

COMHAIRLE CHONTAE DHUN NA nGALL

Oifig Riarthóir na gCruinnithe
Aras an Chontae
LEIFEAR
19 Bealtaine 2015

Beidh Cruinniú Comhairle Chontae Dhún na nGall ar siúl Dé Luain, 25 Bealtaine, 2015, 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 le seo.

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

Mise, le meas

Liam Mac a'Bhaird
Riarthóir Cruinnithe

DONEGAL COUNTY COUNCIL

Office of Meetings Administrator
County House
Lifford
19th May, 2015

NOTICE OF MEETING

A Meeting of Donegal County Council will be held on Monday 25th May, 2015, at **11.00 am 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

Liam Ward
Meetings Administrator

AGENDA

1. Confirmation of Minutes

- a) Confirmation of the Minutes of Meeting of Donegal County Council held on the 30th March, 2015.
- b) Confirmation of the Minutes of the Adjourned Meeting of Donegal County Council held on the 13th April, 2015.

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

- a) Notice under Section 211 of the Planning and Development Act 2000 (as amended) and under Section 183 of the Local Government Act 2001 – to dispose of land at Dooballagh, Letterkenny to Mr Jim and Mrs Claire Maguire.
- b) Notice under Section 211 of the Planning and Development Act 2000 (as amended) and under Section 183 of the Local Government Act 2001 – to dispose of land at Glebe, Letterkenny to Mr Vincent and Mrs Patricia O'Brien.
- c) Notice under Section 211 of the Planning and Development Act 2000 (as amended) and under Section 183 of the Local Government Act 2001 – to dispose of land at Tirhomin, Miford to Tonup Ltd.

3. Taking of decision pursuant to Planning & Development Act, 2000 (Part XI), and Planning & Development Regulations, 2001 (Part 8).

- a) To approve carrying out of construction work for the replacement of the existing twin span concrete deck bridge with multi span concrete culverts crossing the river at the existing Straths 2 Bridge in the townlands of Straths in the Inishowen Municipal District.
- b) To approve carrying out of construction work for the replacement of Millsessiagh Bridge, an existing but damaged single span masonry arch structure crossing an unnamed stream, with a single span concrete box culvert in the townlands of Millsessiagh and Birdstown in the Stranorlar Municipal District.
- c) To approve the carrying out of construction work for the replacement of Kintale Bridge, an existing single span masonry arch structure crossing a stream, with a single span concrete culvert in the townlands of Kintale, Kinnegar and Agahvannan Far in the Letterkenny Municipal District.
- d) To approve the carrying out of construction of access road improvements (Road Widening), extension of existing carpark,

toilet facilities, wastewater holding tank and utility services at “Banba’s Crown, Malin Head, Ardmalin, Ballygorman, Malin, Co Donegal.

4. Corporate

- a) To approve the Donegal County Council Corporate Plan 2015 – 2019.
- b) To fill casual vacancy on the Audit Committee arising from the resignation of Cllr Frank McBrearty.
- c) To adopt Higher Education Grants Scheme for the 2015/2016 academic year.
- d) To consider proposal to support Ireland West Airport Knock. (Presentation to be made on the day).
- e) To consider and adopt policy on Use of Simultaneous Irish – English Translation Services at Meetings of Donegal County Council.

Polasai maidir le hAteangaireacht Gaeilge go Bearla ag Cruinnithe den Comhairle Contae.

5. Finance

To approve actual gross expenditure figure of €143,067,526 on Table 4, Page 3 when compared to the revised budget of €145,140,066 (adopted budget as amended by net decreases in funding received for 2014) for all Divisions in accordance with Subsection 7 of Section 104 of the Local Government Act 2001, as amended.

6. Planning

- a) To consider the draft Variation No. 3 (Rural Housing) to the County Donegal Development Plan 2012-2018 (as varied) and that the Members, by resolution, propose to make the Variation so that the public consultation process can be formally commenced, subject to completion and outcome of screening in respect of Strategic Environment Assessment and Appropriate Assessment.
- b) To consider report on Policy and Procedures relating to the taking in charge of Housing Developments.

7. Presentation

To receive presentation from the North West Region Cross Border Group (12.00 noon) (To be circulated)

8. Endorsement of Minutes

- a) To endorse the Minutes of Meeting of Island Committee held on the 21st January, 2014.
- b) To endorse the Minutes of the Value for Money Committee Meeting held on the 5th March, 2014.
- c) To endorse the Minutes of the Value for Money Committee Meeting held on the 2nd October, 2014.
- d) To endorse the Minutes of the Value for Money Committee Meet held on the 22nd January, 2015.
- e) To note the Minutes of the Corporate Policy Group Meeting held on the 23rd March, 2015.

9. Authorisation of Attendance at Seminar, Training 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:-

Conferences:-

- Celtic Conferences – EU Support Programmes for Irish Regions to be held from Friday 5th to Sunday 7th June, 2015 at the Clonakilty Hotel, Co. Cork.
- Innovating Public Services in Challenging Times to be held Tuesday 9th and Wednesday 10th June, 2015 in Dublin Castle.
- Irish Innocence Project – First International Wrongful Conviction and Human Rights Conference Friday 26th June, 2015 at Griffith College Dublin.
- “The Courthouse” Restoration Conference to be held on Friday 29th May, 2015 at “The Courthouse” Oughterard, Co Galway.

Abroad:-

- Attendance at CPMR Events in Heraklion Crete from 11th - 13th June, 2015.

10. Conference Reports

Cllr James Pat McDaid

Governments Construction 2020 Strategy Local Government Housing Supply held Friday 6th and Saturday 7th February, 2015 in the Whites Hotel Wexford.

Cllr Terence Slowey

AILG Governance of Local Authorities Part 1 held Saturday 21st February, 2015 at the Arklow Bay Hotel, Wicklow.

Cllr Martin Harley

Co-operation Ireland "Regeneration Local Spaces Through Effective Community Planning." held Thursday 26th February, 2015 at Dublin Castle.

Cllr Martin Harley

A.I.L.G., Conference held Thursday 12th and Friday 13th March, 2015 at Nuremore Carrickmacross.

Cllr Ian McGarvey

Nottingham Visit from Monday 16th to Wednesday 18th March, 2015.

MOTIONS

GLENTIES MUNICIPAL DISTRICT

Corporate

11. Cllr Mac Giolla Easbuig

"Go dtacaíonn an Chomhairle seo le deireadh a chur le cuardach táireach lánchoirp a dhéanamh ar chimí polaitiúla poblachtánacha i Maigh gCabraí, agus go dtacaíonn an Chomhairle seo le Comhaontú Lúnasa 2010 a chur i bhfeidhm ina iomláine, comhaontú ar cuspóir leis réimeas príosúin nua-aimseartha a chruthú atá ag teacht go huile is go hiomlán leis na caighdeáin is airde cearta daonna"

"That this Council supports the ending of the degrading process of full-body searches of republican political prisoners held within Maghaberry Prison and for the full implementation of the August 2010 Agreement designed to create a modern prison regime that is fully compliant with the highest human rights standards"

Community and Enterprise

12. Cllr O'Fearraigh

"That this Council look at the overall funding for Theatres in Donegal, and across each Municipal District so that provision for funding can be included in the Annual Budget."

13. Cllr Bonner

"That Donegal County Council investigate if the Wild Atlantic Way be extended to include some roads omitted from Wild Atlantic Way e.g. Light House Road, Aranmore Island and Back Road at Kilcar."

INISHOWEN MUNICIPAL DISTRICT

Corporate

14. Cllr Albert Doherty

"Given the closure of many rural garda stations, that this Council, 1) discuss the application process for inclusion in the "Supplement to the Register", 2) advertise, promote and encourage inclusion in the supplement list by an Official of the Council in each of the Municipal District Councils, 3) urge the Dept of Environment and Minister to amend and or delete an applicant's need "to establish in writing that he/she is unable to progress the registration process in the presence of a member of the Garda Siochana."

Community and Enterprise

15. Cllr Murray

"As we approach the centenary of 1916 this Council resolves to erect a monument at the County House in memory of the participants of The Easter Rising and all those who gave their lives for Irish freedom."

16. Cllr McGuinness

"That the Council amend/vary the County Development Plan 2012/2018 to extend the Planning Boundary of Carndonagh to include the area serviced by sewerage schemes and the existing Housing Developments."

Roads and Transportation

17. Cllr Canning

"I would request that this Council directs its roads maintenance team throughout the County to allow one week in their calendar year to assist the countless volunteers that we have within our County that take part in our Tidy Towns Competition and help them to ensure that their town is looking its best for the adjudicators when they arrive."

Housing

18. Cllr McDermott

"That this Council would ensure that 30% of all social houses built or bought under the Social Housing Strategy 2020 will be located in rural areas and that this motion will be passed to all other Local Authorities."

LETTERKENNY

Planning and Economic Development

19. Cllr O'Donnell

"Calling on this Council to reduce development charges for first time home occupiers to €500 as the fee is just far too expensive at present for young people on top of the expense of building a house."

20.Cllr McDaid

"That this Council invite the IDA at the earliest opportunity to give a presentation in relation to their work in this County at present."

Corporate

21.Cllr Quinn

"Donegal County Council welcomes the wage increase awarded to Dunne's Stores workers but we believe that it is now time for all employers to guarantee their employees a minimum and liveable number of hours of employment."

22.Cllr Brogan

"I propose that this Council present quarterly reports to Elected Members on all capital projects and ongoing work programmes by each directorate."

23.Cllr Shiels

"That this Council calls on the Minister for Health to (1) undertake to upgrade the existing cancer care services at Letterkenny General Hospital and commit to immediately invest the necessary resources to develop a centre of excellence for cancer care at Letterkenny General Hospital with a view to ending for once and for all the intolerable cruelty being suffered by Donegal Patients in having to travel huge distances to Galway and Dublin for cancer care and (2) in the interim while Donegal patients may have to continue to travel long distances due to Government inaction, to provide substantial financial assistance to the Good and New Charity which provides a vital bus service for Donegal patients forced to travel long distances for cancer treatment, but which receives no financial assistance whatsoever to assist it in providing such service to Donegal Patients."

24.Cllr Blaney

"That Donegal County Council supports the Irish Deaf Society's call for Irish Sign Language to be recognised as an Official Language"

Finance

25.Cllr McGarvey

"That this Council discuss the loss to business in Donegal due to the Value for Money Policy."

26. Cllr McMonagle

"That this Council commences a root and branch review of all our public tendering policies so as to ensure that local rate payer's are not unfairly disadvantaged."

DONEGAL MUNICIPAL DISTRICT

Community and Enterprise

27. Cllr Kennedy

"That Donegal County Council together with Failte Ireland discuss the Wild Atlantic Way routes to further fund hedge cutting at scenic areas to create and maintain lay-bys for bus routes to follow on from the Wild Atlantic Way signage phase."

STRANORLAR MUNICIPAL DISTRICT

Corporate

28. Cllr Gary Doherty

"That this Council calls on the Health Service Executive to provide a time-frame on when the position for the paediatric outreach palliative care nurse will be filled in Letterkenny General Hospital and also calls for an outline from the HSE on what plans are in place for respite and 'end of care' care for under 18's in the County."

Water and Environment

29. Cllr Liam Doherty

"That this Council, recognising the need for improving the overall quality of the local public water supply, calls on Irish Water to initiate a county-wide programme of infrastructural upgrades in order to replace all lead piping which at present represents an expansive proportion of the existing overall network; and that this Council, as far as is permissible, further commits to the facilitation of such remediation works by assisting the utility with the identifying of areas of particular concern whereby current inadequacies in the network pose a potential risk to residents."

Housing

30. Cllr Crawford

"That this Council establish a county- wide criteria and standard in relation to house repairs and verification of same when works are completed."

Roads and Transportation

31. **Cllr McGowan**

"That a full design is carried out for replacement of bridges through the centre of the County in order to ease traffic congestion given the strategic importance of this route for the whole County."

32. **Cathaoirleach's Business**

33. **Chief Executive's Monthly Management Report**

QUESTIONS

GLENTIES MUNICIPAL DISTRICT

Corporate

34. **Cllr O'Fearraigh**

"Have the Council any plans to employ council staff on off shore islands in the future, when the recruitment embargo has dissolved, for the maintenance of roads, housing and the environment?"

Community and Enterprise

35. **Cllr MacGiolla Easbuig**

Le fiafraí de Chomhairle Contae Dhún na nGall cén teagmháil a bhí ag an Chomhairle le hAerfort Chnoc Mhuire agus an moladh gur chóir do na húdaráis áitiúla freagracht a ghlacadh i dtaca le fiacha an aerfoirt, agus ar thug Comhairle Contae Dhún na nGall aon tacaíocht airgid don aerfort san am atá thart, agus má thug, cá mhéad a bhí i gceist?

"To ask Donegal County Council what contacts has the Council has with Knock Airport and the proposal that local authorities should take on the debt of the airport and whether Donegal County Council has supported the airport financially in the past and if so by how much?"

INISHOWEN MUNICIPAL DISTRICT

Housing

36. **Cllr Albert Doherty**

Mica/Defective Blocks

"What Council housing stock has been tested to date and what are the Council findings?"

37. Cllr Murray

"Can the Council outline the advice it was given from the Department of Environment, Community and Local Government with regard to the legality of the Section 140 I moved directing the Council not to pass tenants information to Irish Water?"

38. Cllr McDermott

"To ask the Council have any reports been done on the possible effects of mica on Council owned properties?"

39. Cllr McGuinness

"When do the Council intend to purchase houses in the County?"

Community and Enterprise

40. Cllr Albert Doherty

"When will work to establish Aires de Service points for Motor Homes in Carndonagh commence?"

Corporate

41. Cllr Murray

"Is the Council aware of any difference in pay among traffic wardens employed by the Council and those working in the County for a private company under a Council contract?"

Water and Environment

42. Cllr Canning

"Can this Council confirm what water supplies are receiving fluoridation in this county?"

43. Cllr Canning

"Can this Council confirm if there is any other treatment being put into the water?"

Roads and Transportation

44. Cllr McDermott

"To ask the Council have they access to any form of grants for damage to piers around the coast as a lot of piers need remedial works as soon as possible?"

45. Cllr McGuinness

"What is the current position regarding the provision of Public Lighting in the County?"

LETTERKENNY MUNICIPAL DISTRICT

Roads and Transportation

46. Clrr O'Donnell

"Why did we waste time with a workshop on the road gritting plan when nothing has being changed to the routes and nothing will be?"

47. Clrr McGarvey

"Is the A5 no longer a consideration and if when?"

Finance

48. Clrr Quinn

"What progress has been made by Donegal County Council regarding it's commitment to acquire an additional 1,000,000.00 Euro for a tourism project, as per the Budget negotiations?"

49. Clrr O'Donnell

"Is it possible for this Council to give some type of rate deduction to business who are stand alone in the county and not availing of public services e.g. sewer, paths, streetlights, proper mains water etc?"

Corporate

50. Clrr Quinn

"What actions have been initiated by Donegal County Council following the adoption of a Motion at our March Meeting seeking a Memorandum of Understanding with Derry and Strabane Council?"

51. Clrr Brogan

"Will this Council engage with the Court Service to discuss the future plans for the Court House in Letterkenny when the new one is built?"

52. Clrr Shiels

"How many contracts in excess of €10,000.00 have been awarded by Donegal County Council to tenderers in the last 10 years where the tender was not awarded to the tenderer submitting the lowest price and in relation to each such contract provide details of (1) the project involved (2) the price submitted by the lowest tenderer (3) the price submitted by the tenderer to whom the contract was awarded (4) the identity of the party to whom the tender was awarded and (5) what final monies were then actually paid to the party to whom the contract was actually awarded?"

Community and Enterprise

53. Cllr Brogan

"When will this Council hold its public workshops in each Electoral Area Office to discuss economic development and employment opportunities for Donegal as agreed by this Council?"

54. Cllr McGarvey

"When will a walking map be made available for all of Donegal with places visited and why?"

Planning Control

55. Cllr Shiels

"How many development bonds required to be put in place by planning permissions have been called in by Donegal County Council in the last 5 years and how much money has actually been received by the Council in respect of such bonds?"

STRANORLAR MUNICIPAL DISTRICT

Community and Enterprise

56. Cllr Gary Doherty

"Will this Council undertake to actively consult with all stakeholders and funding bodies to progress the proposed 'Greenway' running along the old railway track in the Finn Valley, from Strabane through Barnesmore Gap."

57. Cllr McGowan

"Please can a report be given on the Inter-Agency Local Area Teams which were established over ten years ago across the County, including the following:-

What is the outcome of this initiative and will there be any follow up to help support community groups across the County especially in light of the cut backs to Family Resource Centre and Community Development Projects?

The progress if any in developing Day Care Centres across the County in consultation with the HSE as per my motion submitted to the May 2013 Council Meeting?"

Corporate

58. Cllr Gary Doherty

"Will this Council undertake to train and inform staff of the need to respond to representations and queries submitted by Elected Members, as this is a vital facet of the democratic process?"

59. Cllr McGowan

"In relation to having a proper Citizens Information service across the County which is available in all the large population centres has there been any progress to date with having a CI Office opened in East Donegal (C/151/11 26th April 2011) and can a report be brought to the next Council meeting outlining the work of the CI service across the County and include the responses as to why the service is not equally accessible to the majority of Donegal Citizens because of locations, a opportunity also exists to attract additions MABS services according to recent Government announcements?"

Water and Environment

60. Cllr Liam Doherty

"How many old housing estates and towns in Donegal are getting their mains water supply feed through lead piping?"

61. **Motions from Other Councils/Bodies**

THE MUNICIPAL DISTRICT OF CARRICKMACROSS – CASTLEBLANEY

"That this Council calls on the Minister for Transport, Paschal Donohue TD, and our local Minister for Arts, Heritage and the Gaeltacht Heather Humphreys, TD to ensure that decisions regarding the removal of school bus services are not taken without a four week period of prior consultation with the Local Authority, local schools and Parents Associations. The four week consultation period will enable the Local Authority to undertake necessary road repairs considering we have now received our lowest amount of funding in the last twelve years."

OFFALY COUNTY COUNCIL

"At present Parking Fines issued by the Council's traffic wardens and subsequently not paid and which go to court and upheld the money accruing from those is retained by the state. Offaly County Council calls for a change to allow councils to benefit from this revenue as all the work and expense is borne by the Council."

BALLINA MUNICIPAL DISTRICT

"That Ballina Municipal District calls on the Minister for the Environment to take the necessary steps to restore Town Councils or alternatively to give the new Municipal District Councils the power to strike a rate and spend the money raised in each Municipal District in

that district, that this Notice of Motion is circulated to all Councils for their support.”

LIMERICK CITY AND COUNTY COUNCIL

“That, Limerick City and County Council call on the Ministers for Agriculture and Finance to reinstate the Early Retirement Scheme and Installation Grants for our Farming Communities.”

**MINUTES OF MAY MEETING OF DONEGAL COUNTY COUNCIL, HELD
IN THE COUNTY HOUSE, LIFFORD ON 25TH MAY, 2015**

C/211/15 **MEMBERS PRESENT**

Cllrs J Campbell (Cathaoirleach), L Blaney, E Bonner, C Brogan, P Canning, T Conaghan, G Crawford, N. Crossan, A Doherty, G Doherty, L Doherty, R Donaghey, M Farren, M T Gallagher, N Jordan, J Kavanagh, N Kennedy, M C Mac Giolla Easbuig, F Mc Brearty, M Mc Bride, J P Mc Daid, M McDermott, S McEniff, I Mc Garvey, P McGowan, B McGuinness, G McMonagle, J Murray, J O' Donnell, J S O'Fearraigh, B O'Neill, M Quinn, J Ryan, D Shiels, & T Slowey.

C/212/15 **OFFICIALS IN ATTENDANCE**

Mr Seamus Neely, Chief Executive, 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, Enterprise and Planning Development, Mr Eunan Quinn, A/Senior Planner, Mr Denis Kelly, Senior Executive Planner, Ms Colette Beattie, Assistant Planner, Mr Bartley Mc Glynn, Senior Executive Officer, Mr Richard Gibson, A/ Internal Auditor, Ms Anne Marie Conlon, Communications Officer, Mr Sean O' Daimhin, Oifigeach na Gaeilge, Ms Anne Marie Crawford, Staff Officer, Corporate Services.

C/213/15 **APOLOGIES**

Apologies were received from Cllr Harley who was unable to attend the meeting.

C/214/15 **CONFIRMATION OF THE MINUTES OF THE MARCH MEETING OF DONEGAL COUNTY COUNCIL HELD ON THE 30TH MARCH 2015**

On the proposal of Cllr Albert Doherty, seconded by, Cllr McGarvey the minutes of the March Meeting of Donegal County Council held on the 30th March, 2015 were approved.

C/215/15 **CONFIRMATION OF THE MINUTES OF THE ADJOURNED MARCH MEETING OF DONEGAL COUNTY COUNCIL ON THE 13TH APRIL 2015**

On the proposal of Cllr Kennedy, seconded by, Cllr Crossan, the minutes of the Adjourned March Meeting of Donegal County Council held on the 13th April, 2015 were approved.

Cllr Quinn alluded to Minute C/167/15 and said he was unhappy with the record. He said that Cllr Crossan had on the morning after the meeting made it clear that he had not seconded any opposing motion. He thus queried the validity of the vote taken on the day given that no valid counter proposal had been before the meeting.

Mr Liam Ward, Meetings Administrator said that the issue at hand was the accuracy of the minutes and whether Members were in agreement with the record as presented.

Cllr Ryan said, that he had on the day, declared his opposition to the motion but had not proposed any change or amendment. Cllr Crossan, he said, had supported his opposition to the motion.

The Cathaoirleach reminded Members that under Standing Order 32 there was provision for two Members to put forward opposing arguments. A vote, he said, had been taken on that basis as there was no need for a valid counter proposal and the matter was concluded as a result. He was, he said, satisfied in relation to the accuracy of the minute.

Cllr Quinn said he was simply querying whether or not opposition to the motion had been proposed by Cllr Ryan and seconded by Cllr Crossan.

Responding the Cathaoirleach said that in his opinion it was permissible under Standing Orders to speak in opposition to any given motion without formally proposing or seconding same.

Cllr Mc Brearty disputed this and said that that he was of the belief that there needed to be a formal counter proposal in place before persons opposing the motion could speak.

The Cathaoirleach proceeded to read into the record Standing Order 32 as follows:-

“Where a motion has been duly proposed and seconded, the Cathaoirleach shall ascertain if any member proposes to oppose the motion;

Where no member proposes to oppose the motion, the Executive will be given an opportunity to respond to the motion if appropriate and the motion will then be put to the floor. The Cathaoirleach shall allow the proposer of the motion an opportunity to sum up.

Where there is opposition, the Cathaoirleach shall allow two members to put the opposing arguments. The Executive will be given an opportunity to respond to the motion if appropriate and the motion shall be put to the floor and then a vote shall be taken. On determination of the vote, the Cathaoirleach shall allow the proposer of the motion an opportunity to sum up”.

It was clear, he said, that the Members in question had spoken in opposition to the motion and that a vote had taken place as outlined above.

Cllr Quinn said that he could appreciate what was being said, but was very clear that Cllr Crossan had in a public forum the following day confirmed that he had not seconded any counter the motion.

Cllr Crossan in response confirmed that he had actively supported the comments by Cllr Ryan but was quite clear that that there had never been a counter-motion to second.

C/216/15 DISPOSAL OF LAND AT DOOBALLAGH, LETTERKENNY TO MR JIM AND MRS CLAIRE MAGUIRE

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

On the proposal of Cllr Brogan, seconded by, Cllr Kavanagh, it was resolved to formally dispose of land at Dooballagh, Letterkenny to Mr Jim and Mrs Claire Maguire in accordance with the provisions of Section 211 of the Planning & Development Act, 2000 (as amended) and Section 183 of the Local Government Act, 2001.

C/217/15 DISPOSAL OF LAND AT GLEBE, LETTERKENNY TO MR VINCENT AND MRS PATRICIA O'BRIEN

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

On the proposal of Cllr McMonagle, seconded by, Cllr Kavanagh, it was resolved to formally dispose of land at Glebe, Letterkenny, to Mr Vincent and Mrs Patricia O'Brien in accordance with the provisions of Section 211 of the Planning & Development Act, 2000 (as amended) and Section 183 of the Local Government Act, 2001.

C/218/15 DISPOSAL OF LAND AT TIRHOMIN, MILFORD TO TONUP LTD

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

On the proposal of Cllr Blaney, seconded by, Cllr McBride, it was resolved to formally dispose of land at Tirhomin, Milford to Tonup Ltd in accordance with the provisions of Section 211 of the Planning & Development Act, 2000 (as amended) and Section 183 of the Local Government Act, 2001.

C/219/15 TAKING OF A DECISION WITH REGARD TO THE CARRYING OUT OF CONSTRUCTION WORK FOR THE REPLACEMENT OF THE EXISTING STRATHS 2 BRIDGE IN THE TOWNLANDS OF STRATHS IN THE INISHOWEN MUNICIPAL DISTRICT

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

On the proposal, of Cllr Alberty Doherty, seconded by, Cllr Donaghey, the carrying out of works under Part XI of the Planning & Development Act, 2000 (as amended) and Part 8 of the Planning & Development Regulations 2001(as amended) with regard to the carrying out of construction work for the replacement of the existing twin span concrete deck bridge with multi span concrete culverts crossing the river at the existing Straths 2 Bridge in the townlands of Straths in the Inishowen Municipal District, was approved.

C/220/15 TAKING OF A DECISION WITH REGARD TO THE CARRYING OUT OF CONSTRUCTION WORK FOR THE REPLACEMENT OF MILSESSIAGH BRIDGE IN THE TOWNLANDS OF MILSESSIAGH AND BIRDSTOWN IN THE STRANORLAR MUNICIPAL DISTRICT

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

On the proposal, of Cllr Crawford, seconded by, Cllr Canning, the carrying out of works under Part XI of the Planning & Development Act, 2000 (as amended) and Part 8 of the Planning & Development Regulations 2001(as amended) with regard to the carrying of construction work for the replacement of Millsessiagh Bridge, an existing but damaged single span masonry arch structure crossing an unnamed stream, with a single span concrete box culvert in the townlands of Millsessiagh and Birdstown in the Stranorlar Municipal District, was approved.

C/221/15 TAKING OF A DECISION WITH REGARD TO THE CARRYING OUT OF CONSTRUCTION WORK FOR THE REPLACEMENT OF KINTALE BRIDGE IN THE TOWNLANDS OF KINTALE, KINNEGAR AND AGAHVANNAN FAR IN THE LETTERKENNY MUNICIPAL DISTRICT

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

On the proposal, of Cllr McGowan, seconded by, Cllr McBrearty, the carrying out of works under Part XI of the Planning & Development Act, 2000 (as amended) and Part 8 of the Planning & Development Regulations 2001(as amended) with regard to the carrying of construction work for the replacement of of Kintale Bridge, an existing single span masonry arch structure crossing a stream, with a single span concrete culvert in the townlands of Kintale, Kinnegar and Agahvannan Far in the Letterkenny Municipal District, was approved.

C/222/15 TAKING OF A DECISION WITH REGARD TO THE CARRYING OUT OF CONSTRUCTION WORK FOR THE CONSTRUCTION OF ACCESS ROAD IMPROVEMENTS (ROAD WIDENING) EXTENSION OF EXISTING CARPARK, TOILET FACILITIES, WASTEWATER HOLDING TANK AND UTILITY SERVICES AT "BANBA'S CROWN" MALIN HEAD, ARDMALIN, BALLYGORMAN, MALIN, CO DONEGAL

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

On the proposal, of Cllr Albert Doherty, seconded by, Cllr Donaghey, the carrying out of works under Part XI of the Planning & Development Act, 2000 (as amended) and Part 8 of the Planning & Development Regulations 2001(as amended) with regard to the carrying out of construction of access road improvements (Road Widening), extension of existing carpark, toilet facilities, wastewater holding tank and utility services at “Banba’s Crown, Malin Head, Ardmalin, Ballygorman, Malin, Co Donegal.

C/223/15 TO APPROVE THE DONEGAL COUNTY COUNCIL CORPORATE PLAN 2015 – 2019

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

Mr Garry Martin, Head of Finance, Director Information & Emergency Services informed Members that they were being asked to approve the Donegal County Council Corporate Plan 2015-2019, with or without amendments in accordance with Section 134 of the Local Government Act 2001 (as amended).

He alluded to the extensive preparatory work that had been carried out to date and the overall linkages to the Annual Revenue and Capital Budgets, the Service Development Plans, the PMDS System, Annual Financial Statement etc. Reference was made also to the public consultation process and the fact that there had also been considerable engagement with the Corporate Policy Group, the various SPCs and the Cross Directorate Working Group. It was noted that there had been wider community engagement through the PPN Network, the Youth Council etc and that over 70 written submissions had been received as a result of this overall engagement process.

He drew attention to the key strategic objectives of the plan and the supporting strategies associated with same.

In conclusion, he acknowledged, the valuable input from Ms Anne Marie Conlon, Communications Officer and Mr Brian Boyle, Chair of the Cross Directorate Working Group.

A lengthy debate ensued with Members raising a number of issues including:-

- The fact that a considerable number of issues raised during the workshop process did not appear to have filtered into the plan itself. These included traffic management issues in Ballybofey/ Stranorlar and the many difficulties facing those who lived along the border in east Donegal.
- No specific reference made to the Gateway Project or definitive proposals for some of the smaller towns in the County.
- Utilisation of tourism resources such as lakes and rivers not sufficiently provided for. Noted that river and sea fishing warranted additional promotion.
- Disability access issues needed to be addressed at County level. Concern expressed that the Disability Strategy Committee had not met since the formation of the new Council.
- Call for greater emphasis on rural development and maintaining these indigenous communities.
- Initiatives required to promote and strengthen small/medium sized business enterprises.
- Housing for the Elderly deemed to be of particular importance.
- Concern expressed that no specific targets had been identified within the document.

Cllr Crawford said he was of the opinion that there had not been sufficient discussion with regards to many of the issues highlighted and thus proposed that consideration be deferred to allow for more in depth consideration. This was seconded by Cllr Mc Brearty.

Cllr Gallagher supported this proposal. She said that the plan itself was overall an excellent document covering but that many aspects required more comprehensive consideration. She expressed concern that there had been no movement as yet on Local Area Plans for Dungloe and Killybegs.

Responding, Mr Martin said that the plan was a strategic document and not intended to be specific with regard to individual projects. Many of the issues raised, he confirmed, would be dealt with through the medium of the Service Delivery Plans particularly items such as disability access.

It was acknowledged that there were specific deadlines involved and that a six month extension had already been availed of. He

reminded Members of the fact that the plan would be adopted by default after two months if not formally approved.

Issues raised by Members, he advised, could be incorporated into the plan and that there would be an opportunity to review specific interests. Approval of the plan today, he advised, would not limit the overall capacity going forward.

Cllr Crawford acknowledging the importance of the document said it was imperative that it was not tied to time as issues such as housing warranted careful consideration going forward.

The Chief Executive addressing Members said that the document was not intended to be the receptacle that held all of Donegal County Council's strategies but could be taken as a general statement of the authority's purpose and intent thus becoming in effect the Council's broad corporate statement.

Members agreed to defer the item at this juncture in order to receive a presentation from the North West Region Cross Border Group.

At this juncture Members welcomed a group of trainees from the TOBAR Training Centre in Gweedore to the meeting.

C/224/15 RECEPTION OF PRESENTATION FROM THE NORTH WEST REGION CROSS BORDER GROUP

Cllr Crossan took the chair for the duration of the presentation.

He welcomed Ms Carol Margey, Manager and Ms Maureen Doherty, Acting Manager North West Region Cross-Border Group to the meeting.

Ms Doherty informed Members that it had been agreed by all of the Elected Members on the NWRCBG that a presentation would be made to all representative Councils outlining the progress and work of the group to date. It had been, she said, established in 1975 incorporating like minded Members from Derry City, Strabane District and Donegal County Council with a view to promoting the North West and highlighting the needs of the region. These bodies were later joined by Limavady and Magherafelt Councils.

As a implementing body for INTERREG 111A (2000-2006) the group, she said, had helped deliver circa €20 million in successful

projects and was currently implementing €23 million in projects funded through the INTERREG IVA Programme. Donegal, she added as the only ROI partner benefitted from all of the Groups projects.

With the review of Public Administration in Northern Ireland it was acknowledged that a new focus was required and that funding for the Secretariat and the Programme of Work would no longer be provided by the INTERREGG Programme.

It was noted that a Strategy Day had been held in July 2013 to identify the actions required in order to be RPA ready and that a comprehensive consultation exercise had been undertaken in January 2014 with the Member Councils concerned. It had thus been agreed that Limavady and Magherafelt would become associate members until 1st April 2015, and that following that the Group would consist of Derry City & Strabane District Council and Donegal County Council.

This 11 Member Committee it was noted consisted of 6 Elected Members from Donegal County Council and 5 Elected Members from Derry City and Strabane District Council. An Advisory Group encompassing the CEOs of the two Councils and the NWRCBG Manager would, it was confirmed, act as an advisory body to the Group.

Going forward, Members were informed that there would be a renewed focus on promoting cross-border economic development for the benefit of all the people of the cross-border region. Three priority areas of work were identified including:-

- Funding to ensure regional strategic policy development and the implementation of such projects involving circa €22 million in INTERREG funding.
- Promotion of regional development in line with European Cohesion and Spatial Planning Policy.
- Lobbying at national and European level to promote and develop the North West regions.

Ms Doherty called on those present to note that the NWRCBG was not a limited Company, was staffed by Council Staff and did not receive any subscriptions. With regard to funding and future issues

it had been agreed in principle, she said, that changes needed to be undertaken. To this end, she confirmed that the ICLRD had been employed to look at such arrangements, and that a response was currently awaited.

An overview of projects currently in hand was provided and Members updated in relation to the success of the Northwest Regional Science Park encompassing innovations undertaken at the Fort George Site in Derry and the LYIT campus in Letterkenny.

A detailed insight was also provided in respect of the following:-

- Urban and Village Renewal Project
- SPACEial NW Project
- Ren Net Business Network
- Northwest Healthy Living Project
- NorthWest Construction Network Programme
- Inch & Foyle Wildlife Project

Concluding the presentation Ms Doherty highlighted the various initiatives undertaken by the Group to date to enhance and promote regional development, and confirmed that extensive monthly lobbying had become an integral part of the organisations activity.

It was intended, she added, that the CEOs of both Councils would continue to work together regarding the future role and structure of the NWRCBG and that the Group including the Secretariat would strive to implement priority actions and work with the Councils concerned to implement new arrangements when agreement is reached.

Cllr Paul Canning , speaking as current chair of the NWRCBG welcomed the presentation and said that it highlighted the extensive level of cross-border activity that existed in the region. The various funding initiatives outlined, he said, spoke for themselves and would ensure a better and brighter future for the North West region.

Members welcomed the informative and comprehensive presentation commending all involved in the successful implementation of the various cross-border initiatives.

A lengthy debate ensued and a variety of issues were noted including;-

- That there was potential for collaboration in relation to Greenway Projects.
- ICBAN and the NWRCBG needed to work together more closely.
- Support outlined for the various business initiatives undertaken to date.
- Value of cross-border links identified and the need to work regionally to attract inward investment and funding.
- Noted that the consensus element had been a strong feature of the Groups work over the past 40 years and that cross-border co-operation had been very much in evidence here.
- Highlighted concerns in relation to the withdrawal of INTERREG funding and the fact that Members had not been informed earlier in relation to the change in practice..
- Query as to the cost involved in retaining the Council Staff employed by the NWRCBG as opposed to what is paid to ICBAN.

The value of the ongoing participation in the NWRCBG was strongly supported from both an economic and social perspective, with Members acknowledging the excellent work carried out to date with regard to a range of projects across the County.

The Chief Executive thanked Ms Doherty and Ms Margey for the presentation, and said that it had been a useful opportunity to reflect on the collaboration and the benefit of INTERREG funding received to date.

The landscape for dealing with INTERREG funding was now completely different with projects now being funded by the INTERREG Programme directly. It was his intention, he said, through the Monthly Management Report to bring a presentation to Members outlining the proposals being put forward by both Councils and also to ensure the continuation of the work of the cross-border group albeit through different funding arrangements.

He highlighted the need to enhance the levels of co-operation given that the population figure for the Derry –Donegal region was now in the 350,000 range. There was, he advised, an opportunity now in

conjunction with the NWRCBG to look at cross-border issues on a thematic basis. He was, he confirmed, hopeful that that there would be additional clarity in relation to the matter by July 2015 and that it would then become clearer as to how both Governments were going to step up to facilitating development at local level.

It was his intention also, he confirmed, to progress discussions with Fermanagh/Omagh District Council and work post summer to developing similar arrangements as those already in place with Derry/Strabane.

He acknowledged the assistance and work carried out to date by Mr John Kelpie, Chief Executive of Derry/Strabane District Council.

Going forward he advised of the need to work out specific details for each of the areas concerned as only then could a clear picture emerge as to how collaborative issues would shape up in the future.

C/225/15 ADJOURNMENT OF THE MEETING

Members unanimously agreed to adjourn the meeting until 2.15pm.

C/226/15 TO APPROVE THE DONEGAL COUNTY COUNCIL CORPORATE PLAN 2015 – 2019

On resumption the Chief Executive acknowledged the fact that a number of Members had strong reservations about the adoption of the plan going as presented.

The plan was, he said, a generic document which outlined the overall content and commitment of the organisation. There were, he added, good reasons for not committing to real detail at this stage and advised of the necessity of keeping things at a level which would capture the overall intent of the Council whilst defining specific areas of focus.

Donegal County Council, had, he said, a lead role in promoting sustainable economic development along the lines of the six strategic objectives outlined in page 21 of the plan, with the rest of the plan forming the collective roadmap. Going forward there would, he confirmed, be a need to focus on the key thematic areas and over the summer months to develop action plans for each of these themed areas.

Areas targeted by Members would, he confirmed, be examined at both micro and macro level. Reference was also made to the fact that at the last workshop it had been agreed that subsets of Members in conjunction with the Directors of Service and the SPCs would work to progress same in tandem with the annual budget process. He was he said anxious to move forward on this basis.

Cllr Crawford stated that he had discussed the matter with the Chief Executive during the recess and was aware of the timeline and parameters for adopting the plan. Going forward, he said, this was a plan on which Members would be judged with regard to specific achievements. He was, he said, anxious to ensure that the issues raised at micro level were given due consideration. He was, he confirmed, not happy with the budget for roads infrastructure. With regard to tourism development, it was essential, he said, that any area in a position to benefit from the Wild Atlantic Way spin-off was permitted to do so. Concern was also expressed that there had been little or no movement on the formation of a tourism committee.

He cited the need for monies generated as a result of housing income to be reinvested within the Housing Service.

Cllr Crawford then withdrew his proposal for deferral on the basis that local issues would be dealt with through the overall implementation of the plan.

Cllr Mc Brearty advised of the need to address roads infrastructure problems in the Stranorlar area, broadband connectivity issues and the ongoing housing crisis.

The Chief Executive in response said that the plan was a baseline document and that there was a need to ensure that the document itself was not in any way restricting. It was impossible, he said, to put a five year plan into such a document. Page 19 of the report, he confirmed, referenced all of the themes raised by Members in the course of the discussion and was the basis on which individual strategies would be drawn up. He said that he had no difficulty in adding an open sentence referencing the housing aspect. It was imperative, he added, that this was a plan agreed by Council and the Executive as a whole.

On the proposal of Cllr Gallagher, seconded by Cllr Canning it was resolved to approve the Donegal County Council Corporate Plan 2015-2019 subject to the inclusion of the above amendment and in accordance with Section 134 of the Local Government Act 2001 (as amended).

C/227/15 TO FILL THE CASUAL VACANCY ON THE AUDIT COMMITTEE ARISING FROM THE RESIGNATION OF CLLR FRANK MCBREARTY

On the proposal of Cllr McBride, seconded by, Cllr Crossan, it was resolved that Cllr McGarvey fill the vacancy on the Donegal County Council Audit Committee arising from the resignation of Cllr McBrearty.

C/228/15 TO ADOPT HIGHER EDUCATION GRANTS SCHEME FOR THE 2015/2016 ACADEMIC YEAR

On the proposal of Cllr McBride, seconded by, Cllr Gallagher, it was resolved to adopt the Higher Education Grants Scheme for the 2015/2016 Academic Year.

C/229/15 TO CONSIDER PROPOSAL TO SUPPORT IRELAND WEST AIRPORT KNOCK .

Mr Michael Heaney, Director Community Culture & Economic Development updated Members in relation to the proposal to support Ireland West Airport Knock. The rationale behind the proposal was, he said, to ensure the development of the Wild Atlantic Way West and the North West Access Hub. This, it was acknowledged would enable the development of an appropriate western alliance on marketing for economic development, tourism development and associated diaspora connectivity.

The proposal, he advised, would see the seven Local Authorities (Donegal, Sligo, Leitrim, Roscommon, Mayo, Galway City & County) collectively invest €7.3 million in Knock Airport for 17.5% of equity (preference shares) in CADACC. The annual cost to Donegal County Council would, he confirmed be approximately €30m over the ten year period in question with shares and an annual dividend payable after 2023.

The anticipated outcome of this investment would, it was confirmed, allow the airport to double passenger numbers by 2023 and reduce its overall debt from €8.9m to €3m by 2023. Of the monies generated approximately €35m would be invested in

facilities of which 90% would be grant aided. The net effect of this investment, he added, would be the development of a modern airport with remaining debts to be cleared in the following 3-4 years.

A due diligence report carried out by Deloitte on the business plan put forward by IWAK had, he said, found the financial model to be detailed and robust. The key findings were as follows:-

- Passenger numbers to grow at 5.9% per annum.
- Total capital expenditure of €35.7m projected by 2023 with 85% expended in the first six years.
- Operating grants to continue until 2019 until passenger numbers exceed 1m per annum.
- Continuation of current focus on tight cost control.

A number of business risks were also identified namely:-

- That passenger growth might not be as strong as predicted.
- Capital expenditure costs could be greater than anticipated or grants less than the 90% threshold.
- Operating grants could diminish or be eliminated sooner than expected.
- External events outside of the Airports control could come into play.

Generally it was acknowledged that there would be significant internal and external impact arising from the continuation of the airport activities and benefits accrued also to the tourism and commercial/industrial sectors. With regard to the overall economic impact it was predicted that by 2020 there would be over 2000 fulltime equivalent jobs with a financial impact of approximately €270m for the region.

Mr Heaney informed Members that the collaboration would create an environment capable of delivering 17,000 plus visitors to Donegal annually with a projected €8m plus spend. Concluding, he stated that active participation/ownership in Ireland West Knock as part of a regional partnership model made up of 7 regional authorities would drive the business and tourism growth of the region in a unique collaboration with IWAK.

Cllr Mc Brearty proposed, seconded by Cllr Mc Eniff that the proposal as presented be adopted.

Cllr Mc Brearty noted that the report had been considered by the CPG but said, he was of the opinion, that the proposals should have been circulated to Members earlier. The benefits, he contended, outweighed the costs and would in the long-term generate clear economic benefits. Anything which attracted tourists to Donegal, should, he said, be welcomed. He outlined his support for Carrickfin Airport also but said that the potential of Knock Airport to attract international flights could not be dismissed.

Cllr Mc Eniff said that Donegal was an isolated region and that any attempt to improve and enhance access to the County was welcome whether it involved, Knock, Carrickfin or Derry City Airport.

A lengthy debate ensued with a number of Members expressing disappointment that there had been insufficient time to consider and assess the proposal. Members alluded to the following and identified the need for a more comprehensive assessment of the issues involved:-

- Concerns with the request for long-term funding.
- Risks associated with the 90% funding for capital investment.
- Contended that the document as presented did not provide sufficient information or back up and as a result decisions could not be made.
- Query as to whether the €35k capital investment would be spent on capital projects or on the marketing of the airport.
- Greater detail needed in relation to the operational activity of IWAK.
- Serious reservations expressed in relation to the issue of preferential shares with many contending that there was very little comeback associated with this type of activity.
- Suggested that the proposal was more reflective of a 30 year agreement than a ten year one.
- Noted that the Local Authorities concerned would be competing on an ongoing basis for visitor numbers.
- The impact on Donegal Airport and associated infrastructural requirements.

- Query as to what would happen if any one of the seven Local Authorities concerned was not prepared to come on board.
- €10 surcharge payable at Knock would need to be looked at again if this proposal was to proceed.
- Suggested that more appropriate initiative would be to look at ways of developing and expanding Carrickfinn and Derry City Airports.
- Call for Donegal County Council to be represented on the board of Ireland West Airport.
- Clarity requested with regard to the level of active participation proposed for each the participating authorities.
- Need to gather data in relation to traveller numbers at airports mentioned with a view to establishing the overall benefits for Donegal. (Clarity needed as to whether these represented different passports or were internal travellers.)
- Query as to whether the debt accumulated at IWAK related to specific overheads or was reflective of capital expenditure.
- Concern that no specific business plan had been put forward.
- Noted that airport was run by Connaught Development Company Ltd and that this would ultimately result in support being provided to a private company.

Cllr Mc Guinness advised of the need for more consultation and suggested that consideration be deferred until such time as a dedicated workshop could be held to assess the overall implications of the proposal. It was important, he added, that Donegal's peripherality was taken into consideration and an assessment undertaken of the implications for Carrickfinn and Derry City Airports.

Cllr Shiels warned that IWAK was looking to ensure its status as an airport in the west of Ireland and therefore looking to retain its position of authority. Support for the proposal would, he contended, enhance this position and put the airport in a position to claim available Government funding.

It was important he said that this was not done at the expense of Donegal. He queried whether an opinion on the matter had been sought from Donegal Airport.

Cllr Quinn asked that a breakdown be provided in relation to the plans for the collective investment of €7.3m together with confirmation as to how the €8.9m debt would be serviced.

The Chief Executive noted that the exercise had been a useful conversation and had provided Members with an opportunity to highlight their concerns. These, he said would be taken on board and addressed in a follow-up report which to be presented at the Adjourned Council Meeting on the 15th June, 2015.

Donegal, he advised, was readily dependent on six airports all different in scale but similar in function. Economic development and job creation, together with tourism promotion, he noted, were key to the overall objectives put forward by this Council. Tourism was one area, he said, where there would be a multiplier response based on the input. The fact was also acknowledged that 10% of commercial rates collected were generated from within the tourism sector.

He noted that there had been active marketing of the Donegal Brand at Ireland West Airport and said it was important that this interaction was maintained. He agreed also to begin the conversation in relation to Ireland West Airport with the Chief Executive of Derry City & Strabane District Council.

With regard to the preferential shares mentioned, he said there was an inbuilt mechanism to protect the investors involved.

Responding to calls for board membership, he said he was of the opinion that it would be more useful to maximise the potential on the marketing side.

The Council, he added, had been asked to commit to a ten year investment programme, no more or no less, and that the loan itself would be drawn down by Mayo County Council. At this juncture it was noted that there was not as yet general consensus amongst all of the Local Authorities concerned.

He confirmed that if Local Authority failed to endorse the project then the proposal would fall generally

Mr Neely informed Members that the proposal provided for a significant increase in passenger numbers over a ten year period i.e. from 180,000 to one million in a ten year period This, he said, would establish Knock International Airport as a hub of national significance serving the Wild Atlantic Way region in particular. Careful consideration, was, he advised warranted to ensure the best possible outcome for the County.

At this juncture Cllr Mc Brearty agreed to withdraw his proposal on the basis that a more detailed written report would be presented to Members at Adjourned Meeting on the 15th June. 2015.

C/230/15

TO CONSIDER AND ADOPT POLICY ON USE OF SIMULTANEOUS IRISH – ENGLISH TRANSLATION SERVICES AT MEETINGS OF DONEGAL COUNTY COUNCIL- POLASAI MAIDIR LE HATEANGAIREACHT GAEILGE GO BEARLA AG CRUINNITHE DEN COMHAIRLE CONTAE.

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

On the proposal of Cllr A Doherty, seconded by Cllr Quinn the policy on the use of Simultaneous Irish - English Translation Services at Meetings of Donegal County Council was approved.

Cllr Mac Giolla Easbuig said that he had a difficulty with the report and said that any Member who wished to do so should be able to conduct their business through the medium of Irish. He acknowledged however that there were resource issues.

As a representative from the Gaeltacht, he was, he said entitled to carry out his business in Irish at every meeting. He asked that consideration be given to the resource issue in the interest of having fair play for all concerned.

Cllr Mc Garvey said that the Irish language needed due respect.

Cllr O' Fearraigh said that whilst he agreed to some extent with Cllr Mac Giolla Easbuig there was a need also to be cognisant of the fact that many people did not speak the Irish Language and that there was no harm on such occasions in using English also. He called for the provision of Irish Classes for the Elected Members. The translation system, he advised, should be provided where possible.

Cllr Gallagher noted that there was much work to do and called on the Council to show relevant leadership.

Cllr O' Donnell suggested that Irish Classes be held for Members benefit during the month of August.

Cllr Mc Dermott said that he was of the opinion that the lack of enthusiasm was down to the method of teaching used throughout the Country. Cllr Mc Brearty concurred with this statement.

Mr Liam Ward, Director Housing, Corporate & Planning Control informed Members that whilst there were specific obligations under the Official Languages Act 2003 in relation to translation services, there were a number of statutory commitments in the Council's own Language Scheme. The proposal here was, he said, was to commit to having the translation system in operation at all plenary meetings of the Council and the Municipal District Meetings for the Glenties Area. This, he added, was proportionate at this point in time with the available resources, but that he was happy to review same going forward.

Cllr Mac Giolla Easbuig said he was not supportive of the policy in its current form and contended that the translation system should be extended to all meetings of Council.

C/231/15 TO APPROVE THE ACTUAL GROSS EXPENDITURE FIGURE OF €143,067,526 ON TABLE 4 PAGE 3 WHEN COMPARED TO THE REVISED BUDGET OF €145,140,066 (ADOPTED BUDGET AS AMENDED BY NET DECREASES IN FUNDING RECEIVED FOR 2014) FOR ALL DIVISIONS IN ACCORDANCE WITH SUBSECTION 7 OF SECTION 104 OF THE LOCAL GOVERNMENT ACT 2001, AS AMENDED BY THE LOCAL GOVERNMENT REFORM ACT 2014.

Members considered the report circulated with the agenda in relation to the above. Mr Garry Martin, Head of Finance, Information Systems and Emergency Services noted that Section 104, Part 12 of the Local Government Act 2001(as amended) requires Local Authorities to seek the authorisation of the Elected Council whenever the approved budget was to be exceeded. Mr Martin outlined the main aspects of the report, and provided an overview of the gross income and expenditure figures for Division H, which had exceeded the revised budget in 2014.

Mr Martin confirmed to the Members that the figures reported represent the consolidated budgetary/financial positions for

Donegal County Council and the former town Council for the year 2014. He advised the Members that the outturn on income and expenditure for the year ended 31st December 2014 had resulted in an improvement of €785,544 for the local financial year. The improvement, he added, meant that the Council's Revenue deficit (General Reserve) had decreased to €14,966,588 at the end of 2014 as compared with €15,752,132 at the end of 2013.

It was emphasised that the Revenue deficit as reported represents the consolidated position of the County Council and the former town councils. Viewed in isolation, Donegal County Council's accumulated general deficit at the end of 2013 was €17,796,835. The net effect of the consolidation with the former town councils resulted in an exceptional reduction in the deficit of €2,044,703 for 2013. The net income and expenditure outturn for 2014 resulted in a further reduction of €785,544, bringing the accumulated general deficit to €14,966,588 at 31st December 2014.

Mr Martin advised that there was additional information included in the report for all other Service Divisions. The Members were advised that an amount of €981,000 was transferred from revenue to create a Project Development Fund Reserve (pages 4, 7 & 35 of the report) as well as other transfers to Capital not included in the Adopted Budget.

Members welcomed the report and raised a number of issues:

- Cllr. D Shiels pointed out that there had been under-expenditure on headings for Road Maintenance, Housing Maintenance and Tourism Supports.
- Cllr. D Shiels queried if the report was commensurate with the specific provisions of Section 104 of the Local Government Act 2001, pointing out that the actual expenditure outturn for 2014 was not in excess of the revised expenditure budget for 2014.
- Cllr. M. T. Gallagher highlighted the shortfall in income from Property Entry Levies.
- Cllr. F. McBrearty raised concerns in respect of the accumulated revenue deficit of €14,966,588.
- Cllr. E. Bonner welcomed the reduction in the revenue deficit, subject to clarification on some questions asked by previous speakers.

Garry Martin emphasised that the report provided detail in respect of specific areas of under/over expenditure and under/over realisation of income within all Service Divisions, including the overspend on Division H specifically, and the contributing factors that had shaped the Revenue outturn for 2014.

The Chief Executive informed Members that the outturn for 2014 was positive. He articulated the view that the Council's approach of targeting savings that do not impact on essential services is a good one. He advised the Members that the improvement of €785,544 had been achieved in the context of strengthening provisions for bad/doubtful debts, whilst also providing for the creation of a Project Development Fund Reserve in the sum of €981,000.

Thus on the proposal of Cllr Blaney, seconded by Cllr Mc Dermott it was resolved that the actual gross expenditure figure of €143,067,526 on Table 4, Page 3 when compared to the Revised Budget of €145,140,066 (Adopted Budget as amended by net decreases in funding received for 2014) for all divisions in accordance with Subsection 7 of Section 104 of the Local Government Act 2001, as amended, was approved.

C/232/15 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 Cllr McBrearty, seconded by, Cllr Murray, 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

Conferences:-

- Celtic Conferences – EU Support Programmes for Irish Regions to be held from Friday 5th to Sunday 7th June, 2015 at the Clonakilty Hotel, Co. Cork.

- Innovating Public Services in Challenging Times to be held Tuesday 9th and Wednesday 10th June, 2015 in Dublin Castle.
- Irish Innocence Project – First International Wrongful Conviction and Human Rights Conference Friday 26th June, 2015 at Griffith College Dublin.
- “The Courthouse” Restoration Conference to be held on Friday 29th May, 2015 at “The Courthouse” Oughterard, Co Galway.

Abroad:-

- Attendance at CPMR Events in Heraklion Crete from 11th - 13th June, 2015.

C/233/15

TO CONSIDER THE DRAFT VARIATION NO. 3 (RURAL HOUSING) TO THE COUNTY DONEGAL DEVELOPMENT PLAN 2012-2018 (AS VARIED) AND THAT THE MEMBERS, BY RESOLUTION, PROPOSE TO MAKE THE VARIATION SO THAT THE PUBLIC CONSULTATION PROCESS CAN BE FORMALLY COMMENCED, SUBJECT TO COMPLETION AND OUTCOME OF SCREENING IN RESPECT OF STRATEGIC ENVIRONMENT ASSESSMENT AND APPROPRIATE ASSESSMENT

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

Cllr Blaney sought additional clarification in relation to the definition of immediate family members as defined under “Stronger Rural Areas” and whether or not grandparents were included under this heading.

Mr Denis Kelly, Senior Executive Planner, confirmed that grandparents did fall under the definition of ‘Immediate Family Members’ as referenced in Policy RH-P-3 (Stronger Rural Area) in Section 5.3.3 of the County Donegal Development Plan 2012-2018 (as Varied). Furthermore, he confirmed that preliminary screening reports had been carried out in respect of the Proposed Variation, which thus far indicated that neither “Strategic Environmental Assessment” (SEA) nor “Appropriate Assessment” (AA) were necessary; He advised that the Statutory Environmental Authorities had been consulted and had been asked to submit their views on or before the 2nd June, 2015 and these would help inform whether either or both an SEA or an AA was necessary.

On the proposal of Cllr Blaney, seconded by Cllr Mc Guinness it was resolved to make the variation so that the public consultation process could be formally commenced, in accordance with the provisions of Section 13 of the Planning and Development Act 2000 (as amended), subject to the completion and outcome of screening in respect of Strategic Environmental Assessment and Appropriate Assessment.

C/234/15 TO CONSIDER REPORT ON POLICY AND PROCEDURES RELATING TO THE TAKING IN CHARGE OF HOUSING DEVELOPMENTS

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

Mr Liam Ward, Director Housing & Corporate summarised the main aspects of his report. He said that it had been necessary to make changes to the Council's policy for the taking in charge of Residential Housing Developments in order to comply with the requirements of Circulars PD 1/08 and PL5/ 2014 issued by the Department of the Environment Community & Local Government, the protocols issued by the Water Services Transition Office in relation to the taking in charge of residential developments and the associated transfer of water services assets to Irish Water.

The attached appendix, he said, set out the 59 housing developments which the Authority had earmarked for immediate takeover. He confirmed that there had been 225 applications in total for takeover and that plans were ongoing to work through deficiencies in the remaining estates.

Mr Joe Peoples, A/ Director Water & Environment said that a number of Counties were involved in a pilot programme aimed at remedying deficiencies in estates where "Stand Alone" Wastewater Infrastructure had been provided. It was intended, he said, to bring a report on these types of development to Council later in the year.

It was noted that those estates linked to public water and wastewater infrastructure and ready to progress, would transfer immediately to Irish Water.

Members welcomed the report and identified a number of issues warranting further consideration. These included:

- Identifying those estates where bonds were in place and could be used to finance remedial works.
- Need to have an Engineer on site when plans and work schedules are being agreed.
- Call for greater collaboration between all Council Services.
- Need to address ongoing issues in relation to Mechanical Treatment Plants.
- Availability of estate drawings an issue in some cases. Protocol needed for dealing with same.
- Policy Framework needed regarding Planning Bonds so as to allow the Council move in and finish the relevant estates.
- Renewed focus required to finish estates of this nature.
- Concern expressed in relation to plans for the water supply from Killybegs to the Rosses and the fact that Irish Water had yet to engage with the Elected Members regarding same.

Cllr Gallagher proposed, seconded by Cllr Bonner that Irish Water be invited to meet with the Elected Members in public session and outline their plans for capital investment in water/wastewater infrastructure in the County.

It was suggested that the way forward was to deal with matter at local level and that consideration of same needed to be a recurring item on the Municipal District Agenda.

Cllr Farren expressed concern that a number of estates in the Merville area had not been included despite being in excellent condition.

Mr Liam Ward, Director Housing, Corporate & Planning Control advised that details regarding the final legal processes involved would be presented at the next round of MD Meetings.

On the proposal of Cllr A Doherty, seconded by Cllr Mc Dermott the revised arrangements for the taking in charge of Residential Housing Developments was approved.

C/235/15 DATE FOR ADJOURNED MEETING

On the proposal of Cllr Bonner, seconded by Cllr Kennedy it was resolved to adjourn the meeting until 11am on Monday 15th June, 2015.

