coyle and seconded by Cllr. Liam Blaney, the following motion was adopted:

“That this Council erect a barrier on the N14 at Carrick, Manorcunningham.”

The Members were advised that:

“Crash Barriers on National Roads are erected through the TII Contracts. Roads will assess and if deemed appropriate, make representation to the TII requesting erection of barrier.”

On proposing the motion Cllr. Coyle asked the Council to urge TII to erect a barrier as a number of cars had gone off the road at this location.

On seconding the motion Cllr. Blaney supported the motion.

MDL15/20 **FOOTPATH AT MOUNTAIN TOP / CALHAME**

On the proposal of Cllr. Michael McBride and seconded by Cllr. Ciaran Brogan, the following motion was adopted:

“That Donegal County Council extend a continuous footpath from the roundabout at the Mountain Top to the last housing estate on the Calhame road.”

The Members were advised that:

“A section of footpath is due to be constructed here this year as part of the agreed 3 Year Footpath and Public Lighting Programme. It is intended that a further workshop will be held with members later in the year in relation to further announced funding for the Footpath & Public Lighting Programme. Outstanding sections can be included for consideration along with the other locations.”

On proposing the motion Cllr. McBride said this would be a great help to people living in this area that use the business park and shops in the locality.

On seconding the motion Cllr. Brogan asked Members to give priority to this when considering the Footpath and Public Lighting Programme.

MDL16/20 **DRAINAGE FROM CHURCHILL QUARRY TO THE PINES**

On the proposal of Cllr. Michael McBride and seconded by Cllr. Liam Blaney, the following motion was adopted:

“That Donegal County Council drain and resurface the stretch of road from the quarry in Churchill back to the Pines which has seriously deteriorated mainly due to running water.”

Members were advised that:

“A workshop is to be held with members in February to decide on the 2020 RI and RM Programmes. In the meantime, Roads will follow up on the matter of surface water emanating from private lands onto the road.”

On proposing the motion Cllr. McBride noted a serious deterioration on this road and asked that it was resurfaced as soon as possible.

On seconding the motion Cllr. Blaney fully supported the motion.

MDL17/20 **SUBSIDENCE ON CHURCHILL CROSSROADS**

On the proposal of Cllr. Michael McBride and seconded by Cllr. Donal Kelly, the following motion was adopted:

“That Donegal County Council repair the road that subsided close to the Churchill crossroads recently as any further subsidence may result in this stretch of road having to be closed.”

The Members were advised that:

“The short section where the recent slippage occurred is to be repaired from maintenance budgets presently. This road is however located above the adjacent land, for much of its length, and repair of the road will necessitate land take, widening, drainage and road strengthening at an estimated cost of €36,000 subject to land being available for an approximate 500m length. Roads are seeking special additional funding for same.”

On proposing the motion Cllr. McBride advised that if further subsidence occurred the road would have to be closed and asked that works were carried out as a matter of urgency. Cllr. McBride asked that Trentagh Crossroads was included for improvement works also.

On seconding the motion Cllr. Kelly supported the motion.

MDL18/20 **MILFORD HOTEL SITE**

On the proposal of Cllr. Liam Blaney and seconded by Cllr. Ian McGarvey, the following motion was adopted:

“That this Council purchase the old Hotel site in Milford.”

Members were advised that:

“The site in question is in private ownership and is the subject of a current planning application. In view of this, it is considered premature for the Council to consider the motion until such time as the planning application process has been concluded.”

On proposing the motion Cllr. Blaney advised that this motion was also raised in January 2019 and noted the same reply. Cllr. Blaney acknowledged that a number of planning applications had been submitted

in the interim and felt that housing was not an option for this area with no car parking capacity. Cllr. Blaney asked that Milford was included in a regeneration programme and asked that the Council withdraw any consideration of social housing at this site.

On seconding the motion Cllr. McGarvey supported the motion.

MDL19/20 **RATHMULLAN / BUNCRANA CAR FERRY**

On the proposal of Cllr. Liam Blaney and seconded by Cllr. John O'Donnell, the following motion was adopted:

“That this Council agrees another five year contract to run the Car Ferry from Rathmullan to Buncrana.”

Members were advised that:

“Donegal County Council will be inviting tenders for the supply of a Roll On / Roll Off Ferry Service between Buncrana and Rathmullan, County Donegal in January 2020. The initial contract will be for a three year period i.e. June 2020 to September 2022 and the Council will then have the discretion to extend the contract for further periods of three years, two years and two years based on agreement being reached with the provider.”

On proposing the motion Cllr. Blaney welcomed the response and thanked everyone in the Council involved. Cllr. Blaney asked that the Operator extend the service to include Easter and that any desludging was done in time this year.

On seconding the motion Cllr. O'Donnell supported the motion.

MDL20/20 **STREETLIGHTS AT BALLYARE TO RAMELTON**

On the proposal of Cllr. John O'Donnell and seconded by Cllr. Kevin Bradley, the following motion was adopted:

“Calling on this Council to install streetlights out the Ballyare, Kilmacrennan Road from Ramelton to light up the footpath which is in place.”

Members were advised that:

“It is intended that a further workshop will be held with members later in the year in relation to further announced funding for the Footpath & Public Lighting Programme. This location to be included for consideration along with the other locations.”

On proposing the motion Cllr. O'Donnell welcomed the response.

On seconding the motion Cllr. Bradley supported the motion.

MDL21/20 **BUSINESS PARKING PERMITS AT MR. CHIPPY CAR PARK**

On the proposal of Cllr. John O'Donnell and seconded by Cllr. Kevin Bradley, the following motion was adopted:

“Calling on this Council to issue parking permit to business owners at the car park in front of Mr. Chippy which was given voluntary to the Council on the basis that permits would be granted.”

Members were advised that:

“Donegal County Council do not issue permits to business owners or any other groups apart from residents in any of the Pay and Display towns in the county. It would be the policy of Donegal County Council to strive to keep parking spaces free close to businesses to allow for customer parking and encourage business owners and workers to park in our long stay car parks or on quieter streets where permitted.”

On proposing the motion Cllr. O'Donnell asked that the Parking Section facilitate a meeting with the business owners with Cllr. O'Donnell and Cllr. Bradley

On seconding the motion Cllr. Bradley supported the motion.

MDL22/20 **SPEED REDUCTION ON KILMACRENNAN ROAD ON APPROACH TO KILMACRENNAN**

On the proposal of Cllr. John O'Donnell and seconded by Cllr. Kevin Bradley, the following motion was adopted:

“Calling on this Council to write to TII to reduce the speed on the approach to Kilmacrennan from Letterkenny to 60kmh at JD Car Sales yard the traffic approaching the Leitir junction now is travelling too fast since the new road was built.”

Members were advised that:

“The speed limits on this new section of road were set to reflect the design speed of the road. Road Safety Audits were carried out at the design stage and also prior to opening. Where concerns arise after opening of the scheme, including around the appropriateness of speed limits, then a Stage 4 Road Safety Audit can be carried which will evaluate the operational performance of the road. Following that Audit decisions can be made on whether or not the speed limits need review. It is recommended that a Stage 4 Road Safety Audit be carried out at this time.”

On proposing the motion Cllr. O'Donnell asked that the Council urge TII to reconsider reducing the speed as there was no filter lane turning onto Leitir junction.

The meeting broke at this point to receive a presentation from Donegal Youth Council. The Members noted the great work and ongoing

programmes carried out by the Youth Council and invited them to make further presentations at future meetings during the year.

MDL23/20 **RIGHTS OF WAY**

Motion 19 and Motion 20 – were taken together as they related to the same matter.

On the proposal of Cllr. Ian McGarvey and seconded by Cllr. Gerry McMonagle, the following motion was adopted:

“That this M.D. ensure that all rights of way are kept open.”

Members were advised that:

“It should be noted that a very similar motion was considered at a plenary Meeting of Donegal Co. Council in September 2019. The response below was provided and remains the position. On consideration, the Council resolved not to adopt this motion at the September 2019 meeting and it is recommended that MD members adopt the same position.

The motion refers to all rights of way but as the Council has no jurisdiction or role in relation to private rights of way, the motion proposed is taken to be referring to public rights of way only and it is advised that when being considered by members, it should be amended accordingly and taken to read as Public Rights of Way only.

Subject to the above clarification, I wish to advise as follows;

- 1. All public roads have public rights of way over them and are already listed on the roads schedule as roads in the charge of the Council.*
- 2. Turning then to roads, accesses etc. that are not public roads, same fall into a number of categories highlighted below including –*
 - (a) Roads that the Council decide should be declared to be public roads in accordance with Section 11 of the Roads Act 1993. If such a declaration is made they then become listed on the roads schedule in the same way as all other existing public roads. Any declaration is subject to a number of requirements including –*
 - That the road is of general public utility.*
 - That the Council must first consider the financial implications of any proposed declaration.*
 - That the public consultation procedure as set out in the legislation is followed with any objections/representations made by way of reply to the published notice are considered by the Council before any decision is made.*
 - (b) Public rights of way created in accordance with Sections 206 (agreement) or 207 (compulsory procedure) of the Planning and Development Act 2000 – In accordance with Section 208 such rights of way have to be maintained by the Council and anyone damaging or obstructing the way or hindering or interfering with the exercise of the right of way is*

committing an offence for which they can be prosecuted. In the case of such damage or obstruction the Council can also repair any damage and remove any obstruction and seek the costs involved against the person responsible.

(c) The position per sub-paragraph (b) immediately above also applies to public rights of way where there is a provision in a Development Plan relating to their preservation. Currently there are 44 public rights of way listed in this way in the County Development Plan 2018 – 2024 Table 15, Appendix 3, pages 264/265. It is accepted that in certain instances relating to listed public rights of way, it is difficult for the Council to be definitive in relation to which pathway is being preserved. In such instances, it will be necessary under the next review of the County Development Plan to clarify such cases.

(d) The remaining public rights of way within the County are those that are not protected either as public roads or in accordance with Section 208 of the Planning and Development Act 2000 as above. Any proposal to add further existing public rights of way to those preserved/protected in the Development Plan would have to be considered as part of the procedure for varying the same or when a new plan is made.

3. The following should be noted in respect of any proposals per 2(d) immediately above –

(a) The legislation does not envisage that all public rights of way should be listed/protected in the manner detailed above. Such ways that have protected/preserved status have all to be maintained by the Council and the costs of doing that would have to be considered. It is suggested therefore that any case being made for including a particular existing public right of way into the protected/preserved category should be justified on the merits of the way in question rather than looking at all such public rights of way generally.

(b) It is important that there be no issue about the existence of a public right of way over the road/access in question. If the legal owners of the way are acknowledging the existence of a public right of way or there is evidence of a dedication of same as a public right of way by a previous owner(s), that would usually suffice. However where the position is not accepted by the owners and a case is being made that long use by members of the public should be taken as evidence of presumed dedication by an owner in the past, the law on that is quite complex. Members will be aware of the Lisaddell case in Sligo a number of years ago where the owners of the property successfully challenged up to the Supreme Court the inclusion by Sligo County Council of an objective to preserve certain public rights of way inserted in the plan.

4. In summary, it is therefore recommended that this motion should not be passed by the members and as outlined above, any such proposals to be put forward and considered as per paragraph 2(d) above.”

On proposing the motions Cllr. McGarvey said that he was asked to represent the people in Aughador area and was not happy with the response given and the Council's view on the matters. Cllr. McGarvey said that the issues at Aughador were not comparable with Lisaddell case.

On seconding the motions Cllr. McMonagle supported the motion, saying that Cllr. McGarvey was coming from the right place and firmly believes there is a case in particular at Aughador. Cllr. McMonale agreed that the matter at Aughador was not the same as Lisadell and asked that the Council protect Rights of Way and treat each individual case separately.

Cllr. Blaney asked that the proof that this was a County road be presented as it was his understanding that work was carried out as a LIS.

Liam Ward said the reply given was outlined at Plenary Council when presented in September 2019. Mr. Ward advised that the motion states to protect all rights of way, however the Council had no jurisdiction on private rights of way and the answer given deals with public rights of way only. Mr. Ward advised that a process under Planning was in place to declare a right of way which requires public consultation and submission made to the Council, by adopting this motion it removes the rights of individuals to make a submission. This motion was not adopted at Plenary Council.

Mr. Ward advised that the Council sought legal advice and it was accepted that it was a private matter. The Council as a courtesy agreed to write to both parties to get issues addressed and there was little/no response received.

MDL24/20 **ROAD AT AUGHADAHOR, CARRIGART**

On the proposal of Cllr. Ian McGarvey and seconded by Cllr. Gerry McMonagle, the following motion was adopted :

“That this M.D. create a replacement for the road allowed be de-commissioned at Aughadahor, Carrigart.”

Members were advised that

“It is noted that the same issues arise with respect to this motion as exists with the previous Motion in relation to Rights of Way.”

The same reply from the Council is relevant in this regard. As outlined, there is a process within legislation to provide for the creation of a public Right of Way. However, given the legal complexities that exist and the significant financial exposure for the Council which may arise, it is recommended that the Council not proceed with this course of action.

This motion was discussed as part of Motion 19.

MDL25/20 **BRIDGEND, RAMELTON**

On the proposal of Cllr. Ian McGarvey and seconded by Cllr. Gerry McMonagle, the following motion was adopted :

“That this Council clear the obstruction that has been erected on their property at Bridgend, Ramelton.”

Members were advised that:

“The structures referred to in the motion, while not erected on Council property at Ballyboe, Rameton, are blocking the access thereto. The Council is presently taking the necessary steps to have the matter resolved with a view to gaining access to it’s property at this location.”

On proposing the motion Cllr. McGarvey asked for details of the necessary steps to have the matter resolved.

On seconding the motion Cllr. McMonagle supported the motion.

At this point, Cllr. Kevin Bradley chaired the meeting as Cllr. O’Donnell had to leave the meeting to attend a function in the County Museum.

MDL26/20 **FOUR LANE PROJECT REVIEW OF MAIN SEWER EXTENSION**

On the proposal of Cllr. Ciaran Brogan and seconded by Cllr. Kevin Bradley, the following motion was adopted :

“I propose that this Council review the proposed Four-Lane Project immediately and discuss the possibility of including and bringing the main sewer to the wider Bonagee area at the same time.”

Members were advised:

“Welcomed significant investment through TII funding has been received for 2020 for the N56 Four Lane Road Project . It is expected that it will progress to tender and construction in Q2/3 2020. The project involves necessary and important improvements to safety as well as pavement and ancillary works to what is the primary access to Letterkenny.

Liaison over recent years with Irish water has resulted in the acceleration of IW programmed works in the area (watermain). These were completed in 2019. IW provision of new and/or upgraded sewer works has queried throughout and as recently as August 2019. It has been confirmed that IW have no programmed project to provide such a new facility in the Four Lane Road. Ducting across the Four Lane Road has been agreed with IW as part of the TII funded Pavement and Safety project to facilitate connections to any future sewer going forward.*

Further it is our view that the extensive excavation and installation works required for such a new Main Sewer within the Four Lane road, through the widespread and significant 'soft' ground areas under the existing critical road infrastructure, is undesirable from a construction and engineering viewpoint.”

On proposing the motion Cllr. Brogan advised that a main sewer was promised in this area over 30 years ago which the Council had progressed to an advanced stage. It would make economical sense that it was now done as part of the Four Lane project works. Cllr. Brogan acknowledged

the large number of businesses paying rates and creating employment in the area. On Cllr. Brogan's proposal it was agreed that a Working Group be set up immediately involving the Directors of Water & Environment, Roads & Transportation, Economic Development and Liam Ward as the Director assigned to the Letterkenny MD, with representatives from the business community and residents in the area to engage with Irish Water to ensure that a sewer was provided to the Bunagee area as part of the Four Lane Project. Cllr. Brogan requested that a report would be brought back to the Letterkenny MD meeting in March 2020.

On seconding the motion Cllr. Bradley supported the motion.

There was a general discussion including all Members on the motion and the consensus was that while they were supportive of the main sewer being included in the Four Lane project they did not wish to risk losing funding or the safety works going ahead awaiting a positive response from Irish Water.

Liam Ward agreed to follow up with this matter and contact each of the Director of Services to establish a working group.

MDL27/20 **INCREASE HOUSING GRANT FUNDING**

On the proposal of Cllr. Ciaran Brogan and seconded by Cllr. Michael McBride, the following motion was adopted :

“I propose that this Council ask the government to immediately review and increase the housing grants as a matter of urgency.”

Members were advised that:

“The maximum grant limits available under the Grant Schemes for Older People and People with Disabilities are set nationally by the Department of Housing, Planning and Local Government. The current maximum limits are as follows: Housing Adaptation Grant Scheme (€30,000), Mobility Aids Grant Scheme (€6,000), Housing Aid for Older People Grant Scheme (€8,000).

Within the overall maximum limits, the Council has standard costs for different elements of work. These will be reviewed shortly.

In relation to the overall grant limits, I can confirm that the Council can write to the Department seeking a review of same for each Grant Schemes, if the motion is agreed.”

On proposing the motion Cllr. Brogan asked that the Council write to the Minister for Housing requesting that the grant limit for older people of €8,000 be increased to a minimum of €20,000 as a matter of urgency. Cllr. Brogan felt that this would assist people staying in their home.

On seconding the motion Cllr. McBride fully supported the motion.

MDL28/20 **DROMORE ROAD RESURFACING**

On the proposal of Cllr. Ciaran Brogan and seconded by Cllr. Michael McBride, the following motion was adopted:

“I propose that this Council include the Dromore road in next year’s Roads Works Programme as it has deteriorated a lot this last few years.”

Members were advised that:

“A workshop is to be held with members in February to decide on the 2020 RI and RM Programmes, at which Dromore Road will be considered.”

On proposing the motion Cllr. Brogan spoke of the deterioration and volume of traffic now using the road.

On seconding the motion Cllr. Bradley supported the motion.

Fergal Doherty asked that the Members agreed to a workshop in February to agree the third year of the 3 Year Restoration and Improvement Programme. This road could be reviewed as part of this.

Members agreed to hold a workshop on 12 February 2020 at 10 a.m. It was also agreed that a workshop on DFI would follow at 12 noon and the Letterkenny Town Bus Operator would attend at 2.30/3.00 p.m.

MDL29/19 **MAYORS BUSINESS**

As the Mayor had to leave the meeting to attend a function there was not report available.

MDL30/19 **CORRESPONDENCE**

Patricia McIntyre advised of the following correspondence:

A request for a presentation to be made to Kathy Turner was agreed by the Members, it was agreed to this on 11 February 2020 following the MD meeting.

The Members agreed to receive a deputation from Fanad Lighthouse at the MD meeting on 11 February 2020.

Members asked to be circulated with the list of agreed upcoming workshops.

MDL31/19 **COMMUNITY DEVELOPMENT**

The Members noted the content of the Community Development Report.

Tug of War World Championships

Cllr. Brogan informed the meeting of the Upcoming Indoor Tug of Ward World Championships to be held in the Aura Leisure Centre on 21 to 23

February 2020. This was a huge honour for the local club and will attract over 500 people to the town with 12 countries represented in the competition.

On the proposal of Cllr. Brogan and seconded by Cllr. McBride it was agreed that the Council would hold a reception in Letterkenny PSC on 18 February 2020 at 7:00 p.m.

Cllr. Brogan agreed to speak with Francis Conaghan regarding this.

MDL32/19 **ROADS & TRANSPORTATION**

The Members noted the content of the Roads report circulated in particular the following:

31.1 National Road Pavement Schemes 2020

The Members were advised of the above scheme and in particular a 1.4 km section through Kilmacrennan as outlined in Appendix A in the report.

31.2 Abandonment of Road at Former Unifi

On the proposal of Cllr. Ciaran Brogan and seconded by Cllr. Kevin Bradley it was agreed that the Council commence the extinguishment procedure for the public right of way under Section 73 of the Roads Act 1993 and that the road be abandoned under Section 12 of the Roads Act 1993. The 194m section of the former N56 at Ballyraine was outlined on Appendix B in the report.

31.3 Additional Funding for 3 Year Footpath & Public Lighting Programme

Members were advised of additional funding announced for the 3 Year Footpath & Public Lighting Programme which allows the programme be extended beyond 2020. A workshop will be arranged later in 2020 to agree a further programme to an approximate value of €300,000 to be carried out in 2020/2021.

MDL33/20 **HOUSING**

The Members noted the content of the Housing Report.

MDL34/19 **PLANNING SERVICES**

The Members noted the content of the Planning Report.

33.1 Letterkenny Local Area Plan

Graham Diamond advised that an information workshop would be held on 4 February 2020.

33.2 Addition of Former Battery Rathmullan to Record of Protected Structures

On the proposal of Cllr. Ian McGarvey and seconded by Cllr. Kevin Bradley, Letterkenny-Milford Municipal District Council resolved in accordance with the Planning & Development Act 2000 (as amended) to

add Rathmullan Coastal Battery, Main Street, Rathmullan, NIAH Ref 40819002 to the Record of Protected Structures.

MDL35/20 **ENVIRONMENT**

The Members noted the content of the Environment Report.

Questions

MDL36/20 **HANDRAIL AT BEECHWOOD PARK, LETTERKENNY**

In answer to his question requesting an update on getting a hand rail installed on the steps at Beechwood Park, as previously raised, Cllr. Jimmy Kavanagh was advised:

“Roads are to install the handrail referred to once programme allows. It is anticipated that the rail will be installed within the coming weeks.”

MDL37/20 **SIGNAGE AT LECK/BONAGEE CROSSROADS**

In answer to his question requesting that the Council install proper warning/stop signage at the Leck/Bonagee crossroads at the Letterkenny Ready Mix. Small stop sign there that was not seen, road was busy and people were driving straight through, extremely dangerous, as previously raised, Cllr. Jimmy Kavanagh was advised:

“The stop signage and line markings at this junction are fully in compliance with specification. Recent upgrading of line markings and improvement of vision lines was carried out at this junction. Additional advance warning signage will be erected presently.”

MDL38/20 **WESTHILL ESTATE, LETTERKENNY**

In answer to his question requesting was the Westhill Estate included for an overlay in the town road works in 2020, request had been submitted by residents every year for last ten years, Cllr. Jimmy Kavanagh was advised:

“Westhill is not included in the current draft RI Programme for 2020. A workshop is to be held with members in February to decide on the 2020 RI and RM Programmes.”

MDL39/20 **LETTERKENNY TOWN BUS OPERATOR**

In answer to his question asking had a date been arranged with the Town Bus Operator to discuss the service, Cllr. Gerry McMonagle was advised:

“A workshop has been arranged for Tuesday 14th January at 11:30am in Letterkenny PSC between the elected members, relevant officials and a representative of the Town Bus Operator.”

MDL40/20 **FAIRGREEN HILL ESTATE, LETTERKENNY**

In answer to his question requesting a break down of the money spent that was allocated (€20,000) to Fairgreen Hill to help regenerate the Green Area and what outstanding works were to be carried out and what was the timeline for this work, Cllr. Gerry McMonagle was advised:

“The Council earmarked a budget of €60,000 in total for estate enhancement works in 3 estates in Letterkenny in 2019 - Fairgreen Hill, Leitir Ard and Cnoc Ard. The Council made contact with the residents in all three estates seeking them to establish a Resident's Association and to meet with representatives from the Council to discuss improvement works that could be undertaken in the estate. To date, the Council has not been informed that the estates have established a Resident's Association. The Council would again encourage the establishment of a Resident's Association in order to facilitate engagement with residents. Specifically in relation to Fairgreen Hill, the green area on the approach to the estate was cleared and tidied up in late 2019. A further programme of work for the green area can be agreed and funded in 2020 once we have an understanding of the works required by the residents.”

MDL41/20 **WESTHILL, LETTERKENNY**

In answer to his question requesting when Westhill Road would be tarred, Residents had requested help with this for at least 10 years, Cllr. Kevin Bradley was advised:

“Westhill is not included in the current draft RI Programme for 2020. A workshop is to be held with members in February to decide on the 2020 RI and RM Programmes.”

MDL42/20 **SOCIAL HOUSING ACQUISITION RAMELTON**

In answer to his question requesting an update on the progress that this Council was making regarding the acquisition and completion of the 18 houses in Ramelton and that an up to date report on same is given at our MD meeting every month, Cllr. Liam Blaney was advised:

“This project remains at conveyance stage and Members will be updated when further progress is made.”

MDL43/20 **MEEVAGH BOAT YARD**

In answer to his question requesting an update on the progress this Council had made on securing a new pontoon at the Boat Yard at Meevagh, Cllr. Liam Blaney was advised:

“The Boat Yard at Meevagh is a facility managed by Údara na Gaeltachta and is operated by a private concern with the main activity involving the maintenance and refurbishment of marine vessels including ferry vessels, fishing vessels, aquaculture and leisure vessels.”

Donegal County Council has recognised for some time the requirement to provide some facilities at this location to facilitate demand, particularly from the leisure sector where you have a good natural shelter but virtually no suitable berthing facilities. There are some makeshift floating facilities but these are not appropriate as they are not constructed to any standards.

There are a number of steps to be completed before works can commence with such a project. The Council has submitted an application for a foreshore licence and has recently received confirmation of the completion of the pre-application process for said foreshore licence. The Council is currently dealing with the requirement to complete a Hydrodynamic Assessment Report. The hydrodynamic studies/modelling is necessary to confirm the sedimentation transport/siltation patterns at the proposed pontoon development site and in particular to determine the potential impacts from the proposed development on nearby coastal systems, other existing structures or on-going activities (e.g. fishing/aquaculture/boating/marine leisure etc. if relevant). A consultant has been procured and will visit the site this week to carry out a survey to complete the design of the pontoon, moorings and access walkway.

Funding for this type of development is available from Bord Iascaigh Mhara FLAG programme and from the Department of Agriculture, Food & the Marine under the Fishery Harbour & Coastal Infrastructure Development Programme and the Marine Leisure & Marine Tourism Scheme. The project remains a high priority on Donegal County Council's programme of marine works and an application for funding of €150,000 will be made to DAFM as part of the 2020 application. “

MDL44/20 **MEETING ATTENDANCE MARINE SERVICES**

In answer to his question asking what progress had been made regarding having staff available from Marine and Beaches sections of this Council to discuss issues that the Members may have which was requested at the beginning of this new Council term, Cllr. Liam Blaney was advised:

“Cathal Sweeney from the Piers & Harbours section will be available to attend upcoming meetings as and when requested.”

MDL45/20 **DIGITAL HUB, CARRIGART**

In answer to his question asking when work would commence on the new Digital Hub in Carrigart, Cllr. John O'Donnell was advised:

“When final cost estimates have been established, it is envisaged that the project will go to tender in late January 2020 with construction to commence following the assessment of the returned tenders in April 2020.”

MDL46/20 **PUBLIC TOILET FACILITIES CARRIGART**

In answer to his question asking had a public accessible toilet been included in the new digital hub facility, Cllr. John O'Donnell was advised:

“The Community Development Team are liaising with architect led design team to make provision for the inclusion of an accessible public toilet within the overall development and quantify the associated construction costs.”

MDL47/20 **FOOTPATH CARRIGART**

In answer to his question asking what stage was the footpath from Carrigart to Downings at, Cllr. John O’Donnell was advised:

“An Bord Pleanala have advised that the additional information submitted is with the Inspector for completion of report, and that they hope to advise of the outcome of their findings on 24th of this month. There is no response to date from the Dept. in relation to the application for funding. Members will be advised on developments.”

MDL48/20 **ATTENDANCE OF INLAND FISHERIES**

In answer to his question asking if Inland Fisheries would attend our Meeting, Cllr. Ian McGarvey was advised:

“Inland Fisheries have responded to the invitation and will meet with the Members on the 11th February 2020.”

MDL49/20 **UPGRADE OF LETTERKENNY / MILFORD ROAD**

In answer to his question asking if there was any response to upgrade the Letterkenny / Milford Road, Cllr. Ian McGarvey was advised:

“There have been no recent allocations of funding for upgrade works on the Letterkenny/Milford Road.”

MDL50/20 **RATHMULLAN PIER**

In answer to his question asking had any arrangements been made to the defective area on the approach to Rathmullan Pier, Cllr. Ian McGarvey was advised:

“The viaduct at Rathmullan was built in 1934 with the pier head built in 1957. There are a number of significant users including Hannigan Fish Exports, Marine Harvest, McBride Fishing Company, the Irish Navy, the Commissioner of Irish Lights, private boat charters and the local marina. Other than Killybegs Port, Rathmullan viaduct with pier head offers the only natural deep water facility between Killybegs and Belfast. It is the only Port in Donegal (other than Killybegs) licensed by the Sea Fisheries Protection Authority (DAFM) to receive / land pelagic fish (herring and mackerel).

A structural review was undertaken of this facility by Nicholas O’Dwyer Consultants in 1991 resulting in a condition survey report and remedial works/replacement works proposal. Due to the condition of the members of the structure a weight restriction of 7.5t was applied. A subsequent review

undertaken in 2008 to monitor the condition of the structure. A solution to part replace and part repair elements of same was recommended and funding was sought but unfortunately no budget was forthcoming.

The estimated cost of the project ranges from €3m to €5m. Donegal County Council has provided €50,000 from their own resources in 2019/2020 to establish the current condition of the pier and develop revised options for a suitable cost effective solution. A consultant has been appointed to complete the assessment and a diving contractor has also been procured to provide essential data to the consultant. Subject to the content of the report, the Council may have to consider a 3 tonne weight restriction for the short term and associated signage to protect the structure from undue load. This may impact on the activities of the current users.

The Dept. of Marine will not accept an application for this scale of project. The maximum funding application that can be submitted to the DAFM is €150,000 and this is for works only. A further update shall be provided on completion of the consultants report.”

MDL51/20 **CIRCULAR ROAD RESURFACING**

In answer to his question requesting an updated report of the works carried out on Circular Road resurfacing works and what steps had been taken to address the standard of works that have taken place so far, Cllr. Ciaran Brogan was advised:

“Irish Waters has completed all pipe laying works along the Circular Road, with final handover/commissioning outstanding, in accordance with the Conditions within the Road opening licence granted by Donegal County Council. After a minimum period of 6months after temporary reinstatement, IW is required to permanently reinstate.

As of today, the contractor has permanently reinstated the lower section of the Circular Road (full overlay) with minor works outstanding, with the section from the entrance into Errigal Road to above Dorrian retail development to be completed before March 2020. IW have been asked to maintain the temporary surface until the permanent works are complete.”

MDL52/20 **FOUR LANE PROJECT**

In answer to his question requesting an updated report on the new Four Lane project and the proposed timeframe for this and the proposed total costs, Cllr. Ciaran Brogan was advised:

“The Four Lane Road project is a major development which on completion will provide important, beneficial and necessary improvements to the N56 into Letterkenny. The Four Lane Road from the Dry Arch to the Polestar roundabout is the main access to Letterkenny and essential immediate pavement and safety works are required to ensure and maintain its function and operation. In addition the finalised project has now included full new cycle and pedestrian facilities, pedestrian crossing as well as upgrade to existing drainage.

The project which went through Part 8 planning in 2017 is expected to go to Tender in Q1/2 of 2020 and to be completed in approx. 20 months (not confirmed subject to finalisation of Contract traffic management requirements). Through consultation on minimising impact of the works on this vital access corridor, significant night-time working is proposed. The value of the contract works is estimated to be €4-5m. Actual contract value will ultimately be determined by the required Public Tender process and the open market.

Full TII funding has been provided for this project for 2020.”

MDL53/20 **FLOODING WORKS WITHIN THE MD**

In answer to his question requesting an updated report on the proposed flooding works to be carried out in our MD, Cllr. Ciaran Brogan was advised:

“Members presented with an update by W&E, prior to this meeting, in relation to proposed flooding works to be carried out under CFRAMS.”

MDL54/20 **DATE AND VENUE OF NEXT MEETING**

It was agreed that the next MDL Meeting would be held on 11 February 2020 at Milford Public Services Centre.

This concluded the business of the meeting.

Mayor

Meetings Administrator

Schedule A

Appendix A

1	Elm Court, Rathmelton, Co. Donegal.	Service roads (not including individual private driveways) within the above housing estate commencing at the junction with the existing public road in the townland of Rathmelton.
2	The Croft, Old Glencar Road, Glencar Scotch, Letterkenny	Service roads (not including individual private driveways) within the housing development in the townland of Glencar Scotch, Letterkenny
3	Lisnennan Court, Lisnennan, Letterkenny, Co. Donegal	Service roads (not including individual private driveways) within the housing development in the townland of Lisnennan, Letterkenny. (Phases 3 & 4 incorporating House No 35 -100)
4	Hunter's Wood, Glencar Scotch, Letterkenny, Co. Donegal	Service Roads (not including individual private driveways) within the above housing estate commencing at the junction with the public road in the townland of Glencar Scotch, Letterkenny

Schedule B

Appendix B

1	Elm Court, Rathmelton, Co. Donegal.	Service roads (not including individual private driveways) within the above housing estate commencing at the junction with the existing public road in the townland of Rathmelton.
2	The Croft, Old Glencar Road, Glencar Scotch, Letterkenny	Service roads (not including individual private driveways) within the housing development in the townland of Glencar Scotch, Letterkenny
3	Lisnennan Court, Lisnennan, Letterkenny, Co. Donegal	Service roads (not including individual private driveways) within the housing development in the townland of Lisnennan, Letterkenny. (Phases 3 & 4 incorporating House No 35 -100)
4	Hunter's Wood, Glencar Scotch, Letterkenny, Co. Donegal	Service Roads (not including individual private driveways) within the above housing estate commencing at the junction with the public road in the townland of Glencar Scotch, Letterkenny

Appendix C

MDL-M, Year 3 (2020) of the 3 year Footpath and Public Lighting Programme, agreed at workshop on 12th November 2019

1	Move Light in Carrigart Main Street	Carrigart	€2,000
2	Lights - Additional from Town out to Lidl in Milford	Fanad	€8,000
3	Lights - Glenswilly Church Carpark and Kilpheak Graveyard	Letterkenny Rural	€9,000
4	Lights infill at Lismonaghan	Letterkenny Urban	€10,000
5	Light at Meevagh Heritage Centre Carrigart	Carrigart	€1,500
6	Light - at Backlane to Rosemount Cottages , Kilmacrenan	Carrigart	€5,000
7	Light at junction of Moyle Hill road and Milford Main Street.	Fanad	€3,500
8	Justice Walsh Junction to Station Roundabout, on Community Centre Side, incl. removal of Firr Trees Footpath	Letterkenny Urban	€40,000
9	Light -Street Lights at An Craobhinn Termon/Termon NS	Carrigart	€1,500
10	Lights - Coopers Road Milford	Fanad	€10,000
11	Light- Barrack Junction	Letterkenny Rural	€8,000
12	Footpath Glenwood Park , Letterkenny	Letterkenny Urban	€30,000
13	Footpath Carrigart- Cranford Side of Health Centre- section deteriorating	Carrigart	€10,000
14	Light at Northern side of Massmount Chapel	Fanad	€4,000
15	Lights - Fycorrenagh on the Cullion Road	Letterkenny Rural	€8,000
16	Light at new Leitir Junction on the N56, Kilmacrenan	Carrigart	€5,000
17	Footpaths Long Lane, Letterkenny	Letterkenny Urban	€24,000
51	Lower Mount Merrion Footpath and Parking Bays	Fanad	€25,000
18	Light at Larganreagh Downings at Shane Mc Clafferty house	Carrigart	€4,000
19	Footpath "Bank Terrace to Graveyard - Ramelton"	Fanad	€47,000
20	Move Light at Moross Junction Tamney	Fanad	€3,000
105	Lights - a few in Figart, Carrigart between hotel and bridge past Vaughans	Carrigart	€7,000
			€265,500