

**COMHAIRLE CHONTAE DHUN NA nGALL**

Oifig Riarthóir na  
gCruinnithe  
Aras an Chontae  
LEIFEAR  
24 Eanáir, 2017

**FOGRA CRUINNITHE**

Beidh Cruinniú Comhairle Chontae Dhún na nGall ar siúl Dé Luain 30 Eanáir, 2017, 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 Phríomh-Fheidhmeannaigh le feiceáil ag an gcruinniú.

Mise, le meas

**Seosamh O’Piobla  
Riarthóir Cruinnithe**

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**DONEGAL COUNTY COUNCIL**

Office of Meetings Administrator  
County House  
Lifford  
24<sup>th</sup> January 2017

**NOTICE OF MEETING**

A Meeting of Donegal County Council will be held on Monday 30<sup>th</sup> January 2017, 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 Chief Executive’s Orders will be available for inspection at the meeting.

**Yours sincerely**

**Joe Peoples  
Meetings Administrator**

# AGENDA

## **1. Confirmation of Minutes**

- a) Confirmation of the Minutes of the Budget Meeting of Donegal County Council held on the 23<sup>rd</sup> November, 2016.
- b) Confirmation of the Minutes of November Meeting of Donegal County Council held on the 28<sup>th</sup> November, 2016.

## **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 Railway Park, Drumrooske Middle, Donegal Town to Oaklee Housing.
- 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 S.I property at Drum, Portsalon, Co. Donegal to Gerard Crossan.
- 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 Church Hill Village to Church Hill Community and Social Development C.L.G.

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

- a) To approve the carrying out of works with regard to the construction of a housing development consisting of 13 No Dwellings and 8 No. apartments at Rockytown, Ballymacarry, Buncrana, Co Donegal.
- b) To approve carrying out of works with regard to the construction of a housing development consisting of 11 No. Dwellings together with the demolition of 4 No. Single Storey Dwellings at Meadowhill Estate, Raphoe Demense, Raphoe, Co Donegal.
- c) To approve the carrying out works with regard to the construction of a housing development consisting of 7 No. Dwellings and 2 No. apartments at Emerald Drive, Castlecummin, Killybegs, Co. Donegal.

## **4. Corporate**

- a) North West Strategy Report on Initial Analysis of the challenges and opportunities of Brexit for the North West Region.(Report to be circulated)
- b) To fill casual vacancy on the Donegal County Council Joint Policing Committee
- c) To fill the casual vacancy on the Economic Enterprise and Planning SPC.
- d) Filling of Casual Vacancy on the Donegal Local Community Development Committee.
- e) To consider authorisation of Council representation at the St Patrick's Day Events in the USA.
- f) To afford a Civic Reception to Seamus Coleman Republic of Ireland and Everton Soccer Player, in recognition of his footballing achievements, including the captaincy of the Republic of Ireland Soccer Team.
- g) To note obligation on Members under the Local Elections (Disclosure of Donations and Expenditure) Act, 1999 as amended, to submit a Donation Statement by 31<sup>st</sup> January, 2017.
- h) To note obligations on Members under (Part 15) Local Government Act, 2001 Ethics Framework to submit Declaration of Interest by the 28<sup>th</sup> February, 2017.

#### **5. Roads and Transportation**

- a) To enter into an agreement with Mayo County Council under Section 85 of the Local Government Act 2001 in respect of the upgrading of public lighting on N15 Bundoran to Ballyshannon and N15 Donegal Bypass; whereby Mayo County Council will be enabled to undertake appropriate works in Donegal.
- b) Adoption of the 2018 – 2020 Capital Plant Replacement and Refurbishment Plan.
- c) To make the Road Traffic (Special Speed Limits) (County of Donegal) Bye-laws 2017.

#### **6. Planning**

To note Report on Record of Protected Structures: Strategy for additions and:-

- Decide whether decisions on the additions to the Record of Protected Structures are to be taken at Municipal District Level or Plenary Council Level
- Note the first phase of proposed arrangements for consideration of Tier 2 Local Area Plan and proposal to hold workshops in tandem with the next cycle of Municipal District meetings mid – February, 2017.

7. **Endorsement of Minutes**

To note the Minutes of the Corporate Policy Group held on the 7<sup>th</sup> November, 2016.

8. **Authorisation of attendance at Seminar, Training or Event Conferences**

- Celtic Conferences – Rebuilding Ireland Action Plan for Housing and Homelessness to be held from Friday 10<sup>th</sup> to Sunday 12<sup>th</sup> February, 2017 in the Four Seasons Hotel, Carlingford, Co Louth.
- 28<sup>th</sup> Colmcille Winter School to be held Friday 24<sup>th</sup> and Saturday 25<sup>th</sup> February, 2017 at the Colmcille Heritage Centre, Gartan.
- The Institute of Professional Training – Civic Leadership and the Councillor to be held Friday 24<sup>th</sup> to Sunday 26<sup>th</sup> February, 2017 in the Clayton Whites Hotel, Wexford.

**Training**

- AILG Training Programme for Elected Members February to June 2017

**Conferences Abroad**

- CPMR – General Assembly of the Atlantic Arc Commission to be held Wednesday 1<sup>st</sup> Thursday 2<sup>nd</sup> and Friday 3<sup>rd</sup> March, 2017 in Les Sables d’Olonne (Pays de la Loire-Fr).

9. **Conference Reports**

**Cllr Martin Harley**

CPMR Conference held Thursday 3<sup>rd</sup> and Friday 4<sup>th</sup> November, 2016 in Ponta Delgada (Azores, Portugal)

**Cllr Patrick McGowan**

Brexit – The Economic Consequences Friday 9<sup>th</sup> and Sunday 11<sup>th</sup> December 2016 in 4 Seasons Hotel, Carlingford, Co Louth.

**MOTIONS**

**GLENTIES MUNICIPAL DISTRICT**

**Water and Environment**

10. **Cllr Marie Therese Gallagher**

"That this Council initiate a proposed management plan for our coast and strands across the County and meet with Minister for Agriculture and Fisheries to outline the need for a management plan."

## INISHOWEN MUNICIPAL DISTRICT

### *Roads and Transportation*

11. Cllr Martin Farren

"That this Council ask the Department of the Marine to provide adequate funding so that outstanding marine works throughout the county can be completed."

12. Cllr Albert Doherty

"That Donegal County Council devise and forward to government a multi annual funding programme costings for the development, completion and provision of improvement and safety works at piers and harbours in the county, and,

a) seek the removal by DAFM of the present capping of funding for harbour development and marine leisure and tourism schemes, and

b) demand the provision by the Department of Agriculture, Food and Marine of an increased, consistent annual funding provision to allow the commencement and completion of essential and necessary works at piers and harbour facilities in the County."

### *Community and Enterprise*

13. Cllr Jack Murray

"That this Council welcomes the business case recently compiled by Derry City and Strabane District Council regarding the proposed North West Crisis Intervention Service, gives our full support to the initiative and commits to working with our partners in the region to ensure the delivery of the service."

14. Cllr Paul Canning

"I would ask this Council to request the JPC to seek an advice from Council's Solicitor outlining the basis upon which legal aid is granted. This is to deal with a certain number of repeat Criminal Offenders who appear to obtain free Legal Aid on a regular basis, and also to advise if a change to this legislation can be sought or obtained by a Local Authority."

### *Corporate*

15. Cllr Nicholas Crossan

"I propose that Donegal County Council call on the GAA to reverse their policy of selling the exclusive broadcasting rights of Gaelic Games to subscription viewing channels and to return to the long held position of the GAA that ensured all Televised Championship Gaelic Games are shown on terrestrial Free to Air channels for all to see."

16. Cllr Martin McDermott

"To call on this Council to back proposals to have the Irish Coast Guard recognized the same as the other main emergency services in this country and to have this motion passed to all other Councils in Ireland."

## LETTERKENNY MUNICIPAL DISTRICT

### *Corporate*

17. Cllr Ian McGarvey

"To ask all our National Representatives to attend four of our Council Meetings per year so that they can be updated in relation to the main issues facing the people of Donegal for years, e.g. Health, Roads Funding, Employment, Future of our Post Office coverage, Mobile Phone and Broadband coverage."

18. Cllr Gerry McMonagle

"That Donegal County Council call on the Health Minister, Simon Harris TD to ensure that Orkambi the new drug for Cystic Fibrosis sufferers be included in the GMS and LTI Scheme."

19. Cllr Jimmy Kavanagh

"This Council asks the Government to progress the Coroner's Bill as a matter of urgency, and that the Coroner's Bill will provide for an automatic inquest into every maternal death in the State."

### *Housing*

20. Cllr Michael McBride

"That Donegal County Council request a meeting with Minister Simon Coveney as a matter of urgency to discuss the limitations of the current tenant purchase scheme, so we can highlight the difficulties faced by the people of Donegal who wish to purchase these County Council and S.I. houses that have been family homes for many years."

### *Roads and Transportation*

21. Cllr John O'Donnell

"Calling on this Council to make temporary road workers permanent and as there is a huge need for more general operatives on our road crews."

## DONEGAL MUNICIPAL DISTRICT

### Roads and Transportation

#### 22. Cllr Noel Jordan

"I am asking this council to review the full road gritting programme to include further roads and all the schools."

### Corporate

#### 23. Cllr Niamh Kennedy

"In light of the current uncertainty over the future of Bus Eireann services and the pending threat of Brexit, that Donegal County Council request an immediate guarantee from the Government that the needs of County Donegal and its rural communities will be protected that we will not be further isolated by the depletion of the public transport system to and from the County."

## STRANORLAR MUNICIPAL DISTRICT

### Roads and Transportation

#### 24. Cllr Gerry Crawford

"That this Council debate the latest TII funding for County Donegal and the implications of same."

#### 25. Cllr Martin Harley

"That under the new municipal structure of the Council that all road workers are selected on a municipal district basis not a county wide panel. This would include foremen, gangers and all operatives."

### Planning

#### 26. Cllr Patrick McGowan

"Based on the fact that there have been a number of court cases nationwide that this Council discuss who is responsible for health and safety issues in housing schemes in the County which have not been taken in charge, even though the houses have been fully occupied for over five years and the residents concerned have petitioned Donegal County Council to have them taken in charge."

### Finance

#### 27. Cllr Liam Doherty

“That Donegal County Council would change the titles on their maps used on their websites from Londonderry to Derry and to do away with the United Kingdom title used in describing the north of the country and also to use Eire as the title of our country.”

**28. Cathaoirleach’s Business**

**29. Chief Executive’s Monthly Management Report**

**QUESTIONS**

**GLENTIES MUNICIPAL DISTRICT**

**Information Systems**

**30. Cllr Marie Therese Gallagher**

"Will this Council change the digital mapping currently in use, to ensure that the names of counties and the country are correct?"

**INISHOWEN MUNICIPAL DISTRICT**

**Community and Enterprise**

**31. Cllr Albert Doherty**

"All Island Civic Dialogue, Plenary Two February 17th 2017

What county and cross border issues, needs and supports will Council representatives seek and prioritise at the next meeting of the All Island Civic Dialogue, with government departments following the British Prime Minister’s pronouncements on Brexit, the Taoiseach's Brexit's "contingency plan" and Foreign Affairs Minister Flanagan's contention that (18/01/17) "Everybody (Irish Cabinet Ministers) is in effect a Brexit Minister?"

**32. Cllr Jack Murray**

"Following the OPW's identifying of Grianan of Aileach and Doagh Castle as the two sites in Donegal most suitable for promotion by Bord Fáilte, in what ways does the Council see its responsibility to further enhance these locations and make them more attractive to tourists?"

**Housing**

**33. Cllr Albert Doherty**

"What information to date has been shared by the Department of Justice and Equality with the Council under the Government's "Irish Refugees Protection Programme" and have details of the number of refugees to be located in the county and government community support programme been offered or sought?"



34. Cllr Jack Murray

"Can the Council provide an annual breakdown, in tabular format, of the number of council tenants who were removed by the Council for anti-social behaviour in the last 10 years?"

35. Cllr Martin McDermott

"What progress has the Council made in relation to insuring that at least 25% of the Social Housing Policy for 2020 will be SI?"

**Planning**

36. Cllr Paul Canning

"Given the good work that has been done by the team involved in the takeover of housing estates and the development of unfinished estates, I would ask this Council what it plans to do in replacing the Executive Planner who had a substantial knowledge base and experience in this field?"

**Roads and Transportation**

37. Cllr Paul Canning

"What interest has been shown to date in relation to the sponsorship of roundabouts on our National Primary Roads?"

**LETTERKENNY MUNICIPAL DISTRICT**

**Corporate**

38. Cllr Ian McGarvey

"Regarding the various motions brought to Council over the years in relation to the main issues facing the people of Donegal, what action has been taken to progress and follow up on these very serious matters?"

**Finance**

39. Cllr Ian McGarvey

"Does this County receive a fair allocation to meet the funding for the many outstanding projects that must be progressed in Donegal from our islands to Malin Head and all in between?"

**Roads and Transportation**

40. Cllr John O'Donnell

"Could this Council look into the possibility of introducing yellow boxes at roundabouts where there are long tailbacks due to people blocking the roundabout and leaving it impossible for other motorists to proceed from other exits?"

### **Housing**

41. **Cllr John O'Donnell**

"When will the Government decide on the requests made in relation to revisiting the Tenants Purchase Scheme so as to allow retired residents to buy out their council houses which they have lived in all their lives?"

### **Corporate**

42. **Cllr Gerry McMonagle**

"Has the Council received any correspondence from Bus Eireann in relation to its proposed cuts to its Intercity Services?"

### **Water and Environment**

43. **Cllr Gerry McMonagle**

"Has the Council devised a scheme as to how tidy towns groups can access the monies we set aside in our Budget to assist them with their work?"

## **DONEGAL MUNICIPAL DISTRICT**

### **Water and Environment**

44. **Cllr Niamh Kennedy**

"Has Donegal County Council made any provision for the collection of refuse bags in the County should the pay by weight be introduced?"

### **Roads and Transportation**

45. **Cllr Niamh Kennedy**

"What is the update on the takeover of roads policy, when will this be completed?"

### **Planning**

46. **Cllr John Campbell**

"Was the statutory report on securing the objectives of the Donegal County Development Plan 2012 - 2018 (as varied) pursuant to Section 15 (2) of the Planning and Development Act 2001 (as amended) completed?"

47. **Cllr John Campbell**

"A recent motion at Donegal Municipal District called for the reclassification of the regional road R263 from Killybegs to Glencolmcille to a national secondary route. From a development planning perspective and in terms of a general county-wide approach what effect would this reclassification have on rural development

potential along routes of this nature and the adjoining terminal local roads?"

**Water and Environment**

**48. Cllr John Campbell**

Under the European funded Freshwater Pearl Mussel Project in which Donegal County Council was lead partner, the third aim was to produce Guidance Notes for identified sectors and activities with the potential to damage FWPM populations. Page 7 of the Summer 2014 project newsletter outlines that these notes and a technical support document were developed. When were the Guidance Notes and Technical Support Document referred to above published?"

**STRANORLAR MUNICIPAL DISTRICT**

**Roads and Transportation**

**49. Cllr Gerry Crawford**

"Does this Council use Choice Based Letting when letting Council housing Stock?"

**50. Cllr Patrick McGowan**

"Has the Council any knowledge or information on Government Plans to prevent property being flooded in towns and villages along the River Finn, and can I have a copy of the Councils final response to the CFRAMS study?"

**51. Cllr Martin Harley**

"Is Donegal County Council or the N.R.D.O. paying for the spraying of the Japanese Knotweed around the county. If Council how much did it cost in 2016 and what funding did it come from?"

**Water and Environment**

**52. Cllr Patrick McGowan**

"Can the Council provide a full report on the Septic Tank Scheme in Donegal providing statistics in relation to the number of inspections and grants paid out to date within each MD area so that the public can see whether or not the Government's promise of providing grant aid to carry out remedial works was a success?"

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

**MONAGHAN COUNTY COUNCIL**

"That Monaghan County Council call on an Taoiseach, Enda Kenny T.D. and the government to immediately deliver an enhanced range of services through the Post Office network, to ensure a sustainable and

viable future for Post Offices across Ireland, particularly for rural Post Offices.”

“That Monaghan County Council calls on An Taoiseach, Enda Kenny T.D., the Minister for Health, Simon Harris T.D., the H.S.E., and the Government, to immediately address the scandalous crisis of public hospital waiting lists, which currently stands at 540,000 people awaiting appointments, with 440,000 awaiting outpatient appointments, an increase of 27,000 since last May, as totally unacceptable waiting lists times for necessary hospital procedures and treatments.”

“Monaghan County Council supports the campaign of “Donegal Families for Justice” in their quest for answers surrounding the disappearance of Mary Boyle in 1977:

- We call on the Coroner to carry out an immediate inquest
- We ask that this inquest should be followed by a commission of inquiry/investigation into the case
- We call on the Minister for Justice, Frances Fitzgerald T.D., and the Minister for Children Katherine Zappone T.D., to use all mechanisms of the state to bring this case to an end and give closure to Mary’s family as we enter the 40<sup>th</sup> anniversary of her disappearance.”

#### WATERFORD CITY AND COUNTY COUNCIL

“That this Council call on the Taoiseach as Leader of the Government to implement the recommendations of the Post Office Business Development Group and the new model of Community Banking as advocated on page 48 of the current programme for Government to facilitate the retention and growth of post offices in rural Ireland.”

#### TIPPERARY COUNTY COUNCIL

“Having regard to the proposed departure of the UK from the EU (as a result of the recent referendum on Brexit), and taking into account its potential impact on our regions and local areas, it is very important that Local Authority members have a voice. Accordingly I’m asking the Council to write to An Taoiseach requesting that Councillors are represented on the All Island Civic Forum on Brexit by, for example, their representative bodies, LAMA and AILG.”

“I am calling on this Council and every Council in the Country to support my call for both increased awareness and increased funding for services in the areas of both Dyspraxia and Dyslexia.”

“That this Council calls on the Government to immediately establish a new Agency to acquire and manage all domestic housing mortgage arrears accounts (plus two years in arrears) from the existing Lending Agencies within the State.”

#### KERRY COUNTY COUNCIL

“That the Government would fulfil its commitment in the Programme for Government to the post office network by ring fencing and making available the €75m necessary to sustain the standard of the network going forward and that this €75m would be a feature in the upcoming budget.”

#### CARLOW COUNTY COUNCIL

“Irish Water Response to Carlow County Council (as circulated at July Meeting) on water and sewage lines which pass through backyards and gardens is unacceptable. Carlow County Council write to the Minister for Housing, Planning and Local Government requesting an amendment to the legislation to change the arrangements so that the position obtaining in Ireland is similar to that in the United Kingdom in that the landowner is only responsible for that portion of the service from the main to his/her dwelling as per drawings attached (“A” UK and “B” Ireland).”

#### SOUTH DUBLIN COUNTY COUNCIL

“This Council, being very concerned about reported verifiable threats to Bees globally, calls on the Government to ensure that banned neonics are neither offered for sale in Ireland or used in any form and that the (proposed) Bayer’s bee-harming “Flupyradifurone” insecticide is banned in Ireland despite the possibility that the EU may permit it. That the contents of this motion be conveyed by the Chief Executive to the relevant Minister(s) and circulated to all City and County Councils.”

#### SLIGO COUNTY COUNCIL

“To request Sligo County Council to call on the Department of Environment to introduce Legislation as is in force in other European Countries for the control of over grown trees in Housing Estates and Built up areas.”

“To call on Sligo County Council to write to the Oireachtas Committee on water charges and the Minister, to return all water charges collected to the people who paid, and to put proper compensation in place for all group water schemes.”

#### LEITRIM COUNTY COUNCIL

“That Leitrim County Councils seek an explanation from Government and the Taoiseach, as to why Leitrim is one of 10 counties that have no representation on the newly formed Citizens Assembly and also to request an explanation as to why there wasn't a fairer polling methodology employed to ensure all counties are represented.”

#### DERRY CITY AND STRABANE DISTRICT COUNCIL

“That this Council welcomes the decision by the Minister Chris Hazzard that any planning application in relation to gold mining in the Sperrins will be subject to a public inquiry and that this motion when passed is circulated to the other Councils connected to the Foyle River basin and to Councils involved in the Sperrins, inviting their support. That key organisations in the fields of farming; tourism; health, fishing, culture and rural and community development and outdoor activities; educational establishments, and churches are informed of these proposals at the outset.”

#### CAVAN COUNTY COUNCIL

“That the Minister for Finance and the Revenue Commissioners look at the tax arrangements in place for self employed in this jurisdiction but working in the North of Ireland.”

**MINUTES OF JANUARY MEETING OF DONEGAL COUNTY COUNCIL,  
HELD IN THE COUNTY HOUSE, LIFFORD ON 30<sup>TH</sup> JANUARY, 2017**

**C/1/17**      MEMBERS PRESENT

Cllrs Terence Slowey, Cathaoirleach, L Blaney, E Bonner, J Campbell, P Canning, T Conaghan, G Crawford, N Crossan, A Doherty, G Doherty, L Doherty, R Donaghey, M Farren, M T Gallagher, M Harley, N Jordan, J Kavanagh, N Kennedy, F. McBrearty, M Mc Bride, M McDermott, I Mc Garvey, P McGowan, B McGuinness, G McMonagle, J Murray, S O'Domhnaill, J O' Donnell, J S O'Fearraigh, B. O'Neill, & J. Ryan.

**C/2/17**      OFFICIALS IN ATTENDANCE

Seamus Neely, Chief Executive, Joe Peoples, Director of Housing, Corporate and Cultural Services / Meetings Administrator, Liam Ward, Director of Community, Enterprise and Planning Services, John McLaughlin, Director of Roads and Transportation, Michael McGarvey, Director of Water and Environment, Garry Martin, Director of Finance, Information Systems and Emergency Services, Cliodhna Campbell, Senior Engineer, Cahal Moss, Senior Executive Engineer, James Corry, Assistant Engineer, Anne Marie Conlon, Communications Officer, Sean O'Daimhin, Oifigeach na Gaelige, Anne Marie Crawford, Staff Officer.

**C/3/17**      APOLOGIES

Apologies were received from Cllr James Pat McDaid who was unable to attend the meeting.

**C/4/17**      CONFIRMATION OF THE MINUTES OF THE BUDGET  
MEETING OF DONEGAL COUNTY COUNCIL HELD ON THE  
23<sup>RD</sup> NOVEMBER 2016

On the proposal of Cllr A. Doherty, seconded by, Cllr M. Harley, the minutes of the Budget Meeting of Donegal County Council held on the 23<sup>rd</sup> November, 2016 were approved.

**C/5/17**      CONFIRMATION OF THE MINUTES OF THE NOVEMBER  
MEETING OF DONEGAL COUNTY COUNCIL HELD ON THE  
28<sup>TH</sup> NOVEMBER 2016

On the proposal of Cllr N. Kennedy, seconded by, Cllr J. Kavanagh, the minutes of the November Meeting of Donegal County Council held on the 28<sup>th</sup> November, 2016 were approved.

**C/6/17**      DISPOSAL OF LAND AT RAILWAY PARK, DRUMROOSKE

MIDDLE, DONEGAL TOWN TO OAKLEE HOUSING

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

On the proposal of Cllr B. O'Neill, seconded by, Cllr T. Conaghan, it was resolved to dispose of land at Railway Park, Drumrooske Middle, Donegal Town to Oaklee Housing, 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/7/17 DISPOSAL OF S.I. PROPERTY AT DRUM, PORTSALON, CO DONEGAL TO GERARD CROSSAN

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

On the proposal of Cllr I. McGarvey, seconded by, Cllr L. Blaney, it was resolved to dispose of S.I. Property at Drum, Portsalon, Co Donegal to Gerard Crossan, 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/8/17 DISPOSAL OF LAND AT CHURCH HILL VILLAGE TO CHURCHILL COMMUNITY AND SOCIAL DEVELOPMENT C.L.G.

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

On the proposal of Cllr G. McMonagle, seconded by, Cllr B. McGuinness, it was resolved to dispose of land at Church Hill Village to Churchill Community and Social Development C.L.G., 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/9/17 TO APPROVE THE CARRYING OUT OF WORKS WITH REGARD TO THE CONSTRUCTION OF A HOUSING DEVELOPMENT CONSISTING OF 13 NO DWELLINGS AND 8 NO APARTMENTS AT ROCKYTOWN, BALLYMACARRY, BUNCRANA, CO DONEGAL

Members considered the report circulated in relation to the above.



On the proposal of Cllr R. Donaghey, seconded by, Cllr B. McGuinness , the carrying out of works with regard to the construction of a housing development consisting of 13 no dwellings and 8 no apartments at Rockytown, Ballymacarry, Buncrana, Co Donegal under Part XI of the Planning & Development Act, 2000 (as amended) and Part 8 of the Planning & Development Regulations 2001(as amended) were approved.

C/10/17 TO APPROVE THE CARRYING OUT OF WORKS WITH REGARD TO THE CONSTRUCTION OF A HOUSING DEVELOPMENT CONSISTING OF 11 NO DWELLINGS TOGETHER WITH THE DEMOLITION OF 4 NO SINGLE STOREY DWELLINGS AT MEADOWHILL ESTATE, RAPHOE DEMENSE, RAPHOE, CO DONEGAL

Members considered the report circulated in relation to the above.

On the proposal of Cllr G. Crawford, seconded by, Cllr M. Harley, the carrying out of works with regard to the construction of a housing development consisting of 11 no dwellings together with the demolition of 4 no single story dwellings at Meadowhill Estate, Raphoe Demense, Raphoe, Co Donegal, under Part XI of the Planning & Development Act, 2000 (as amended) and Part 8 of the Planning & Development Regulations 2001(as amended) were approved.

C/11/17 TO APPROVE THE CARRYING OUT OF WORKS WITH REGARD TO THE CONSTRUCTION OF A HOUSING DEVELOPMENT CONSISTING OF 7 NO DWELLINGS AND 2 NO APARTMENTS AT EMERALD DRIVE, CASTLECUMMIN, KILLYBEGS, CO. DONEGAL

Members considered the report circulated in relation to the above.

On the proposal of Cllr N. Kennedy, seconded by, Cllr N. Jordan, the carrying out of works with regard to the construction of a housing development consisting of 7 no dwellings and 2 no apartments at Emerald Drive, Castlecummin, Killybegs, Co Donegal, under Part XI of the Planning & Development Act, 2000 (as amended) and Part 8 of the Planning & Development Regulations 2001(as amended) were approved.

C/12/17

NORTH WEST STRATEGY REPORT ON INITIAL  
ANANLYSIS OF THE CHALLENGES AND OPPORTUNITIES  
OF BREXIT FOR THE NORTH WEST REGION

Members noted the report circulated during the meeting in relation to the above.

On the proposal of Cllr Mc Brearty seconded by Cllr Murray it was resolved that the IBEC presentation as delivered to the Northern and Western Regional Assembly be presented to the members of Donegal County Council. The Chief Executive advised that the report was a work in progress and invited members to submit contributions for inclusion in the final report.

There was general agreement that there was a need for greater engagement with those involved in the fishing industry and that contact needed to be made with Inter Trade Ireland and the Centre for Cross Border Studies.

The need to examine in detail the impact on those living in the immediate vicinity of the border was also noted.

Mr Seamus Neely, Chief Executive confirmed that the draft report had looked at how Brexit was likely to impact on Donegal and what could be done to mitigate the effects of same. The intention at present, he noted, was to gather as much information as possible, so as to be in a position to move forward as soon as Article 50 is triggered. The business community, he added, was generally aware of the implications, and of the need to make mitigating arrangements.

With regard to the fishing industry, it was noted that there would be an opportunity in the weeks ahead to take guidance from that sector and other representative bodies.

A number of members expressed concern however that there could be a return to a hard border.

There was general agreement however that a positive attitude was required going forward.

Concluding the debate the Chief Executive said that no one could fully predict what the outcome would be but that the intention was to deal with challenges as they arose and turn them wherever possible into positive benefits for the county.

- C/13/17      FILLING OF CASUAL VACANCY ON THE DONEGAL COUNTY COUNCIL JOINT POLICING COMMITTEE  
On the proposal of Cllr Canning, seconded by Cllr Mc Gowan it was resolved to defer the filling of the casual vacancy to the March Council Meeting
- C/14/17      FILLING OF CASUAL VACANCY ON THE ECONOMIC ENTERPRISE AND PLANNING SPC  
On the proposal of Cllr Canning, seconded by Cllr Mc Dermott it was resolved that Cllr Seamus O' Domhnaill fill the casual vacancy on the Economic, Enterprise and Planning Strategic Policy Committee arising from the resignation of Cllr James Mc Daid.
- C/15/17      FILLING OF CASUAL VACANCY ON THE DONEGAL LOCAL COMMUNITY DEVELOPMENT COMMITTEE  
On the proposal of Cllr Gallagher, seconded by Cllr Canning it was resolved to endorse the nomination of Mr Peter Walker, Health Service Executive to fill the casual vacancy on the Donegal Local Community Development Committee arising from the resignation of Ms Maire O' Leary.
- C/16/17      AUTHORISATION OF COUNCIL REPRESENTATION AT THE ST PATRICK'S DAY EVENTS IN THE USA  
On the proposal of Cllr Mc Guinness, seconded by Cllr Mc Garvey it was resolved that the Cathaoirleach, the Leas Cathaoirleach and the Chief Executive or his representative attend the St Patrick's Day Events in the USA and that a provisional itinerary for the trip be circulated to all the Elected Members.
- C/17/17      TO AFFORD A CIVIC RECEPTION TO SEAMUS COLEMAN REPUBLIC OF IRELAND AND EVERTON SOCCER PLAYER, IN RECOGNITION OF HIS FOOTBALLING ACHIEVEMENTS, INCLUDING THE CAPTAINCY OF THE REPUBLIC OF IRELAND TEAM  
On the proposal of Cllr Murray, seconded by Cllr O' Neill it was resolved in accordance with Section 74 (1) a of the Local Government Act, 2001 that the Freedom of the County be awarded to Seamus Coleman, Republic of Ireland and Everton soccer player in recognition of his footballing achievements including the captaincy of the Republic of Ireland football team.

C/18/17 TO NOTE OBLIGATION ON MEMBERS UNDER THE LOCAL ELECTIONS (DISCLOSURE OF DONATIONS AND EXPENDITURE) ACT, 1999 AS AMENDED, TO SUBMIT A DONATION STATEMENT BY 31<sup>ST</sup> JANUARY, 2017

Members were reminded of their obligation to submit a donation statement under the Local Elections (Disclosure of Donations and Expenditure) Act, 1999 as amended, by the 31<sup>st</sup> January, 2017.

C/19/17 TO NOTE OBLIGATIONS ON MEMBERS UNDER (PART 15) OF LOCAL GOVERNMENT ACT, 2001 ETHICS FRAMEWORK TO SUBMIT DECLARATION OF INTEREST BY THE 28<sup>TH</sup> FEBRUARY, 2017

Members were reminded of their obligation to submit a declaration of interest under Part 15 of the Local Government Act, 2001 (Ethics Framework), and to return same by the 28<sup>th</sup> February, 2017.

C/20/17 TO ENTER INTO AN AGREEMENT WITH MAYO COUNTY COUNCIL UNDER SECTION 85 OF THE LOCAL GOVERNMENT ACT 2001 IN RESPECT OF THE UPGRADING OF PUBLIC LIGHTING ON N15 BUNDORAN TO BALLYSHANNON AND N15 DONEGAL BYPASS, WHEREBY MAYO COUNTY COUNCIL WILL BE ENABLED TO UNDERTAKE APPROPRIATE WORKS IN DONEGAL

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

On the proposal of Cllr O' Neill, seconded by Cllr Mc Gowan it was resolved to enter into an agreement with Mayo County Council under section 85 of the Local Government Act, 2001 in respect of the upgrading of public lighting on N15 Bundoran to Ballyshannon and N15 Donegal Bypass, whereby Mayo County Council will be enabled to undertake appropriate works in County Donegal.

Cllr Mc Gowan asked that a report on public lighting in Donegal be presented to a future meeting of Council.

C/21/17 ADOPTION OF THE 2018 – 2020 CAPITAL PLANT REPLACEMENT AND REFURBISHMENT PLAN

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

On the proposal of Cllr A Doherty, seconded by Cllr Harley it was resolved to adopt the 2018-2020 Capital Plant Replacement and Refurbishment Plan to enable the Machinery Yard to continue to provide an effective, energy efficient and operationally efficient

service to the Council and its area teams with total planned expenditure of €1,153,000.

C/22/17 TO MAKE THE ROAD TRAFFIC (SPECIAL SPEED LIMITS) (COUNTY OF DONEGAL) BYE-LAWS 2017

Members considered the report circulated with the agenda and addendums circulated prior to the meeting in relation to the above.

Mr John Mc Laughlin, Director of Roads & Transportation confirmed that 1700 submissions in total had been received during the consultation phase of the process. It was acknowledged also that there had been ongoing consultation with both Transport Infrastructure Ireland and An Garda Síochána.

A lengthy debate ensued.

**Glenties Municipal District**

Cllr O' Domhnaill said that the T.I.I was proposing to reduce speed limits at a time when increased allocations were necessary to bring roads up to designated standards. He asked that every effort be made to encourage T.I.I. to upgrade the road network.

He thus proposed, seconded by Cllr Gallagher that the 100km/h speed limit be retained on the following roads;-

- Dunfanaghy to Falcarragh
- Fallcarragh to Gortahork
- Gortahork to Crolly
- Crolly to Loughanure
- Lettermacaward to Glenties
- Ardara to Five Points (Killybegs)
- Creeslough to Termon
- Kilmacrennan to Coolboy

Cllr Gallagher said that 13 different speed limit changes over a 50km stretch of the N56 were not practical and that the proposed reductions if implemented would cause nothing but confusion. The 100km/h limit, she contended, needed to be retained in the interest of road safety and future investment prospects for the area.

Cllr Enda Bonner outlined his support for the motion.

### **Stranorlar Municipal District**

Cllr Crawford proposed, seconded by Cllr Mc Brearty that the 100km/h speed limit be retained on the following routes:-

- N15 from Lifford to Stranorlar
- N14 Lifford to Manorcunningham
- N13 Kilross to Stranorlar

Cllr Mc Gowan proposed, seconded by Cllr Harley that the 50km/h speed limit be extended on Judges Road to cater for the new soccer pitch being built and the existing tennis court. It was further resolved that a 50km/h periodic speed limit be provided at Dooish National School and that the general speed limit remain at 80km/h.

He proceeded to enquire as to the possibility of reducing the limit to 80km/h on the N15 from Ballybofey to Cappry and to 60km/h at Cappry Junction.

### **Inishowen Municipal District**

Cllr Canning proposed, seconded by Cllr Murray that periodic speed limits at Magherabeg be introduced and that every effort be made to have them in place prior to the beginning of the new school year in September 2017.

Cllr Murray welcomed the fact that cognisance had been taken of his comments on the Muff 100km/h signage location.

Cllr Bernard Mc Guinness queried why the R240 Carndonagh to Quigleys point, the R 238 Buncrana to Carndonagh and the R 238 Muff to Greencastle hadn't been considered for 100km/h speed limits. This, he contended, was essential if they were in the future to be adopted as national routes

Cllr Farren proposed, seconded by Cllr Mc Guinness that the 60km/h limit at Merville be extended past Carrickarory Pier on the R238 Derry to Merville Road.

Cllr Ryan said that he was of the opinion that 80km/h was too fast on back, local and country roads. He alluded in particular to problems on the Crisamore Road in Tooban.

### **Letterkenny Municipal District**

Cllr Blaney proposed, seconded by Cllr Mc Bride that the 80km/h speed limit be retained on a 2.7 km section of road from Woodlands NS to Castleshannaghan .

He asked that an 80km/h limit be introduced on the 4 lane section between the Dry Arch and the Polestar Roundabout so as to evaluate the efficiency of the reduction to 80km prior to the 60km limit being introduced.

Cllr Mc Monagle alluding to the route from Ilistrin to Lurgybrack said it was imperative that the T.I.I reviewed the 60km limit or at least extended the periodic limits in operation.

Cllr O' Donnell concurred with the assessment that sporadic speed limit changes along the Wild Atlantic Way route were not practical and could be misleading for locals and visitors alike.

He asked that consideration be given to erecting a barrier at Currindale Cottages in Termon.

Concern was expressed that the T.I.I had not conducted a capital works road scheme on the N56 within the Letterkenny MD since 2009.

Cllr Mc Garvey said it was imperative that the road network was upgraded and acknowledged the fact that some excellent work had been carried out to date. He said that common sense was needed with regard to road usage. It was imperative, he added, that all public representatives engaged with the relevant authorities to ensure that adequate funding was provided for roads investment in Donegal.

Cllr Kavanagh asked for clarification as to when the newly taken in charge housing estates would have the 30km/h slow zone limits introduced.

Mr John Mc Laughlin, Director Roads & Transportation acknowledged the contribution of the Road Design team who, he confirmed, had put considerable effort into the producing the Draft Bye-laws.

He said that in relation to national roads generally the Council would use an amalgamated version of the T.I.I s consent

incorporating both the old and new speed limits.

He informed members that the 80km/h limit outside Donegal Town at Drimark was included in the proposal.

In relation to Cllr Mac Gowan's query on the road at Cappry, he confirmed that it was provided for in the Bye-laws. It would also be possible, he added to accommodate the request for 80km/h outside Donegal Town at Drimark.

With regard to the periodic limits at Magherabeg, he said, that this would require T.I.I funding and that an update would be provided going forward.

It was acknowledged that it would be possible to omit the 100km/h limit on the R245 Woodlands to Castleshannaghan.

Confirmation was given also that the 50km/h limit at Judges Road, Ballybofey would be extended and that the 60km/h in Moville would be extended past Carrickaroary Pier on the R238 Derry to Moville Road.

Mr Mc Laughlin said that the Road Design Section would review the situation with regard to speeding on the Crislamore Road in Tooban.

Concluding, he confirmed, that an update would be provided to members with regard to the implementation of "Slow Zones" in newly taken in charge Housing Estates.

On the proposal of Cllr O' Domhnaill, seconded by Cllr Gallagher it was resolved to make the Road Traffic (Special Speed Limits) (County of Donegal) Bye-Laws 2017 as amended, in accordance with Section 9 of the Road Traffic Act, 2004 together with the relevant consent of Transport Infrastructure Ireland.

C/23/17

#### TO NOTE REPORT ON THE RECORD OF PROTECTED STRUCTURES

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

On the proposal of Cllr Mc Monagle, seconded by Cllr Mc Guinness it was resolved that decisions on additions to the Record of Protected Structures be taken at Municipal District level in



accordance with Section 131A of the Local Government Act, 2001 and Schedule 14A, Part 2 together with Section 21 (3) (c) of the Local Government Reform Act, 2014.

It was noted that there were specific liabilities and responsibilities on the owners of such buildings which gave rise to a number of health and safety issues.

Mr Liam Ward, Director Community, Enterprise and Planning Services said that a full listing of the protected structures in each Municipal District would be provided to committee members in advance of the next round of MD meetings, and that further debate could take place through the workshop format.

Members said it was imperative that a scheme with specific incentives was initiated so as to assist owners of protected structures in the county.

Concern was expressed however that support mechanisms at district level were inadequate and it was suggested that cognisance be taken of the pilot scheme currently being operated by Carlow and Kilkenny County Councils.

The Director of Service said that it was intended to proceed with the arrangements for the consideration of Tier 2 Local Area Plan additions and then to proceed with the other tiers.

It was, he said, the intention of the Planning Department that staff would be available to deal with the issues as they arose.

C/24/17 TO NOTE THE MINUTES OF THE CORPORATE POLICY GROUP HELD ON THE 7<sup>TH</sup> NOVEMBER, 2016

Members noted the Minutes of the Meeting of the Corporate Policy Group held on the 7<sup>th</sup> November, 2016.

C/25/17 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 -2014 as amended and directives issued by the Minister in that regard, on the proposal of Cllr N. Crossan, seconded by, Cllr P. McGowan, it was resolved to authorise any member, if he/she so wished, to attend the following conferences, subject to the normal

procedures:-

- i. Individual members not exceeding their annual budget for attendance at conferences.
  - ii. Payment of expenses for attendance to be conditional on the member furnishing documentary evidence of attendance.
  - iii. Submission of a Conference Report.
- Celtic Conferences – Rebuilding Ireland Action Plan for Housing and Homelessness to be held from Friday 10<sup>th</sup> to Sunday 12<sup>th</sup> February, 2017 in the Four Seasons Hotel, Carlingford, Co Louth.
  - 28<sup>th</sup> Colmcille Winter School to be held Friday 24<sup>th</sup> and Saturday 25<sup>th</sup> February, 2017 at the Colmcille Heritage Centre, Gartan.
  - The Institute of Professional Training – Civic Leadership and the Councillor to be held Friday 24<sup>th</sup> to Sunday 26<sup>th</sup> February, 2017 in the Clayton Whites Hotel, Wexford.

### **Training**

- AILG Training Programme for Elected Members February to June 2017

### **Conferences Abroad**

- CPMR – General Assembly of the Atlantic Arc Commission to be held Wednesday 1<sup>st</sup> Thursday 2<sup>nd</sup> and Friday 3<sup>rd</sup> March, 2017 in Les Sables d’Olonne (Pays de la Loire-Fr).

C/26/17 TO NOTE CONFERENCE REPORTS

On the proposal of Cllr P. Canning, seconded by, Cllr M. McDermott, the Members noted the following conference reports:-

#### **Cllr Martin Harley**

CPMR Conference held Thursday 3<sup>rd</sup> and Friday 4<sup>th</sup> November, 2016 in Ponta Delgada (Azores, Portugal)

#### **Cllr Patrick McGowan**

Brexit – The Economic Consequences Friday 9<sup>th</sup> and Sunday 11<sup>th</sup> December 2016 in 4 Seasons Hotel, Carlingford, Co Louth.

C/27/17 VOTE OF CONGRATULATIONS

Congratulations were extended to Cllr James Pat Mc Daid on his recent engagement.

C/28/17      ADJOURNMENT FOR LUNCH  
It was unanimously agreed to adjourn the meeting until 2pm.

C/29/17      MOTION UNDER URGENT BUSINESS – ADDITIONAL DRIVING TESTER FOR DONEGAL  
A request signed by Cllrs Crossan, Mc Dermott, Farren, Kennedy, Canning, Mc Garvey, Mc Bride, Mc Monagle, A Doherty, Kavanagh, Harley, L Doherty, G Doherty, Bonner, Gallagher, O’ Domhnaill, O Fearraigh, Conaghan, Donaghey, Jordan, Mc Brearty and O’ Neill to have the following motion discussed as urgent business in accordance with Standing Order No 28 was submitted to the Meetings Administrator:-

“That Donegal County Council contact the CEO of the Road Safety Authority urgently, asking that an extra driving tester be allocated to Donegal, to alleviate the current backlog and inordinate delay for people taking their driving test.”

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

C/30/17      MOTION UNDER URGENT BUSINESS – SPECIAL MEETING TO DISCUSS MINISTER COVENEY’S DOCUMENT “REALISING OUR RURAL POTENTIAL “  
A request signed by Cllrs Donaghey, Mc Dermott, Mc Gowan, Crawford, Canning, O’ Domhnaill, Bonner, Murray, Mc Monagle, L Doherty, A Doherty, and Blaney to have the following motion discussed as urgent business in accordance with Standing Order No 28 was submitted to the Meetings Administrator:-

“That this Council arrange a Special Meeting to discuss Minister Coveney’s document “Realising our Rural Potential”, in order that an onus is put on Local Authorities to provide a clear transparent route for people to secure the right to build family homes, raise families there and to have adequate infrastructure for people to work in their own rural communities, given that 75% of Donegal’s population live in the rural area,

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

C/31/17      MANAGEMENT PLAN FOR OUR COAST AND STRANDS ACROSS COUNTY DONEGAL

Cllr Gallagher asked that the motion be amended so as to include a reference to the correct government department.

On the proposal of Cllr M.T. Gallagher, seconded by, Cllr A Doherty, the amended motion as outlined below was adopted:-

"That this Council initiate a proposed management plan for our coast and strands across the County and meet with Minister for Agriculture, Food and the Marine to outline the need for a management plan."

Cllr Gallagher received a response from the Director of Water and Environment in relation to the above.

She noted that there had been a number of issues which had impacted significantly on coastal communities over the past few years, namely foreshore licence applications, coastal erosion and dredging difficulties. It was acknowledged that there had been a 700% increase in aquaculture and that one of the biggest problems with foreshore licences was the brief observation period available to local communities. Going forward, she outlined the need for a dedicated management plan to deal with issues of this nature.

Communities in general, she added, were not against the development of aquaculture but deserved a more comprehensive and transparent service. The current situation, it was acknowledged, was also unfair to local representatives as it often left them pitted against one another.

She called on Donegal County Council to engage with the Department of Agriculture, Food and the Marine and all relevant agencies to ensure that a Coastal Management Plan is put in place for the county.

Cllr A. Doherty seconding the motion called on the Council to contact the EPA with regard to the provision of a licensed dumping at sea site for fishermen working out of Greencastle.

There was no opposition to the motion.

Mr Michael Mc Garvey, Director Water and Environment drew attention to the fact that the Donegal Coast Management Steering Committee had been established in 2015 with a view to developing

a holistic approach to the management of our coastline and beaches. This group, he advised were working on a policy document which would then be considered by the Environment Strategic Policy Committee and members updated at MD level.

Concluding Cllr Gallagher said that it was imperative that something was done to alleviate concerns particularly in relation to aquaculture licences.

C/32/17 PROVISION OF FUNDING TO COMPLETE OUTSTANDING MARINE WORKS THROUGHOUT THE COUNTY

On the proposal of Cllr M Farren, seconded by, Cllr Mc Guinness, the following motion was adopted:-

"That this Council ask the Department of the Marine to provide adequate funding so that outstanding marine works throughout the County can be completed"

Cllr Farren received a response from the Director of Roads and Transportation in relation to the above.

He outlined the necessity of obtaining clarification as to which Government Department was actually responsible for the funding of marine works as the lack of clarity was causing undue concern countywide. The €90,000 budget line provided at present was, he contended, totally insufficient. He was, he confirmed, gravely concerned in relation to the lack of progress on the breakwater at Greencastle.

With up to €8.7 million spent to date, it was essential, he added that monies were provided to complete the works in order to maximise the potential for Greencastle to develop both economically and from a tourism perspective.

He proposed, seconded by Cllr Mc Guinness that a meeting be sought with the relevant minister regarding the completion of the works at Greencastle.

Cllr Mc Guinness said that the Minister should be invited down to see the situation for himself in Greencastle and to meet local fishermen and local representatives.

There was no opposition to the motion

Mr John Mc Laughlin, Director of Roads & Transportation said that the countywide allocation was limited. He would, he confirmed, request clarification in relation to the issues raised and seek a meeting with the relevant minister with regard to Greencastle in particular.

Cllr Farren said that the €8.7m spend to date clearly indicated the significance of the project and that it was imperative that works were completed for the economic benefit of the area.

The Director of Service reminded members that funding provided by the Department would have to be matched by Donegal County Council and that this was something that needed to be kept in mind going forward.

C/33/17 THAT DONEGAL COUNTY COUNCIL DEVISE A PLAN FOR A MULTI -ANNUAL FUNDING PROGRAMME FOR THE DEVELOPMENT, COMPLETION AND PROVISION OF IMPROVEMENT AND SAFETY WORKS AT PIERS AND HARBOURS IN THE COUNTY

On the proposal of Cllr A Doherty, seconded by, Cllr Murray, the following motion was adopted:-

"That Donegal County Council devise and forward to Government a multi annual funding programme costings for the development, completion and provision of improvement and safety works at piers and harbours in the County, and,

a)seek the removal by DAFM of the present capping of funding for Harbour Development and Marine Leisure and Tourism Schemes, and

b)demand the provision by the Department of Agriculture, Food and Marine of an increased, consistent annual funding provision to allow the commencement and completion of essential and necessary works at piers and harbour facilities in the County."

Cllr Doherty received a response from the Director of Roads and Transportation in relation to the above.

He expressed concern in relation to the fact that no monies had been provided for improvement works at pier and harbours in Donegal. This was, he advised, extremely serious given that there were over 100 facilities in the County. Recent commentary from

the Minister's Office, had he noted, clearly indicated that the maintenance and development of piers and harbours lay with the Council in the first instance.

Lack of funding, he said, was seriously damaging the marine and fishing industries in the county. He called for adequate funding to be provided so as to progress works at Greencastle and Leenan Piers.

Cllr Murray concurred with this and said that clarity was necessary given that the same issues were cropping up again and again..

There was no opposition to the motion.

Mr John Mc Laughlin, Director Roads & Transportation said that any multi annual funding programme had to be county-wide and inclusive of the Infrastructure Report 2016, the Three Year Capital Programme, and the county-wide review of piers an harbours.

Cllr Doherty thanked members for their support and said that a concerted effort needed to be made to approach the Department with regard to the provision of a dedicated funding mechanism.

C/34/17

WELCOME FOR THE BUSINESS CASE COMPILED BY  
DERRY CITY AND STRABANE DISTRICT COUNCIL  
REGARDING THE PROPOSED NORTH WEST CRISIS  
INTERVENTION SERVICE

On the proposal of Cllr J Murray, seconded by, Cllr Mc Monagle , the following motion was adopted:-

"That this Council welcomes the business case recently compiled by Derry City and Strabane District Council regarding the proposed North West Crisis Intervention Service, gives our full support to the initiative and commits to working with our partners in the region to ensure the delivery of the service."

Cllr Murray received a response from the Director of Community Enterprise and Planning Services in relation to the above.

This service, he advised, was much needed for the many hundreds of people who each year found themselves dealing with some form of personal crisis. He asked that every effort be made to ascertain the level of support needed, and suggested that contact be made

with the Oireachtas members so that all possible funding options could be explored.

Cllr Mc Monagle advised of the need for a joined up approach so as to provide the best options going forward.

There was no opposition to the motion.

Mr Liam Ward, Director Community, Enterprise and Planning Services said that he intended to engage positively with any cross-border agencies /structures being established and would do so through contact with the HSE which was the lead agency concerned.

C/35/17

CLARIFICATION FROM THE COUNCIL SOLICITOR ON THE BASIS FOR WHICH LEGAL AID IS GRANTED

On the proposal of Cllr Paul Canning, seconded by, Cllr , the following motion was adopted:-

"I would ask this Council to request the JPC to seek an advice from Council's Solicitor outlining the basis upon which legal aid is granted. This is to deal with a certain number of repeat Criminal Offenders who appear to obtain free Legal Aid on a regular basis, and also to advise if a change to this legislation can be sought or obtained by a Local Authority."

Cllr Canning received a response from the Director of Community, Enterprise and Planning Services in relation to the above.

He informed the meeting that legal aid costs in Ireland amounted to €1m per week and that it was extremely unfair that a number of repeat criminal offenders were able to obtain free legal aid on a regular basis.

Supporting the motion Cllr Mc Gowan said that it was an emotive issue and that whilst it was necessary to safeguard civil rights, it was clear that repeat criminal offenders were abusing the system.

There was no opposition to the motion.

Mr Liam Ward, Director Community, Enterprise and Planning Services confirmed that the matter would be tabled for discussion at the next meeting of the Joint Policing Committee.



C/36/17

CALL FOR THE GAA TO REVERSE THEIR POLICY ON THE SELLING OF THE EXCLUSIVE BROADCASTING RIGHTS FOR GAELIC GAMES

On the proposal of Cllr N Crossan, seconded by, Cllr, the following motion was adopted:-

"I propose that Donegal County Council call on the GAA to reverse their policy of selling the exclusive broadcasting rights of Gaelic Games to subscription viewing channels and to return to the long held position of the GAA that ensured all Televised Championship Gaelic Games are shown on terrestrial Free to Air channels for all to see."

Cllr Crossan confirmed that 13 other Local Authorities had passed this motion to date. The lack of coverage on terrestrial free to air channels, he added, effectively disenfranchised people in hospitals and care homes. It posed particular difficulties also, he added, for the elderly and the infirm. He noted that the Minister did have power under the 2009 Broadcasting Act to overturn this decision.

Cllr Conaghan outlined his support for the motion.

There was no opposition to the motion.

Cllr Crossan said he was appreciative of the support and drew attention to the fact that the GAA itself had been built on volunteerism, something which, he contended, carried with it an obligation to put the best interests of the public at the core of the matter.

C/37/17

PROPOSAL TO HAVE THE IRISH COAST GUARD RECOGNIZED IN THE SAME MANNER AS THE OTHER MAIN EMERGENCY SERVICES IN THE COUNTRY

On the proposal of Cllr M McDermott, seconded by, Cllr O' Domhnaill, the following motion was adopted:-

"To call on this Council to back proposals to have the Irish Coast Guard recognized the same as the other main emergency services in this country and to have this motion passed to all other Councils in Ireland."

Cllr Mc Dermott said it was imperative that the Irish Coast Guard, was recognised as an emergency service in light of the valuable and exemplary work carried out by the organisation and its members over the years.

There were he stated 43 coastguard stations throughout the country and over 1000 volunteers associated with the organisation on an annual basis. They provided an excellent service, he added, and their work particularly with heart attack victims often took them away from coastal areas entirely.

He asked that a copy of the motion be circulated to all local authorities and to the Minister for Transport Tourism and Sport for his attention.

Cllr O' Domhnaill said that this was an essential emergency service and needed to be recognised as such. He cited the need to have its overall status reviewed at national level.

There was no opposition to the motion.

Cllr Mc Dermott thanked all who had supported the motion and welcomed that fact that it would be circulated to all local authorities for their attention.

C/38/17

#### ATTENDANCE AT COUNCIL MEETINGS OF NATIONAL REPRESENTATIVES

On the proposal of Cllr Mc Garvey, seconded by, Cllr Crossan, the following motion was adopted:-

"To ask all our National Representatives to attend four of our Council Meetings per year so that they can be updated in relation to the main issues facing the people of Donegal for years, e.g. Health, Roads Funding, Employment, future of our Post Office coverage, Mobile Phone and Broadband coverage.

Cllr McGarvey received a response from the Director of Housing and Corporate and Cultural Services.

He was he confirmed disappointed at the lack of progress in a number of areas over the past number of years and contended that a more cohesive and integrated approach was needed involving all political groupings and national representatives in the county.

Issues such as economic regeneration, job creation , the lack of adequate communications systems, he advised, all needed to be addressed as a matter of urgency.

Cllr Crossan supporting the motion said it was essential that all TDs and Senators wore the county jersey.

Mr Joe Peoples, Director of Housing, Corporate and Cultural Services said that in his opinion there were already good communication channels in place.

Alluding to his reply, he said, that there was ongoing and routine engagement between members, oireachtas members and officers of the council.

There was no opposition to the motion.

Cllr Mc Garvey said that whilst all concerned had the best of intentions, it was clearly apparent that a variety of issues and projects were not being progressed at a sufficient pace. He was, he indicated, well aware of the constraints but made no apology for wanting to see Donegal progress.

C/39/17

CALL ON THE MINISTER FOR HEALTH SIMON HARRIS TD TO INCLUDE THE ORKAMBI DRUG FOR CYSTIC FIBROSIS IN THE GMS AND LTI SCHEME

On the proposal of Cllr G McMonagle, seconded by, Cllr Murray, the following motion was adopted:-

"That Donegal County Council call on the Health Minister, Simon Harris TD to ensure that Orkambi the new drug for Cystic Fibrosis sufferers be included in the GMS and LTI Scheme."

Cllr Mc Monagle advised that the aforementioned drug would help improve the lives of cystic fibrosis sufferers particularly those living with the most common form of the disease. Ireland, he noted, had the highest incidence of cystic fibrosis in the world. Benefits of the drug to date, he said, included reduced hospitalisation and a more positive health outlook for those suffering from the condition.

The drug whilst expensive, it was acknowledged, had been used to great effect in countries such as Germany. It was essential, he said, that it was made available under the General Medical Services and the Long-Term Illness Schemes.

Cllr Murray seconding the motion advised that up to 600 people in Ireland stood to benefit from the drug and that it was clearly a life or death issue for many of those involved.

There was no opposition to the motion.

Cllr Mc Monagle welcomed the support and noted that a number of other local authorities had already supported the call for the drug to be made available to cystic fibrosis sufferers under the guise of the aforementioned schemes.

C/40/17 REQUEST THAT THE GOVERNMENT PROGRESS THE CORONERS BILL

On the proposal of Cllr J Kavanagh, seconded by, Cllr Harley, the following motion was adopted:-

"This Council asks the Government to progress the Coroner's Bill as a matter of urgency, and that the Coroner's Bill will provide for an automatic inquest into every maternal death in the State."

Cllr Kavanagh stated that there had been 22 maternal deaths in Ireland in the period 2011 to 2014, but that there had only been inquests into three of them.

Given the small number of deaths involved, the carrying out of inquests, he said, would not create any undue strain on the system.

Cllr Harley supporting the motion said that the holding of an inquest would not change the circumstances involved but would go some way in providing closure for the families concerned.

There was no opposition to the motion.

Cllr Kavanagh thanked Members for their support and asked that the motion be forwarded to the Minister for his attention.

C/41/17 REQUEST FOR MEETING WITH MINISTER SIMON COVENEY TO DISCUSS THE LIMITATIONS OF THE

TENANT PURCHASE SCHEME AND HIGHLIGHT THE DIFFICULTIES FACED BY PEOPLE IN BUYING OUT COUNCIL AND SI HOUSES

On the proposal of Cllr M McBride, seconded by, Cllr Kennedy, the following motion was adopted:-

“That Donegal County Council request a meeting with Minister Simon Coveney as a matter of urgency to discuss the limitations of the current tenant purchase scheme so we can highlight the difficulties faced by the people of Donegal who wish to purchase these County Council and S.I. Houses that have been family homes for many years.”

Cllr McBride received a response from the Director of Housing, Corporate and Cultural Services in relation to the above.

He was, he advised extremely concerned in relation to the limitations of this scheme at a time when housing and the provision of same was one of the most pressing issues for the current government. This document, he added, seemed to represent a shift in policy away from people owning their own home.

A number of issues were raised including the fact that there was no reference to SI Housing in the Tenant Purchase Scheme and that the designated age restrictions were a barrier for many who wanted to buy out their own homes.

He said that in the past homes in Council Estates had been bought out, creating stable communities where properties were maintained to a very high standard.

The current scheme, he contended, was not working and needed to be reviewed and amended.

Cllr Kennedy supporting the motion said she was concerned that many tenants were unaware of the fact that that the Department of Housing, Planning, Community & Local Government had invited interested parties to make written submissions or comments, preferably in electronic format, on the Tenant (Incremental) Purchase Scheme 2016 by Friday 10th February 2017.

There was no opposition to the motion.

Mr Joe Peoples, Director of Housing, Corporate and Cultural Services advised that a range of issues had been raised by both members and tenants when the scheme was published initially. These, he confirmed, had been discussed by the SPC back in April 2016 and a comprehensive note forwarded to the Minister's office regarding same. Alluding to the review of the scheme initiated by the Minister in early 2017, he said that it would be possible to forward an updated submission and include the issues raised today by the members. The Council would, he added, engage at official level with regard to its own experiences.

Cllr Mc Bride said that a more transparent scheme was needed so as to allow people buy out their own homes thereby generating additional monies which could be reinvested in the Council's housing stock. He said that he was firmly of the opinion that the Council should be able to relinquish its hold on a property after a ten year period.

C/42/17 NEED FOR MORE GENERAL OPERATIVES WITHIN  
DONEGAL COUNTY COUNCIL ROAD CREWS

On the proposal of Cllr J O'Donnell, seconded by, Cllr Mc Garvey, the following motion was adopted:-

"Calling on this Council to make temporary road workers permanent as there is a huge need for more general operatives on our road crews."

Cllr O'Donnell received a response from the Director of Roads and Transportation in relation to the above.

He was he said satisfied with the reply that the Council was currently carrying out a recruitment process to fill vacancies within the agreed permanent staffing structure for outdoor grades.

Cllr Mc Garvey also welcomed the response.

There was no opposition to the motion.

C/43/17 REVIEW OF THE ROAD GRITTING PROGRAMME

On the proposal of Cllr Jordan seconded by, Cllr O' Fearraigh, the following motion was adopted:-

"I am asking this Council to review the full road gritting programme to include further roads and all the schools."

Cllr Jordan received a response from the Director of Roads and Transportation.

He said that number of rural schools throughout the county had been left considerably isolated during periods of bad weather and that it would be extremely helpful if the gritting programme could be extended to these locations.

Additional machinery, he said, was needed to ensure the carrying out of a more comprehensive and effective gritting programme..

He asked that the following roads be included in the programme;-

- Meenanearry Road to Carrick
- Ardaghey to Altcor

Cllr O' Fearraigh said that it was extremely important from an education perspective that roads in proximity to these schools were gritted.

There was no opposition to the motion .

Mr John Mc Laughlin, Director Roads & Transportation advised that there was an ongoing review of the programme but that resources were stretched to the limit at present.

It was agreed to further discuss the matter at the next scheduled review workshop.

C/44/17 REQUEST THAT THE GOVERNMENT AGREE TO PROTECT DONEGAL'S RURAL COMMUNITIES AND MAINTAIN A DEDICATED PUBLIC TRANSPORT SYSTEM

On the proposal of Cllr N Kennedy, seconded by, Cllr Crossan, the following motion was adopted:-

"In light of the current uncertainty over the future of Bus Eireann services and the pending threat of Brexit, that Donegal County Council request an immediate guarantee from the Government that the needs of County Donegal and its rural communities will be

protected and that we will not be further isolated by the depletion of the public transport system to and from the County."

Cllr Kennedy said this was a highly important link and it was imperative that the government did not neglect the people of Donegal as this would only lead to further isolation for rural communities.

Cllr Crossan outlined the necessity of maintaining all such services given that the county had no dedicated rail link.

There was no opposition to the motion.

Cllr Kennedy thanked members for their support and said that the retention of a full Bus Eireann schedule was essential for Donegal, given its rural backdrop and distance from the capital.

C/45/17

#### TII. FUNDING FOR DONEGAL AND ITS IMPLICATIONS

On the proposal of Cllr G Crawford, seconded by, Cllr Mc Gowan the following motion was adopted:-

"That this Council debate the latest TII funding for County Donegal and the implications of same."

Cllr Crawford received a response from the Director of Roads and Transportation in relation to the above.

The 2017 allocation of €10.5m whilst very welcome was not, he confirmed, sufficient to enhance or move forward with new projects. Numerous representations had been made, he confirmed, by successive DCC delegations to the TII yet there had been no corresponding increase in the overall funding base.

Alluding to the earlier debate on the need for a dedicated coastal management plan, he contended , that this and other projects going forwarded depended on the development and maintenance of a robust road network.

Cllr Mc Gowan said he was disappointed that Donegal had received only the seventh largest allocation given that it had some of the worst roads and least serviced roads network in the country. He called for positive discrimination towards the northwest.



There was no opposition to the motion

On the proposal of Cllr Crawford, seconded by Cllr Mc Garvey it was resolved that a delegation comprising the elected members and Oireachtas representatives meet with T.I.I to discuss additional funding requirements.

C/46/17

THAT ROADS WORKERS ARE SELECTED ON A MUNICIPAL DISTRICT LEVEL BASIS AS OPPOSED TO SELECTION FROM A COUNTYWIDE PANEL

On the proposal of Cllr M Harley, seconded by, Cllr Kavanagh, the following motion was adopted:-

"That under the new municipal structure of the Council that all road workers are selected on a Municipal District basis not a county wide panel. This would include Foremen, Gangers and all operatives."

Cllr Harley received a response from the Director of Roads and Transportation in relation to the above.

Cllr Harley said it was imperative that road workers were retained within their own districts as many of those employed by the Council on a temporary basis over the past number of years had an excellent working knowledge of the roads in their own areas.

Cllr Kavanagh whilst recognising that the Council was obliged to follow specific protocols also outlined the benefits of employing staff with the relevant local knowledge.

There was no opposition to the motion.

Mr John Mc Laughlin, Director Roads & Transportation informed members that the Council was obliged to comply with normal public service recruitment protocols and that every effort was made to ensure that candidates were close enough to their proposed base so as to effectively discharge their duties.

C/47/17

RESPONSIBILITY FOR HEALTH AND SAFETY ISSUES WITHIN ESTATES IN THE COUNTY THAT HAVE NOT BEEN TAKEN IN CHARGE

On the proposal of Cllr P McGowan, seconded by, Cllr Crawford, the following motion was adopted:-

"Based on the fact that there have been a number of court cases nationwide, that this Council discuss who is responsible for health and safety issues in housing schemes in the County which have not been taken in charge, even though the houses have been fully occupied for over five years and the residents concerned have petitioned Donegal County Council to have them taken in charge."

Cllr McGowan received a response from the Director of Community, Enterprise and Planning Services in relation to the above.

He said that that a number of specific dangers were present in these estates namely:

- Access to derelict buildings and dangers for children in particular.
- Presence of 2-3 metre dropped drains.
- Sewage running out onto public roads and along private property.

He called on the Council to clearly identify the dangers involved.

Cllr Crawford said it was important that clarification was provided given the number of court cases that had been instigated nationwide.

There was no opposition to the motion.

Mr Liam Ward, Director of Community, Enterprise and Planning Services alluding to his response said that health and safety matters associated with housing developments were a matter for the developer/owner occupiers of the properties concerned, but where applications for takeover had been received there would be proactive engagement to bring the estates concerned up to a sufficient standard for takeover.

He agreed to liaise further with Cllr Mc Gowan regarding three estates in the Stranorlar Municipal District with a view to establishing specific timeframes for dealing with a number of outstanding issues involved.

C/48/17

THAT DONEGAL COUNTY COUNCIL CHANGE THE TITLES ON THEIR MAPS USED ON THEIR WEBSITES FROM LONDONDERRY TO DERRY AND FROM UNITED KINGDOM TO ÉIRE AS THE TITLE FOR THE WHOLE COUNTRY

On the proposal of Cllr L Doherty, seconded by, Cllr Gallagher, the following motion was adopted:-

"That Donegal County Council would change the titles on their maps used on their websites from Londonderry to Derry, and to do away with the United Kingdom title used in describing the north of the country and also to use Éire as the title of our country."

Cllr Doherty received a response from the Director of Services Finance Information Systems and Emergency Services in relation to the above.

He was he said firmly of the opinion that that the technology existed to remove the titles indicated and that Donegal County Council had the expertise to deal with same.

Cllr Gallagher outlined her support for the motion.

There was no opposition to the motion.

Mr Garry Martin, Director of Finance, Information Systems and Emergency Services confirmed that the Council did not have the capacity to generate the background maps, but said that he was willing to look at any option which would allow the Council generate same.

C/49/17

CATHAOIRLEACH'S BUSINESS

***Chief Executive's Term of Office***

The Cathaoirleach announced that the Chief Executive would be remaining with Donegal County Council for a further three years, when his current term of office expires in July 2017. There was, he confirmed a provision for the Chief Executive to request an extension to his existing term of office, and he had, he added, decided to avail of that option.

***Visit by Minister of State, Damien English. T.D to the County***

It was confirmed that Mr Damien English, T.D Minister of State for Housing and Urban Development intended to visit Donegal on

the 10<sup>th</sup> February and wished to meet with the Members of the Council at 11.00 am.

***Special Meeting of Donegal County Council – 24<sup>th</sup> April, 2017***

On the proposal of Cllr Donaghey, seconded by Cllr Mc Guinness it was resolved that a Special Meeting would be held on Monday 24<sup>th</sup> April to consider the Draft County Development Plan and by resolution to make the Plan so that the public consultation process could be formally commenced.

***Votes of Sympathy***

*A vote of sympathy was extended to the following:-*

- Cllr Terence Slowey on the death of his brother, Gerard.
- The family of the late Pat Mc Girr, former caretaker in the County House, Lifford..
- Olive Gillespie, Area Manager, Stranorlar MD on the death of her sister, Jean Dawson.
- Cllr James Pat Mc Daid on the death of his grandmother, Madge Pat Mc Daid.
- Mary Mc Gill, Roads Section, Stranorlar on the death of her father Andy Gallen.
- Catherine Mc Laughlin, Local Enterprise Office on the death of her father, Michael Mc Laughlin.
- Joseph Mc Taggart, Chief Fire officer, on the death of mother, Celine Mc Taggart.
- Tommy King, Information Systems on the death of his mother Frances King.

C/50/17

**CHIEF EXECUTIVE'S MONTHLY MANAGEMENT REPORT**

Members considered the report circulated with the agenda and addendum circulated during the meeting:-

Cllr Slowey informed the meeting that Cllr Campbell had declared an interest in 3(e) pertaining to the Judicial Review John Campbell –v- The Minister for Housing, Planning, Community and Local Government (Respondent) and Donegal County Council (Notice Party and would be removing himself from the chamber during the debate on same.

### Corporate Matters

- A. North West Strategic Growth Partnership
- B. Driving Growth in the North West Conference

### Housing, Corporate & Cultural Services

- A. Update on Housing Capital Programme  
It was clarified that the number of units in the Manorcunningham Phase 2 Project was 8 and not 28 as outlined in the report.
- B. Mná 1916: Women 1916

### Finance, Emergency Services & Information Systems

- A. Update on Development of Business Case for Fire Station Investment in Ballyshannon and Bundoran.  
Cllr Campbell said he had concerns in relation to the use of the term “business case” as it was overtly commercial in nature.  
He said he was at a loss to see how one project could deliver adequate fire cover for the people of Ballyshannon , Bundoran and Glencolmcille.

He then alluded to his motion as submitted for the September 2016 Council Meeting requesting a report on the actions taken and planned to be taken by the Chief Executive to ensure fulfilment of obligations contained in the Fire and Emergency Operations Plan (Section 26 Plan), Service Delivery Plans and relevant government policy as it related in particular to the Bundoran Brigade of Donegal Fire Service. He was, he said, disappointed that this report had not been presented to members for consideration.

The Chief Executive advised that the business case referred to would look at the projects in one or both or one or other of the locations identified. It would also, he added, look at the demand, and the most appropriate service provision for the locations concerned.

### Community, Enterprise & Planning

- A. 2017 Tip O’Neill Irish Diaspora Awards Nomination Process
- B. Donegal Film Office scoops 2016 Entertainment Award
- C. €14.86m Interreg funding for North West Greenways Network

- D. €16.6 Million EU funding to Transform Cross-Border Business Research & Innovation
- E. Judicial Review - John Campbell –v- The Minister for Housing, Planning, Community and Local Government (Respondent) and Donegal County Council (Notice Party)

Cllr Campbell left the meeting at this juncture.

The Chief Executive alluded to the contents of his report and advised members that he was of the opinion that Donegal County Council should remain a neutral party in these proceedings. Notwithstanding the fact that there were a number of other issues involved there was also, he confirmed, the matter of costs which would be most likely be visited on the losing party.

On the proposal of Cllr Mc Bride, seconded by Cllr Kavanagh it was resolved that Donegal County Council would not participate in the proceedings and would leave same to be litigated between the applicant Cllr Campbell and the Minister.

- F. LEO Update
- G. Planning Service Update

Members welcomed the proposed changes but a number were of the opinion that they did not go far enough. They called for greater engagement particularly in relation to on-site meetings etc.

The Chief Executive informed members that additional resources had been deployed within the service and that it was intended to track the progress of these new measures over the coming months.

#### Environment Services

- A. Christmas & New Year Recycling Campaign
- B. Recycling Banks
- C. Coastal Officer
- D. Waste Enforcement 2016

#### Roads & Transportation

- A. Update on National Roads
- B. Non-National Roads
- C. Pier Update

## D. Pier Update

### Addendum

#### Creative Ireland Programme

#### Workshop- County Development Plan Review

It was unanimously agreed to hold a Planning Workshop on Tuesday 7<sup>th</sup> March, 2017 at 2pm in the County House, Lifford.

There was unanimous agreement also to hold a workshop at 1pm to examine possible options for the Council Chamber.

#### C/51/17 MOTION UNDER URGENT BUSINESS

On the proposal of Cllr Crossan, seconded by Cllr Kennedy it was resolved to adopt the following motion as submitted earlier in the meeting under urgent business:-

“That Donegal County Council contact the CEO of the Road Safety Authority urgently, asking that an extra driving tester be allocated to Donegal, to alleviate the current backlog and inordinate delay for people taking their driving test.”

#### C/52/17 CONGRATULATIONS

Congratulations were extended to the Chief Executive, Mr Seamus Neely regarding the extension of his contract for a further three years. Members paid tribute to his hard work, dedication and passion for the job, all of which had been instrumental in the development of the county over the past number of years.

#### C/53/17 MOTION UNDER URGENT BUSINESS

On the proposal of Cllr Donaghey, seconded by Cllr Mc Gowan it was resolved to adopt the following motion as submitted earlier in the meeting under urgent business:-

“That this Council arrange a Special Meeting to discuss Minister Coveney’s document “Realising our Rural Potential”, in order that an onus is put on Local Authorities to provide a clear transparent route for people to secure the right to build family homes, raise families there and to have adequate infrastructure for people to work in their own rural communities, given that 75% of Donegal’s population live in the rural area”

Cllr Donaghey said that the document clearly only tackled rural and regional towns and that those living in small villages and in the countryside were being left to their own devices. She said that over 1.7m people lived in aggregated rural areas and that they were actively discriminated against in this document. 75% of Donegal residents, it was acknowledged lived in rural areas. The Planning and Development Act, she added, needed strengthened in order to protect rural dwellers with local authorities also having a role in counteracting rural depopulation.

**The following questions were noted.**

C/54/17 CORRECT USE OF NAMES FOR OUR COUNTIES AND COUNTRY WITHIN THE DIGITAL MAPPING CURRENTLY IN USE BY DONEGAL COUNTY COUNCIL

The following question was submitted by Cllr M.T. Gallagher:-

"Will this Council change the digital mapping currently in use, to ensure that the names of counties and the country are correct?"

Cllr Gallagher received a response from the Director of Service Finance, Information Systems and Emergency Services in relation to the above.

C/55/17 CLARITY ON THE ISSUES FOR THE NEXT ALL IRELAND CIVIL DIALOGUE

The following question was submitted by Cllr A Doherty:-

"All Island Civic Dialogue, Plenary Two February 17th 2017

What county and cross border issues, needs and supports will Council representatives seek and prioritise at the next meeting of the All Island Civic Dialogue, with Government Departments following the British Prime Minister pronouncements on Brexit, the Taoiseach's Brexit's "contingency plan" and Foreign Affairs Minister Flanagan's contention that (18/01/17) "Everybody (Irish Cabinet Ministers) is in effect a Brexit Minister?"

Cllr Doherty received a response from the Director of Community, Enterprise and Planning Services in relation to the above.



C/56/17 CLARIFICATION ON THE ROLE DONEGAL COUNTY COUNCIL WILL PLAY IN MAKING AN GRIANAN FORT AND DOAGH CASTLE MORE ATTRACTIVE TO TOURISTS

The following question was submitted by Cllr J Murray:-

"Following the OPW's identifying of Grianan of Aileach and Doagh Castle as the two sites in Donegal most suitable for promotion by Bord Failte, in what ways does the Council see its responsibility to further enhance these locations and make them more attractive to tourists?"

Cllr Murray received a response from the Director of Community, Enterprise and Planning Services in relation to the above.

C/57/17 REFUGEES PROTECTION PROGRAMME AND DONEGAL

The following question was submitted by Cllr A Doherty:-

"What information to date has been shared by the Department of Justice and Equality with the Council under the Government's "Irish Refugees Protection Programme" and have details of the number of refugees to be located in the county and government community support programme been offered or sought?"

Cllr Doherty received a response from the Director of Housing, Corporate and Cultural Services in relation to the above.

C/58/17 BREAKDOWN ON THE NUMBER OF COUNCIL TENANTS REMOVED FOR ANTI SOCIAL BEHAVIOUR

The following question was submitted by Cllr J Murray:-

"Can the Council provide an annual breakdown, in tabular format, of the number of council tenants who were removed by the council for anti-social behaviour in the last 10 years?"

Cllr Murray received a response from the Director of Housing, Corporate and Cultural Services in relation to the above.

C/59/17 PROGRESS MADE BY THE COUNCIL IN ENSURING THAT 25% OF THE SOCIAL HOUSING POLICY FOR 2020 WILL BE SI

The following question was submitted by Cllr M McDermott:-

“What progress has the Council made in relation to insuring that at least 25% of the Social Housing Policy for 2020 will be SI?”

Cllr McDermott received a response from the Director of Housing, Corporate and Cultural Services in relation to the above.

C/60/17      REPLACEMENT OF THE EXECUTIVE PLANNER IN THE TAKEOVER OF HOUSING ESTATES SECTION

The following question was submitted by Cllr P Canning:-

"Given the good work that has been done by the team involved in the takeover of housing estates and the development of unfinished estates, I would ask this Council what it plans to do in replacing the Executive Planner who had a substantial knowledge base and experience in this field?"

Cllr Canning received a response from the Director of Community, Enterprise and Planning Services in relation to the above.

C/61/17      INTEREST SHOWN IN SPONSORSHIP OF ROUNDABOUTS ON OUR NATIONAL PRIMARY ROADS

The following question was submitted by Cllr P Canning:-

"What interest has been shown to date in relation to the sponsorship of roundabouts on our National Primary Roads?"

Cllr Canning received a response from the Director of Roads and Transportation in relation to the above.

C/62/17      UPDATE ON THE PROGRESS OF VARIOUS MOTIONS PASSED AT DONEGAL COUNTY COUNCIL MEETINGS IN RELATION TO THE ISSUES FACING THE PEOPLE OF DONEGAL

The following question was submitted by Cllr I McGarvey:-

“Regarding the various motions brought to Council over the years in relation to the main issues facing the people of Donegal, what action has been taken to progress and follow up on these very serious matters?”

Cllr McGarvey received a response from the Director of Housing, Corporate and Cultural Services in relation to the above.

C/63/17 FUNDING AMOUNTS TO MEET THE VARIOUS PROJECTS IN DONEGAL FROM OUR ISLANDS TO MALIN HEAD

The following question was submitted by Cllr I McGarvey:-

"Does this county receive a fair allocation to meet the funding for the many outstanding projects that must be progressed in Donegal from our Islands to Malin Head and all in between?"

Cllr McGarvey received a response from the Director of Finance, Information Systems and Emergency Services in relation to the above.

C/64/17 PROVISION OF YELLOW BOXES AT ROUNDABOUTS IN THE COUNTY WHERE THERE ARE LONG TAILBACKS

The following question was submitted by Cllr J O'Donnell:-

"Could this Council look into the possibility of introducing yellow boxes at roundabouts where there are long tailbacks due to people blocking the roundabout and leaving it impossible for other motorists to proceed from other exits?"

Cllr O'Donnell received a response from the Director of Roads and Transportation in relation to the above.

C/65/17 TIMELINE FOR THE GOVERNMENT DECISION IN RELATION TO REVISITING THE TERMS OF THE TENANT PURCHASE SCHEME

The following question was submitted by Cllr J O'Donnell:-

When will the Government decide on the requests made in relation to revisiting the Tenants Purchase Scheme so as to allow retired residents buy out their council houses which they have lived in all their lives?"

Cllr O'Donnell received a response from the Director of Housing, Corporate and Cultural Services in relation to the above.

C/66/17 CLARIFICATION ON WHETHER THE COUNCIL RECEIVED CORRESPONDENCE FROM BUS EIREANN IN RELATION TO PROPOSED CUTS TO THE INTERCITY SERVICES

The following question was submitted by Cllr G McMonagle:-

"Has the Council received any correspondence from Bus Eireann in relation to its proposed cuts to its Intercity Services?"

Cllr McMonagle received a response from the Director of Housing, Corporate and Cultural Services in relation to the above.

C/67/17      UPATE ON A SCHEME FOR TIDY TOWN GROUPS TO BE ABLE TO ACCESS MONIES FROM DONEGAL COUNTY COUNCIL

The following question was submitted by Cllr G McMonagle:-

"Has the Council devised a scheme as to how tidy towns groups can access the monies we set aside in our Budget to assist them with their work?"

Cllr McMonagle received a response from the Director of Water and Environment in relation to the above.

C/68/17      PROVISION FOR THE COLLECTION OF REFUSE BAGS IN THE COUNTY SHOULD PAY BY WEIGHT BE INTRODUCED

The following question was submitted by Cllr N Kennedy:-

"Has Donegal County Council made any provision for the collection of refuse bags in the county should the pay by weight be introduced?"

Cllr Kennedy received a response from the Director of Water and Environment in relation to the above

C/69/17      UPDATE ON THE TAKEOVER OF ROADS POLICY

The following question was submitted by Cllr N Kennedy:-

"What is the update on the takeover of roads policy, when will this be completed?"

Cllr Kennedy received a response from the Director of Roads and Transportation in relation to the above.

C/70/17      CLARIFICATION ON THE COMPLETION OF THE STATUTORY REPORT ON SECURING THE OBJECTIVES OF THE DONEGAL COUNTY DEVELOPMENT PLAN 2012 – 2018 (AS VARIED) PURSUANT TO SECTION 15 (2) OF THE

PLANNING AND DEVELOPMENT ACT 2001 ( AS AMENDED)

The following question was submitted by Cllr J Campbell:-

"Was the statutory report on securing the objectives of the Donegal County Development plan 2012 - 2018 (as varied) pursuant to Section 15 (2) of the Planning and Development Act 2001 (as amended) completed?"

Cllr Campbell received a response from the Director of Community, Enterprise and Planning Services in relation to the above.

C/71/17

IMPLICATIONS FOR DEVELOPMENT POTENTIAL ETC WITH THE RECLASSIFICATION OF REGIONAL ROADS TO NATIONAL SECONDARY ROUTES SUCH AS THE R263 FROM KILLYBEGS TO GLENCOLMCILLE

The following question was submitted by Cllr J Campbell:-

"A recent motion at Donegal Municipal District called for the reclassification of the regional road R263 from Killybegs to Glencolmcille to a national secondary route. From a development planning perspective and in terms of a general county-wide approach what effect would this reclassification have on rural development potential along routes of this nature and the adjoining terminal local roads?"

Cllr Campbell received a response from the Director of Community, Enterprise and Planning Services in relation to the above.

C/72/17

PUBLICATION TIMEFRAME FOR THE GUIDANCE NOTES AND TECHNICAL SUPPORT DOCUMENT FROM THE FRESHWATER PEARL MUSSEL PROJECT

The following question was submitted by Cllr J Campbell:-

"Under the European funded Freshwater Pearl Mussel Project in which Donegal County Council was lead partner, the third aim was to produce Guidance Notes for identified sectors and activities with the potential to damage FWPM populations. Page 7 of the Summer 2014 project newsletter outlines that these notes and a technical support document were developed. When were the

Guidance Notes and Technical Support Document referred to above published?"

Cllr Campbell received a response from the Director of Water and Environment in relation to the above.

C/73/17 USE OF CHOICE BASE LETTING BY DONEGAL COUNTY COUNCIL

The following question was submitted by Cllr G Crawford:-

"Does this Council use choice based letting when letting Council Housing Stock?"

Cllr Crawford received a response from the Director of Housing, Corporate and Cultural Services in relation to the above.

C/74/17 CLARITY ON GOVERNMENT PLANS TO PREVENT FLOODING ALONG THE RIVER FINN AREA AND FINAL RESPONSE ON THE CFRAM STUDY

The following question was submitted by Cllr P McGowan:-

"Has the Council any knowledge or information on Government Plans to prevent property being flooded in towns and villages along the River Finn, and can I have a copy of the Councils final response to the CFRAMS study?"

Cllr McGowan received a response from the Director of Roads and Transportation in relation to the above.

C/75/17 JAPANESE KNOTWEED AND THE COST ASSOCIATED WITH THE SPRAYING OF SAME

The following question was submitted by Cllr M Harley:-

"Is Donegal County Council or the N.R.D.O. paying for the spraying of the Japanese Knotweed around the county. If Council how much did it cost in 2016 and what funding did it come from?"

Cllr Harley received a response from the Director of Roads and Transportation in relation to the above.

C/76/17 PROVISION OF A FULL REPORT BY THE COUNCIL ON THE SEPTIC TANK SCHEME

The following question was submitted by Cllr P McGowan:-

"Can the Council provide a full report on the Septic Tank Scheme in Donegal providing statistics in relation to the number of inspections and grants paid out to date within each MD area so that the public can see whether or not the Government's promise of providing grant aid to carry out remedial works was a success?"

Cllr McGowan received a response from the Director of Water and Environment in relation to the above.

C/77/17

### MOTIONS FROM OTHER COUNCILS/BODIES

The following motion from other Councils were noted:-

#### MONAGHAN COUNTY COUNCIL

"That Monaghan County Council call on an Taoiseach, Enda Kenny T.D. and the government to immediately deliver an enhanced range of services through the Post Office network, to ensure a sustainable and viable future for Post Offices across Ireland, particularly for rural Post Offices."

"That Monaghan County Council calls on An Taoiseach, Enda Kenny T.D., the Minister for Health, Simon Harris T.D., the H.S.E., and the Government, to immediately address the scandalous crisis of public hospital waiting lists, which currently stands at 540,000 people awaiting appointments, with 440,000 awaiting outpatient appointments, an increase of 27,000 since last May, as totally unacceptable waiting lists times for necessary hospital procedures and treatments."

"Monaghan County Council supports the campaign of "Donegal Families for Justice" in their quest for answers surrounding the disappearance of Mary Boyle in 1977:

- We call on the Coroner to carry out an immediate inquest
- We ask that this inquest should be followed by a commission of inquiry/investigation into the case
- We call on the Minister for Justice, Frances Fitzgerald T.D., and the Minister for Children Katherine Zappone T.D., to use all mechanisms of the state to bring this case to an end and give closure to Mary's family as we enter the 40<sup>th</sup> anniversary of her disappearance."

### WATERFORD CITY AND COUNTY COUNCIL

“That this Council call on the Taoiseach as Leader of the Government to implement the recommendations of the Post Office Business Development Group and the new model of Community Banking as advocated on page 48 of the current programme for Government to facilitate the retention and growth of post offices in rural Ireland.”

### TIPPERARY COUNTY COUNCIL

“Having regard to the proposed departure of the UK from the EU (as a result of the recent referendum on Brexit), and taking into account its potential impact on our regions and local areas, it is very important that Local Authority members have a voice. Accordingly I’m asking the Council to write to An Taoiseach requesting that Councillors are represented on the All Island Civic Forum on Brexit by, for example, their representative bodies, LAMA and AILG.”

“I am calling on this Council and every Council in the Country to support my call for both increased awareness and increased funding for services in the areas of both Dyspraxia and Dyslexia.”

“That this Council calls on the Government to immediately establish a new Agency to acquire and manage all domestic housing mortgage arrears accounts (plus two years in arrears) from the existing Lending Agencies within the State.”

### KERRY COUNTY COUNCIL

“That the Government would fulfil its commitment in the Programme for Government to the post office network by ring fencing and making available the €75m necessary to sustain the standard of the network going forward and that this €75m would be a feature in the upcoming budget.”

### CARLOW COUNTY COUNCIL

“Irish Water Response to Carlow County Council (as circulated at July Meeting) on water and sewage lines which pass through backyards and gardens is unacceptable. Carlow County Council write to the Minister for Housing, Planning and Local Government requesting an amendment to the legislation to change the arrangements so that the position obtaining in Ireland is similar to that in the United Kingdom in that the landowner is only



responsible for that portion of the service from the main to his/her dwelling as per drawings attached (“A” UK and “B” Ireland).”

#### SOUTH DUBLIN COUNTY COUNCIL

“This Council, being very concerned about reported verifiable threats to Bees globally, calls on the Government to ensure that banned neonics are neither offered for sale in Ireland or used in any form and that the (proposed) Bayer’s bee-harming “Flupyradifurone” insecticide is banned in Ireland despite the possibility that the EU may permit it. That the contents of this motion be conveyed by the Chief Executive to the relevant Minister(s) and circulated to all City and County Councils.”

#### SLIGO COUNTY COUNCIL

“To request Sligo County Council to call on the Department of Environment to introduce Legislation as is in force in other European Countries for the control of over grown trees in Housing Estates and Built up areas.”

“To call on Sligo County Council to write to the Oireachtas Committee on water charges and the Minister, to return all water charges collected to the people who paid, and to put proper compensation in place for all group water schemes.”

#### LEITRIM COUNTY COUNCIL

“That Leitrim County Councils seek an explanation from Government and the Taoiseach, as to why Leitrim is one of 10 counties that have no representation on the newly formed Citizens Assembly and also to request an explanation as to why there wasn’t a fairer polling methodology employed to ensure all counties are represented.”

#### DERRY CITY AND STRABANE DISTRICT COUNCIL

“That this Council welcomes the decision by the Minister Chris Hazzard that any planning application in relation to gold mining in the Sperrins will be subject to a public inquiry and that this motion when passed is circulated to the other Councils connected to the Foyle River basin and to Councils involved in the Sperrins, inviting their support. That key organisations in the fields of farming; tourism; health, fishing, culture and rural and community development and outdoor activities; educational establishments, and churches are informed of these proposals at the outset.”

CAVAN COUNTY COUNCIL

“That the Minister for Finance and the Revenue Commissioners look at the tax arrangements in place for self employed in this jurisdiction but working in the North of Ireland.”