

MINUTES OF SEPTEMBER MEETING OF DONEGAL COUNTY COUNCIL, HELD
IN THE COUNTY HOUSE, LIFFORD ON 30TH SEPTEMBER, 2019

- C/244/19 MEMBERS PRESENT
Cllrs N Crossan (Cathaoirleach), L Blaney, K Bradley, C Brogan, P Canning, T Conaghan, D Coyle, G Crawford, T Crossan, A Doherty, G Doherty, L Doherty, R Donaghey, M Farren, M. T. Gallagher, M Harley, J Kavanagh, N Kennedy, M Mac Giolla Easbuig, M Mc Bride, M McClafferty, M McDermott, I Mc Garvey, N Mc Garvey, P McGowan, B McGuinness, M McMahan, G McMonagle, A Molloy, J Murray, M Naughton, J O'Donnell, J S Ó Fearraigh, B Sweeny.
- C/245/19 OFFICIALS IN ATTENDANCE
Seamus Neely, Chief Executive, Joe Peoples, Director of Housing, Corporate and Cultural Services / Meetings Administrator, Liam Ward, Director Community Development & Planning Services, John McLaughlin, Director of Roads & Transportation, Garry Martin, Director of Economic Development, Information Systems & Emergency Services, Richard Gibson, A/Head of Finance, Bryan Cannon, A/Director of Water & Environment, Róise Ní Laifeartaigh, Rannóg na Gaeilge, Anne Marie Crawford, Staff Officer.
- C/246/19 CONFIRMATION OF THE MINUTES OF THE JULY MEETING OF
DONEGAL COUNTY COUNCIL HELD ON 22ND JULY, 2019
On the proposal of Cllr Mc Garvey seconded by Cllr Harley the Minutes of the July Meeting of Donegal County Council held on 22nd July, 2019 were adopted.
- C/247/19 FILLING OF CASUAL VACANCY IN THE MEMBERSHIP OF THE
COUNCIL
On the proposal of Cllr Brogan, seconded by Cllr Blaney it was resolved to defer the matter to a future meeting of Council.
- C/248/19 DISPOSAL OF SPECIFIC INSTANCE COTTAGE AT POWDERLY
CARNONE, RAPHOE TO KELVIN VANCE
Members considered the report circulated with the agenda in relation the above.
On the proposal of Cllr McGowan, seconded by Cllr McBride, it was resolved to dispose of a Specific Instance Cottage at Powderly Carnone, Raphoe to Kelvin Vance in accordance with the provisions of Section 211 of the Planning & Development Act, 2000 (as amended) and under Section 183 of the Local Government Act 2001, (as amended).
- C/249/19 TO APPROVE THE CARRYING OUT OF DEVELOPMENT WORKS
AT THE FORMER ARMY BARRACKS, LIFFORD

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

On the proposal of Cllr Crawford, seconded by Cllr McGowan, the carrying out of development works at the former Army Barracks, Lifford under Part XI of the Planning & Development Act, 2000 (as amended) and Part 8 of the Planning & Development Regulations 2001(as amended) was approved.

C/250/19 TO APPROVE THE CARRYING OUT OF WORKS IN RESPECT OF THE REFURBISHMENT AND EXTENSION OF CARRIGART BRIDGE ON THE R-245-20 AND THE PROVISION OF 164M OF NEW FOOTWAY IN THE TOWNLANDS OF CARRIGART AND UMLAGH IN THE LETTERKENNY-MILFORD MUNICIPAL DISTRICT

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

On the proposal of Cllr Blaney, seconded by Cllr I Mc Garvey, the carrying out of works in respect of the refurbishment and extension of Carrigart Bridge on the R-245-20 and the provision of 164m of new footway in the townlands of Carrigart and Umlagh in the Letterkenny-Milford Municipal District under Part XI of the Planning & Development Act, 2000 (as amended) and Part 8 of the Planning & Development Regulations 2001(as amended) was approved.

C/251/19 TO APPROVE THE CARRYING OUT OF WORKS IN RESPECT OF THE PROPOSED MUCKISH RAILWAY WALK UPGRADE IN THE TOWNLANDS OF CARROWNAMADDY, KILDARRAGH, RAY, MOYRA GLEBE AND DUNMORE.

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

On the proposal of Cllr Gallagher, seconded by Cllr MacGiolla Easbuig, the carrying out of works in respect of the proposed “Muckish Railway Walk Upgrade (Phase 1 of the proposed Burtonport to Letterkenny Greenway)” in the townlands of Carrownamaddy, Kildarragh, Ray, Moyra Glebe and Dunmore in the Glenties Municipal District under Part XI of the Planning & Development Act, 2000 (as amended) and Part 8 of the Planning & Development Regulations 2001(as amended) was approved.

C/252/19 TO APPROVE THE CARRYING OUT OF WORKS IN RESPECT OF THE PROPOSED “GREAT ARCH ACCESS PROJECT” IN THE TOWNLAND OF POLLET

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

On the proposal of Cllr Blaney, seconded by Cllr Coyle, the carrying out of works in respect of the proposed “Great Arch Access Project” in the townland of Pollet in the Letterkenny-Milford Municipal District under Part XI of the Planning & Development Act, 2000 (as amended)

and Part 8 of the Planning & Development Regulations 2001(as amended) was approved.

C/253/19 TO APPROVE THE CARRYING OUT OF WORKS IN RESPECT OF THE PROPOSED ENTERPRISE AND DIGITAL HUB BUILDING (ALPHA BUILDING) IN THE TOWNLAND OF BALLYRAINE, LETTERKENNY

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

On the proposal of Cllr Brogan, seconded by Cllr Kavanagh, the carrying out of works in respect of the proposed Enterprise and Digital Hub Building (Alpha Building) in the townland of Ballyraire, Letterkenny in the Letterkenny-Milford Municipal District under Part XI of the Planning & Development Act, 2000 (as amended) and Part 8 of the Planning & Development Regulations 2001(as amended) was approved.

C/254/19 TO APPROVE THE CARRYING OUT OF WORKS IN RESPECT OF THE PROPOSED DIGITAL HUB AT CARRIGART MAIN STREET IN THE LETTERKENNY-MILFORD MUNICIPAL DISTRICT.

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

On the proposal of Cllr Blaney, seconded by Cllr I McGarvey, the carrying out of works in respect of the proposed Digital Hub at Carrigart Main Street under Part XI of the Planning & Development Act, 2000 (as amended) and Part 8 of the Planning & Development Regulations 2001(as amended) was approved.

Mr Liam Ward, Director of Community & Planning responding to a query from Cllr Blaney in relation to the provision of public conveniences in Carrigart, confirmed that he was not in a position to give a commitment with regard to the facilities, but that all possible options would be explored in conjunction with the Environment Section.

C/255/19 TO ADOPT THE DONEGAL COUNTY COUNCIL TRAVELLER ACCOMMODATION PROGRAMME FOR 2019-2024

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

On the proposal of Cllr Canning, seconded by Cllr T Crossan the Donegal County Council Traveller Accommodation Programme for 2019-2024 was adopted.

C/256/19 TO APPROVE THE CLIMATE CHANGE ADAPTATION STRATEGY FOR 2019-2024

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

Cllr A Doherty said that it was imperative that the views of the various Directorates were made known so that the members could make an informed decision. Concern was also expressed that there had been little progress in dealing with biodiversity issues and that the Council had still not signed up to the All Ireland Pollinator Plan.

Mr Joe Peoples, Director of Housing, Corporate, & Cultural Services said that the Council were committed to signing up to the Pollinator Plan, and that arrangements were being made to ensure that this took place.

The Chief Executive drew attention to the fact that a commitment had already been given on Page 84 of the plan to budget for and explore ways in which the Council could support a diversity of plant species thus supporting biodiversity through natural pollination.

It was unanimously agreed to defer the item to later in the meeting.

C/257/19

ADOPTION OF STRATEGIC POLICY COMMITTEE SCHEME 2019-2024

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

Mr Joe Peoples, Meetings Administrator said that it was intended to finalise the membership of the various SPCs at the November Council Meeting and thus called on all political groupings to consider appropriate representation on the various committees as per the Draft Strategic Policy Committee Scheme 2019-2024. This, he added, would allow the chairpersons and membership of the various SPCs to be confirmed at the November Council Meeting. The next step, he advised, was to contact the sectoral groupings and seek nominations so that a full list of elected and non-elected members could be brought to the November Council Meeting.

Cllr Blaney outlined the need to ensure that there was adequate representation from the Irish Natura and Hill Farmers Association and the Beef Plan Group.

Cllr Mc Guinness enquired as to the status of the newly established Agriculture and Fisheries Committees and how they would interact with the Strategic Policy Committees.

The Meeting's Administrator informed members that the committees established at the Annual General Meeting in June were sub-committees of the Council and separate of the SPC process, but that the members would need to consider how the work of the committees would be aligned with the SPCs.

Cllr McGuinness said it was imperative that the Fisheries and Agriculture Committees met to fully ratify their membership and agree

terms of reference going forward in advance of the establishment of the individual Strategic Policy Committees. This he noted could be progressed through the workshop process.

Cllr McDermott cited the need to have the Mica Redress Committee up and running as soon as possible. Members discussed the impact of Mica on private and social housing and in particular the need for the Redress Scheme to open for applications so that financial assistance could be provided to those in need as soon as possible.

The Meetings Administrator informed members that the committees in question had already been established as statutory committees of the Council. He suggested that a representative grouping of members meet over the coming weeks with a view to drawing up terms of reference and to look at the nature of the external representation required.

On the proposal of Cllr Brogan, seconded by Cllr A Doherty it was resolved that a request to meet with a delegation from Donegal County Council in relation to the status of the Mica Redress Scheme be forwarded to the Minister for Housing, Planning & Local Government, Mr Eoghan Murphy T.D. as a matter of urgency.

Cllr Blaney expressed disappointment at the pace in which the scheme was being delivered and said that Councillors had little or no say in the matter whatsoever. He suggested that a workshop be held and an update provided in relation to the ongoing role of the Department.

Cllr McBride enquired as to the numbers of houses affected and the estimated budget for remediation.

Mr Joe Peoples, Director Housing, Corporate & Cultural Services said that Donegal County Council, were proactively advancing the detail with the Department. There had been, he confirmed, a number of meetings with the Department and another scheduled for the 9th October. Department officials, it was acknowledged, were working to bring the matter to a conclusion. Donegal County Council, it was noted, was seeking a specific outcome in relation to Council houses and would make a submission on this at an appropriate time. It was anticipated; he said that individual solutions would be needed for individual properties.

The Expert Panel, he stated, had indicated previously that there were up to 2800 properties affected. The number of social housing stock affected was in the region of 800, he confirmed, but this would only be determined when the test process was initiated. It was hoped, he said, that there would be further developments in relation to the matter

following the meeting with Department officials. €20 million, it was acknowledged, would not be sufficient to deal with the problem.

Cllr Ian Mc Garvey suggested that the Minister for Housing, Planning and Local Government together with the Oireachtas members be invited to the chamber to debate the issues and concerns highlighted.

- C/258/19 A5/N2 CROSS-BORDER COMMITTEE
On the proposal of Cllr McMonagle, seconded by Cllr Murray, it was resolved that four number members would be selected across party lines with the names to be provided in due course to the Meetings Administrator.
- C/259/19 TO AGREE DATE FOR 2020 STATUTORY BUDGET MEETING.
It was unanimously agreed to hold the 2020 Statutory Budget Meeting on Friday 22nd November, 2019 at 10am in the County House, Lifford.
- C/260/19 TO CONSIDER PASSING A RESOLUTION TO VARY THE LOCAL PROPERTY TAX IN RESPECT OF 2020.
Members considered the report circulated with the agenda in relation to the above.
On the proposal of Cllr Harley, seconded by Cllr Brogan it was resolved to defer consideration to later in the meeting.
- C/261/19 TO CONSIDER AND NOTE THE AUDITED FINANCIAL STATEMENT 2018.
Members considered and noted the report circulated with the agenda in relation to the above.
- C/262/19 TO CONSIDER AND NOTE THE LOCAL GOVERNMENT AUDIT REPORT ON THE AFS FOR 2018.
Members considered and noted the report circulated with the agenda in relation to the above.
- C/263/19 TO NOTE THE REPORT FROM THE DONEGAL COUNTY COUNCIL AUDIT COMMITTEE ON ITS CONSIDERATION OF THE 2018 AUDITED FINANCIAL STATEMENT AND AUDIT REPORT FOR 2018 OF DONEGAL COUNTY COUNCIL AS REQUIRED BY SECTION 121(3) OF THE LOCAL GOVERNMENT ACT, 2001 (as amended).
Members considered and noted the report circulated with the agenda in relation to the above.
- C/264/19 TO NOTE THE MINUTES OF THE CORPORATE POLICY GROUP COMMITTEE MEETING HELD ON THE 15th APRIL, 2019.
On the proposal of Cllr Canning seconded by Cllr Brogan the Minutes of the Corporate Policy Group Committee Meeting held on 15th April, 2019 were noted.

C/265/19 TO NOTE MINUTES OF THE CORPORATE POLICY GROUP COMMITTEE MEETING HELD ON THE 16TH JULY, 2019
On the proposal of Cllr Brogan seconded by Cllr McDermott the Minutes of the Corporate Policy Group Committee Meeting held on 16th July, 2019 were noted.

C/266/19 ATTENDANCE AT CONFERENCE, SEMINAR OR EVENT
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 2006-2018 as amended and directives issued by the Minister in that regard, on the proposal of Cllr Brogan, seconded by Cllr Bradley, it was resolved to authorise any member, if he/she so wished, to attend the following conferences/ events , 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.

Training

- Association of Irish & Local Government Elected Member's Training programme for October and November, 2019.
- LAMA 2019 Autumn Training Seminar to be held from Thursday 17th to Saturday 19th October, 2019 in the The Falls Hotel, Ennistymon, Co Clare.

Conferences

- Irish Planning Institute, Autumn Planning Conference "Best Practice and Emerging Trends" to be held on Friday 4th October, 2019 in the Grand Hotel, Malahide, Dublin.
- Connecting for Life 2019, 4th Annual Conference to be held on Friday 4th October in the Central Hotel, Donegal Town.
- Economic and Business Opportunities from Climate Change to be held Wednesday 9th October, 2019 in the Tullamore Court Hotel, Tullamore, Co Offaly.
- Irish Council for Social Housing – Social Housing 2019 "Innovation Delivery & Sustainability Social Housing Conference" to be held from 10th to 11th October, 2019 in Clayton Whites Hotel, Wexford.
- UN convention on the Rights of Persons with Disabilities: Past Lessons and Future Aspirations to be held Thursday 17th October, 2019 in the Hogan Mezzanine, Croke Park Conference Centre, Dublin 3.

Travel Abroad

- On the proposal of Cllr Brogan seconded by Cllr Kennedy the attendance of the CPMR representative at the 47th CPMR General Assembly to be held from Wednesday 16th to Friday 18th October, 2019 in Real Albergo delle Povere Corso Calatafimi 217, 90129 Palermo, Sicily (Italy) was approved.

- On the proposal of Cllr Harley seconded by Cllr McDermott the attendance of the Cathaoirleach on the Trade and Investment Mission to the North East of the United States from the 11th to 15th November, 2019 was approved.
- Attendance at the Hericoast Closing Conference in Lea Artibai, Spain from the 5th to 7th November, 2019.

C/267/19 CONFERENCE REPORTS

Members noted the following conference reports:-

- Cllr Patrick McGowan – Celtic Conferences- The Cohesion Policy 2014 – 2020 held from 14th to 16th December, 2018 in the Four Seasons Hotel, Carlingford, Co Louth
- Cllr Niamh Kennedy – CPMR Political Bureau Meeting held on the 6th and 7th March, 2019 in Brest, France.
- Cllr Terence Slowey – Celtic Conferences, Ireland and Plastic Waste held from 12th to 14th April, 2019 in Carlingford, Co Louth.

C/268/19 THAT THIS COUNCIL DISCUSS WHAT THE OPTIONS ARE TO ENSURE THAT BALLYBOFEY- STRANORLAR WILL BE ADEQUATELY LINKED TO THE PROPOSED TEN-T/ BALLYBOFEY AND STRANORLAR BY-PASS.

On the proposal of Cllr McGowan, seconded by Cllr Harley the following motion was adopted:

"As the Minister for Transport Shane Ross has refused to meet the Stranorlar MD members and Donegal County Council road staff, that this Council discuss what the options are to ensure that Ballybofey and Stranorlar will be adequately linked to the proposed TenT - B&S By-pass which is up to 5km from the centre."

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

He asked for clarification as to when members would be updated in relation to the preferred routes for the TEN-T Project, and said that it was imperative that both Ballybofey and Stranorlar were adequately linked with a dedicated route into the centre of both towns given that the proposed by-pass was up to 5km from the town centre. This was essential, he advised, in terms of the overall economic development of the area and he called for adequate provision to be made in the 2020 Budget.

Cllr Harley outlined his support for the motion.

There was no opposition to the motion.

Mr John Mc Laughlin, Director Roads & Transportation noted that the TEN-T Project was the single biggest road project ever undertaken in Donegal and afforded an excellent opportunity to address long-term deficiencies in road transportation needs in the Ballybofey and Stranorlar areas. It was noted that the option selection report for the

TEN-T project would have full details of assessments carried out in relation to a number of link options.

He confirmed that it would be possible to allocate €50,000 to assist in improving local access routes in the Twin Towns and to look at a system for county-wide consideration in line with the overall town plan.

Cllr Mc Gowan highlighted the urgency of progressing the issue.

Emphasis, he said, needed to be placed on ensuring that there was sufficient accessibility and that a package of shovel ready projects were in place to facilitate growth and development in both towns.

C/269/19 TO CALL ON THE MINISTER FOR FINANCE TO ESTABLISH A BREXIT FUND TO ASSIST BUSINESSES IN THE BORDER REGIONS

It was unanimously agreed to defer the item to later in the meeting.

C/270/19 SUFFICIENT FUNDING TO BE PUT IN PLACE TO REPAIR AND CARRY OUT NECESSARY WORKS ON OUR PIERS AND HARBOURS IN THE 2020 BUDGET

It was unanimously agreed at this juncture to deal with Motion No 19 as submitted by Cllr Farren.

Thus on the proposal of Cllr Farren seconded by Cllr McDermott the following motion was adopted:

“That this Council recommend to Government that sufficient funding be put in place to repair and carry out necessary works on our Piers and Harbours in the 2020 Budget.”

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

He alluded to the necessity of ensuring that adequate funding was provided at national level to facilitate works in piers and harbours across the county.

Specific reference was made to Greencastle Harbour with Cllr Farren confirming that just under €10 million had been spent on the project to date. Two thirds of the work on the breakwater project, he noted, had been completed prior to the works being put on hold because of financial constraints nationally.

Donegal County Council, he acknowledged, had committed to providing 25% of the funding. There was an onus now, he said, for a push to be made at national level to ensure that the remaining funding was provided in order to facilitate the completion of the breakwater. He said it was imperative that the project was completed in 2020 so that Greencastle Pier could expand and develop to play an integral role in the regeneration and economic development of the Inishowen area.

Cllr Mc Dermott said that he fully supported the motion and that the difficulties facing the marine section funding needed to be provided for in terms of remediation works county-wide.

There was no opposition to the motion.

Mr John Mc Laughlin, Director of Roads & Transportation said that Contact would be made with the Department and a request for sufficient funding to repair and carry out necessary works on our Piers and Harbours submitted. The monies sought however, would, he confirmed, be dependent on the availability of match funding.

Cllr Farren thanked members for their support and said that the completion of works at Greencastle would aid other sectors of the economy going forward.

C/271/19

OYSTER FARMS IN AREAS OF SCENIC ACTIVITY

Cllr McClafferty proposed, seconded by Cllr McGuinness that the following motion be adopted:

"That this Council look at what can be done about proposed Oyster Farms in areas of scenic activity given that they will have an impact on tourism along the Wild Atlantic Way."

Cllr McClafferty received a response from the Director of Community Development & Planning Services in relation to the above.

He expressed concern that such development would impact on the scenic nature of the areas concerned and ultimately damage progress made by projects such as the Wild Atlantic Way initiative. He asked for clarity in relation to the planning aspect of the matter.

Cllr Mc Guinness supporting the motion called for Donegal County Council to have an input into the issuing of licences which, he acknowledged, were ultimately the responsibility of the Department of the Marine. He cited the need for consultation and agreement at local level.

Cllr Gallagher said that whilst she agreed with the sentiment of the motion there was a need to amend same and thus called for the motion to be amended as follows:-

"That this Council look at what can be done about proposed Oyster Farms in areas of scenic activity given that they will have an impact on tourism along the Wild Atlantic Way and calls on the Minister for Agriculture, Food and the Marine to suspend the decision making process on Ballyness Bay given that there had been no public consultation in relation to the matter."

It was thus proposed by Cllr McClafferty, seconded by Cllr Mc Guinness that the motion be amended as outlined above.

This was unanimously agreed.

There was no opposition to the motion.

Mr Liam Ward, Director of Community Development & Planning Services advised that Donegal County Council was a statutory consultee only in the matter. The Department of Agriculture, Food and the Marine were ultimately, he advised, the decision maker in the process.

C/272/19

MULTI-DEPARTMENT TASK FORCE FOR THE DONEGAL GAELTACHT

On the proposal of Cllr Gallagher seconded by Cllr O'Ferraigh the following motion was adopted:

"That this Council note the failure of previous motion to have a multi-department task-force set-up for the Donegal Gaeltacht and re-iterate this Council's dedication to ensuring a task-force is established, and that this Council commit resources to ensure that a high-level meeting across all agencies in Donegal is called by year end, to establish how such a taskforce could be established."

Cllr Gallagher received a response from the Director of Economic Development, Information Systems & Emergency Services in relation to the above.

She thanked the Director of Economic Development, Information Systems & Emergency Services for the response. A previous motion in the same vein, she noted, had yielded little or no results and the issues highlighted at the time remained largely unresolved.

Rural depopulation, she said, needed to be tackled if communities and services in localities throughout the county were to be maintained. The fact that Donegal had been singled out as the most deprived county in Ireland needed to be addressed, she added. She said that as outlined previously there was a need for all the relevant authorities to come together to assess the situation. A query was also raised in relation to the feedback if any received from the Department to date.

Cllr O' Ferraigh supporting the motion said that it was important that the issues raised were dealt with and progressed from both a tourism and development perspective within the Gaeltacht areas. Issues such as emigration and Brexit loomed large, he noted, and the time was right set up a task-force to deal with the problems in the Gaeltacht areas.

There was no opposition to the motion.

Mr Garry Martin, Director Economic Development, Information Systems & Emergency Services said that it would be possible to liaise with Údáras na Gaeltachta and that he would be happy to progress the matter going forward.

Cllr Gallagher advised of the need to ensure that action was taken and asked that a meeting to discuss same take place with Údáras na Gaeltachta as soon as possible.

C/273/19

TO COMMEND THE STRIKE ACTION OF YOUNG PEOPLE IN RELATION TO THE CLIMATE EMERGENCY

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

“That Donegal County Council commends the strike action of the young people of the County in relation to the climate emergency and resolves to play its part in working towards a cleaner environment.”

Cllr Murray received a response from the Director of Water & Environment in relation to the above.

He commended the many young people who championed climate protection and said that their leadership and zest for getting involved in political life would in the long-term make a difference.

Climate change, he said, was the biggest challenge of our generation.

He contended however that the increase in the Carbon Tax was a retrograde step and called on the Council to support the development of alternative energy sources.

Cllr Doherty supporting the motion said that there was a responsibility on the council to respond and adapt to the issues raised. The adoption of the Climate Adaptation Strategy, he confirmed, was a welcome step and would allow local communities to come on board with the local authority in the lead role.

Government buy-in was needed also, he said. This was particularly true in areas like Donegal where failure to provide an NDLS Centre in Inishowen was a blatant example of where the system was falling down. He identified the need for effective co-ordination given that the weather respected no boundaries and the fact that climate change was going to be a major issue for the local authority going forward.

He proceeded to outline the necessity of signing up to the “All Ireland Pollinator Plan”.

There was no opposition to the motion.

Mr Bryan Cannon, Senior Engineer, Water & Environment noted that with the adoption of the Climate Adaptation Strategy there was a significant role for local authorities to lead out and assist communities in dealing with the issues surrounding climate change.

The Chief Executive advised that there had been considerable examination of the issues on an organisation wide basis and an overall

assessment of what the major issues were. It would be possible, he said, to sharpen and refine aspects of the strategy going forward.

He noted that a commitment had been given back in July that the Council would sign up to the All Ireland Pollinator Plan and that arrangements were being made for the Cathaoirleach to complete the final sign off.

It was acknowledged that there was a committed approach to dealing with climate change but that Donegal County Council was going to have to find a way to apply the necessary resources to climate adaptation measures. The Council whilst committed, he said, needed to liaise further with the sponsoring Departments if an invigorating response was to be provided.

C/274/19 ADJOURNMENT OF THE MEETING

On resumption of the meeting at 2pm a further adjournment was proposed by Cllr Blaney and seconded by Cllr Mc Bride to facilitate discussion in relation to the Local Property Tax for 2020.

C/275/19 FURTHER ADJOURNMENTS

Members unanimously agreed further adjournments until 2.35pm and 3.10pm respectively.

C/276/19 LOCAL PROPERTY TAX FOR IN COUNTY DONEGAL FOR 2020

Members were informed that the recommendation from the Executive was that consideration should be given to increasing the Local Property Tax in Donegal so as to achieve a balanced budget and ensure that the capacity existed to provide match funding and facilitate borrowing in 2020 for a range of projects already in development across the county. This it was acknowledged would help the Council maintain services and set the basis for the capacity to co-fund schemes and programmes going forward. It was also noted that some elements of the Capital programme were directly dependent on revenue monies. Members were informed that the value of projects with live applications together with those at an advanced stage of development was in the region of €365 million and that match funding of €40-€60million was needed depending on the amount of money available from the funding agencies. These projects it was noted varied from significant road improvements in the principle towns to items such as the One Way System in Donegal Town to projects such as Bunrana Leisure Centre, the Riverine Project in Lifford and the Housing Capital Programme generally.

Responding to a number of queries the Chief Executive confirmed that the increased provision for salaries was due to the unwinding of the financial emergency provisions in relation to wages and salaries and additional staffing requirements for the Economic Development

Division. He alluded also to the Programme of Works scheduled to take place on the regeneration front and the associated capacity required to progress same.

With regard to a query in relation to projects within the south Donegal area, he confirmed, that there were a number of specific items being progressed in Donegal Town together with the Destination Towns initiative in Bundoran, and a focus on regeneration issues in Ballyshannon.

He informed members that cognisance had been taken of their priorities over the next five years and that an increase in the LPT would build further on the capacity created within the 2019 Budget and allow the Council step up to new co-funding requirements and projects going forward.

It was noted that the Council was not prohibited from increasing commercial rates but that by availing of the opportunity to increase the Local Property Tax a significant step forward would be taken in balancing the budget for 2020.

“It was proposed by Cllr Conaghan, and seconded by Cllr Harley, that under Section 20 of the Finance (Local Property Tax) Act 2012, as amended by Section 5 of the Finance (Local Property Tax) Act 2013, and as prescribed under the Local Property Tax (Local Adjustment Factor) Regulations 2014 (S.I.296 of 2014), the rate of Local Property Tax in 2020 in County Donegal be increased by 15%.”

Cllr Harley said that in light of the impending Brexit scenario it was imperative that Donegal was best placed to avail of all possible economic and infrastructural advantages and that areas such Tourism needed additional support in the long term.

Cllr Brogan supporting the proposal called on members to take a leap of faith and invest in Donegal over the next five years. The Council, he contended, needed to be innovative and show that it was prepared to meet all perspective challenges going forward. He was, he advised heartened that this would allow commercial rates to remain static in the forthcoming budget. Additional funding, he said, needed to be sourced at national level.

Cllr Gallagher said that the Sinn Fein grouping were opposed to the Local Property Tax in any shape or form and thus could not support the proposal. She thus proposed, seconded by Cllr Gary Doherty that there be no variation in the rate of the Local Property tax in Donegal for 2020.

The Meetings Administrator called on members to consider

1. The proposal from Cllr Conaghan, seconded by Cllr Harley to increase the Local Property Tax in Donegal by 15% in 2020 and
2. The proposal from Cllr Gallagher, seconded by Cllr Doherty that there be no variation in the rate of the Local Property Tax in Donegal in 2020.

A recorded vote was then taken and members advised to vote either in favour of or against the proposal from Cllr Conaghan to increase the LPT by 15% in 2020.

This resulted in 15 voting for and 13 voting against. There were 2 abstentions.

Those voting in favour included:-

Cllrs Bradley, Brogan, Canning, Conaghan, Crawford, N Crossan, Donaghey, Harley, Kavanagh, Kennedy, I Mc Garvey, N Mc Garvey, Mc Gowan, Molloy and Sweeny (15)

Those voting against included:-

Cllrs Blaney, Coyle, T Crossan, A Doherty, G Doherty, L Doherty, Gallagher, Mc Bride, Mc Mahon, Mc Monagle, Murray, Naughton and O' Fearraigh (13)

Cllrs Mc Dermott and Mc Guinness abstained.

Thus it was resolved to increase the rate of Local Property Tax in County Donegal by 15% for 2020.

C/277/19 CLIMATE CHANGE ADAPTATION STRATEGY

On the proposal of Cllr A Doherty, seconded by Cllr Donaghey it was resolved to adopt the Donegal County Council Climate Change Adaptation Strategy 2019-2024.

C/278/19 TO CALL ON THE MINISTER FOR FINANCE TO ESTABLISH A BREXIT FUND TO ASSIST BUSINESSES IN THE BORDER REGIONS

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

“That Donegal County Council calls on the Minister for Finance to establish a Brexit fund to provide assistance and support for businesses in the border regions which will be most severely affected in the event of a hard Brexit.”

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

He highlighted the excellent work being carried out by Donegal County Council and Derry City & Strabane District Council on a number of Brexit related issues and commended ICBAN for their contribution to date.

It was imperative, he said, that a dedicated cross-border fund was established to provide financial assistance to businesses in the border regions given that the impact was already being felt with the devaluation of sterling and the reduction in tourist numbers in the northwest. It was acknowledged that local chambers of commerce were doing excellent work in this regard.

A no deal Brexit, he added would be disastrous for this county.

Cllr Mc Monagle outlined his support for the motion and contended that upward of 30,000 jobs could be lost going forward with the potential also for the decimation of the fishing fleet. Low income families would, he added, be affected the most and this combined with the 15% increase in the Local Property Tax would see this grouping suffer the most. He asked that the Minister be contacted immediately with regards the setting up of a fund to protect jobs and businesses in border areas.

There was no opposition to the motion.

Mr Garry Martin, Director Economic Development, Information Systems and Emergency Services outlined the necessity of ensuring that a dedicated focus was kept on the County. The benefits of cross-border advertising were also acknowledged.

Cllr Doherty welcomed the response and again outlined the importance of creating some element of protection for small and medium businesses in border regions.

C/279/19

FOR DONEGAL COUNTY COUNCIL TO RE-AFFIRM ITS SUPPORT FOR THE GOOD FRIDAY AGREEMENT AND ALSO TO URGE THE GOVERNMENT TO PREPARE FOR A BORDER POLL ON IRISH UNITY

On the proposal of Cllr T Crossan, seconded by Cllr Murray the following motion was adopted:

“I propose that the Donegal County Council re-affirms its support for the Good Friday Agreement in all its parts and recognises that in the event of a no deal Brexit, Donegal would be one of the worst affected counties, and also call on Donegal County Council to urge the Government to prepare for a border poll on Irish Unity.”

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

He said that there would be significant impact on both sides of the border with cross-border workers particularly impacted. It was essential, he stated, that the Good Friday Agreement was protected in the midst of the ongoing uncertainty. He outlined the need also to recognise the growing call for Irish unity and the fact that there was much support for a border poll at this juncture. It was imperative, he added that both Governments were encouraged to explore that possibility also.

Cllr Murray supporting the motion said that its consideration was timely given the possibility of a no deal Brexit. Opinion polls, he advised, indicated that 65% of people in the South and 51% of the population in Northern Ireland now supported Irish unity. A peaceful and frank discussion, was needed, he added and thus called for the motion to be forwarded to the Irish Government and the Secretary of State in Northern Ireland.

Cllr Blaney proposed that the motion be amended and that the call for a border poll dropped, as in his opinion such a poll would be divisive at this stage. The Government, he contended, needed to plan for Irish unity and work with communities north and south to ensure that no one was left behind. Cllr Harley seconded the proposal.

Cllr Crossan in response said that the notion of a border poll was enshrined in the Good Friday Agreement and that it would be remiss of him to remove it from the motion at this stage.

A recorded vote was then taken by the Meeting Administrator which resulted in 17 voting for, with 9 voting against and 1 abstention.

Those voting in favour included:-

Cllrs Crawford, T Crossan, A Doherty, G Doherty, L Doherty, Gallagher, Kennedy, Mc Bride, Mc Dermott, I Mc Garvey, N Mc Garvey, Mc Mahon, Mc Monagle, Molloy, Murray, Ó Fearraigh, and Sweeny. (17)

Those voting against included:-

Cllrs Blaney, Bradley, Canning, Conaghan, Coyle, Crossan, Harley, Kavanagh and Naughton. (9)

Cllr Mc Gowan abstained.

The motion was duly adopted.

C/280/19

TO CALL ON THE MINISTER FOR JUSTICE AND THE COURTS SERVICE TO FAST TRACK THE CARRYING OUT OF THE STRUCTURAL SURVEY OF COURTHOUSES.

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

"That this Council calls on the Minister for Justice and the Courts Service to fast track the carrying out of the structural survey of courthouses, particularly those that are currently closed in order to ensure a speedy assessment of their condition, to prioritise the necessary works that will take place and to allow the early restoration of Court Services to the area. The closure of local courthouses in rural Ireland, including Co Donegal causes considerable inconvenience to the general public".

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

He said that the motion as submitted had particular significance in the Carndonagh area as the Courthouse there was no longer being used, given that court sittings had been temporarily relocated to Buncrana.

Promises of an alternative venue in the town had not materialised, he added, and he thus called on the Courts Service and the OPW to outline what their plans were going forward.

It was imperative, he added, that the courts service was retained in North Inishowen as it was a vital rural service and contributed to the local economy. He called for the refurbishment works to be carried out in a timely manner and the service restored in Carndonagh.

Cllr Murray supporting the motion called for the works to be progressed as soon as possible.

There was no opposition to the motion.

The Meetings Administrator confirmed that the issues raised would be brought to the attention of the Court Services and the Minister for Justice.

Cllr Doherty emphasised again the economic impact associated with the removal of the service in Carndonagh and asked that the structural survey's alluded to be carried out as speedily as possible .

C/281/19

AUDIT OF ALL JUNCTIONS -THE NATIONAL PRIMARY ROAD
BETWEEN MANOR ROUNDABOUT AND BRIDGEND

On the proposal of Cllr Canning seconded by Cllr Crawford the following motion was adopted:

"I would ask this Council to request the Design Team that is in charge of the National Primary Road between Manor Roundabout and Bridgend Roundabout to carry out an audit on all of the junctions going off this road including regional and county, as there seems to be a policy of removing road markings and an unwillingness to provide proper junction boxes at major junctions. This is causing a lot of stress to drivers that commute everyday on this main road"

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

He alluded to the fact that many of the major junctions on the route were not clearly marked and as a result not clearly visible to motorists. Reference was made to the need for a junction at the road to Galdonagh. He called on the Road Design team to carry out an audit of the route in question and assess what could be done to make the road safe for all concerned.

Cllr Crawford outlined his support for the motion.

There was no opposition to the motion.

Mr John Mc Laughlin, Director Roads & Transportation advised that on foot of a specific request the National Roads Office would review the lining on the section in question. The issues raised, he said, could be looked at and a report provided at MD level.

Cllr Canning thanked members for their support.

C/282/19 TO CALL ON THE COUNCIL TO REVIEW THEIR POLICY ON SI HOUSES

On the proposal of Cllr McDermott seconded by Cllr Molloy the following motion was adopted:

"To call on this Council to review their policy on S.I. Houses where families who want to build an S.I. House on their own land are refused, because policy states that if social housing is available in that area you cannot get an S.I. House."

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

He said that people who wanted to build on their own land should be facilitated as it helped maintain the rural way of life. He called for the matter to be looked at again by the Housing & Corporate SPC .

Cllr Molloy outlined his support for the motion.

There was no opposition to the motion.

Mr Joe Peoples, Meetings Administrator, informed members that the current policy had been in operation since 2016 and had been robustly debated at the time. Acknowledging that the points raised were valid, he said, that it would be possible to bring the matter to the Housing SPC for further consideration and to assess whether or not there was room for flexibility. This could be done, he advised, in conjunction with a review of the nature of the applications coming forward.

C/283/19 THAT THIS COUNCIL SUPPORT A VOTE OF NO CONFIDENCE IN THE MESCOSUR TRADE DEAL

On the proposal of Cllr Blaney seconded by Cllr Coyle the following motion was adopted:

“That this Council supports a vote of no confidence in the Mercosur Trade Deal.”

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

He informed the meeting that the deal itself had been agreed in principle but was not completely finalised at this stage. It would, he confirmed, see up to 90,000 tonnes of meat imported into the EU, a move which would undoubtedly undercut the small farming sector in Ireland and in the process decimate small family holdings. The only loser he contended was rural Ireland.

Cllr Coyle supporting the motion said that it would result in a flood of cheap beef into the EU.

There was no opposition to the motion.

It was unanimously agreed to circulate a copy of the motion to all local authorities for consideration.

C/284/19

THAT THIS COUNCIL CALL ON THE MINISTER FOR HEALTH TO IMMEDIATELY LIFT THE RECRUITMENT EMBARGO IN THE HEALTH SERVICE

On the proposal of Cllr McMonagle seconded by Cllr A Doherty the following motion was adopted:

"That this Council call on the Minister for Health Simon Harris, T.D. to immediately lift the recruitment embargo in the health service to enable hospitals with long term vacancies to recruit the necessary staff needed to deliver a proper health service that meets the needs of our communities".

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

He said that he had continually raised this issue with the Regional Health Forum West and Letterkenny University Hospital but to date had not received a reply.

Staff shortages, he said, were contributing to the extended waiting lists for various procedures, the shortage of beds and long waiting periods in areas such as Accident and Emergency. It was anticipated also that Brexit would impact on the current crisis. He asked that Minister Harris be contacted with regard to putting the necessary resources in place within the Health Service to ensure that all job vacancies were filled without delay.

People in Donegal he said were being made to wait longer for many essential services and thus it was imperative that the embargo was lifted as soon as possible and an equitable service provided to all.

Cllr Doherty supporting the motion said that same situation prevailed for many of the ancillary care services with staffing and funding resources a key element of service provision. He asked that the Minister for Finance be advised of the motion so that the necessary resources were put into the Health Service.

There was no opposition to the motion.

Cllr Mc Monagle concluding asked that the Minister be asked to clarify further the status of the 12 month contract promised to all newly qualified nurses.

C/285/19

EMPLOYMENT OF AN EXECUTIVE SOLICITOR IN HOUSE

On the proposal of Cllr Brogan seconded by Cllr Canning the following motion was adopted:

“I propose that this Council employ an Executive Solicitor in house to help and assist all the relevant sections of Council with our legal issues.”

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

He said that whilst he welcomed the response there was still room to develop and enhance the provision of legal services, and thus called for the setting up of a dedicated streamlined in-house service which would deal with issues such as conveyance, rights of way, acquisition of land, asset management etc on a service by service basis.

Cllr Brogan acknowledged the excellent service provided by the Council Solicitor over the years, but said that the provision of an in-house service would be a positive development for the Council.

Cllr Canning outlining his support said that there was a need for advice to be readily at hand particularly in terms of our GDPR obligations etc.

There was no opposition to the motion.

Mr Joe Peoples, Director Housing, Corporate & Cultural Services said that the motion was timely in that one of the key elements of the Council’s Training Plan for 2020 was the delivery of a Legislative Training Programme for middle and senior management. He said that the results of this would be assessed and consideration given to looking at the recruitment of in-house specialists.

Cllr Brogan said that the employment of such a resource would be a very beneficial for the organisation. He asked that this be actively pursued.

C/286/19

THAT THIS COUNCIL PROVIDE BUDGET FUNDING TO ALLOW FOR THE ROLLOUT OF FOULING STATIONS COUNTYWIDE

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

“I am asking Donegal County Council to provide budget funding to allow for the rollout of fouling stations county-wide over the term of this council giving priority to areas where there are high volumes of dogs walked on a daily basis in year 1 and 2.”

Cllr McBride received a response from the Director of Water & Environment in relation to the above.

He said that the issue of dog fouling was a major problem in and around Letterkenny and in other urban areas throughout the county.

He called for a proactive approach to be taken and for the stations as outlined to be rolled out over the next number of years.

Cllr Kennedy outlined her support for the motion.

There was no opposition to the motion.

Mr Bryan Cannon, Senior Engineer, Water & Environment drew member’s attention to the “Any bag, any Bin” initiative which had been successfully rolled out in a number of locations across the county. He confirmed that 100,000 dog foul bags had been distributed by the Local Authority to date this year. Responding to specific queries, he said that the bags in question were fully compostable.

It was hoped, he added, to engage with the Municipal Districts in relation to service improvements.

C/287/19

THAT THE COUNCIL WITHDRAW THE PART OF THE TEN-T PRIORITY ROUTE IMPROVEMENT PROJECT, SECTION 2 N56/N13 LETTERKENNY TO MANORCUNNINGHAM AND THAT IMMEDIATE FUNDING BE SOUGHT FOR THE URGENT CONSTRUCTION OF THE BONAGEE LINK WITH A BRIDGE ACROSS THE SWILLY

On the proposal of Cllr Cllr Coyle, seconded by Cllr Blaney the following motion was considered:-

"That this Council withdraw that part of the Ten T Priority Route Improvement Project, Section 2 N56/N13 Letterkenny to Manorcunningham which proposes to construct a new four lane carriageway from Listillion through Drumany and Dromore and that immediate funding be sought for the urgent construction of the Bonagee Link with a bridge across the Swilly."

Cllr Coyle received a response from the Director of Roads & Transportation in relation to the above.

The Ten-T project, he said, was to be generally welcomed in terms of the potential benefits for commuters and the economic development of the county generally. Failure to heed the concerns of residents

however in the Listillion, Drumany and Dromore areas, he contended, had led to the erosion of local democracy. Whilst accepting the need for safety measures at Lurgybrack School, he said, that he was firmly of the opinion that these could be accommodated without knocking down people's homes. The four-lane carriageway, he noted, would have little or no impact on traffic coming into Letterkenny

The biggest single issue in Letterkenny at present, he said, was the issue of traffic management and this could be alleviated through the construction of the Bonagee Link and the building of a bridge across the Swilly which would help eliminate the current bottleneck at the Polestar Roundabout.

Cllr Blaney supporting the motion concurred with the above and said that the benefits of prioritising the Bonagee Link were clear for all to see and would ease congestion at the Polestar Roundabout where traffic tailbacks were effectively shutting down the whole Northwest of Donegal.

There was no opposition to the motion.

Mr John Mc Laughlin, Director Roads & Transportation alluding to his reply said that the project was not solely for Letterkenny area and would have a positive impact on the whole Northwest region whilst satisfying Donegal's road transportation needs in the long term.

A number of members queried the implications of proceeding with the motion. They contended that its adoption could effectively jeopardise the entire project and see monies being allocated elsewhere thus setting the county back light years in terms of its infrastructural development. There was general acknowledgement that the concerns raised should be conveyed to the Design Team so that every effort could be made to lessen the impact for residents in the Lurgybrack area.

The Director of Service acknowledged the concerns raised and said that all concerned were committed to getting the best solution for the wider community in the Northwest. This route in question, he added, had been presented to members as the preferred route and best option. The progression of any other option it was noted could not be approved to proceed by the Department or T.I.I. as it would not be compliant with the national scheme development requirements.

Withdrawal of this section, he noted would increase the risk to the progress of the remaining sections of the TEN-T Project as it would result in the review, restructuring and reassessment of the remaining sections creating significant delays going forward and possibly create a situation whereby resources could be redirected to other national projects.

Members, he confirmed, would have further input at such time as a variation of the County Development plan was being considered given

that the Ten-T priority Route Improvement Project was an important objective of the Donegal County Development Plan 2019-2024.

Cllr Coyle said that his motion was about putting people first. The section of the road in question, he noted was only 2km long and perfectly adequate for the level of traffic in the area.

Cllr Mc Monagle referring to the reply noted that there were constraints and drawbacks in pursuing the Bonagee Link as a stand-alone project and that as such the motion had no particular legal standing.

Mr Joe Peoples, Meetings Administrator confirmed that it would be unfair to the members to have a division as a vote in favour of the motion would have no legal status.

The Chief Executive alluded to the fact that the selection of the Ten-T routes had been a function of the executive and that members would have a role when considering variations to the Development and Area Plans. Any decision today, he said, could prejudice that decision.

Cllr Blaney said that the Letterkenny members had been told initially to push forward with the Ten-T, Bonagee Link etc as one project and then to push for the bridge on its own.

The Meetings Administrator responding to a query from Cllr Gallagher said that the motion if carried would have no legal standing.

Cllr Coyle said he was disappointed with this response but welcomed the opportunity to speak on behalf of those who were affected by the plans for the four lane carriageway.

C/288/19

THAT THIS COUNCIL LIST AND PROTECT ALL RIGHT OF WAYS IN THE COUNTY

Cllr I Mc Garvey proposed, seconded by Cllr Bradley that the following motion be adopted:-

"That Donegal County Council list and protect all Right of Ways in our County and exercise their authority and responsibility to keep these Right of Ways open as they have been for generations."

Cllr McGarvey received a response from the Director of Community & Planning Services in relation to the above.

He said that he was merely reflecting the views of the electorate and that it was important that the rights of those who used these "Rights of Way" were protected. Alluding to the Council's own Development Plan he said that there was an obligation therein to provide protection for walking routes, cycle and public rights of way together with beach and seashore access. He cited a number of examples of particular issues that had arisen and outlined the need for intervention by the authority.

Cllr Blaney outlined his support for the motion.

There was no opposition to the motion.

Mr Liam Ward, Director Community Development & Planning Services clarified that the Council had no role in private rights of way and that the reply was based on specific obligations with regard to public rights of ways only. Thus, he confirmed that all public roads that have rights of ways are listed in the roads schedule as roads that are in the charge of the Council.

Public rights of way, he stated, were created in accordance with Sections 206 or 207 of the Planning & Development Act 2000 and that in accordance with Section 208 of the act, these are to be maintained by the Council. This, he confirmed also applied to public rights of way where there was a provision in the Development Plan for their preservation with 44 in total listed in the 2018-2024 plan. Any proposal to add a right of way to the list, he added, needed to be done through the Development Plan Review process, allowing for public consultation so as to establish the views of all those being impacted upon.

He noted however that where there were differences in relation to the existence of a public right of way, the law itself was complex referring to the Lisaddell case in particular.

The motion as presented, he said if passed had the potential to expose the organisation to significant risk and thus recommended that it be rejected.

The Chief Executive reiterated this fact and warned that the adoption of the motion could leave the Council liable for compensation.

C/289/19

SUSPENSION OF STANDING ORDERS

Members unanimously agreed in accordance with Standing Order No 28 to suspend Standing Order No 3 so as to allow the meeting continue beyond 6pm in order to complete the remaining business on the agenda.

C/290/19

THAT THIS COUNCIL LIST AND PROTECT ALL RIGHT OF WAYS IN THE COUNTY

Cllr Mc Garvey contended that the objective within the Development Plan to preserve walking routes, cycleways etc constituted a specific obligation and as such the Council should not sit back in cases where individual rights of way were being interfered with.

Mr Liam Ward, Director Community & Planning Services noted that there was provision in the County Development Plan for the preservation of 44 named public rights of way. Any proposal to add further existing public rights of way would, he confirmed, necessitate a variation to the Plan or be considered in the context of a new Development Plan.

He said that the motion if agreed to include all right of ways would open the organisation up to significant risks.

The Chief Executive warned again that exposure to this level of risk would be extremely damaging for the organisation and was not to be recommended under any circumstances.

Cllr Mc Garvey said that people's basic rights were the issue here and confirmed that he wished to proceed with the motion.

Cllr Brogan acknowledged Cllr Mc Garvey interest and passion for the subject but said that all needed to be mindful that this was a legal minefield and that ultimately Donegal County Council had no specific role in the matter.

Cllr Gallagher said it was important that this message was relayed to the general public.

Mr Joe Peoples Meetings Administrator said that in the course of the debate members had been made aware of the implications involved in adopting the resolution. Putting this to a vote, he said, would result in members either voting with or against the motion and that this was now a matter for the Cathaoirleach to decide.

Cllr Molloy noted that the issues were complex and that there were many underlying legal matters involved.

The Meetings Administrator as directed by the Cathaoirleach proceeded to take a show of hands.

This resulted in 2 voting for the motion with 9 voting against.

Thus the motion fell.

C/291/19

THAT THIS COUNCIL DISCUSS AND IMPLEMENT A METHOD IN TACKLING ISSUES REGARDING ROADSIDE HEDGES AND GRASS VERGES

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

“That this Council discuss and implement a method in tackling the roadside hedges and grass verges with the relevant SPCs and in particular in relation to local roads where there is a significant increase in visitors, cyclists and walkers.”

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

She advised of the need for a multi-disciplinary approach as there were obvious health and safety issues involved with vision being a major problem for motorists and cyclists alike.

Cllr Mc Bride said that this was a problem that arose at MD level time and time again and could be tackled with a common sense approach going forward.

There was no opposition to the motion.

Mr John Mc Laughlin, Director Roads & Transportation confirmed that it would be possible for the Roads & Transportation SPC to discuss the matter further when fully established. The existing policy, he said, was adequate but that as always there was room for improvement. It had been drawn up, he said, in line with the Roads Act which placed responsibility with the landowner. Donegal County Council, it was acknowledged, was currently promoting the cutting of hedges during the hedge cutting season which runs from September until February.

Members were informed that there was no particular budget for the cutting of verges but that generally hedges were more of a problem.

Cllr Blaney contended that in the past Donegal County Council staff had called with landowners who had failed to comply. This, he contended, had waned and the problems had intensified.

Cllr Canning suggested that a copy of the motion be forwarded to the Donegal County Council Heritage Forum for their information.

Cllr Kennedy concluding the debate outlined the fact that CE Scheme workers, local community workers, tidy towns committee members etc were no longer permitted to cut grass verges along local roadsides. This, she said, was also contributing to the problem.

C/292/19

REDUCTION OF THE VAT RATE FROM 13.5% TO 9% FOR THE TOURISM SECTOR.

On the proposal of Cllr Naughton seconded by Cllr McDermott the following motion was adopted:

"I am calling on Donegal County Council to ask Mr. Shane Ross TD, Minister for Transport, Tourism and Sport, to reduce the vat rate from 13.5% to 9% for the tourism sector".

Cllr Naughton received a response from the Director of Economic Development, Information Systems & Emergency Services in relation to the above.

He noted that Donegal would be most severely impacted by Brexit which would in turn have major implications for the tourism industry. The need for investment was highlighted given that the sector was one of the biggest employers in the region.

The spend by overseas visitors he confirmed was down by 4% with the UK and Northern Ireland market particularly affected.

There was no opposition to the motion.

Cllr Mc Bride suggested that the motion be amended to include a reference to hotels whose nightly rate was €150 or less.

Mr Garry Martin, Director Economic Development, information Systems and Emergency Services said that he would forward the motion to the Minister. It was acknowledged that there was a need to recognise the difficulties being faced by tourism providers in rural areas.

Cllr Naughton thanked members for their support

C/293/19

THAT THE COUNCIL CONSIDER THE NAMING OF ITS LIBRARIES (OR A ROOM WITHIN THE LIBRARY) IN HONOUR OF APPROPRIATE INDIVIDUALS FROM THE LITERARY OR ARTISTIC REALM

On the proposal of Cllr Sweeny seconded by Cllr Harley the following motion was adopted:

"That Donegal County Council consider the naming of its libraries (or a room within the library) in honour of appropriate individuals from the literary or artistic realm who have suitable connection to those areas where the libraries are located."

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

He complimented Donegal County Council on its work to date in promoting cultural and heritage events . The naming of Libraries, he said, would simply be another way of promoting the work of these individuals and allow library users the chance to connect with their heritage and the landscape.

Cllr Harley seconding the motion advised that this would be an excellent way of recognising individuals whilst also promoting the area.

There was no opposition to the motion.

Mr Joe Peoples, Director Housing, Corporate & Cultural Services said that it was something that could be discussed by the Community & Cultural SPC when it was up and running.

Cllr Sweeny welcomed the response.

C/294/19

CATHAOIRLEACH'S BUSINESS

Transition of the Northern & Western Region from a 'Developed Region' to 'Region in Transition'

The Cathaoirleach read into the record the following motion circulated on behalf of the Northern & Western Regional Assembly:-

"That Donegal County Council write to Paschal Donohoe T.D ,Minister for Finance, Public Expenditure and Reform stating that "Eurostat has confirmed that the Northern and Western Region, which includes our

local authority, has moved back from a 'Developed Region' to 'Region in Transition and considering that this points to a two speed national economy, how is the Minister proposing to address it; is there opportunity for positive discrimination? Can the Minister also confirm that European Regional Development Funding will continue to be delivered in the regions post 2020? “

This was unanimously agreed.

Votes of Sympathy

A vote of sympathy was extended to the following:-

- Fergal Tinney, Print Room on the death of his father, Sean Tinney.
- Denis Kelly formerly Planning Section on the death of his mother, Kathleen Kelly.
- Gerry Mc Gowan formerly Machinery Yard on the death of his mother, Mary Mc Gowan.
- The family of the late William Freney, formerly Roads Office, Donegal Public Service Centre.
- The family of the late Huidi Diver, formerly Roads Section, Glenties Municipal District.
- Pat Gallagher, Waterworks Inspector, Glenties Municipal District on the death of his mother, Sadie Gallagher.
- The family of the late Charley Duffy, former Town Foreman, Buncrana.
- Cllr Nicholas Crossan on the death of his brother, Theo Crossan.

Attendance at Events

Cllr Crossan informed members that he had attended the following events and acknowledged the work and preparation that had gone into making them all so successful:-

- Food Festival in Donegal Town
- Donegal Connect Events (County-wide)
- Wainfest
- Tip O' Neill Diaspora Award

CPMR Conference

Members noted that the Conference Peripheral Maritime Regions had held its Political Bureau Meeting in Donegal on the 13th June, 2019. Congratulations was extended to Ms Claire McCallan, EU & Strategic Policy Unit Manager on her organisation of the event.

C/295/19

CHIEF EXECUTIVES MANAGEMENT REPORT

Members considered the report circulated with the agenda in relation to the above. An update was provided in relation to the following:-

1. Economic Development, Emergency Services & Information Systems
 - A. Tip O'Neill Awards
 - B. Donegal Connect
 - C. 'Connecting our Coastline' Marine Conference

2. Community Development & Planning Services
 - A. Regional Spatial and Economic Strategy (RSES) Update
 - B. CLÁR 2019
 - C. Healthy Ireland
 - D. Men's and Women's Sheds

3. Water & Environment
 - A. Waste Management
 - (i) Community Environment Action Fund 2019
 - (ii) Upcoming WEEE Collections
 - (iii) Bin your Gum Launch in Buncrana
 - (iv) Dungloe Going Green
 - (v) Household Food Waste Bin Update
 - B. Coastal Management
 - (i) Clean Coasts – Big Beach Clean 2019
 - (ii) Blue Flag Beach Inspections
 - (iii) Bathing Water Quality
 - (iv) Bathing Season
 - (v) Carrickfinn Beach Developments
 - (vi) Port Arthur Funding
 - (vii) Drumnatinney Update
 - (viii) Rossnowlagh Boardwalk
 - C. Catchment Flood Risk Assessment and Management (CFRAM) Unit

4. Roads & Transportation
 - A. 2019 Road Works Programme
 - B. Local Improvement Scheme and Community Involvement Scheme
 - C. 2019/2020 Winter Maintenance
 - D. Pay and Display Car Parking
 - E. National Roads Programme 2019

5. Housing, Corporate & Cultural Services
 - A. *Housing Capital Update*
 - (i) Social Housing Developments
 - (ii) House Acquisition Programme
 - (iii) Social Housing through Turnkey Acquisition

(iv) Approved Housing Bodies Developments

B. Cultural Services

- A. Creative Ireland
- B. Wainfest
- C. Funding for marginalised, socially excluded and disadvantaged communities
- D. Culture Night
- E. 19th Annual Donegal Bay and Blue Stacks Festival
- F. Irish Architectural Foundation-Re-Imagine Project in Letterkenny
- G. Archives Update
- H. Heritage Week in County Donegal
- I. County Donegal Heritage Plan Implementation

Members were informed that those who wished to make a submission in respect of “Proposed Material Amendments” to the Draft Regional Spatial, and Economic Strategy should forward details to Mr Liam Ward, Director Community & Planning Services by Friday 4th October, 2019.

The following questions were submitted.

C/296/19 WHAT CONSULTATION TAKES PLACE BETWEEN ROADS AND IRISH WATER COUNTYWIDE?

Cllr Crawford submitted the following question:-

“What consultation takes place between Roads and Irish Water county-wide?”

Cllr Crawford received a response from the Director of Roads & Transportation.

C/297/19 TO HAVE SPEED LIMIT SIGNS PLACED ON ALL SPEED CAMERA SIGNS COUNTYWIDE

Cllr Crawford submitted the following question:-

“Will this Council work to have speed limit signs placed on all speed camera signs county-wide?”

Cllr Crawford received a response from the Director of Roads & Transportation.

C/298/19 REVIEW OF PARKING CHARGES IN THE COUNTY

Cllr G Doherty submitted the following question:-

“Does this Council plan to undertake a review of parking charges in the County, and if so, what is the timescale for this process?”

Cllr Doherty received a response from the Director of Roads & Transportation.

C/299/19 COMPLAINTS IN RELATION TO POLLUTION COUNTY-WIDE
Cllr Crawford submitted the following question:-

“How many complaints of pollution county-wide from 2018 to date (figures for each MD) has this Council investigated and what follow-up actions were necessary?”

Cllr Crawford received a response from the Director of Water & Environment.

C/300/19 HOW MANY BURSTS IN THE WATER LINE HAVE DONEGAL COUNTY COUNCIL FIXED SINCE JANUARY 2016
Cllr G Doherty submitted the following question:-

“How many bursts in the water line (on a Municipal District) basis have Donegal County Council fixed since 1/1/2016 as part of the service level agreement with Irish Water?”

Cllr Doherty received a response from the Director of Water & Environment.

C/301/19 COSTS PAID BY THE COUNCIL FOR LEGAL SERVICES OVER THE PAST 15 YEARS
Cllr Mc Brearty submitted the following question:-

“What costs has the Council paid for legal services for Senior Counsel, Junior Counsel and County Council Solicitors in weekly, monthly and yearly payments over the past 15 years?”

Cllr Mc Brearty received a response from the Head of Finance.

C/302/19 LEGAL CASES DEFENDED BY THE COUNCIL OVER THE PAST 15 YEARS
Cllr Mc Brearty submitted the following question:-

“How many legal cases have Donegal County Council defended over the past 15 years?”

Cllr Mc Brearty received a response from the Head of Finance.

C/303/19 EXPENSES PAID BY THE COUNCIL OVER THE PAST 15 YEARS
Cllr Mc Brearty submitted the following question:-

“What expenses have the council executive been paid over the past 15 years and what is the breakdown yearly for each Director including the CE/County Manager?”

Cllr Mc Brearty received a response from the Head of Finance.

- C/304/19 DETAILED BREAKDOWN OF STAFF
Cllr McGowan submitted the following question:-

"Please can I have a detailed breakdown of all staff across the County outlining the work they do and where they work?" (as requested previously).

Cllr McGowan received a response from the Director of Housing, Corporate & Cultural Services.
- C/305/19 TENDERING PROCESS FOR COUNCIL EVENTS
Cllr McGowan submitted the following question:-

"How does the Council and their partner organisations choose which hotels and other venues to hold events in, and is there a county-wide tendering process or a Council web page that hotels can register on?"

Cllr McGowan received a response from the Director of Housing, Corporate & Cultural Services.
- C/306/19 RATES REDUCTION FOR BUSINESSES WHO ARE FORCED TO CLOSE DUE TO WATER MAIN BURSTS
Cllr McClafferty submitted the following question:-

"What assistance can be given in terms of a rate reduction for those businesses prevented from opening on several occasions and forced to close on others due to water main bursts in a number of our towns and villages?"

Cllr McClafferty received a response from the Head of Finance.
- C/307/19 WHAT OPTIONS ARE OPEN TO THE COUNCIL TO TAKE ACTION ON ALL BLOCKED RIVERS AND PROVIDE ASSISTANCE TO FLOOD VICTIMS
Cllr McClafferty submitted the following question:-

"What options are open to the Council to take action on all rivers that are blocked along their banks, and to provide assistance to all recent flood victims so as to help them overcome the nightmare of recent floods."

Cllr McClafferty received a response from the Director of Roads & Transportation.
- C/308/19 UPDATE ON BREXIT
Cllr Murray submitted the following question:-

"Can this Council provide an update on its collaborative work with Derry City and Strabane District Council in preparation for Brexit?"

Cllr Murray received a response from the Director of Economic Development, Information Systems & Emergency Services.

- C/309/19 BREAKDOWN OF STAFF WORKING ON GRASS CUTTING, GARDENING, PARK MAINTENANCE ETC
Cllr Murray submitted the following question:-
- “Can this Council provide a breakdown of staff which work on grass cutting, gardening, park maintenance rubbish collection, flower planting and other work which aesthetically improve our communities on a MD by MD basis?”
- Cllr Murray received a response from the Director of Roads & Transportation.
- C/310/19 IS IT THE POSITION OF THE COUNCIL TO INFORM COUNCILLORS OF CASES OF POLLUTION IN THEIR AREA.
Cllr T Crossan submitted the following question:-
- “Is it the position of the Council, that in the event of cases of pollution in close proximity to lakes, nature reserves or areas of outstanding beauty, to investigate the source of this pollution and where necessary and apart from any enforcement issues, to monitor and inform councillors on a regular basis of their status going forward?”
- Cllr Crossan received a response from the Director of Water & Environment.
- C/311/19 UPDATE IN RELATION TO THE SPREADING OF DIGESTATE
Cllr Canning submitted the following question:-
- "Does this Council have any update on the spreading of digestate on whether it has an affect on air quality?"
- Cllr Canning received a response from the Director of Water & Environment.
- C/312/19 MICA AFFECTED COUNCIL HOUSING STOCK
Cllr A Doherty submitted the following question:-
- MICA affected Council Housing Stock.
"The Government announced funding and financial assistance in May for private homes affected by MICA/ Defective Blocks.
Has the Government offered funding for remedial works and repairs required for Council houses in Donegal to date and will the Council now seek from Government "Special MICA Assistance" funding to permit the commencement of necessitous works and repairs for families in Council Housing?"
- Cllr Doherty received a response from the Director of Housing, Corporate & Cultural Services.
- C/313/19 IS THIS COUNCIL IN A FINANCIAL POSITION TO PURCHASE PRIVATE HOUSES?

Cllr Canning submitted the following question:-

"Is this Council still in a financial position to purchase private houses?"

Cllr Canning received a response from the Director of Housing, Corporate & Cultural Services.

C/314/19

ALL IRELAND POLLINATOR PLAN

Cllr A Doherty submitted the following question:-

"All Ireland Pollinator Plan.

"Will Donegal County Council Chief Executive and Council Chairperson and/or their representatives, now sign a framework agreement with the All Ireland Pollinator Plan (following motion adopted by council members in March 2019) to formalise the County Council's long term commitment to support Pollinators in County Donegal?"

Cllr Doherty received a response from the Director of Housing, Corporate & Cultural Services.

C/315/19

WHAT PROGRESS HAS BEEN MADE REGARDING LOOKING FOR EUROPEAN FUNDING FOR LIFE JACKETS FOR FISHERMEN

Cllr McDermott submitted the following question:-

"To ask the Council what progress has been made on my motion last year to look for European funding for life jackets for fishermen and to do a pilot scheme in Donegal?"

Cllr McDermott received a response from the Director of Community & Planning.

C/316/19

WILL THIS COUNCIL DISCLOSE ALL CONTACTS IT HAS HAD IN RELATION TO MICA WITH ANY GOVERNMENT DEPARTMENTS OR MINISTERS TO DATE

Cllr Blaney submitted the following question:-

"Will this Council disclose all contacts it has had in relation to MICA affected properties with any Government Departments or Ministers to date?"

Cllr Blaney received a response from the Director of Housing, Corporate & Cultural Services.

C/317/19

DID THE COUNCIL APPLY FOR THE FUNDING FOR THE PROVISION OF SERVICES SITES NATIONALLY

Cllr McBride submitted the following question:-

"Did Donegal County Council apply for the funding recently announced by the Government for the provision of serviced sites nationally?"

Cllr McBride received a response from the Director of Housing, Corporate & Cultural Services.

- C/318/19 ANY INDICATION OF FURTHER LIS FUNDING FOR THIS YEAR
Cllr Blaney submitted the following question:-
- “Has this Council received any indication of any further LIS funding for this year, which is badly required?”
- Cllr Blaney received a response from the Director of Roads & Transportation.
- C/319/19 UPDATE ON THE REVIEW OF THE COUNTY DEVELOPMENT PLAN AND LOCAL AREA PLANS
Cllr Brogan submitted the following question:-
- “Can we have an update on the proposed review of the county development plan and local area plans and a timeframe for same?”
- Cllr Brogan received a response from the Director of Community & Planning.
- C/320/19 DERELICT SITES
Cllr Kavanagh submitted the following question:-
- “Have the Council plans to update the Derelict Sites Register and to tackle the problems caused by derelict sites in housing estates across the County?”
- Cllr Kavanagh received a response from the Director of Community & Planning.
- C/321/19 POLLING BOOTHS ACCESSIBILITY FOR ELDERLY AND DISABLED PERSONS
Cllr Kavanagh submitted the following question:-
- “Can the Council ensure that all polling booths in the county will be fully accessible for elderly and disabled persons in time for the next general election?”
- Cllr Kavanagh received a response from the Director of Housing, Corporate & Culture Services.
- C/322/19 UPDATE ON BREXIT
Cllr Brogan submitted the following question:-
- “Can we have an updated report on what steps this Council has taken to deal with the Brexit situation so that we can be innovative with looking for additional funding from Government and Europe to help us meet the many challenges that lie ahead?”
- Cllr Brogan received a response from the Director of Economic Development, Information System & Emergency Services.

- C/323/19 SPECIAL MEETING REGARDING BREXIT
Cllr I McGarvey submitted the following question:-

"Do we need a Special Meeting to discuss what may be faced by the residents of Donegal after Brexit?"

Cllr McGarvey received a response from the Director of Economic Development, Information System & Emergency Services.
- C/324/19 CHARGE POINTS FOR ELECTRIC CARS
Cllr Kennedy submitted the following question:-

"Given that there are plans in place for 1000 plus new charge points for electric cars around the country, what plans have Donegal County Council in place as to the number of extra charge points, what locations or sites have been identified, and when do we expect these new sites to be activated?"

Cllr Kennedy received a response from the Director of Roads & Transportation.
- C/325/19 FINALISE THE IMPLEMENTATION OF THE CAPITAL PLAN TO REFURBISH OR REBUILD DONEGAL FIRE STATIONS.
Cllr Sweeny submitted the following question:-

"Can Donegal County Council re-engage with the Minister for Housing, Planning and Local Government to finalise the implementation of the Capital Plan to refurbish or rebuild Donegal Fire Stations? A request to meet with the Minister was submitted in July 2018 and, as of yet, no response has been received?"

Cllr Sweeny received a response from the Director of Economic Development, Information Systems & Emergency Services.
- C/326/19 5G PLANNING APPLICATIONS
Cllr Sweeny submitted the following question:-

"Can the Council provide information on how many applications for 5G masts are currently with the planning department and where these masts are, can DCC provide a list of locations where 5G masts are already installed in the County?"

Cllr Sweeny received a response from the Director of Community & Planning.
- C/327/19 MOTIONS FROM OTHER COUNCILS
Members noted the following motions from other Councils.

KERRY COUNTY COUNCIL
"Considering obligations under the Good Friday Agreement (GFA), this Council calls on the Irish Government to bring Equal Status Act in line

with Legislation in the 6 County state and include “political belief” as an unlawful ground for discrimination.”

KERRY COUNTY COUNCIL

“That we write to the Minister for Defence and An Taoiseach asking that the long overdue medals for gallantry and distinguished service specifically for the Irish soldiers of A Company who served at Jadotville in 1961 be awarded. These medals were promised by former Taoiseach Enda Kenny in his final days in Office and still they have not been received.”

LEITRIM COUNTY COUNCIL

“That the Minister for Agriculture, Michael Creed, T.D be informed that the members of Leitrim County Council are unanimously opposed to the EU Mercosur Trade Deal.”

WATERFORD CITY & COUNTY COUNCIL

“That Waterford City & County Council in keeping with the objective of making Waterford a fair employment area agrees with and endorses the right of all employees to be represented individually and/or collectively by a trade union if they so wish. We would expect and encourage all Employers and their representative organisations in Waterford City and County Council to fully recognise this basic fundamental human right and so not intimidate, harass or threaten the continued employment of those exercising this right.”

SLIGO COUNTY COUNCIL

“That Sligo County Council delay (1) the testing of 5G and the roll-out of 5G in County Sligo (2) call on ComReg to delay the licensing of its roll-out and (3) calls on the Minister for Communications, Climate Action and the Environment to establish the facts about the radiation impact of 5G and to delay the roll-out across the country until a full assessment of the health and environmental implications are carried out with a report compiled and presented to the Oireachtas.”

This concluded the business of the meeting.

