

vCOMHAIRLE CHONTAE DHUN NA nGALL

Oifig Riarthóir na
gCruinnithe
Aras an Chontae
LEIFEAR
21 Bealtaine 2013

FOGRA CRUINNITHE

Beidh Cruinniú Comhairle Chontae Dhún na nGall ar siúl Dé Luain, 27 Bealtaine 2013, ag **11.00 r.n.**
in Áras an Chontae, Leifear

DO GACH BHALL DEN CHOMHAIRLE

A Chara

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

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

Mise, le meas

Seosamh O’Piobla
Riarthóir Cruinnithe Ionadach

DONEGAL COUNTY COUNCIL

Office of Meetings Administrator
County House
Lifford
21st May, 2013

NOTICE OF MEETING

A Meeting of Donegal County Council will be held on Monday 27th May, 2013, at **11.00am in the**
County House, Lifford.

TO EACH MEMBER OF DONEGAL COUNTY COUNCIL

Dear Councillor

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

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

Yours sincerely

Joe Peoples
A/Meetings Administrator

AGENDA

1. Confirmation of Minutes

- a) Confirmation of the Minutes of Adjourned Meeting of Donegal County Council held on the 15th April, 2013.
- b) Confirmation of the Minutes of Meeting of Donegal County Council held on the 29th April, 2013.
- c) Confirmation of the Minutes of Adjourned Meeting of Donegal County Council held on the 7th May, 2013.

MOTIONS

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

GLENTIES ELECTORAL AREA

Corporate

2. Clr. M.T. Gallagher

"That this Council condemn the HSEs decision to close 10 beds in Dungloe Community Hospital, and call on the Minister for Health James Reilly to invest in our local community hospitals, to enhance the service to the people in their local area which in turn benefits the running of the acute services." (O)

Planning

3. Clr. O'Domhnaill

"In light of the Household Tax now being collected nationally that the Development Charges for "One Off Houses" be removed as a condition in the granting of Planning." (C)

INISHOWEN ELECTORAL AREA

Roads and Transportation

4. Clr. Murray

"While continuing to prioritise the new Cockhill Bridge as of huge importance to Inishowen and Donegal, this Council will pursue funding for a footbridge on the existing bridge as pedestrian safety is required there ongoing." (L)

Planning

5. Clr. Canning

"The Tidy Towns Competition is upon us, on that note, I would ask this Council if a unit could be deployed this month to remove any old "Estate Agent for Sale Signs" that are no longer in use." (C)

6. Clr. Donaghey

"That a variation of the new Donegal Development Plan 2012 - 2018 be put in place to include the provision of "persons owning the land" to allow people in Urban Generated Areas to be considered for Planning Permission as was the case in the previous Donegal Development Plan." (C)

7. Clr. McGuinness

That this Council seek funding to carry out a follow-up report/survey of the Beaches that were the subject of the "Life Project" in 1997." (C)

LETTERKENNY ELECTORAL AREA

Community and Enterprise

8. Clr. McGarvey

"That Donegal County Council request a Map of the Fishing Opportunity for locals and visitors alike on the Sea, Rivers and Lakes in Donegal, mainly rod and line." (C)

Finance

9. Clr. Larkin

"That this Council implement the recommendations in the "McLoughlin Report" to improve the opportunities for local business in making submissions under the procurement regulations more user friendly." (C)

10. Clr. Quinn

"That this Council suspends the collection of Water Rates in the parts of the County where the water is of poor quality." (C)

Planning

11. Clr. N. McBride

"That this Council include Foinse (Irish supplement in Irish Independent) for Planning Notices to facilitate Gaeltacht and Irish speaking communities." (C)

Housing

12. Clr. Brogan

"That this Council review the implementation of the current Housing Loans Policy so as to make it more attractive for people to buy their own homes." (C)

DONEGAL ELECTORAL AREA

Roads and Transportation

13. Clr. O'Neill

"That Donegal County Council discuss the history of County Road Extinguishments and Rights of Way at the townland of Clohore at the Battery, Ballyshannon?" (L)

Community and Enterprise

14. Clr. Campbell

"This Council supports the retention of all School of Tourism Activities at the Killybegs Campus of LYIT, and notes the integral role the school's activities form as a driver of job creation in the recent report of the high level group on the jobs initiative for the Killybegs region, and calls on all public representatives on the LYIT governing body not to support any move that will see a diminution of the Killybegs campus activities." (C)

STRANOLAR ELECTORAL AREA

Community and Enterprise

15. Clr. McGowan

"That this Council draw up a strategy for locating Day Care Centres across the County based on the Centres already established which are improving the quality of life for the elderly living in these areas and works with all other relevant national and local agencies in a effort to achieve this." (O)

Water and Environment

16. Clr. Crawford

"That this Council debate the problem existing with the Lifford Ballybofey Water Main and all possible solutions." (L)

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

- a) Notice under Section 211 of the Planning and Development Act 2000 and under Section 183 of the Local Government Act 2001 – to dispose of plot of land to the ESB on which a MV Electric Sub-Station is built and the granting of Right-of-Way thereto at the Bunnagee Sludge Treatment Centre, Letterkenny.

- b) Notice under Section 211 of the Planning and Development Act 2000 and under Section 183 of the Local Government Act 2001 – to dispose of plot of land to the ESB on which a MV Electric Sub-Station is built and the granting of Right of Way thereto at the Magheranan Wastewater Treatment Plant, Letterkenny.
- c) Notice under Section 211 of the Planning and Development Act 2000 and under Section 183 of the Local Government Act 2001 – to approve the exchange of land at the Letterkenny Storm Treatment Plant Site, Ballyraine in order to construct an access road into the storm overflow tank.

18. Endorsement of Minutes

- a) Endorsement of the Confirmed Minutes of Meeting of Inishowen Electoral Area Committee held on the 15th January, 2013.
- b) Endorsement of the Confirmed Minutes of Meeting of Letterkenny Electoral Area Committee held on the 5th March, 2013.
- c) Endorsement of the Confirmed Minutes of Meeting of Stranorlar Electoral Area Committee held on the 12th March, 2013.
- d) Endorsement of the Confirmed Minutes of Meeting of Donegal Electoral Area Committee held on the 13th March, 2013.
- e) Endorsement of the Confirmed Minutes of the Special Meeting of Stranorlar Electoral Area Committee held on the 21st March, 2013.
- f) Endorsement of the Confirmed Minutes of Meeting of Inishowen Electoral Area Committee held on the 28th March, 2013.

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

Authorisation of representation at a seminar, meeting or event under Section 142 (5) of Local Government Act, 2001, S.I. No 668 of 2006, Local Government (Expenses of Local Authority Members) Regulations 2006, S.I. No 37 of 2010, Guidelines given by the Minister for the Environment, Heritage and Local Government in relation to the Local Government Act, 2001 (Section 142) Regulations 2010:-

- BG Seminarz – Training Seminar The Development Plan and the Elected Member to be held from Friday 7th to Sunday 9th June, 2013 in the Clanree Hotel, Letterkenny.

- Ace Training – European Legislation and Local Authorities to be held from Friday 7th to Sunday 9th June, 2013 at the Four Seasons Hotel, Carlingford, Co. Louth.
- Tgr Seminars – Putting People First, Electoral Boundary Shake Up and Local Government Reform to be held Friday 14th and Saturday 15th June, 2013 at the Bunratty Castle Hotel, Bunratty, Co Clare.
- The Institute of Professional Training – Preparing for new National and Regional Strategies to be held from Friday 14th to Sunday 16th June, 2013 at the Silver Tassie Hotel, Letterkenny.
- To approve the attendance of Clr. Brogan as substitute nominee at the Annual General Meeting of IPBMI.

20. Conference Reports

Clr Brendan Byrne

Tourism in Recessionary Times held Thursday 17th to Saturday 19th January, 2013 in Ennistymon, Co. Clare.

21. Mayor's Business

22. Manager's Report

QUESTIONS

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

GLENTIES ELECTORAL AREA

Community and Enterprise

23. Clr. Slowey

"In relation to the Magheraroarty Village Environmental Improvement Project, please provide the following details:-

- The current status of the Project.
- The overall costs associated with bringing the project to a satisfactory completion.
- Breakdown of funding requests submitted by Donegal County Council since 2006.
- Details of funding opportunities which have been exploited.
- Is the project included in Donegal County Council's Capital Works Programme?

- And confirmation as to where the ultimate responsibility lies in relation to targeting and providing funding to progress this project to completion?" (L)

24. Clr. M.T. Gallagher

"Will this Council consider implementing a plan to have Doe Castle (the home of Clann MacSiubhne) utilised as a tourism project?" (L)

25. Clr. O'Domhnaill

"Can this Council draw up plans and engage with the NRA and Tourism Bodies to apply for a Footpath/Walkway between Falcarragh and Gortahork so as to assist with the Tourism Industry in this area asap?" (L)

Corporate

26. Clr. Slowey

"What is the up to date position regarding Donegal County Council going to tender for the provision of legal services as required by Government policy?" (C)

Roads and Transportation

27. Clr. M.T. Gallagher

"Has this Council contacted the Dept with regard the Mulantiboyle Bridge collapse, to discuss the funding that will be needed to reinstate this Bridge, and does this Council believe that the Department will look on this application favourably?" (L)

28. Clr. O'Domhnaill

"Can I be given an update and maps in regards to the Magheraroarty Village & Pier Enhancement Scheme Application?" (L)

INISHOWEN ELECTORAL AREA

Community and Enterprise

29. Clr. Murray

"What progress has been made subsequent to the successful passing of my motion asking for a cross-border meeting with Derry City Council, as well as the north's DRD and DOE and when is this meeting expected to take place?" (C)

Roads and Transportation

30. Clr. Canning

"What is the proposal in relation to Manorcunningham Main Street with regards upgrade of road?" (L)

Planning

31. Clr. Canning

Has this Council's position changed in relation to the takeover of Housing estates in lieu of the courts decision in Bundoran?" (C)

32. Clr. McGuinness

"Will the Council engage with the Department of the Marine and National Parks and Wildlife Service re Natura Sites with a view to encouraging the development of mariculture in Co Donegal?" (C)

LETTERKENNY ELECTORAL AREA

Water and Environment

33. Clr. McGarvey

"When will Donegal County Council provide Public Toilets in Rathmullan as agreed?" (L)

34. Clr. McGarvey

"What information is available from the Dept. to Donegal County Council for the proposed takeover of Water Services by Irish Water?" (C)

35. Clr. Larkin

"Has this Council made a submission to the North-South study aimed at reducing air pollution in towns of 15000 population +?" (C)

Planning

36. Clr. Larkin

"What is the significance of the decision of the "Bundoran Cases" for this Council and its policies for the take over of estates?" (C)

37. Clr. Quinn

"What response has the Council received regarding its request for funding to address the safety issues in un-finished estates?" (C)

Community and Enterprise

38. Clr. Quinn

"Are figures available to indicate the possible increase in tourists to the County during The Gathering?" (C)

Roads and Transportation

39. Clr. N. McBride

"What is the possibility of having the level of the road raised at the area known locally as "The Roiseen" on the Carrigart/Creeslough Road which would eliminate the ongoing flooding problem?" (L)

40. Clr. Brogan

"What is the current status of the A5 Strabane to Letterkenny Road and has there been any response to the request from Donegal County Council to meet with the Taoiseach in relation to this matter and as agreed by this Council in 2011?" (C)

41. Clr. Brogan

"With regard to Phase II of the N56 Road - Coolboy/Termon-Bluebanks Road please confirm the following:-

- The amount of funding sought originally for the project.
- Total amount of funding received to date.
- The amount of funding presently available?" (L)

DONEGAL ELECTORAL AREA

Water and Environment

42. Clr. Campbell

"Can you provide me with the following information on the Public Sewer System (PSS) for each Electoral Area in tabular form:

- Name and location of each PSS in the county.
- Type and level of treatment at each PSS.
- Discharge point of each PSS.
- Volume of waste handled by each PSS per year.
- Whether the facility is council owned and controlled or otherwise. (C)

Housing

43. Clr. Campbell

"Can you provide me the following housing information for each Electoral Area in tabular form:

- Name of each housing estate where DCC owns property in the County.
- Number of properties in each estate in DCC ownership.
- Overall number of properties in each estate listed.
- Location of each estate.
- Number of S.I. houses in each electoral area. (C)

STRANOLAR ELECTORAL AREA

Community and Enterprise

44. Clr. McGowan

"Please can a progress report be given on my Motion to establish a third county-wide festival in the County which was accepted and supported by management?" (C)

45. Clr. McGowan

"Can a report be brought to Council outlining potential Cross-border Walk/Cycle pathways from Strabane Canal at Ballymagorry up to Clady, Castlefin, Killygordon, Ballybofey/Stranorlar, and through Barnes Gap using existing paths, railways, and river banks so that a strategy/funding can be identified and applied for in the future?" (C)

Housing

46. Clr. Crawford

"How many houses has this Council let in the Stranorlar Electoral Area in 2013, including the location of same and how does this compare with demand in these areas?" (L)

Roads and Transportation

47. Clr. Crawford

"What has been the progress to date in finding a resolution to the flooding problems in Raphoe?" (L)

**MINUTES OF MEETING OF DONEGAL COUNTY COUNCIL, HELD IN
THE COUNTY HOUSE, LIFFORD ON 27TH MAY, 2013**

C/246/13 **MEMBERS PRESENT**

Clrs. Frank McBrearty, Mayor, D. Alcorn, L. Blaney, C. Brogan, B. Byrne, J. Campbell, P. Canning, M. Doherty, P. Doherty, R. Donaghey, M. Farren, M.T. Gallagher, M. Harley, C. Harvey, D. Larkin, M. McBride, N. Mc Bride, S. Mc Eniff, I. McGarvey, P. McGowan, B. Mc Guinness, J. Murray, S. O'Domhnaill, B. O'Neill, J. Ryan, and T. Slowey.

C/247/13 **APOLOGIES**

Apologies were received from Boyle, Crawford and Quinn who were unable to attend the meeting.

C/248/13 **OFFICIALS IN ATTENDANCE**

Mr Seamus Neely, County Manager, Mr Liam Ward, Director of Housing and Corporate, Meetings Administrator, Mr John McLaughlin, Director of Roads & Transportation, Mr Garry Martin, Head of Finance & Director of Emergency Services, Mr Joe Peoples, A/Director of Water & Environment, Mr Michael Heaney, Director of Community Culture & Planning, Ms. Ann Marie Conlon, Communications Officer, Ms Annemarie Crawford, Staff Officer, Corporate Services.

C/249/13 **MAYORS BUSINESS**

Congratulations

Congratulations were extended to the Donegal Senior Football Team on their victory against Tyrone in the Ulster GAA Football Senior Championship 2013 Quarter Final.

Sport Aiding Mental Health Conference

The Mayor reminded Members that the conference was taking place on the 30th and 31st May, 2013 and that a number of places were still available for anyone who wished to attend.

C/250/13 **VARIATION IN THE ORDER OF BUSINESS**

On the proposal of Clr. Mc Eniff, seconded by, Clr. Slowey, it was resolved to vary the order of business to deal with the following items:-

Items No. 1, 17, 18, 19, and 20.

C/251/13 CONFIRMATION OF THE MINUTES OF ADJOURNED MEETING OF DONEGAL COUNTY COUNCIL HELD ON THE 15TH APRIL, 2013

On the proposal of Clr. Farren, seconded by, Clr. M. Doherty, the Minutes of the Adjourned Meeting of Donegal County Council held on the 15th April, 2013 were approved.

C/252/13 CONFIRMATION OF THE MINUTES OF MEETING OF DONEGAL COUNTY COUNCIL HELD ON THE 29TH APRIL, 2013

On the proposal of Clr. Alcorn, seconded by, Clr. Mc Garvey, the Minutes of the Meeting of Donegal County Council held on the 29th April, 2013 were approved.

C/253/13 CONFIRMATION OF THE MINUTES OF THE ADJOURNED MEETING OF DONEGAL COUNTY COUNCIL HELD ON THE 7TH MAY, 2013

On the proposal of Clr. Farren, seconded by, Clr. M. McBride, the Minutes of the Meeting of the Adjourned Meeting of Donegal County Council held on the 7th May, 2013 were approved.

C/254/13 DISPOSAL OF PLOT OF LAND TO THE ESB ON WHICH A MV ELECTRIC SUB-STATION IS BUILT AND THE GRANTING OF RIGHT OF WAY THERETO AT THE BUNNAGEE SLUDGE TREATMENT CENTRE, LETTERKENNY

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

On the proposal of Clr. Larkin, seconded by, Clr. Mc Garvey, it was resolved to formally dispose of plot of land to the ESB on which a MV Electric Sub-Station is built and the granting of right of way thereto at the Bunnagee Sludge Treatment Centre, Letterkenny in accordance with the provisions of Section 211 of the Planning & Development Act, 2000 and Section 183 of the Local Government Act, 2001.

C/255/13 DISPOSAL OF PLOT OF LAND TO THE ESB ON WHICH A MV ELECTRIC SUB-STATION IS BUILT AND THE GRANTING OF RIGHT OF WAY THERETO AT THE MAGHERANAN WASTEWATER TREATMENT PLANT, LETTERKENNY

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

On the proposal of Clr. Larkin, seconded by, Clr. McGarvey, it was resolved to formally dispose of plot of land to the ESB on which a MV Electirc Sub-Station is built and the granting of right of way thereto at the Magheranan Wastewater Treatment Plant, Letterkenny in accordance with the provisions of Section 211 of the Planning & Development Act, 2000 and Section 183 of the Local Government Act, 2001.

C/256/13 APPROVAL OF THE EXCHANGE OF LAND AT LETTERKENNY STORM TREATMENT PLANT SITE AT BALLYRAINE IN ORDER TO CONSTRUCT AN ACCESS ROAD INTO THE STORM OVERFLOW TANK

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

On the proposal of Clr. Larkin, seconded by, Clr. McGarvey, it was resolved to formally approve to exchange land at the Letterkenny Storm Treatment Plant Site, Ballyraine in order to construct an access road into the storm overflow tank in accordance with the provisions of Section 211 of the Planning & Development Act, 2000 and Section 183 of the Local Government Act, 2001.

C/257/13 ENDORSEMENT OF THE CONFIRMED MINUTES OF MEETING OF INISHOWEN ELECTORAL AREA COMMITTEE HELD ON THE 15TH JANUARY, 2013

On the proposal of Clr. M. Doherty, seconded by, Clr. Canning, it was resolved to endorse the Confirmed Minutes of Meeting of Inishowen Electoral Area Committee held on the 15th January, 2013.

C/258/13 ENDORSEMENT OF THE CONFIRMED MINUTES OF MEETING OF LETTERKENNY ELECTORAL AREA COMMITTEE HELD ON THE 5TH MARCH, 2013

On the proposal of Clr. McGarvey, seconded by, Clr. M. McBride, it was resolved to endorse the Confirmed Minutes of Meeting of Letterkenny Electoral Area Committee held on the 5th March, 2013.

- C/259/13 ENDORSEMENT OF THE CONFIRMED MINUTES OF MEETING OF STRANORLAR ELECTORAL AREA COMMITTEE HELD ON THE 12TH MARCH, 2013
On the proposal of Clr. McGowan, seconded by, Clr. McBrearty, it was resolved to endorse the Confirmed Minutes of Meeting of Stranorlar Electoral Area Committee held on the 12th March, 2013.
- C/260/13 ENDORSEMENT OF THE CONFIRMED MINUTES OF MEETING OF DONEGAL ELECTORAL AREA COMMITTEE HELD ON THE 13TH MARCH, 2013
On the proposal of Clr. McEniff, seconded by, Clr. Byrne, it was resolved to endorse the Confirmed Minutes of Meeting of Donegal Electoral Area committee held on the 13th March , 2013.
- C/261/13 ENDORSEMENT OF THE CONFIRMED MINUTES OF SPECIAL MEETING OF STRANORLAR ELECTORAL AREA COMMITTEE HELD ON THE 21ST MARCH, 2013
On the proposal of Clr. McGowan, seconded by Clr. McBrearty, it was resolved to endorse the Confirmed Minutes of Special Meeting of Stranorlar Electoral Area Committee held on the 21st March, 2013.
- C/262/13 ENDORSEMENT OF THE CONFIRMED MINUTES OF MEETING OF INISHOWEN ELECTORAL AREA COMMITTEE HELD ON THE 28TH MARCH, 2013
On the proposal of Clr. Farren, seconded by, Clr. M. Doherty, it was resolved to endorse the Confirmed Minutes of Meeting of Inishowen Electoral Area Committee held on the 28th March, 2013.
- C/263/13 CONFERENCES
Having noted the revised arrangements under Section 142 5(d) of the Local Government Act, 2001, introduced by the Local Government (Expenses of Local Authority Members) Regulations 2006 and 2010 and directives issued by the Minister in that regard, on the proposal of Clr. M. Doherty, seconded by Clr. N. McBride, it was resolved to authorise any member, if he/she so wished, to attend the following conferences, subject to the normal procedures:-
1. Individual members not exceeding their annual budget for attendance at conferences.

2. Payment of expenses for attendance to be conditional on the member furnishing documentary evidence of attendance.
3. Submission of a Conference Report
 - BGSEminarz – Training Seminar The Development Plan and the Elected Member to be held from Friday 7th to Sunday 9th June, 2013 in the Clanree Hotel, Letterkenny.
 - Ace Training – European Legislation and Local Authorities to be held from Friday 7th to Sunday 9th June, 2013 at the Four Seasons Hotel, Carlingford, Co. Louth.
 - Tgr Seminars – Putting People First, Electoral Boundary Shake Up and Local Government Reform to be held Friday 14th and Saturday 15th June, 2013 at the Bunratty Castle Hotel, Bunratty, Co Clare.
 - The Institute of Professional Training – Preparing for new National and Regional Strategies to be held from Friday 14th to Sunday 16th June, 2013 at the Silver Tassie Hotel, Letterkenny.
 - To approve the attendance of Clr. Brogan as substitute nominee at the Annual General Meeting of IPBMI.

C/264/13 TO NOTE CONFERENCE REPORTS

On the proposal of Clr. Alcorn, seconded by, Clr. O'Domhnaill, the following conference report was noted:-

Clr Brendan Byrne

Tourism in Recessionary Times held Thursday 17th to Saturday 19th January, 2013 in Ennistymon, Co. Clare.

C/265/13 CONDEMNATION OF THE BEDS CLOSURES AT DUNGLOE COMMUNITY HOSPITAL

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

"That this Council condemn the HSEs decision to close 10 beds in Dungloe Community Hospital, and call on the Minister for Health James Reilly to invest in our local community hospitals, to enhance the service to the people in their local area which in turn benefits the running of the acute services."

Clr. Gallagher outlined in detail the necessity of retaining adequate service levels at Dungloe Community Hospital, an institution which, she noted, was held in high esteem throughout the west of the County. This was essential, she added, not only in terms of the

overall costs involved, but also for the general well being of the population in that area who remained geographically remote from the centralised service network. The current staff moratorium she, noted, was in reality costing money as overhead administration costs still had to be met.

Members whilst supportive of the motion expressed concern that the DCC Representatives on the Regional Health Forum West were not being kept adequately informed of service changes in Donegal. They asked that these concerns be relayed to the HSE West in the strongest possible terms.

They advised also of the need for general re-organisation within in the health service and an appraisal of current financial policies, as financial cuts to local services were clearly not the way forward.

There was unanimous support for the retention of all local community and general hospital services throughout the County.

The Mayor invited all of the Members of the Glenties Electoral Area to take participate in the debate.

They proceeded to outline the importance of maintaining bed numbers in Dungloe Community Hospital, given that over €500,000 had been spent to date on improving facilities at that location.

Responding to the suggestion that it was a temporary measure only, Clr. Gallagher said that the recruitment embargo was having a devastating effect and the inevitable result was the closure of more beds as staff were not being replaced. She thanked all who had supported the motion.

The Mayor advised that the DCC reps on the HSE Forum were committed to working as a team and fully supported the retention of services at Dungloe Community Hospital.

C/266/13

REMOVAL OF THE DEVELOPMENT CHARGE ON “ONE OFF HOUSES”

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

“In light of the Household Tax now being collected nationally that the Development Charges for “One Off Houses” be removed as a condition in the granting of Planning.”

Members were informed that:-

“The Development Contribution Scheme (DCS) that is applied to qualifying planning permissions is required by Government to be reviewed during 2013. This work will result in a new draft Development Contribution Scheme being presented to Members for their consideration.

The recent government guidelines (Jan 2013) set the context for the review, in particular highlighting the significant contribution towards employment creation where the DCS’s are seen as a key instrument in improving the competitiveness of local council areas. The DCS provides a critical resource to facilitate the funding of essential social and physical infrastructure. The need for a review in the current economic conditions, and to find a balance between funding infrastructure and promoting economic growth, is a key driver in the process with the reserved decision making function of elected Members in adopting a DCS being strongly supported.”

Clr. Canning advised that he had introduced the motion on the basis that many young couples were now finding it impossible to build in their own localities, given the excessive charges involved and the difficulties associated with sourcing finance in the first instance. This coupled with the introduction of the Household Charge, he noted, was decimating rural Ireland.

He suggested that the charge in question be spread over a five year period rather than the current three.

He called on the Planning SPC to initiate a review of same with particular emphasis being placed on the charges associated with wind energy, forestry projects etc.

Clr. Mc Gowan, said, he was of the opinion that the Department had written to Local Authorities advising of the need to review the Development Contribution Scheme. He enquired as to whether this had been done.

Clr. Farren took the Chair at this juncture for a brief period in the absence of the Mayor.

Members were in agreement that balance was needed and that given the complexity of the issues involved a complete review was warranted at this point in time. Acknowledging that DSC monies had been well spent over the years throughout the various Electoral Areas, they noted, that no decision could be made at this juncture without going through the vagaries of the full review process.

The Mayor returned to the Meeting.

The need to retain adequate fee levels for Holiday Homes was discussed together with the need for a proactive approach.

The need to take cognisance of ongoing developments in relation to Irish Water and the overall implications of same was also considered.

Calls were made for a 50% reduction in the fee for “One Off Housing” a move which members acknowledged would be of some benefit to the business and employment sector.

The Mayor welcomed a visiting group from the Youth Reach Project to the meeting.

Mr. Michael Heaney, Director Community Culture & Planning advised that it was intended to commence a review of the Development Contribution Scheme and to report back to Members in early autumn. All internal and external factors would, he confirmed, be taken on board, paying particular attention to the current economic conditions and the balance between funding infrastructure and stimulating the local economy.

The County Manager acknowledged the excellent level of debate which had taken place and the broad support for a reduction in DCS levies.

He noted that 28% of the local contribution to small capital schemes had been dependent on the DC levies, effectively providing a reliable co-funding base.

He said that he would be very concerned if a DCS was not in place as the Council would then lose its ability to attract capital monies.

He stressed again the fact that he would not like to rule out a water contribution levy in any future DCS Scheme.

Clr. O' Domhnaill in conclusion affirmed that failure to reduce the DCS would in the long-run lead to further emigration. On the proposal of Clr. O' Domhnaill, seconded by Clr. Mc Gowan it was resolved that discussions be initiated within the next three weeks with regard to the possibility of reducing the current level of DCS Charges. He was, he confirmed, not advocating doing away with the development charges but rather adopting a proactive approach to remove the existing anomalies.

C/267/13 SCHEDULE OF MEETINGS –THURSDAY 6th JUNE, 2013

On the proposal of Clr. O' Domhnaill, seconded by, Clr. Mc Gowan, it was resolved that the following Schedule of Meetings would be in operation on Thursday 6th June, 2013.

- *9.30am - 11.00am*
Planning Workshop – Development Contribution Scheme.
- *11.00am - 3.00pm*
Adjourned May Council Meeting.
- *3.00pm approx*
Planning Workshop - Unfinished Estates.

C/268/13 ADJOURNMENT FOR LUNCH

On the proposal of Clr. Alcorn, seconded by, Clr. Murray, it was resolved to adjourn the meeting for lunch until 2.15pm.

C/269/13 CONSTRUCTION OF A FOOTBRIDGE AT COCKHILL BRIDGE BUNCRANA

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

"While continuing to prioritise the new Cockhill Bridge as of huge importance to Inishowen and Donegal, this Council will pursue funding for a footbridge on the existing bridge as pedestrian safety is required there ongoing."

Members were informed:-

“Cockhill Bridge and the provision of a new Bridge at Cockhill has been a high priority project for the Inishowen Elected Members for a number of years now. The matter has been discussed at length at local Area Meetings.

The estimated cost of providing a new road bridge is outlined as follows:

- Design and supervision - €200,000
- Bridge works - €1.75m
- Approach roads - €1m.

This option is currently being designed and is being fully funded from Development Charges from the Inishowen Electoral Area.

The Design stage should be complete by June. At that stage, members in the Inishowen Area have agreed to consider identified sources of funding for the bridge and any interim measures such as the provision of an interim footbridge. It is highly unlikely that Department of Transport State Grants will be available to construct this bridge for the foreseeable future.

€26,000 has been set aside from collected Development Charges to fund works at Cockhill Bridge. €28,000 has been spent to date on the design with a further €138,000 committed for design and site works leaving a balance of €60,000 available to co-fund alternative or interim options at this location. Should an interim/alternative option, agreed by the local members, consist of a footbridge, it is likely to cost €150,000 (inclusive of design) and will take two years to complete (including for design, planning, tendering and construction). This option will require the balance of funding in the order of €90,000 to be identified.”

Clr. Murray informed the meeting that this issue had become a standing item on the Inishowen Electoral Area agenda, as the bridge at Cockhill was now entirely unsuitable for lorries/wide vehicles and extremely unsafe for pedestrian use.

He said that whilst it was important not to jeopardise the chances of getting a new bridge the situation was now so serious as to warrant the introduction of a footbridge on the basis of health and safety issues.

Clr. Donaghey advised that back in 2009 when a section of the bridge had collapsed, a local contractor had come forward with innovative plans for the development of a footbridge. This offer, she advised, was still on the table and the overall cost would not be much more than the €60,000 mentioned.

Alluding to the fact that funds for the new bridge were to be allocated under the Specific Improvement Scheme, she noted, that all indications now seemed to be that there would be no grant monies available until well into 2016.

Clr. Mc Guinness said that this was one of the most important pieces of infrastructure in Inishowen and that concerted efforts had been made over the past 30 years to secure funding for the replacement of the bridge.

The Inishowen Electoral Area Members, he affirmed, would continue to push for a new bridge at Cockhill, but recognised at this point the need to progress the footbridge in the interest of public safety. He suggested that contact be made with the Department regarding the possibility of special grant aid for the project and that the NRA become involved with the aim of making this the No. 1 project in the County.

Mr. John Mc Laughlin, Director Roads & Transportation responding to Members queries, advised that no funding stream existed presently, to facilitate the erection of a new bridge at Cockhill.

Acknowledging that Members wished to pursue the matter of the footbridge, he advised that he was not entirely sure at this stage whether the request for a footbridge would hinder or help the existing goal. It was, he noted, reasonable at this stage to expect that the balance of monies for the footbridge could be sourced but that this was something which needed to be pursued at Electoral Area level following the closure of the design deadline in June 2013.

He agreed to reply to queries raised in relation to the recent flooding in the County and to provide an update where appropriate with regards payments made in respect of land acquisitions for the second bridge in Letterkenny.

Funding for the land acquisition in Letterkenny, had, he confirmed, been made available from a different funding source and the fact that Cockhill Bridge was not on a National Primary Route further reduced funding options.

Clr. Farren took the chair again for a brief period.

C/270/13 REQUEST TO HAVE MOBILE LITTER UNIT DEPLOYED DURING THE PERIOD OF THE TIDY TOWNS COMPETITION

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

“The Tidy Towns Competition is upon us, on that note, I would ask this Council if a unit could be deployed this month to remove any old “Estate Agent for Sale Signs” that are no longer in use.”

Members were informed that:-

“Where there are instances of ‘for sale’ signs that have availed of the exempted development provisions of the Act continuing to be erected after the property has been sold/let steps can be taken to require their removal under the enforcement provisions of the Planning & Development Act. In the case where there is unauthorised signage, the council has adopted a policy to remove and impound the signs and it is the council's intention to carry out a review of signage to ensure that it meets current compliance requirements.”

Clr. Canning called for the removal of old Estate Agents Signs and other illegal signage, given that many towns in the County were in the process of finalising their preparations for the Tidy Towns Competition. He noted also the abundance of protest signage and called on the campaign groups involved to remove the signage at least for the duration of the competition.

Members cited the need for common sense approach in dealing with the abundance of signage currently located on the approach roads into towns and villages across the county.

Clr. Larkin outlined the need to set a proactive mindset given that the general consensus favoured the erection of some element of signage. He advised of the need to revisit the existing legislation

together with the pursuit of active enforcement and regulation measures. He said it was imperative that documentation was issued outlining the correct methodology for erecting signage. The need for universal type signage at the entrances to towns and villages was also acknowledged. The public, he noted, needed to be given alternatives and every effort made to encourage business sponsorship so as to protect and enhance the environment.

The Mayor returned to the meeting at this juncture.

The County Manager confirmed that the Council had an adopted policy in relation to signage at roundabouts. This, he added, had been initiated a number of years ago by the Roads and Transportation SPC. He acknowledged that the policy in question could accommodate many of the tasks mentioned by providing the balance needed to deal with the proliferation of signs. He could, he advised, see value in adopting a structured approach, but noted that public notice would have to be given in advance regarding the removal of unauthorised signage.

Clr. Farren took the Chair again for a brief period.

The Mayor on his return endorsed the need for a balance approach to the problem.

Clr. Canning concluding the debate acknowledged that many of the estate agents in question had now gone out of business. He advised that the most effective approach would be to allow each Electoral Area deal collectively with the removal of signage in their localities.

C/271/13 MOTIONS UNDER URGENT BUSINESS

Motion No. 1

A request signed by Clrs. Mc Gowan, Larkin, Donaghey, M. Doherty, Ryan, Mc Brearty, M. Mc Bride, P. Doherty, Campbell, Mc Garvey, Canning, Slowey, Farren, Gallagher, Murray and O' Domhnaill to have the following motion discussed as urgent business, in accordance with Standing Order No 28 was read into the record by the Mayor:-

“That this Council support the call from a mother of a child with severe special needs to stand up against the proposed closure to Special Needs Pre-Schools across County Donegal.

It was unanimously agreed to consider same prior to the close of business.

Motion No. 2

A request signed by Clrs. Murray, Larkin, O' Domhnaill, Mc Gowan, Donaghey, Alcorn, Brogan, Harvey, Gallagher, Campbell and M. Mc Bride, to have the following motion discussed as urgent business, in accordance with Standing Order No 28 was read into the record by the Mayor:-

“In reaffirming its support for the Irish Peace Process and for continued peaceful engagement between Ireland and Britain, this Council resolves to write to Theresa Villiers, British Secretary of State for the North of Ireland, calling on her to act upon the British Government’s commitments from the Good Friday Agreement and Weston Park Agreement, and allow John Downey to return to his family. This Council will also write to Irish Minister for Foreign Affairs, Eamon Gilmore, calling for him to continue to work to ensure that all signatories of the Good Friday Agreement live up to their commitments”

It was unanimously agreed to consider same prior to the close of business.

C/272/13 ADJOURNMENT OF MEETING

On the proposal of Clr. Donaghey, seconded by, Clr. M. Doherty it was resolved to break for a fifteen minute recess.

C/273/13 PROVISION OF VARIATION WITHIN THE NEW DONEGAL DEVELOPMENT PLAN 2012 – 2018 TO INCLUDE “PERSONS OWNING THE LAND” AS A CONSIDERATION FOR PLANNING PERMISSION

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

"That a variation of the new Donegal Development Plan 2012 - 2018 be put in place to include the provision of "persons owning the land" to allow people in Urban Generated Areas to be considered for Planning Permission as was the case in the previous Donegal Development Plan."

Members were informed that:-

“The development plan policy on rural housing has focused on ensuring that every appropriate and sustainable option is available to rural people to continue to live in their own area and to contribute to community life. This principle is consistent with the Sustainable Rural Housing Guidelines for Planning Authorities (2005) and thus compliant with legislation (which requires consistency with Ministerial Guidelines).

The Sustainable Rural Housing Guidelines provide the framework for policy development in respect of the management of rural housing based upon the demographic, social and physical characteristics of the county. This enables policy to be tailored to meet the genuine rural generated housing needs for the people of Donegal rather than demand related issues, such as urban generated pressures.

The combined demographic social and physical assessment of rural area has enabled the identification of rural areas through the development plan making process as:

- Structurally Weak Rural Areas
- Stronger Rural Areas and
- Areas Under Strong Urban Influence

The policies of the Plan seeks to ensure that the type and scale of residential development in rural areas is provided at appropriate locations and in a manner that will sustain rural communities without having a negative impact upon key economic, environmental, natural and cultural heritage assets of rural areas. It also seeks to manage pressure for overspill from urban areas in the rural areas close to the main towns and the city of Derry, which are defined as ‘Areas Under Strong Urban Influence’.

In general, within areas defined as ‘Structurally Weak Rural Areas’ the policy facilitates both urban and rural generated rural housing as these areas have experienced a weakening population over the period 2006- 2011. Within ‘Stronger Rural Areas’ one-off rural generated housing is facilitated. Within ‘Areas Under Strong Urban Influence’ it is necessary to manage the extent of development whilst facilitating those with genuine “rural generated housing need”. The development plan confirms that those individuals who can provide evidence that they, or their parents, have resided in

areas defined as ‘Areas Under Strong Urban Influence’ for a period of at least 7 years will be considered to have demonstrated that they have a “rural generated housing need” and this policy is consistent with the corresponding policy in the previous plan; The previous plan did not consider that the ownership of land would be a consideration in ‘Areas under Strong Urban Influence’ (formerly referenced as ‘Urban Generated Rural Housing’ in the County Development Plan 2006-2012.)

Thus the policies of the plan are consistent with Ministerial guidelines and are tailored to provide for people from Donegal that are intrinsically linked to the rural area in which they wish to build. The Persons that do not fulfil the policy provisions can avail of the option to purchase an established rural dwelling.

A report on the performance of the County Development Plan will be brought to Members by mid next year and that would be an appropriate platform for consideration of potential amendments to the County Development Plan in a more comprehensive manner and thus will enable the ongoing programme of policy making to proceed more efficiently. The SPC monitors progress in respect of this programme of work and an update is being brought to the forthcoming SPC meeting next month.”

Clr. Donaghey outlined the particular difficulties she had encountered in relation to the removal of the “owning of land clause” from the new County Development Plan. It was, she advised, never the intention of the Members to remove this clause, and thus called for it to be reinstated post haste.

It was acknowledged that families who might have had land in their possession for a long number of years were being prevented from building on their own land simply because of the two DED rule. They were generally agreed that 7 years was an acceptable period of time in which to demonstrate a legitimate connection to a specific area and that it had been a step too far to remove the “ownership clause”.

Mr. Michael Heaney, Director Community, Culture and Planning, confirmed, that it was intended to go back to the Planning SPC with this and other issues.

Welcoming this gesture, Clr. Donaghey said that she would like to see the matter further discussed and the clause amended to include “owning the land for seven years”.

C/274/13 CALL FOR FUNDING TO BE SOUGHT TO CARRY OUT A FOLLOWUP SURVEY/REPORT OF THE BEACHES THAT WERE THE SUBJECT OF THE “LIFE PROJECT” IN 1997

On the proposal of Clr. McGuinness, seconded by, Clr. Harley the following motion was adopted:-

"That this council seek funding to carry out a follow-up report/survey of the Beaches that were the subject of the "Life Project" in 1997."

Members were informed that:-

“Potential funding sources for this work will be examined with a view towards establishing what sources might be available to carry out this work. If funds are available a work programme can be prepared and implemented.”

Clr. Farren took the Chair again for a brief period.

Clr. Mc Guinness noted that when the original survey had been carried out there was no record as to what the beaches looked like prior to the commencement of the project. There were, he advised, serious problems with erosion on the beaches at Culdaff and the Five Finger Strand. It was imperative, he affirmed, that a baseline was established for dealing with such problems and that there was active engagement with the University of Ulster, Coleraine who had carried out the original survey.

He expressed concern also that little was being done to monitor the movement of sand dunes and called for a survey to be carried out to determine same. There was, he noted, an obligation on the Local Authority to make the public aware of any risks involved, and to erect warning signage where appropriate.

Members asked for further clarity in relation to the Council’s overall responsibility, acknowledging that Donegal County Council had responsibility from the high water mark up.

They asked that an update be provided regarding the reclamation works carried out at Maghery, Dungloe.

Mr. Michael Heaney, Director Community, Culture and Planning advised that the information relating to the 1997 Project could be gathered and assessed thus creating an effective model of practice to build on. The EU Unit of the Council would, he added pursue possible funding options through the “Life Plus Project”

The County Manager advised that he would be happy for a review to be carried out. He informed the meeting that Donegal County Council as a Planning Authority was responsible for regulating activities on parts of the beach, while the Environment Section also had responsibilities for certain aspects. He noted also that those using the beach had a duty of care to protect the amenities and also take cognisance of the potential dangers involved.

There were, he confirmed, plans at national level to give Local Authorities a more comprehensive capacity for dealing with marine resources.

Thanking Members for their support Clr. Mc Guinness referred to the excellent marine facilities available in Donegal and the excellent work that had been done to achieve blue flag status for 13 beaches across the County.

He reiterated the need for a policy in relation to the management of sand dunes and asked that contact be made with the Coastal Marine and Rescue Service on the whole issue of coastal erosion.

It was imperative, he added, that one directorate took responsibility for all aspects of beach management so that the public knew exactly whom they should contact in order to flag and report any potential dangers.

C/275/13 VARIATION IN THE ORDER OF BUSINESS

It was agreed to vary the order of business and deal with Item No. 9 at this juncture.

C/276/13 IMPLEMENTATION OF THE RECOMMENDATIONS IN THE “MCLOUGHLIN REPORT” TO IMPROVE OPPORTUNITIES FOR LOCAL BUSINESS IN MAKING SUBMISSIONS UNDER

THE PROCUREMENT REGULATIONS MORE USER FRIENDLY

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

"That this Council implement the recommendations in the "McLoughlin Report" to improve the opportunities for local business in making submissions under the procurement regulations more user friendly."

Members were informed that:-

“The “McLoughlin Report”, otherwise known as The Report of the Local Government Efficiency Review Group, was published in July 2010. The Group, established in December 2009 by then Minister for Environment, Heritage and Local Government, John Gormley T.D., was tasked with reviewing the cost base, expenditure, and numbers employed in local authorities. Mr. Pat McLoughlin was the Chairperson.

Section 9 of the report dealt with procurement. Amongst a range of issues covered, it discusses LAQuotes in some detail, being generally complimentary of the system but advocating some enhancements. It is in this context that the main references to local suppliers arise.

It is notable, however, that the report was written prior to LAQuotes being revamped in 2012, with the introduction of Framework Agreements and the rollout of the RFT (request for tender) and RFQ (request for quotation) online facilities.

Some of the Council’s major expenditure headings, including Plant Hire, Road Making Materials, Ready-mix Concrete and Water Treatment Chemicals are now the subject of Framework Agreements. The first three of these are of particular interest to local suppliers.

LAQuotes Frameworks cover a period of either one or two years. Kerry Co Co, as the lead local authority on behalf of the sector, advertises them nationally through eTenders in August/September for the following year(s). In addition, Donegal County Council places ads in local newspapers.

Interested suppliers are required to apply through LAQuotes.ie, filling in an online questionnaire. All those who are accepted into a Framework then get to compete through RFTs run by individual local authorities (for which they have expressed an interest), as needs arise. RFTs may cover either a specific one-off need or an aggregate need for a specified time period (e.g. annual).

Below area number of relevant extracts from Report.

9.4.5

Traditionally, suppliers had to submit paper-based quotations to each local authority. This system means that they can now submit a quotation to all participating councils online. They can also view, edit and delete quotations as well as copy information from the previous year's submissions. The service is free for suppliers and includes a number of online training tutorials.

9.4.8

These improvements, geared towards making the local government procurement process more user-friendly, are important in encouraging local suppliers to bid for public contracts – while there is an underlying principle that best value must be obtained in terms of economy, equally local authorities must enable local suppliers to participate in the tendering process.

9.4.9

The system also facilitates competitive tendering by being user-friendly and involving a wide range of potential suppliers.

Recommendations

9.7.1

The development and implementation of LA Quotes has put local government at the leading edge of procurement in the Irish public service.

9.7.2

Local suppliers be encouraged to participate in the tendering process – the underlying principle is clear that best value must be obtained in terms of economy, but equally local authorities must enable local suppliers to participate in the tendering process.

The 'McLoughlin Report' cannot be viewed in isolation when it comes to procurement. There are a range of other national initiatives having a complimentary impact:

1. Circular 10/10 Facilitating SME Participation in Public Procurement has as its raison d'être the encouragement of SME involvement in competing for public sector. Amongst other things, it...

- a) lowered the value threshold above which supply of goods and services contracts should be publicly tendered (down from €50,000 to €25,000),
- b) reduced the need for provision of supporting documentation at tender stage: a declaration of ability to provide the document is now sufficient, with submission of documentation only required from those in line to be awarded a contract.

These requirements are being observed by Donegal County Council.

2) There is a growing move to national contracts/frameworks for supply of goods and services, being led by the National Procurement Service (NPS). At this stage, there are over 20 such contracts/frameworks in place, not all of them particularly relevant to the local government sector, but many of them are. Usage of eight of them is now mandatory for public sector organisations, covering such areas as:

- Stationary and Office Supplies
- Paper
- Janitorial Supplies
- ICT Consumables
- Managed Print Services
- Advertising (Print Media)
- Energy (Electricity and Natural Gas)

Some of these don't have any impact on local suppliers as the market players are all national scale (e.g. electricity). Regarding advertising in the print media, ads are still placed in local papers, but are now channelled through an intermediary.

It is the Council's desire, where possible, to encourage participation by local businesses in the supply of goods and

services, but this has to be done within the constraints of EU Directives and national policies. As has recently been recommended by Clr. Larkin, efforts will be made with other public sector bodies to see how we can, collectively, collaborate to advise business' in the County on how best to engage with us in available procurement processes.

3) There is an emerging discussion on the establishment of structures to further rationalise procurement in the public services as a whole, with duplication being eliminated by singular approaches to procurement of categories of expenditure. This concept is at an early stage of its evolution but reflects a continuing drive to achieve efficiencies through the procurement process.”

Clr. Larkin welcomed the reply advising that it displayed a proactive approach to the procurement issue.

He proceeded to outline the need for co-operation with other organisations such as the VEC, including collaborating with and advising businesses in the County as to how they could best engage with the procurement process.

It was important, he added, that the tax payer got value for money and that local suppliers had every opportunity to be involved in the process.

Members supporting the motion highlighted the fact that Donegal County Council needed to get as much information out there as possible to allow small companies tender for public sector contracts.

Mr. Garry Martin, Head of Finance acknowledged the fact that all businesses in the County were customers of the Council and thus key stakeholders in the DCC income chain. It was important, he confirmed, that a balance was maintained for the benefit of all involved.

He welcomed Clr. Larkin's call for engagement with other statutory bodies and indicated that it would be possible to actively pursue same.

The Mayor returned to the meeting at this juncture.

C/277/13 MAPPING OF FISHING OPPORTUNITIES FOR LOCALS AND VISITORS ALIKE ON THE SEA, RIVERS AND LAKES IN DONEGAL

On the proposal of Clr. McGarvey, seconded by, Clr. M. Mc Bride, the following motion was adopted:-

"That Donegal County Council request a Map of the Fishing Opportunity for Locals and Visitors alike on the Sea, Rivers and Lakes in Donegal, mainly rod and line."

Members were informed that:-

"The Council Marine Leisure section had previously worked with NRFB now Inland Fisheries Ireland and the Angling clubs and product providers on the development of www.donegalangling.com website. This site provides both locals and visitors alike with information on angling waters both on land and at sea. The site is managed by Inland Fisheries Ireland promoting the angling assets of the County. The Council continues to work in close cooperation with Inland Fisheries on this."

Clr. Mc Garvey highlighted the need for active collaboration amongst all those involved with the fishing industry. The problem in Donegal, he noted, was that many rivers were closed and there were a wide range of organisations all with different vested interests in this type of activity.

It was acknowledged that the economic benefits accruing from rod fishing were considerable and that the whole aspect of deep sea fishing had not been adequately promoted in Donegal. There were calls also for many of the rivers in the County to revert to "Catch and Release status".

Members were of the opinion that any mapping process needed to involve active engagement with local angling groups/fishermen and ultimately result in the production of a map suitable for locals and tourists alike. It was noted also that provision existed for collaboration with Donegal Tourism, given that fishing was an all year round activity and not overly dependent on overall weather patterns.

Members advised that a wealth of local knowledge could be harnessed and utilised for the benefit of the overall tourism product, whilst also aiding decision makers with overall policy making.

Mr. Michael Heaney, Director Community, Culture and Planning said that the fishing sector was an important part of the overall tourism product and that the setting up of the Donegal Angling Holidays Website had served to market and highlight the excellent resources available.

He informed Members that Inland Fisheries Ireland would be invited to come into a Community, Culture and Enterprise Workshop to discuss the ongoing situation after which a report would be brought to the full Council.

C/278/13 CALL FOR THE SUSPENSION OF THE COLLECTION OF WATER RATES IN THE PARTS OF THE COUNTY WHERE WATER IS OF POOR QUALITY

On the proposal of Clr. Murray, seconded by, Clr. Gallagher, it was resolved to defer the motion outlined below, as submitted by Clr. Quinn to the Adjourned May Meeting on the 6th June, 2013:-

“That this Council suspends the collection of Water Rates in the parts of the County where water is of poor quality”.

C/279/13 INCLUSION OF FOINSE FOR PLANNING NOTICES TO FACILITATE GAELTACHT AND IRISH SPEAKING COMMUNITIES

On the proposal of Clr. N. McBride, seconded by, Clr. M. Doherty, the following motion was adopted:-

"That this Council include Foinse (Irish supplement in Irish Independent) for Planning Notices to facilitate Gaeltacht and Irish speaking communities."

Members were informed that:-

“The approved list of newspapers for public notices relating to planning applications is due to be examined as part of an annual review over the Summer. The publishers of Foinse have been asked to submit details of circulation etc., to facilitate this process.”

Clr. N. Mc Bride welcomed the reply and acknowledged confirmation from the Director Community, Culture & Planning that contact had been made with the publishers of Foinse.

C/280/13 MOTION UNDER URGENT BUSINESS- CLOSURE OF SPECIAL NEEDS PRE-SCHOOLS

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

“That this Council support the call from a mother of a child with severe special needs to stand up against the proposed closure to Special Needs Pre-Schools across County Donegal.

Clr. M. Mc Bride thanked the signatories of the motion, advising that he was making the appeal on behalf of a number of children throughout the County who would be severely disadvantaged by the closure of their Special Needs Pre-Schools.

He said that plans to integrate these children into main stream childcare were totally impractical given the level of care, and equipment needed to cater for their day to day needs.

Clr. Mc Bride noted that facilities in Inishowen had already closed and that there were plans to withdraw services in Donegal Town later in the year. He was, he advised, extremely concerned that the Letterkenny facility would suffer the same fate.

Clr. M. Doherty advised that he had been in contact with Minister for Children, Frances Fitzgerald T.D. in relation to the matter and was currently awaiting a reply. He said he was of the opinion that such plans were down to the HSE itself rather than any specific departmental directive.

There was unanimous support for the Motion and on the proposal of Clr. O’Neill, seconded by, Clr. Mc Garvey, it was recommended that the HSE be invited to the Adjourned Meeting on the 6th June to brief Members on the overall plan for Special Needs Pre-School education in the County. There were calls also for DCC Members on the Regional Health Forum West to extend such an invitation to HSE officials at the Forum Meeting on the 28th May, 2013.

The Mayor advised that this was indeed an equality issue and that there was an onus on all to protect the most vulnerable in society.

He confirmed that he would raise the matter with Minister for Children Frances Fitzgerald T.D. on her visit to the County later in the week for the SAM Conference.

Clr. M. Mc Bride thanked all who had supported the motion and called on all Councillors to do their utmost to help these children and their parents.

Thus on the proposal of Clr. M. Mc Bride, seconded by, Clr. M. Doherty the following motion was agreed:-

“That this Council support the call from a mother of a child with severe special needs to stand up against the proposed closure to Special Needs Pre-Schools across County Donegal.

C/281/13 REQUEST THAT JOHN DOWNEY BE ALLOWED TO RETURN HOME TO HIS FAMILY

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

“In reaffirming its support for the Irish Peace Process and for continued peaceful engagement between Ireland and Britain, this Council resolves to write to Theresa Villiers, British Secretary of State for the North of Ireland, calling on her to act upon the British Government’s commitments from the Good Friday Agreement and Weston Park Agreement, and allow John Downey to return to his family. This Council will also write to Irish Minister for Foreign Affairs, Eamon Gilmore, calling for him to continue to work to ensure that all signatories of the Good Friday Agreement live up to their commitments”

Clr. Murray informed Members that John Downey had worked for a number of years as a peace worker and had engaged during that time with the loyalist community in Belfast. Mr Downey, he noted, had received correspondence from the Northern Ireland Office in 2007, on foot of the Good Friday Agreement, informing him that no British Police Force was looking for him or investigating him. He had, it was noted, travelled abroad on a number of occasions

and also obtained a visa to enter Canada until his arrest recently en route to a family holiday in Greece.

This situation, he affirmed, was not helpful to the peace process.

A number of Members outlined their support for the motion advising that there was an issue of equality and a breach of human rights here on the basis that Mr. Downey had received clear confirmation of his status from the NIO.

The Mayor reiterated the fact that 94% of the population of the Republic of Ireland and 71 % of the Population in Northern Ireland had voted for the peace process. It was essential, he added, that the peace process remained intact and that this issue was satisfactorily resolved.

Thus on the proposal of Clr. Murray, seconded by, Clr. O' Domhnaill the following motion was agreed:-

“In reaffirming its support for the Irish Peace Process and for continued peaceful engagement between Ireland and Britain, this Council resolves to write to Theresa Villiers, British Secretary of State for the North of Ireland, calling on her to act upon the British Government's commitments from the Good Friday Agreement and Weston Park Agreement, and allow John Downey to return home to his family. This Council will also write to Irish Minister for Foreign Affairs, Eamon Gilmore, calling for him to continue to work to ensure that all signatories of the Good Friday Agreement live up to their commitments”

Clr. Murray thanked Members for their support advising that it sent a positive message to all concerned that every effort needed to be made to maintain and strengthen the peace process.

C/282/ 13 MAYORS BUSINESS

Sport Aiding Mental Health Conference.

The Mayor reminded Members that there was still time to register for the above Conference scheduled to be held in Ballybofey on the 30th and 31st May. He confirmed that there would be national media interest with the John Murray Radio Show being broadcast from the event on Friday the 31st.

He thanked Clr. Cora Harvey for her help and participation on the Working Group.

Mayor's Charity Dance

It was noted that this would take place in Ballybofey on the evening of the 31st May, 2013.

Certified: _____
Mayor.

Date: _____