

**Minutes of Meeting of Municipal District of Lifford-Stranorlar held
on 23rd September 2020 at 12.00 noon in the Council Chamber, Lifford.**

Members Present	Cllr. Gary Doherty, Cllr. Gerry Crawford, Cllr. Frank McBrearty, Cllr. Liam Doherty, Cllr. Patrick McGowan.
Officials Present	Joe Peoples, Olive Gillespie, Tony Browne, Ciara Condon, Kathleen McGowan, Claire McGeever, Ciaran Martin, Paul Gallagher.
Apologies	Cllr. Martin Harley

Cllr. Gary Doherty opened the meeting and suggested that in order to deal with the remaining items on the Workshop Agenda, the Municipal District Meeting, due to begin at 11.00 am, would be adjourned until 11.40am. On the Proposal of Cllr. Frank McBrearty and seconded by Cllr. Patrick McGowan, the Meeting was adjourned until 11.40am.

A further adjournment of the Municipal District Meeting until 12 noon was agreed to deal with the remaining item on the Workshop Agenda. On the Proposal of Cllr. Patrick McGowan and seconded by Cllr. Frank McBrearty, the Meeting was adjourned until 12 noon.

Cllr. Gary Doherty thanked everyone for their attendance and outlined the protocol for the meeting in compliance with Covid-19 requirements, as agreed by the Corporate Policy Group. As a mark of respect and to remember all those who have died, a minute's silence was observed.

Items from the agenda were discussed as follows:

251 Corporate Services

251.01 Votes of Sympathy

Members passed a vote of sympathy on the passing of:

- Anna Gallagher (née Coppinger), mother-in-law of our colleague Martin Roarty, Environment Section.

251.02 Confirmation of Minutes of Meeting of Municipal District of Lifford-Stranorlar held 22nd July 2020.

The Minutes were approved on the proposal of Cllr. P McGowan and seconded by Cllr. F McBrearty.

252 Confirmation of Date and Venue for Next Meeting and Business Prescribed by Statute

252.01 It was agreed that the next meetings of the Lifford-Stranorlar Municipal District would be held on Wednesday, **28th October 2020 in the Regional Training Centre, Stranorlar** as follows:

- **Workshop** **11.00 am.**
- **Meeting** **12.00 noon.**
- **Budget Meeting** **2.00 pm**

253 Consideration of Reports & Recommendations from Services

253.01 Planning Services

The update report circulated with the agenda was taken as read. The following comments were made:

- Ciara Condon relayed to the Members that Frank Sweeney, Executive Planner, wished to inform the Members that the Planning Authority has been notified by the Department of Housing, Planning & Local Government that a Transboundary EIA public consultation process regarding the UK's proposed Sizewell C nuclear power station has commenced and that written submissions or observations in relation to the potential transboundary effects of the project must be received by the Planning Section by close of business on Wednesday 28th October 2020.
- Ciara Condon informed the Members at a Part 8 application in relation to the SEED Project has been received and the proposed plans of the project will be available for inspection from Tuesday 22nd September 2020 to Tuesday 20th October 2020. Submissions and observations with respect to the proposed development may be made in writing before 4.30pm on Wednesday 4th November 2020.
- Cllr. F Mc Brearty raised a number of concerns regarding a planning application in relation to Sheldon's Quarry, Raphoe. Ciara Condon wished to highlight that the application is still within the appeal period, and if no 3rd party appeals are received, a grant of planning will be issued, with a number of conditions attached. Cllr. McBrearty requested a meeting with the Chief Executive Officer and Senior Executive Planner. Joe People agreed to follow up in relation to this request.

253.02 Housing & Corporate Services

The update report circulated with the agenda was taken as read. The following comments were made:

- Cllr. G Crawford referred to properties acquired to date under the Social Housing Acquisition Programme and queried why more properties were not acquired in Lifford and St. Johnston. Olive Gillespie explained that the Housing Office is not focused on any one area and are constantly looking at the market in all locations where there is a housing need.
- Cllr. P Mc Gowan requested an update in relation to the Windows & Doors Replacement Programme and queried which housing estates will be first to be completed when the Programme is approved. Olive Gillespie confirmed that the Housing Office is currently waiting on a decision from the Department, who may attach a number of conditions, and Members will be kept updated with any progress.
- Cllr. F McBrearty requested an update in relation to the installation of a drop kerb at Cois Abhainn, St. Johnston. Claire McGeever confirmed that Members had agreed capital funding for this job and this will be progressed.
- Cllr. F McBrearty referred to a complaint from the residents of 24 Cois Abhainn, St. Johnston about a blocked sewerage system and requested that this be resolved without delay. Joe Peoples agreed to discuss this issue with the Area Manager, Housing & Corporate Services in order to find a resolution.
- Members queried if any agreement has been reached in relation to the maintenance of backlanes, roads and footpaths in Council housing estates. Olive Gillespie explained that this issue has to be discussed at Plenary Council level, to agree a work programme and associated budgets.

253.03 Economic Development, Information Systems and Emergency Services

The update report circulated with the agenda was taken as read. The following comments were made:

- Cllr. P McGowan referred to an issue raised previously in relation to the role of ICBAN and the need for Donegal County Council to be involved and progress issues, together with other local authorities in the border region. Ciaran Martin agreed to forward an update to Members when available.
- Cllr. G Doherty referred to the protocol for dealing with severe weather events which he described as being convoluted and requested that the protocol be streamlined and simplified. Ciaran Martin agreed to refer this matter to the Emergency Services Division.

253.04 Environmental Services

The update report circulated with the agenda was taken as read. The following comments were made:

- Cllr. G Doherty queried why it's not possible to pay by card at the Recycling Centre, Stranorlar. Paul Gallagher agreed to follow this up with Suzanne Bogan, Waste Awareness Officer.

- Cllr. P McGowan referred to the 'Half Price Bulky Goods Two Week Promotion' held at the Council's Recycling Centres during the summer and queried if this event could be reactivated, as many people missed out on this promotion. Paul Gallagher agreed to follow this up with Suzanne Bogan, Waste Awareness Officer to check if there is another promotion planned for 2020.
- Cllr. F Mc Brearty commended Christy Murray, local volunteer, who has been completing a major clean-up in Raphoe since March 2020, including the Raphoe Waterfall area. Cllr. McBrearty queried if this area would now be monitored by the Litter Warden and queried if waste at an old dump in Raphoe has now been cleared. Paul Gallagher agreed to check this site and will revert back to Members on the issue.

253.05 Roads Services

The update report circulated with the agenda was taken as read. The following comments were made:

- Claire McGeever updated Members in relation to the Active Travel Allocation 2020 Programme and advised that the Council received funding for all the projects submitted and that the timeline was very tight to deliver same. It was highlighted that there could be issues in delivering works relying on third parties such as Design works for Miltown Bridge, but that the Council would proceed in an effort to maximize drawdown of funding.
- Cllr. P McGowan requested an update in relation to the following:

- Issues with overhanging trees at Dreenan to the Crossroads and hedges at Logues Bridge, Glenfinn Road.

Claire McGeever advised that an update had been sent to Members regarding issues raised in respect of the maintenance of trees/hedges, and that landowners had been contacted and advised of their obligations.

- Footpath works in Ballybofey and Stranorlar.
Claire McGeever advised that a written report would be made available to clarify any issues raised.

- Signage at Liscooley Village.

Claire McGeever advised that the TII had provided funding for one sign at Liscooley only.

- N15 Corcam Bends between Stranorlar and Killygordon.

Claire McGeever advised that no update was available from the NRD office but this would be requested for the next meeting.

- Cllr. G Crawford requested an update in relation to the following:

- Works required at Coneyburrow Road, Lifford.

Claire McGeever advised that an update would be provided.

- Further works to be completed at Blackrock, Lifford.

Claire McGeever advised an update would be provided.

- Cllr. F McBrearty requested an update in relation to the following:

- Footpath works in St. Johnston.

Claire McGeever advised that under the 2020 Footpath & Lighting Programme it had been agreed to improve a crossing in St. Johnston. These works would be prioritised after the roadworks subject to deadlines were complete. This is likely to be December/January.

- Joe Peoples suggested that Members be updated with a report listing all projects and associated timelines for the completion of works. It was agreed that Roads Services will provide Members with a written update on all issues raised.

253.06 Community Development

The update report circulated with the agenda was taken as read. The following comments were made:

- Cllr. F McBrearty referred to the Raphoe Town & Village Scheme and queried when the scheme will commence. Kathleen McGowan confirmed there was no additional information available other than what was set out in the report to Members.
- Cllr. F McBrearty queried why the maintenance of the Raphoe Playground has not yet been taken over by the Council. Kathleen McGowan agreed to relay this query to Mark Gallagher, Executive Engineer.

254.01 The following Motion was submitted by Cllr. G Crawford:

Motion: *"That it be a policy that all vehicles in use by this Council in this MD and County wide display the Donegal County Council logo/Crest."*

Reply:

Donegal County Council supplies most of its vehicle fleet through the Machinery Yard Section of the Roads Directorate.

The plant and vehicles are supplied either through external hire or as purchased under the Capital Replacement Programme. Most of the larger plant and lorry fleet is owned by the Council and same is all provided in the Council colours (yellow/blue) with the Council Crest without exception. This is in accordance with existing protocol and Council policy.

The remaining fleet (vans and pick-ups (various versions)) are hired through Supply.gov national procurement system and are tendered for annually and are required to provide a Council identifier. Some of the hired in plant display "hired by Donegal County Council" rather than the provision of the Crest as an identifier.

Irish Water provides most of its vans directly to Donegal County Council IW teams and include their own markings. These vehicles are outside of the control of the Machinery Yard team. Any vehicle provided to IW through the Machinery Yard will have a crest/text identification.

Any MD/Section with concerns of non compliance can undertake an audit of plant and revert to the Machinery Yard team with a list for follow up with the hire companies. It is expected that non compliance will be low and mainly relates to:

1. Temporary vehicles, without identifying markings, issued for short term replacements (circa 2 days) while core fleet is being serviced and this is deemed reasonable as said vehicles are utilised in many other jurisdictions for the same purpose.
2. Some IW vehicles (as supplied directly by IW as per noted above)
3. Some of the Council sections specifically request that no Council logo/crest or any other identification markings be placed on the vehicle to assist with particular operations (possibly leading to court actions or fines) and this has been agreed for the safety and security of those staff affected

The Motion was seconded by Cllr. P McGowan.

254.02 The following Motion was submitted by Cllr. P McGowan:

Motion: *“In the case of accidents resulting from falling trees or broken branches along public roads who is liable and what responsibility has this council in ensuring that roads are safe.”*

Reply:

In relation to trees and hedges the owner or occupier of said land is responsible for ensuring said trees or hedges do not pose a hazard to road users. The responsibility lies with the landowner or occupier and Donegal County Council runs a public awareness campaign to remind landowners and occupiers of their responsibilities in this regard.

Under the 1993 Roads Act 70 (2)

(a) The owner or occupier of land shall take all reasonable steps to ensure that a tree, shrub, hedge or other vegetation on the land is not a hazard or potential hazard to persons using a public road and that it does not obstruct or interfere with the safe use of a public road or the maintenance of a public road.

(b) Where a tree, shrub, hedge or other vegetation is a hazard or potential hazard to persons using a public road or where it obstructs or interferes with the safe use of a public road or with the maintenance of a public road, a road authority may serve a notice in writing on the owner or occupier of the land on which such tree, shrub, hedge or other vegetation is situated requiring the preservation, felling, cutting, lopping, trimming or removal of such tree, shrub, hedge or other vegetation within the period stated in the notice.

Under the 1993 Roads Act 70 (7)

An owner or occupier who fails to comply with a notice under this section shall be guilty of an offence.

In the case of accidents resulting from fallen trees or branches liability will be determined by the Courts on a case by case basis.

The Motion was seconded by Cllr. G Crawford.

255.01 The following Question was submitted by Cllr. G Crawford:

Question: *“Can I have a detailed update on the reasons for the delay on the N13 overlay Lifford (Coneyburrow).”*

Reply:

The Donegal National Roads Office (DNRO) is aware that the existing watermain infrastructure through the N15 at Conneyburrow is defective and requires replacement. Irish Water (through Donegal County Council’s Water Capital Office) had programmed replacement of this watermain infrastructure for Q4 2019. On this basis the DNRO progressed the required Road Pavement Strengthening Contract through Planning, Design and Procurement during 2019 so that the road pavement works would be ready to commence as soon as Irish Water completed the watermain replacement. Unfortunately Irish Water did not proceed as programmed, first informing the DNRO that the watermain replacement would be pushed back to Q1 2020 and then eventually confirming in (December 2019) that it would not go ahead at all in 2020.

TII is reluctant to provide funding for road pavement strengthening works on a section of road which contains a defective watermain which is subject to frequent bursts and is clearly in need of replacement and therefore the N15 Coneyburrow Pavement Strengthening Contract did not proceed to construction in 2020.

Irish Water (through Donegal County Council’s Water Capital Office) has just recently (August 2020) confirmed that they have received new funding and are now proposing to complete the required watermain replacement works on N15 Coneyburrow before the end of 2020. If this is the case and Irish Water proceed as proposed the DNRO will then be in a position to seek funding from TII to complete the required pavement strengthen works as soon as possible thereafter.

255.02 The following Question was submitted by Cllr. G Crawford:

Question: *“Recent figures released would indicate an imbalance within this MD on the location of house purchases by this Authority. Why is this?”*

Reply:

Properties acquired to date under the Social Housing Acquisition Programme in the Lifford-Stranorlar Municipal District are in locations where properties were advertised for sale on the open market and following technical inspection, were considered value for money and addressed an approved housing need.

The Housing Office continues to examine potential solutions to address the housing need and it is anticipated subject to funding approval from the Department of Housing, Planning & Local Government, further suitable properties may be acquired under this Programme.

255.03 The following Question was submitted by Cllr. P McGowan:

Question: *“Please give details of any affordable site schemes that the Council is planning for this MD under the recent Government announcement.”*

Reply:

The Council is currently waiting on the formal announcement of the terms and conditions attaching to the new Affordable Housing Scheme. We will not be in a position to develop any definitive plans until such time we receive further details.

However, the Council has recently sought expressions of interest from land and property owners for parcels of land, derelict sites and existing buildings in town and village centres throughout the county. The notice explained green and brown field sites will be considered as will derelict, vacant or underused lands and properties in town/village centre locations.

Submissions received in response to this call, are currently being reviewed by the Housing Directorate and suitable parcels of land will be given consideration.

255.04 The following Question was submitted by Cllr. P McGowan:

Question: *“Has the housing section made any progress dealing with derelict buildings in this MD and please give a list of cases that are actively being pursued.”*

Reply:

To date the capacity of the Council to prioritise the use of the provisions of the Derelict Sites legislation has been limited and this, coupled with the likely review of the legislation flagged in discussions under the Rebuilding Ireland initiative, has contributed to its limited application across the country.

The scope of the Derelict Sites legislation, in conjunction with other measures such as the Vacant Sites Levy, to facilitate regeneration opportunities is being examined by the Central Planning Unit in relation to potential cross-directorate approaches to urban and rural regeneration. The Council is also mindful of the opportunities that may arise from the Regeneration funding streams currently being pursued by the Regeneration Unit to deal with Derelict and Vacant Buildings within our Towns and Villages.

This concluded the business of the Meeting

**Cathaoirleach
Municipal District of Lifford-Stranorlar**

As agreed at the Lifford-Stranorlar Municipal District Meeting held 2nd February 2021