

**COMHAIRLE CHONTAE DHUN NA nGALL**

Oifig Riarthóir na gCruinnithe  
Aras an Chontae  
LEIFEAR  
18 Samhain 2014

Beidh Cruinniú Comhairle Chontae Dhún na nGall ar siúl Dé Luain 24 Samhain, 2014, ag **11.00 r.n.**  
**in Áras an Chontae, Leifear**

**DO GACH BHALL DEN CHOMHAIRLE**

**A Chara**

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

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

**Mise, le meas**

**Liam Mac a'Bhaird**  
**Riarthóir Cruinnithe**

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**DONEGAL COUNTY COUNCIL**

Office of Meetings Administrator  
County House  
Lifford  
18<sup>th</sup> November, 2014

**NOTICE OF MEETING**

A Meeting of Donegal County Council will be held on Monday 24<sup>th</sup> November, 2014, at **11.00am in the County House, Lifford.**

**TO EACH MEMBER OF DONEGAL COUNTY COUNCIL**

**Dear Councillor**

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

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

**Yours sincerely**

**Liam Ward**  
**Meetings Administrator**

## AGENDA

### **1. Motion under Section 140 of the Local Government Act, 2001 as amended by Section 52 of the local Government Reform Act, 2014**

“That this Council resolves to direct Council Management, not to comply with a demand from Irish Water to pass over the personal information of Council tenants held by Donegal County Council.”

### **2. Confirmation of Minutes**

- a) Confirmation of the Minutes of the September Meeting of Donegal of Donegal County Council held on the 26<sup>th</sup> September, 2014.
- b) Confirmation of the Minutes of the Adjourned September Meeting of Donegal County Council held on the 29<sup>th</sup> September, 2014.

### **3. Finance**

- a) To agree Overdraft Accommodation of Twelve Million Euro (€12,000,000) for full year ending 31<sup>st</sup> December, 2015.

### **4. Corporate**

- a) To review membership of the Association of Irish and Local Government.
- b) To ratify nomination of Cllr. O’Fearraigh to the Donegal Education & Training Board.
- c) To note membership of the Donegal Education and Training Board.
- d) To confirm the Chairpersons and membership of the Strategic Policy Committees for the period 2014-2019 (Report to be circulated on the day)
- e) To approve the nomination of the following to the Donegal County Council Audit Committee:
  - Mr. Paul Carr.
  - Mr. Michael MacGiolla Easbuig.
  - Ms Deirdre McGlone.
- f) To approve Schedule of Council Meetings for 2015.
- g) To approve the replacement of the Gola Island Representative on the Donegal County Council Island’s Committee.
- h) To consider legal advice in relation to access to Aughadahor Beach, Carrigart. (Advice to be circulated on the day).

### **5. Community Culture & Enterprise**

- a) To approve Donegal County Museum Strategic Management Plan (2012-2014) and 1 year Implementation Plan (2014).

- b) To approve Disaster Plan (amended) for the Donegal County Museum.
- c) To approve Donegal County Museum Education Action Plan (2012-2014) and 1 year Implementation Plan (2014).
- d) To approve Donegal County Museum Collections Care Strategy and Action Plan 2014-2016.

**6. Endorsement of Minutes**

- a) Endorsement of the Confirmed Minutes of Meeting of the Inishowen Electoral Area Committee held on 4<sup>th</sup> March, 2014.
- b) Endorsement of the Confirmed Minutes of Meeting of Donegal Local Area Committee held on 7<sup>th</sup> May, 2014.
- c) Endorsement of the Confirmed Minutes of the Glenties Electoral Area Committee Meeting held on 6<sup>th</sup> May, 2014.

**7. Authorisation of Attendance at Seminar, Training or Event**

- a) To receive clarification in relation to LG 12/14- Review of Arrangements for Allowances for expenses incurred by Elected Members of Local Authorities.
- b) Authorisation of representation at a seminar, meeting or event under Section 142 (5) of Local Government Act, 2001, S.I. No. 668 of 2006, Local Government (Expenses of Local Authority Members) Regulations 2006, S.I. No. 37 of 2010, Guidelines given by the Minister for the Environment, Heritage and Local Government in relation to the Local Government Act, 2001 (Section 142) Regulations 2010:-

- ACE Training -The Effect of Budget 2015 to be held in Clonakilty Hotel, Conakilty, Co. Cork on 28<sup>th</sup> and 29<sup>th</sup> November, 2014.
- Superior Training - Seminar for Councillors on Funding Public Services – General Taxation or What? To be held in Park House Hotel, Main Street, Edgeworthstown, Co. Longford on 28<sup>th</sup> and 29<sup>th</sup> November, 2014.
- Esperanza Enterprises - Elected Members Training Seminar on Alignment of Local Government to be held in The Connacht Hotel, Old Dublin Road, Galway City on 5<sup>th</sup> and 6<sup>th</sup> December, 2014.
- NFLA - All Ireland Nuclear Free Local Authorities Forum to be held in Dublin City Hall on 12<sup>th</sup> December, 2014.
- Esperanza Enterprises - Elected Members Training Seminar on Protected Disclosures Act 2014 to be held in The

Connacht Hotel, Old Dublin Road, Galway City on 12<sup>th</sup> and 13<sup>th</sup> December, 2014.

- Celtic Conferences - Seminar on Tourism Technology & Competitive Strategies for 2015 to be held in Four Seasons Hotel, Carlingford, Co. Louth on 12<sup>th</sup>, 13<sup>th</sup> and 14<sup>th</sup> December, 2014.
- Superior Training - Training Seminar for Councillors on Housing & Local Government, Lord Bagenal Hotel, Leighlinbridge, Co. Carlow on 5<sup>th</sup> and 6<sup>th</sup> December, 2014.

## **8. Conference Reports**

### **Cllr Noel Jordan**

AILG Finance & Budget Training held 9<sup>th</sup> September, 2014  
Nuremore Hotel, Monaghan.

### **Cllr Terence Slowey**

AILG Finance & Budget Training held 9<sup>th</sup> September, 2014  
Nuremore Hotel, Monaghan.

### **Cllr John S O' Fearraigh**

AILG Finance & Budget Training held 9<sup>th</sup> September, 2014  
Nuremore Hotel, Monaghan.

### **Cllr. Nicholas Crossan**

AILG Finance & Budget Training held 9<sup>th</sup> September, 2014  
Nuremore Hotel, Monaghan.

### **Cllr John O'Donnell**

AILG Finance & Budgeting Seminar held 18<sup>th</sup> September, 2014  
Grand Hotel, Malahide, Dublin.

LAMA Conference held 17<sup>th</sup> and 18<sup>th</sup> October, 2014 in Inishowen  
Gateway Hotel, Buncrana.

AILG Housing Seminar held 21<sup>st</sup> October, 2014 at Kilmore Hotel,  
Cavan.

Irish Water Seminar held on 29<sup>th</sup> October, 2014 in Carrick-on-  
Shannon.

AILG -Inaugural Annual Conference to be held in the Hotel  
Kilmore, Co Cavan on the 29<sup>th</sup> and 30<sup>th</sup> October, 2014

### **Cllr Niamh Kennedy**

AILG Housing Seminar held 21<sup>st</sup> October, 2014 at Kilmore Hotel,  
Cavan.

Irish Water Seminar held on 29<sup>th</sup> October, 2014 in Carrick-on-  
Shannon

### **Cllr Seamus O' Domhnaill**

LAMA Conference held 17<sup>th</sup> and 18<sup>th</sup> October, 2014 in Inishowen  
Gateway Hotel, Buncrana

**Cllr Jimmy Kavanagh**

AILG Inaugural Annual Conference 2014 held 29<sup>th</sup> and 30<sup>th</sup> October, 2014 at Kilmore Hotel, Cavan.

**MOTIONS**

**LETTERKENNY MUNICIPAL DISTRICT**

**Housing and Building**

9. **Cllr McMonagle**

"That this Council continues to provide funding in the area of Rehabilitation/Housing given that it is an integral part of the funding stream for such centres and acknowledging that withdrawal of this funding would have a very serious and detrimental effect on their ability to continue to offer vital services and that we also write to the Minister for the Environment Community and Local Government outlining the important work that centres of this nature carry out in the local community and the necessity that Council funding also continues under Section 10."

10. **Cllr McGarvey**

"That Donegal County Council implement a House Building Policy to deal with the waiting list in our County."

**Corporate**

11. **Cllr Brogan**

"I propose this Council review all sections of Council to identify where we have staff shortages and ask the Government to lift the employment embargo to allow us to recruit full time employees again."

**Housing Corporate & Planning Control**

12. **Cllr Shiels**

"That this Council as the Planning Authority for County Donegal prepare as a matter of urgency a full report on the development of the new accident and Emergency Department Building at Letterkenny General Hospital by reference to and to advise Members on (1) any pre-existing reports advising of a flood risk at the hospital, (2) the planning permission(s) granted in respect of the new Accident and Emergency Department Building and in respect of subsequent works carried out in relation thereto, (3) whether those permissions took account of the existing flooding risk and in what way they did so (4) whether those permission(s) were fully complied with, (5) whether the Council has taken any enforcement action against the HSE either

during the construction of the new Accident and Emergency Department Building or after its completion, (6) whether the Council considers that any further works should be carried out to prevent future flooding of the hospital and confirm what those precise measures are"

13. Cllr. L. Blaney

"That this Council calls on the Minister for the Environment, Community and Local Government Mr Alan Kelly, T.D. to set up a group of suitably qualified engineers to visit Donegal and examine the problem of Mica that homeowners have with their dwellings and to set up a Redress Scheme and also in the interim to make homeowners that are experiencing this problem exempt from the Local Property Tax as their homes are worthless at present."

**Roads & Housing Capital**

14. Cllr McDaid

"That this Council because of the increasing problems with standing water on our roads and the increasing blockage of the drainage network ensures that such problems are dealt with as a matter of urgency and that the level of manpower needed matches the demand to ensure the safety of the travelling public."

**DONEGAL MUNICIPAL DISTRICT**

**Roads & Housing Capital**

15. Cllr Jordan

"That Donegal County Council calls for the reinstatement of LIS monies in order to address the deterioration of so many rural roads."

**Water & Environment**

16. Cllr O'Neill

"That this Council discusses Management on our beaches across County Donegal and that arrangements be put in place in advance of 2015 with the appointment of a Beach Management Officer"

**STRANORLAR MUNICIPAL DISTRICT**

**Housing Corporate & Planning Control**

17. Cllr G Doherty

"That this Council undertakes to explore all funding opportunities available from Europe, including low cost loans, which can be used for retro fitting of doors and windows in the current housing stock to improve their energy rating".

### **Water & Environment**

18. Cllr L Doherty

"That this Council calls for fluoride or any derivative to be removed from the Irish Water Supply, and to make it a crime for anyone to put it into the water supply."

### **Community Culture & Planning**

19. Cllr McGowan

"That this Council discuss and agree a plan to commemorate 1916 in the County in an inclusive and meaningful way."

### **Roads & Transportation**

20. Cllr McBrearty

"I am calling on the NRA to review their road safety measures for schools adjacent to National Primary Roads such as Ballylast and Lurgybrack NS with a view to erecting appropriate safety barriers."

## **GLENTIES MUNICIPAL DISTRICT**

### **Community Culture & Enterprise**

21. Cllr. Bonner

"I move that Donegal County Council call on Minister Jimmy Deenihan, the first ever Minister for the Irish Overseas and Diaspora, to exert all diplomatic and political efforts on President Barack Obama in the formulation of the impending Executive Order on Immigration due to be signed by him in the coming weeks, to ensure the provision for a humanitarian visa that would allow the estimated 50,000 undocumented Irish living in the United States to leave and return to the US if they are in need to travel to their home counties to be with family members in times of distress, illness or bereavement."

### **Housing & Corporate**

22. Cllr Gallagher

"That this Council condemn the changes that the Department of Education have introduced to the School Transport Scheme, considering the severe effects the changes have made to rural dwellers, and that this Council write to the Minister outlining the challenges these changes are having on families and children across Donegal and demand equal opportunities for all children to access education wherever their family lives in this Country"

23. Cllr MacGiolla Easbuig

“Go n-iarrann Comhairle Contae Dhún na nGall ar an HSE seilbh a ghlacadh ar aon Teach Altranais Pobail gan Bhrábús do Sheandaoine a bhfuil deacrachtaí airgeadais acu ar mhaithe leis na hothair, na baill foirne, na baill teaghlaigh agus an pobal i gcoitinne”

“That Donegal County Council calls on the HSE to takeover any Community and not for profit Old People’s Homes that find themselves in financial difficulty in the interest of patients, staff, family members and the community at large”

**Water & Environment**

24. Cllr O’Domhnaill

"That we discuss why Public and Private Group Water Schemes were not taken over by this Council prior to January 2014 as was agreed at a previous Council Meeting and whether it is possible to be afforded the numbers of Group Schemes who had applied for takeover by Donegal County Council as well as a run down of the Schemes which were taken over by this Council between June and the end of December 2013."

**INISHOWEN MUNICIPAL DISTRICT**

**Housing & Building & Planning Control**

25. Cllr. A Doherty

“That Donegal County Council recognise and support the Mica Action Group's campaign to seek a Government Redress Scheme for householders affected by the (building) contaminant known as "Muscovite Mica" and demand that the Minister for the Environment, Community and Local Government urgently enacts emergency legislation if required to provide for the establishment of a statutory framework for a "Muscovite Mica" Financial Remediation Scheme."

26. Cllr Murray

"In order to avoid risking data protection infringement regarding the request from Irish Water for details of Council Housing tenants, that this Council will not disclose this private information to a third party without the prior consent of the tenant"

**Community & Culture**

27. Cllr Canning

"I would ask this Council to seek clarification from the Department of Environment, Community & Local Government in relation to the withdrawal of funding from Rehabilitation Centres under Section 10,

and that this funding will be sourced from another state body such as the HSE so as to allow these centres to function to their full capacity."

### **Water & Environment**

#### 28.Cllr McDermott

"That the Council make available to the Members any research into fluoridation of water by the Council and what the results were and how often was it tested for the correct levels".

#### 29.Cathaoirleach's Business.

#### 30.Chief Executive's Monthly Management Report.

## **QUESTIONS**

### **LETTERKENNY MUNICIPAL DISTRICT**

#### **Roads & Housing Capital**

#### 31.Cllr Brogan

"Have this Council received any response from the Taoiseach's office to meeting a deputation from Donegal County Council in relation to progressing the A5?"

#### 32.Cllr Brogan

"What progress has this Council had with putting together our main infrastructure plan to address our top priorities for Co. Donegal so that we can then meet our Oireachtas members and send this to government to be included in any future stimulus packages that may come?"

#### **Community, Culture & Planning**

#### 33.Cllr McGarvey

"Has an approach been made to our TDs, Ministers and MEPs to meet with our Council to discuss the development of Donegal?"

#### **Water & Environment**

#### 34.Cllr McMonagle

"Can this Council organise an information/presentation to the Council Members on the advantages/disadvantages of putting fluoride in the water supply?"

#### **Finance & Information Systems**

#### 35.Cllr Shiels

"Can the Council confirm and provide written details of (a) the names of all outside consultants (being any person or company not directly employed by the Council as employees) engaged by it in the last 7 years, (b) the precise work they were engaged in by reference to specific contracts setting out full details of the work engaged in, (c) the time period they were engaged for (by reference to a start and finish date) and (d) the amount by which the Council has remunerated these persons/companies?"

## **STRANORLAR MUNICIPAL DISTRICT**

### **Housing Corporate & Planning Control**

#### **36. Cllr G Doherty**

"Will this Council undertake to pay for all water charges fees imposed by Irish Water to fix leaks in County Council Houses leased to tenants?"

#### **37. Cllr Crawford**

"What has this Council done since December 2013 to improve its policy in relation to carbon monoxide monitoring and response to that alert?"

#### **38. Cllr McGowan**

"Following my question to the Stranorlar Municipality Meeting on October, 2014 in which the response was short in detail, may I have a breakdown of all staff working in Donegal County Council, their positions, roles and in which location they work from?"

### **Roads & Housing Capital**

#### **39. Cllr McGowan**

"What plans have this Council to address major problems of safety on main National Primary Roads in the County and respond to my concerns outlining what funding if any has been sought to date for items such as bridges, and whether a request has been made to the relevant Government Departments for urgent funding with regard to health and safety aspects in Towns on our National Primary Roads as well as outside schools and other places where the public gather in large numbers?"

#### **40. Cllr Crawford**

"What steps has this Council taken to ensure maximum ability to deal with any period of adverse weather which may occur over the winter months?"

## **Finance & Information Systems**

### **41. Cllr Crawford**

"What plans does this Council have to deal with emergencies arising over the Christmas period"?

## **Corporate Services**

### **42. Cllr Harley**

"How much was the Pension Bill for Donegal County Council in 2013 and what was the average age of those receiving a pension?"

## **GLENTIES MUNICIPAL DISTRICT**

### **Water & Environment**

#### **43. Cllr Bonner**

"Please provide for a list of Group Water Schemes in the County and indicate which ones have been taken over by the Council."

### **Housing & Corporate**

#### **44. Cllr Bonner**

"Please provide a telephone directory for all Council Staff at Head Office and in each Electoral and Municipal District Area to be given to Members?"

#### **45. Cllr Gallagher**

"I request on a County-wide basis the numbers on the Donegal County Council Housing Waiting List for the years outlined together with a breakdown per Electoral Area for each of the years specified;- 2008, 2009, 2010, 2011, 2012, 2013, 2014?"

#### **46. Cllr Gallagher**

"Under legislation there is to be a five year plan to be developed for each SPC, I would request a copy of each five year plan that was drawn up by each SPC in 2009?"

#### **47. Cllr. O'Domhnaill**

"When will Council Tenants be permitted to apply to purchase their houses?"

## **Finance & Information Systems**

### **48. Cllr MacGiolla Easbuig**

"Le fialfraí ar Chomhairle Contae Dhún na nGall na fiche féichiúnaí ar rátaí trachtála is mó sa chontae a liostáil?"

"To ask Donegal County Council to list the top 20 Commercial Rates Debtors in the County?"

49. Cllr MacGiolla Easbuig

"Cad é atá Comhairle Contae Dhun na nGall a dheanamh maidir le seirbhísí leathanbhanda a chur ar fáil do na hOileáin ar fad i nDún na nGall?"

"What is Donegal County Council doing in relation to the provision of Broadband for all the Donegal Islands?"

## INISHOWEN MUNICIPAL DISTRICT

### Community Culture & Enterprise

50. Cllr A Doherty

"Will the Council engage with all new "Super Councils" in the north of Ireland and with the northern tourism board to request increased signage to Malin Head and tourism promotion of the "Wild Atlantic Way?"

51. Cllr P Canning

"Can I have a breakdown of the funding brought into this county by the EU Unit in 2013 and in 2014?"

### Housing Corporate & Planning Control

52. Cllr McDermott

"To ask the Council have they any provision for doing remedial works to back lanes of Council Housing Estates?"

53. Cllr Canning

"Has any visits or road surveys been made by any Roads Engineers to any of the housing estates that have applied for takeover?"

### Roads & Housing Capital

54. Cllr McDermott

"To ask the Council for the winter roads programme and to look at certain roads that were taken off for no reason?"

## 55. **Resolutions from Other Councils/Bodies**

### SOUTH DUBLIN COUNTY COUNCIL

"That this Council, acting on humanitarian grounds, being deeply concerned that an Irish Citizen Mr. Ibrahim Halawa, at age 17 and a minor according to Egyptian law, was arrested during his summer holidays in Egypt in 2013 and continues to be detained in Egypt, calls

on the Minister of Foreign Affairs to ensure that Ibrahim be allowed basic civil and human rights including that he be given access to his lawyer and be given the right to a proper court hearing or that he be released forthwith into the care of his family. That this motion be forwarded to the Minister for Foreign Affairs and that it be copied to all other County Council.”

#### SOUTH DUBLIN COUNTY COUNCIL

“This Council acting on behalf of its hard pressed taxpayers and concerned for the future funding of the services and facilities it provides, calls on the Taoiseach, Minister for Finance and the Minister for the Environment, Community and Local Government to repeal or amend the current legislation setting up the Local Property Tax, which is neither a wealth tax or a feasible means of funding Local Government and replace it with a sustainable local service charge that is based on the funding of named local services, is linked on ability to pay and to general taxation in such a manner that it excludes double taxation is fair, equitable and transparent. And that the Chief Executive Officer to write to the Taoiseach and named Ministers conveying the decision of this Council and copying the County Councils.”

#### MONAGHAN COUNTY COUNCIL

“That this Municipal District Authority calls on the Minister for Arts, Heritage and the Gaeltacht, Ms Heather Humphreys to examine the possibility of the introduction of an adequate high level grant aid scheme for buildings that are listed, both commercial and residential.”

#### KERRY COUNTY COUNCIL

“That this Council calls on the Minister for Defence to rescind the 21 year rule from members of the Defence Forces.”

MINUTES OF NOVEMBER MEETING OF DONEGAL COUNTY  
COUNCIL HELD IN THE COUNTY HOUSE LIFFORD ON 24<sup>th</sup>  
NOVEMBER 2014

C/544/14 MEMBERS PRESENT

Cllrs J Campbell (Cathaoirleach), L Blaney, E Bonner, C Brogan, P Canning, T Conaghan, G Crawford, N Crossan, A Doherty, G Doherty, R Donaghey, M Farren, M T Gallagher, M Harley, N Jordan, J Kavanagh, N Kennedy, M C Mac Giolla Easbuig, F Mc Brearty, 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, M Quinn, J Ryan, D Shiels, & T Slowey.

C/545/14 OFFICIALS IN ATTENDANCE

Mr Seamus Neely, Chief Executive, Mr Liam Ward, Director of Housing, Corporate & Planning Control/ Meetings Administrator, Mr Garry Martin, Head of Finance & Director of Information Systems & Emergency Services, Mr Joe Peoples, A/Director of Water & Environment, Mr Michael Heaney, Director of Community Culture & Planning Development, Mr John Mc Laughlin, Director Roads & Transportation, Ms Judith Mc Carthy, Museum Curator, Ms Anne Marie Conlon, Communications Officer, Ms Anne Marie Crawford, Staff Officer, Corporate Services.

C/546/14 APOLOGIES

Apologies were received from Cllrs L Doherty, Mc Daid, McEniff and O' Neill who were unable to attend the meeting.

C/547/14 VARIATION IN THE ORDER OF BUSINESS

On the proposal of Cllr Mc Gowan, seconded by, Cllr Campbell it was resolved to vary the order of business and deal with Items 1, 4(d), and 4(h) later in the afternoon.

Cllr Mc Garvey alluding to Item 4(h) said that this should effectively be referred to as his motion deferred from the September Council Meeting. He proposed, seconded by, Cllr Blaney, that the full motion as presented to the September Council be discussed.

The Cathaoirleach said that discussion on the motion had been suspended at the previous meeting, pending receipt of advice from the Council's Law Agent, and that it was intended to circulate same later in the evening.

C/548/14 CONFIRMATION OF MINUTES OF MEETING OF DONEGAL COUNTY COUNCIL HELD ON 26<sup>TH</sup> SEPTEMBER, 2014.

On the proposal of Cllr A Doherty, seconded by, Cllr Mc Dermott, the Minutes of the Meeting of Donegal County Council held on the 26<sup>th</sup> September, 2014 were approved.

C/549/14 CONFIRMATION OF MINUTES OF ADJOURNED MEETING OF DONEGAL COUNTY COUNCIL HELD ON 29<sup>TH</sup> SEPTEMBER, 2014.

On the proposal of Cllr Mc Gowan, seconded by, Cllr Mc Dermott, the Minutes of the Adjourned Meeting of Donegal County Council held on the 29<sup>th</sup> September, 2014 were approved.

C/550/14 TO AGREE OVERDRAFT ACCOMMODATION OF TWELVE MILLION EURO (€12,000,000) FOR FULL YEAR ENDING 31<sup>ST</sup> DECEMBER, 2014

Members considered the report circulated with the agenda in relation to the above. It was noted that the Bank had made, and was continuing to make, available to the Council overdraft facility (the “**Facility**”) for the purposes of the working capital needs of the Council.

On the proposal of Cllr Crossan, seconded by, Cllr Kennedy it was resolved after due consideration to authorise Overdraft Accommodation of Twelve Million Euro (€12,000,000) for the year ending 31<sup>st</sup> December, 2015 in accordance with Section 106 of the Local Government Act 2001 and subject to the sanction of the Minister for the Environment, Community and Local Government THAT

- (a) It is in the best interests of the Council and in line with its statutory rights and obligations to avail of the Facility and provide the Guarantee up to an amount of twelve million euro (€12,000,000);
- (b) Accordingly, the Council agrees to avail of the Facility and provide the Guarantee;
- (c) Each of the persons undertaking the roles of Donegal Chief Executive and the Head of Finance from time to time be authorised, together and separately, to negotiate the terms of each of the facility letters put, and to be put, in place to document the Facility (each, a “**Facility Letter**” and together, the “**Facility Letters**”), together with any amendments or

variations to the Guarantee or replacement Guarantee, and to sign each such Facility Letter and Guarantee by way of acceptance of the terms of such document (including, without limitation, all terms and conditions referred to in each such Facility Letter) and that each such signed Facility Letter and Guarantee shall be fully binding on, and enforceable against, the Council; and

- (d) The Council ratifies the availing of the Facility by the Council, within the limits specified, and confirms the execution of all Facility Letters together with the Guarantee.

C/551/14 TO REVIEW MEMBERSHIP OF THE ASSOCIATION OF IRISH AND LOCAL GOVERNMENT

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

On the proposal of Cllr Crossan, seconded by, Cllr Mc Gowan, Members noted that the Association had modified its constitution and removed the necessity of there being at least one nominee from each Municipal District.

Thus the Donegal County Council nominees as appointed at the 2014 AGM were now to be formally recognised. These included:-

**Voting Delegates**

Cllr Liam Blaney  
Cllr Patrick Mc Gowan  
Cllr Gerry Mc Monagle  
Cllr Martin Harley  
Cllr Nicholas Crossan

**Permanent Delegates**

Cllr Nicholas Crossan  
Cllr Patrick Mc Gowan  
Cllr Gerry Mc Monagle

C/552/14 TO RATIFY THE NOMINATION OF CLLR O' FEARRAIGH TO THE DONEGAL EDUCATION AND TRAINING BOARD.

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

On the proposal of Cllr Murray, seconded by, Cllr Quinn it was resolved that Cllr O' Fearraigh fill the casual vacancy on the Donegal Education and Training Board occasioned by the

resignation of Cllr Murray, and as agreed at the September Meeting of Donegal County Council.

C/553/14 TO NOTE MEMBERSHIP OF THE DONEGAL EDUCATION AND TRAINING BOARD

Members considered the report circulated with the agenda in relation to the above, and noted the current membership of the Donegal ETB (Education and Training Board) which had been appointed in accordance with Section 30 of the Education and Training Board Act, 2013.

C/554/14 TO APPROVE THE NOMINATION OF THE CHIEF EXECUTIVE'S NOMINEES TO THE DONEGAL COUNTY COUNCIL AUDIT COMMITTEE.

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

The Chief Executive noted that the matter had been discussed in the Chief Executive's Monthly Management Report circulated for the September Council Meeting. There was however, he advised, a requirement to pass a resolution confirming the appointments.

On the proposal of Cllr O' Domhnaill, seconded by, Cllr Farren the following were appointed as the Chief Executive's Nominees to the Donegal County Council Audit Committee in accordance with Paragraph 7 of the Local Government (Audit Committee) Regulations 2014:-

- Mr Paul Carr
- Mr Micheál Mac Giolla Easbuig
- Ms Deirdre Mc Glone

C/555/14 TO APPROVE SCHEDULE OF MEETINGS FOR 2015

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

On the proposal of Cllr Slowey, seconded by, Cllr Kavanagh the Donegal County Council Schedule of Meetings for 2015 was approved.

C/556/14 TO APPROVE THE REPLACEMENT OF THE GOLA ISLAND REPRESENTATIVE ON THE DONEGAL COUNTY COUNCIL ISLANDS COMMITTEE

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

On the proposal of Cllr Slowey, seconded by, Cllr Mc Dermott, it was resolved to appoint Mr Eamonn Seosamh Mac Aoidh as the Gola Island representative on the Donegal County Council Islands Committee occasioned by the resignation of Ms Marie Pearson.

C/557/14 TO APPROVE THE DONEGAL COUNTY COUNCIL STRATEGIC MANAGEMENT PLAN (2012-2014) AND 1 YEAR IMPLEMENTATION PLAN (2014) FOR THE DONEGAL COUNTY MUSEUM

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

On the proposal of Cllr Mc Dermott, seconded by, Cllr Farren, the Strategic Management Plan and 1 Year Implementation Plan for the Donegal County Museum was approved.

C/558/14 TO APPROVE THE DISASTER PLAN FOR THE DONEGAL COUNTY MUSEUM

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

On the proposal of Cllr Canning, seconded by Cllr Kavanagh, the Donegal County Museum Disaster Plan was approved.

C/559/14 TO APPROVE THE EDUCATION ACTION PLAN AND 1 YEAR IMPLEMENTATION PLAN FOR THE DONEGAL COUNTY MUSEUM.

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

On the proposal of Cllr Canning, seconded by Cllr Farren, the Donegal County Museum Education Action Plan and 1 Year Implementation Plan was approved.

C/560/14 TO APPROVE THE DONEGAL COUNTY MUSEUM COLLECTION CARE STRATEGY

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

On the proposal of Cllr Gallagher, seconded by Cllr Canning, the Donegal County Museum Collection Care Strategy was approved.

C/561/14 ENDORSEMENT OF CONFIRMED MINUTES OF MEETING OF INISHOWEN ELECTORAL AREA COMMITTEE HELD ON 4<sup>TH</sup> MARCH, 2014

On the proposal of Cllr Farren, seconded by Cllr Canning the Confirmed Minutes of the Meeting of the Inishowen Electoral Area Committee held on 4<sup>th</sup> March, 2014 were endorsed.

C/562/14 ENDORSEMENT OF CONFIRMED MINUTES OF MEETING OF DONEGAL ELECTORAL AREA COMMITTEE HELD ON 7<sup>TH</sup> MAY, 2014

On the proposal of Cllr Campbell, seconded by Cllr McGowan the Confirmed Minutes of the Meeting of the Donegal Electoral Area Committee held on 7<sup>th</sup> May, 2014 were endorsed.

C/563/14 ENDORSEMENT OF CONFIRMED MINUTES OF MEETING OF GLENTIES ELECTORAL AREA COMMITTEE HELD ON 6<sup>TH</sup> MAY, 2014

On the proposal of Cllr Gallagher, seconded by Cllr Slowey the Confirmed Minutes of the Meeting of the Glenties Electoral Area Committee held on 6<sup>th</sup> May, 2014 were endorsed.

C/564/14 CLARIFICATION IN RELATION TO CIRCULAR LG 12/2014 AND REVIEW OF ARRANGEMENTS FOR EXPENSES INCURRED BY ELECTED MEMBERS

The Meetings Administrator advised that there had been a request from the Corporate Policy Group to clarify the arrangements for the provision of allowances and expenses payable to the Elected Members, particularly in relation to attendance at conferences and training events.

He advised that the Conference Budget for 2015 amounted to €25,900 i.e. €700 in respect of the 37 Members of Donegal County Council. The new Council elected in May 2014, had, he noted, a budget of €12,950 providing each Member with a maximum conference budget of €350 to year end.

The Conference allocation, it was acknowledged, also covered conference fees due to the event organisers. The regulations, he added, did not specify a maximum amount for attendance at

training events, but that this was limited to the figure provided in the 2015 Budget Allocation.

The maximum amount payable here, it was established, was €1600 per Member providing for an allocation of €59,200 in 2015. A balance of €4,900, it was noted, had been provided to cover the cost of Members attendance at ICBAN and NWRCBG Meetings, together with NRA Delegations etc.

Members queried the possibility of reallocating conference and training allowances which had not been utilised. They asked also that conference and training events be clearly categorised on the Council Agenda.

There was a request for Conference Reports be made available on the Council's Website and that the template document currently in use be amended to provide for a more comprehensive range of submissions.

Cllr Shiels queried the inclusion of the "Effect of Budget 2015 Conference" scheduled to take place in Cork on the 28<sup>th</sup> and 29<sup>th</sup> November. This, he said, had no relevance for Donegal County Council.

The Meetings Administrator said it was a matter for Members at Budget time to determine and reallocate this budget to other headings if they so agreed. He drew Members attention to Circular LG 12/2014 which clearly set out the range of events to be covered by the training allowance. This circular also, he confirmed, provided for the publication of Conference Reports on the Council Website. He said it would be possible to look and see if the conference report form could be expanded, to provide for the more detailed report requested.

C/565/14 AUTHORISATION OF ATTENDANCE AT SEMINARS, TRAINING AND EVENTS

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 and directives issued by the Minister in that regard, on the proposal of Clr Mc Gowan, seconded by, Clr Mc Dermott, it was resolved to authorise any member, if he/she so wished, to

attend the following conferences, subject to the normal procedures:-

1. Individual members not exceeding their annual budget for attendance at conferences. *In this instance it was noted that the maximum amount payable was €350 with the relevant conference fees to be deducted from this amount. The balance payable also depended on whether or not there had been previous conference attendance.*
2. Payment of expenses for attendance to be conditional on the member furnishing documentary evidence of attendance.
3. Submission of a Conference Report
  - ACE Training -The Effect of Budget 2015 to be held in Clonakilty Hotel, Clonakilty, Co. Cork on 28<sup>th</sup> and 29<sup>th</sup> November, 2014.
  - Superior Training - Seminar for Councillors on Funding Public Services – General Taxation or What? To be held in Park House Hotel, Main Street, Edgeworthstown, Co. Longford on 28<sup>th</sup> and 29<sup>th</sup> November, 2014.
  - Esperanza Enterprises - Elected Members Training Seminar on Alignment of Local Government to be held in The Connacht Hotel, Old Dublin Road, Galway City on 5<sup>th</sup> and 6<sup>th</sup> December, 2014.
  - NFLA - All Ireland Nuclear Free Local Authorities Forum to be held in Dublin City Hall on 12<sup>th</sup> December, 2014.
  - Esperanza Enterprises - Elected Members Training Seminar on Protected Disclosures Act 2014 to be held in The Connacht Hotel, Old Dublin Road, Galway City on 12<sup>th</sup> and 13<sup>th</sup> December, 2014.
  - Celtic Conferences - Seminar on Tourism Technology & Competitive Strategies for 2015 to be held in Four Seasons Hotel, Carlingford, Co. Louth on 12<sup>th</sup>, 13<sup>th</sup> and 14<sup>th</sup> December, 2014.
  - Superior Training - Training Seminar for Councillors on Housing & Local Government, Lord Bagenal Hotel, Leighlinbridge, Co. Carlow on 5<sup>th</sup> and 6<sup>th</sup> December, 2014.

C/566/14 CONFERENCE REPORTS

On the proposal of Cllr Kennedy, seconded by, Cllr Jordan the following Conference Reports were noted:-

**Cllr Noel Jordan**

AILG Finance & Budget Training held 9<sup>th</sup> September, 2014  
Nuremore Hotel, Monaghan.

**Cllr Terence Slowey**

AILG Finance & Budget Training held 9<sup>th</sup> September, 2014  
Nuremore Hotel, Monaghan.

**Cllr John S O' Fearraigh**

AILG Finance & Budget Training held 9<sup>th</sup> September, 2014  
Nuremore Hotel, Monaghan.

**Cllr. Nicholas Crossan**

AILG Finance & Budget Training held 9<sup>th</sup> September, 2014  
Nuremore Hotel, Monaghan.

**Cllr John O'Donnell**

AILG Finance & Budgeting Seminar held 18<sup>th</sup> September, 2014  
Grand Hotel, Malahide, Dublin.

LAMA Conference held 17<sup>th</sup> and 18<sup>th</sup> October, 2014 in Inishowen  
Gateway Hotel, Buncrana.

AILG Housing Seminar held 21<sup>st</sup> October, 2014 at Kilmore Hotel,  
Cavan.

Irish Water Seminar held on 29<sup>th</sup> October, 2014 in Carrick-on-  
Shannon.

AILG -Inaugural Annual Conference to be held in the Hotel  
Kilmore, Co Cavan on the 29<sup>th</sup> and 30<sup>th</sup> October, 2014

**Cllr Niamh Kennedy**

AILG Housing Seminar held 21<sup>st</sup> October, 2014 at Kilmore Hotel,  
Cavan.

Irish Water Seminar held on 29<sup>th</sup> October, 2014 in Carrick-on-  
Shannon

**Cllr Seamus O' Domhnaill**

LAMA Conference held 17<sup>th</sup> and 18<sup>th</sup> October, 2014 in Inishowen  
Gateway Hotel, Buncrana

**Cllr Jimmy Kavanagh**

AILG Inaugural Annual Conference 2014 held 29<sup>th</sup> and 30<sup>th</sup>  
October, 2014 at Kilmore Hotel, Cavan.

C/567/14 PROVISION OF FUNDING FOR REHABILITATION  
CENTRES AND RELATED HOUSING ISSUES

It was agreed to take Items 9 and 27 together as the motions in  
question dealt with similar issues.

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

"That this Council continues to provide funding in the area of Rehabilitation/Housing given that it is an integral part of the funding stream for such centres and acknowledging that withdrawal of this funding would have a very serious and detrimental effect on their ability to continue to offer vital services and that we also write to the Minister for the Environment Community and Local Government outlining the important work that centres of this nature carry out in the local community and the necessity that Council funding also continues under Section 10."

On the proposal of Cllr Canning, seconded by, Cllr Ryan the following Motion was adopted:-

"I would ask this Council to seek clarification from the Department of Environment, Community & Local Government in relation to the withdrawal of funding from rehabilitation centres under Section 10, that this funding will be sourced from another state body such as the HSE so as to allow these centres to functions to their full capacity."

Members were informed in response to both Motions that:-

“The Department of the Environment, Community and Local Government on behalf of the Minister for Environment, Community and Local Government is the holder of the Section 10 (Housing Act 1988) funding allocation to Donegal County Council. The control in this regard rests with the Department.

The overall funding allocation is aligned to specific categories of expenditure to reflect a housing-led approach.

The 2014 categories of expenditure are:

1. Homeless Prevention, Tenancy Sustainment and Resettlement Supports
2. Emergency Accommodation
3. Long-Term Supported Accommodation
4. Day Services
5. Domestic Violence Refuges
6. Housing Authority Homeless Services Provision including Administration

The Department have indicated that it considers that other

emergency type accommodation such as inpatient/residential treatment centres, mainstream addiction treatment centres, step-down facility or halfway house accommodation for detoxification into rehabilitation, are not appropriate to be funded under emergency accommodation or any other Section 10 funding category. This is because such facilities are deemed primarily to be providing health and social care support for the persons in such accommodation.

The Department have contacted the Council and requested details of the strategy for the transition of the existing service, in respect of which Section 10 funding is presently provided, into funding streams appropriate to the provision of health and social care support, including intended discussions with the HSE or other relevant agencies in this regard.

The Council is presently in ongoing discussions with both the HSE and the relevant service provider with a view to making a case to the Department for the continuation of this funding stream”

Members outlined the need to obtain clarification from the Department . It was noted that there was no funding available from the HSE, a feature which further compounded the matter. There was acknowledgement that Centres such as the White Oaks Rehabilitation Centre in Muff often worked with clients on the verge of homelessness, and that to withdraw such funding would lead to even greater hardship.

There was no opposition to the motion.

Mr Liam Ward, Director Housing & Corporate said that his reply clearly outlined the position, and that staff dealing with this issue were anxious that the funding remained in place.

Cllr Mc Monagle thanked all who had supported the motion advising, that the withdrawal of funding would be disastrous for the White Oaks Centre. He welcomed the Council’s intervention and ongoing interaction with the Department.

Cllr Canning acknowledged the cross-party support provided.

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

“That Donegal County Council implement a House Building Policy to deal with the waiting list in our County.”

Members were informed that;-

“The development and implementation of a House Building Programme is contingent on the necessary funding being made available through the Department of the Environment, Community & Local Government under the Social Housing Investment Programme(SHIP)

The Council's current programme provides for the construction of 4 Rural Cottages at various locations in the county and a small housing development of 6 units in Letterkenny. These projects are to be advanced to construction during 2015.

It is understood, following the national budget in October, 2015, that greater levels of funding will be made available under the SHIP programme in the coming years with a view to re-commencing a House Construction programme in each Local Authority at a significantly increased level. Following a recent meeting with senior Department officials, it is hoped that further information and details in relation to this programme will be made available to each Local Authority in December, 2014.

For its part, the Council is currently reassessing its position with a particular view to the following:

- Areas of Greatest Need.
- Availability of Land Bank
- Existing Projects with relevant Part 8 Approvals.

The Council is also reviewing its capacity to deal with an increased construction programme so as to ensure the necessary resources are in place to support such a programme.”

Cllr Mc Garvey noted that there were 2116 applicants on the Housing Waiting List and that such a programme would go a long way to addressing current problems. He cited the need to be able to build at least 50 houses in any given year. There was an express

need for support at national level, he added. It was noted that Donegal County Council was doing its best but had not kept pace with the growing demands.

Cllr Crossan said it was imperative that Donegal County Council got value for money with regard to any such programme.

Mr Liam Ward, Director Housing & Corporate advised that as indicated in his reply, the implementation of any Housing Programme was dependent on funds being made available from the Department. He confirmed that notification of monies available under the SHIP Programme would be forwarded to Members as soon as it was announced.

Works were ongoing, he added, to ensure that there were sufficient plans in place to advance an Acquisition Programme, with applicants with Special Needs being identified in the initial stages.

Cllr Mc Garvey concluding the debate said that a programme of this nature would in the long run assist with employment and emigration issues.

C/569/14     STAFF SHORTAGES AND LIFTING OF THE EMPLOYMENT EMBARGO

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

"I propose this Council review all sections of Council to identify where we have staff shortages and ask the Government to lift the employment embargo to allow us to recruit full time employees again."

Members were informed that:-

"As part of the Workforce Planning exercise underway within the Local Government Sector, Donegal County Council has engaged in an extensive review of staffing assigned to each section of the Council. This work has been underway over the past number of months and has been influenced by many critical factors, including the following:

- Local Government Reform Programme and the establishment of Municipal Districts.

- Abolition of Town Councils and the integration of Town Council employees into Council Structures.
- The significant reductions in staffing numbers in the period 2008 to 2014.
- Desire to ensure that all front line services are properly resourced to deliver on work programmes.
- Forward planning for future vacancies that will arise due to normal retirements etc.
- The advent of the Roads Management Office and the staffing implications arising there from.

During this process, there has been ongoing and regular engagement with staff and their Unions.

This work is now at an advanced stage with regard to office based staff with some further engagements necessary in relation to outdoor staffing structures.

At a minimum, it is proposed to present the Workforce Plan relating to office based employees to the Department of the Environment, Community & Local Government prior to year end. This will be done with a view to seeking the approval of the Department to fill critical vacancies within the staffing structures at an early date. It will be noted that during the recent Budget meetings, the Chief Executive indicated that the Council proposed to be in a position to recommence recruitment into the Council during 2015 and the easing of the current embargo will be a requirement to facilitate this”.

Cllr Brogan outlined the necessity of providing basic services for services such as Roads and Housing. It was evident, he said, that over the last number of years there had been insufficient manpower in these services to carry out routine maintenance works. He called for a full analysis of the staffing breakdown, and asked that Members be provided with details of the Workforce Planning Submission due to be forwarded to the Department at year end.

Cllr McGowan noted the importance of the impending Gateway Scheme and said it was imperative that Members be updated in relation to the current staffing breakdown.

There was no opposition to the motion.

Mr Liam Ward, said that the motion was timely in terms of the workforce planning initiative, but that some work remained to be done in relation to outdoor staffing.

The Chief Executive, had, he confirmed, indicated in the Budget discussion that there would be a modest degree of recruitment in 2015, with implications for frontline services, design work schedules and the supervision of capital projects.

Cllr Brogan, noted, that this was a work in progress and said that Donegal County Council needed to present a united and innovative front in its negotiations with the Department.

C/570/14 FLOODING AT LETTERKENNY GENERAL HOSPITAL

On the proposal of Cllr Shiels, seconded by, Cllr Mc Garvey, the following Motion was adopted:-

“That this Council as the Planning Authority for County Donegal prepare as a matter of urgency a full report on the development of the new accident and Emergency Department Building at Letterkenny General Hospital by reference to and to advise Members on (1) any pre-existing reports advising of a flood risk at the hospital, (2) the planning permission(s) granted in respect of the new Accident and Emergency Department Building and in respect of subsequent works carried out in relation thereto, (3) whether those permissions took account of the existing flooding risk and in what way they did so (4) whether those permission(s) were fully complied with, (5) whether the Council has taken any enforcement action against the HSE either during the construction of the new Accident and Emergency Department Building or after its completion, (6) whether the Council considers that any further works should be carried out to prevent future flooding of the hospital and confirm what those precise measures are.”

Members were informed that:-

“Donegal County Council will continue to work proactively, within the Council's remit, with the Management of Letterkenny General Hospital to remedy difficulties created by the recent unprecedented and significant flooding events.

The priority continues to be one of ensuring that the HSE is in a position to take the appropriate steps to safeguard the facilities and

services provided at Letterkenny General Hospital. Donegal County Council will continue to support the work being undertaken by the HSE to identify and plan for the long term integrity of the site”.

Cllr Shiels said he was calling on Donegal County Council as the Planning Authority to prepare a full report on the new Accident and Emergency Department. He noted that two pre-existing reports in both 2002 and 2006 had stated that the hospital was liable to flooding, yet planning permission had been granted. There was a need, he said, to identify what went on in the planning process and whether the permission had taken account of the flood risk. He dismissed HSE claims that climate change had been a contributing factor.

Cllr Mc Garvey said that the building had been built in a hollow and queried also whether permissions had taken account of the existing flood risk. He had, he said, concerns also in relation to the development going forward.

There was no opposition to the motion.

Mr Liam Ward, Director Housing, Corporate and Planning Control advised that the Council would draw up the report as requested in the motion.

Cllr Shiels said that he hoped the report would be transparent and contain the relevant detail.

C/571/14 MICA PROBLEM AND THE NEED FOR ACTION BY DONEGAL COUNTY COUNCIL TOGETHER WITH THE IMPLEMENTATION OF A NATIONAL REDRESS SCHEME

It was agreed to take Items 14 and 25 together as both Motions dealt with items of a similar nature.

Cllr Blaney submitted the following Motion:-

“That this Council calls on the Minister for the Environment, Community and Local Government Mr Alan Kelly, T.D. to set up a group of suitably qualified engineers to visit Donegal and examine the problem of Mica that homeowners have with their dwellings and to set up a redress scheme and also in the interim to make

homeowners that are experiencing this problem exempt from the Local Property Tax as their homes are worthless at present."

Cllr McGuinness queried the necessity of putting down such motions when the matters in question had been discussed previously with little or no outcome.

Members were informed that:-

"While the motion as set out is not calling for any specific action on behalf of Donegal County Council, the Council has, following a presentation to full Council by the Mica Action Group, facilitated engagements between the Group and relevant Government agencies. The Council will keep Members apprised of any developments in this regard and any further engagements."

Cllr Blaney asked that his motion be amended as follows:-

"That this Council writes to the Minister for the Environment, Community and Local Government Mr Alan Kelly, T.D. asking him to send a group of suitably qualified engineers to visit Donegal and examine the problem of defective block work that homeowners have with their dwellings, to set up a redress scheme, and also in the interim to make homeowners that are experiencing this problem exempt from the Local Property Tax as their homes are worthless at present."

This was duly proposed by Cllr Blaney and seconded by Cllr Mc Dermott.

Cllr Blaney said that the matter was becoming a huge issue in Donegal and that the associated testing costs were exorbitant to say the least. He noted that the Local Property Tax placed a specific value on the houses involved, yet many were now effectively worthless because of the problem.

Cllr Mc Dermott advised that the problem was particularly prevalent in Inishowen, with Carndonagh having a high incidence of such cases.

There was no opposition to the Motion.

On the proposal of Cllr A Doherty, seconded by, Cllr Murray the following Motion was adopted;-

“That Donegal County Council recognise and support the Mica Action Group's campaign to seek a government redress scheme for householders affected by the (building) contaminant known as "muscovite mica" and demand that the Minister for the Environment, Community and Local Government urgently enacts emergency legislation if required to provide for the establishment of a statutory framework for a "muscovite mica" financial remediation scheme.”

Members were informed that;-

“Donegal Co. Council received a presentation to full Council from the Mica Action Group in April, 2014. Following on from this meeting, the Council facilitated engagements between the Group and relevant Government agencies. The Council will keep Members apprised of any developments in this regard and any further engagements.”

Cllr Doherty queried the lack of progress in dealing with the issue which had been raised at previous Council Meetings.

Donegal County Council, needed to recognise, he said, the fact that there was a problem with houses built between 1994 and 2006, with emergency legislation urgently needed. He advised also of the ongoing safety issues involved for the families concerned. There were, he added, questions to be asked also in relation to the Council's own Housing Stock.

He called on the Minister to come to Inishowen and meet the families affected.

Cllr Murray supporting the Motion said that there were associated issues such as the devaluation of property and the inability to obtain house insurance to be dealt with also.

Cllr Mac Guinness enquired as to why Council staff had not carried out any investigations to date in relation to defective block work in its own housing stock.

Cllr Blaney asked what engagements had been facilitated and with which agencies.

There was no opposition to the Motion.

Mr Liam Ward, Director of Housing, Corporate & Planning Control said that the Council recognised there was a significant issue here. Council Officials had, he said, attended the meeting with the Department in an observation capacity.

The Motions outlined it was acknowledged the scale of the problem and to this end the Council was willing to play a part in bringing the matter to the attention of the Department. With regard to Council Housing Stock, he noted, that the Council was in the process of carrying out some checks on Council Stock within the Inishowen Municipal District.

Any redress scheme, it was acknowledged, was a matter for the Department.

Cllr Mc Brearty contended that Donegal County Council were not adequately responding to the situation.

The Chief Executive reminded Members that the MICA Action Group had addressed the Council back in April and that this had been a useful forum for clarification purposes.

It was clear, he stated, that redress was needed, but noted, that this was not immediately available through the enforcement process or indeed the Building Regulations. It had been agreed back in April, he noted, that the Executive would communicate with the Department to highlight concerns raised by homeowners.

Some initial assessments, he said, had been carried out to date on our own housing stock.

Cllr Blaney asked that the reply when received from the Minister be circulated to all Members.

Cllr Doherty called on the Council to take leadership of the situation and cited the need for Oireachtas Members in the County to get involved and lobby at national level for some form of redress.

C/572/14 NRA DELEGATION

Mr John Mc Laughlin, Director Roads & Transportation advised that the annual delegation to the NRA would take place on Thursday 11<sup>th</sup> December, 2014. It was unanimously agreed that the delegation would be comprised of the Cathaoirleach and the Chair of the Roads SPC together with 8 number Members to be selected as follows:-

Fianna Fail	3
Sinn Fein	2
Independents	2
Fine Gael	1

C/573/14 ADJOURNMENT FOR LUNCH

On the proposal of Cllr O' Domhnaill, seconded by, Cllr Mc Garvey, it was resolved to adjourn the meeting for lunch until 2.00pm.

C/574/14 ADJOURNMENT OF THE MEETING

On resumption it was resolved on the proposal of Cllr Harley, seconded by Cllr Gallagher to further adjourn the meeting until 2.30pm.

C/575/14 MOTION UNDER SECTION 140(5) OF THE LOCAL GOVERNMENT ACT, 2001 AS AMENDED BY SECTION 52 OF THE LOCAL GOVERNMENT REFORM ACT, 2014 DIRECTING COUNCIL MANAGEMENT NOT TO COMPLY WITH A DEMAND FROM IRISH WATER TO PASS OVER THE PERSONAL INFORMATION OF COUNCIL TENANTS HELD BY DONEGAL COUNTY COUNCIL

Cllr Crossan took the Chair for the remainder of the Meeting in the absence of the Cathaoirleach who had to attend to another engagement. The Chief Executive informed Members the following Motion in the names of Cllrs Quinn, Gallagher, O' Fearraigh, Jordan, Murray, O' Donnell, L Doherty, G Doherty, Mc Monagle and A Doherty had been received on the 17<sup>th</sup> November;-

“ That this Council resolves to direct Council Management not to comply with a demand from Irish Water to pass over personal information of Council Tenants held by Donegal County Council.

Cllr Mc Brearty queried why there had been no comment from the Council Executive.

The Chief Executive said that in his view the wording of the Motion as presented complied with the minimum requirements for a Section 140 and therefore warranted inclusion on the agenda. Beyond that, he said, the provisions of the Local Government Act 2001, stated that a Section 140 required a minimum of at least one third of the Councillors present voting in favour. He informed Members that the Motion if passed may be void given that the actions sought in the Motion may prevent the performance of a function which the Council is required by law to perform.

A query was raised as to whether or not commentary was confined to two speakers as outlined in Standing Orders. Cllr Mc Brearty called for legal advice on the legality of the Motion if passed.

The Chief Executive said that the Council Law Agent had confirmed that the Motion was valid to place before the Council.

He stated however, that in his opinion, the Motion if passed could be void and could only be valid in the event that it did not direct him to do something which was provided for in law. He advised of the need to keep an open mind as the totality of the request from Irish Water had not yet been received.

There were, he said, three issues to be considered namely:

1. That Members were entitled to consider and pass the Motion or not.
2. That no action was required should the Motion be rejected.
3. If passed then it would matter for the Chief Executive to act depending on the validity of the request.

Cllr Quinn thus proposed to suspend Standing Orders so that the legal advice from the Council Solicitor could be provided to the Members. This was seconded by Cllr Mc Brearty.

Cllr Murray proposed, seconded by Cllr Mc Brearty to suspend Standing Orders and allow any Member who wished to speak on the matter.

The Chief Executive said that the advice could be provided if Members so wished, but that clarity needed to be sought in relation to the circulation of other matters contained in the response. It was possible, he said, to look at obtaining specific advice in relation to the motion as the debate proceeded.

Cllr Murray acknowledged that the Motion had been submitted in the full knowledge that it could be void and called on the Council not to collect monies from Irish Water if passed. He asked also that it be circulated to all other Local Authorities if agreed.

A lengthy debate ensued during which Members outlined their support for the Motion, with many acknowledging the need for local representatives to stand up and fight for the rights of all citizens to be treated equally. Concern was expressed in relation to the legality of the motion.

The situation it was acknowledged also highlighted the limited powers available to the Elected Members. They further contended that Irish Water should be abolished and water services handed back to Local Authorities.

Concern was also expressed in relation to the fact that there was no reference to the release of personal information in the Council Tenants Handbook. The necessity of adequately reflecting the views of the electorate in Donegal was also acknowledged.

Cllr Shiels said the legislation had been drafted in such a way so as to get the personal information required from Local Authorities. The intent, he affirmed, to prevent Management providing such information could not be faulted, but that the legislation had been drafted in such a way as to obtain everyday information whilst providing for effective enforcement measures.

Concern was expressed that the Motion could provide false hope for Council Tenants.

It was unanimously agreed to proceed with the matter by way of recorded vote.

A recorded vote was then taken by the Meetings Administrator resulting in 28 voting for with 1 abstention.

Those voting in favour included:-

Cllrs Blaney, Bonner, Brogan, Canning, Conaghan, Crawford, Crossan, A Doherty, G Doherty, Donaghey, Farren, Gallagher, Jordan, Kennedy, Mac Giolla Easbuig, Mc Brearty, Mc Bride, Mc Dermott, Mc Garvey, Mc Gowan, Mc Monagle, Murray, O' Domhnaill, O' Donnell, O' Fearraigh, Quinn, Ryan, and Shiels (28)

Cllr Kavanagh abstained.

The Motion was duly adopted.

C/576/14 TO CONFIRM CHAIRPERSONS AND MEMBERSHIP OF THE STRATEGIC POLICY COMMITTEES FOR THE PERIOD 2014-2019.

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

Mr Liam Ward, Director Housing, Corporate and Planning Control outlined the main aspects of his report.

On the proposal of Cllr Brogan, seconded by, Cllr O' Domhnaill it was resolved to appoint the SPC Chairs Designate to the following SPCs:-

Economic Enterprise & Planning Policy	Cllr Canning
Roads & Transportation-	Cllr Ryan
Housing	Cllr Mc Brearty
Community, Social & Cultural	Cllr Gallagher
Environment & Emergency Services	Cllr O' Donnell

On the proposal of Cllr Ryan, seconded by, Cllr Mc Brearty the appointment of the Elected Members and Sectoral Representatives to the Strategic Policy Committees outlined above was approved. (Vide Appendix 1)

C/577/14 CONSIDERATION OF LEGAL ADVICE  
AGHADACHOR BEACH

Mr Liam Ward, Meetings Administrator informed Members that the matter had been adjourned from the September Council pending receipt of advice from the Council Solicitor. This, he advised, had been received and was available for circulation. The

Council Solicitor, he advised, had outlined the necessity of considering same in committee, as was the norm when considering advice of this nature.

Cllr Mc Brearty contended that Members should receive the advice first and then decide whether or not to continue in committee. Cllr Mc Garvey outlined his reluctance to proceed in committee.

Cllr Shiels contended that there was nothing specific in the legislation directing the Council to go into committee and thus proposed, seconded by, Cllr Mc Garvey that the November Council meeting continue in public session.

The Meetings Administrator said that it was matter for the Council who had requested the advice in the first place, but that he had been obliged to draw Member's attention to the Council Solicitor's direction to go into committee as outlined in the first paragraph of the correspondence.

Cllr Brogan proposed that the advice be accepted and the meeting proceed in committee. This was seconded by, Cllr Mc Gowan.

The Chief Executive noted that the Council had been asked at the September Meeting to take specific decisions and make things happen. As there was the possibility of specific financial implications being involved the Council, he affirmed, needed to consider the advice in committee and then proceed as appropriate.

He outlined the necessity to comply with legal advice when received.

Cllr Mc Garvey at this juncture said that he was merely looking for an independent Public Enquiry to be held.

A show of hands was taken by the Meetings Administrator in relation to the amendment proposed by Cllr Brogan and seconded by Cllr Mc Gowan.

This resulted in 12 voting for with 15 voting against.

It was therefore resolved to continue with the meeting in public session.

The advice from the Council Solicitor, dated 24<sup>th</sup> November, 2014 was circulated to the Members.

The Leas Cathaoirleach, noted that there were a number of complex issues involved and that there was an element of sub-judicæ involved.

Cllr Mc Brearty enquired as to whether Cllr Mc Garvey had received the advice back in 2013 and why it had not been disclosed at the time.

Cllr Mc Garvey stated that the advice had been sought for his own information and as to how he should respond in his capacity as Mayor. He said that there was concrete evidence to prove that the road in question had existed, namely that planning permission had been granted for a number of houses clearly indicating the road in question. A right of way, he noted, was also clearly indicated on an old ordnance survey map. There was also, he advised, considerable local knowledge substantiating the claim.

A lengthy debate ensued during which a number of issues were raised including:-

1. That the attendance of the Council Solicitor was warranted to establish a number of bonafides.
2. The advice raised more questions than answers.
3. That Donegal County Council was not acknowledging the responsibility it had towards locals who had obtained planning permission prior to the development being enacted.
4. Concern that the advice was merely a smokescreen to deflect from the issue at hand i.e. that residents no longer had access to the beach.
5. Need for advice in relation to the Planning Authority's decision to give planning permission to the residents.
6. It was noted that before the initiation of the present County Road, the route in question had been the main route from Carrigart to Creeslough.

On the proposal of Cllr Mc Monagle, seconded by, Cllr Brogan it was resolved that the Council Solicitor be invited to meet with Members to review the advice as presented.

Cllr Brogan said, this was essential as he believed Cllr Mc Garvey had been privy to more advice than the rest of the Members. He said it was imperative that the residents were not misled, and that they were clear as to the role of the Council and what it could and could not do.

Cllr Blaney noted said that it had been an ongoing saga for the residents who believed that the road was public right of way and a County Road at one time. He said that he was of the opinion that the Motion as presented by Cllr Mc Garvey was not in the best interests of the people there at present, and that it would be more appropriate to let the impending prosecutions proceed at this juncture.

It was noted that there had also been ongoing engagement with both locals and the developer in question.

Cllr Mc Garvey contended that he had misled no one and that the over riding issue was that local residents had obtained planning permission along this route in the not too distant past.

Cllr Shiels noted that there were currently enforcement proceedings before the courts with regard to the development.

Cllr Shiels concurred with the advice provided but noted that it would be somewhat unrealistic to ask the residents concerned to fund any challenge through the Attorney General's Office. He alluded to the contents of Paragraph 5(d) and the option available to the Elected Members to deal with the matter under Section 207 of the Planning and Development Act, 2000. He contended that the situation at Aghachador was a prime example, of where Section 207 could be invoked and utilised. This approach, he added, also provided for an element of appeal to An Bord Pleanala and ultimately to judicial review.

Cllr Mc Bride noted that it was a lose/lose situation for all involved and cited the need for further negotiation.

Cllr Quinn, said he was disappointed with the legal advice and that there were considerable dangers involved regardless of the approach taken.

Cllr O' Donnell backed Cllr Mc Garvey's call for a public enquiry. It was however by Cllr Mc Brearty that this was not within Donegal County Council's remit and necessitated approval at national level.

The Chief Executive responding to a number of comments said that it was open to the Council to invoke Section 207 of the Planning and Development Act, but that it was imperative that this was done legally and that the fullest advice possible made available to the Elected Members. Paragraph 5 (d) of the advice, he noted, also alluded to the risks involved and outlined the possibility that a compensation claim might happen. It was, he affirmed, a matter for the Council who now needed to consider the following:-

1. Whether or not to accept the proposal to revisit the matter and consider all available options with the Council's Law Agent in attendance.
2. To invoke Section 207 and proceed to establish a Public Right of Way, yet being mindful of the compensation aspect.
3. To revisit the Motion as presented by Cllr Mc Garvey at the September Council Meeting.

Cllr Shiels proposed, seconded by, Cllr Mc Brearty that Section 207 of the Planning & Development Act, 2000 be invoked and a Public Right of Way created. Cllr Shiels indicated that this was the best way forward thus allowing the Planning Section to proceed with the enforcement issues at hand, and that the Council could make representations to the Minister in relation to interference with the foreshore.

The Chief Executive again reminded Members of the compensation aspect involved and the fact that even if the decision went to appeal, this would fall under the auspices of the Planning Authority.

After some debate on the complexity of the issues involved it was resolved on the proposal of Cllr Mc Monagle, seconded by, Cllr Brogan to defer the item until such time as the Council Solicitor was available to respond to Member's queries.

Cllr Mc Bride asked that it be noted that everything possible was done by the Members of the Letterkenny Electoral Area to facilitate all involved and called on Cllr O' Donnell to withdraw

earlier comments in relation to the failure of the former members of the Letterkenny Electoral Area to deal with the issue.

Cllr Mc Garvey said the matter had been one of extreme frustration and that every effort had been made to encourage positive negotiation. He advised of the need to have the rights of the locals respected, contending again that where there was non-compliance there was in his opinion no planning permission in existence.

Cllr Mc Brearty called on Cllr Mc Garvey to amend his Motion as it was not within Donegal County Council's remit to hold a full independent public enquiry.

Cllr Blaney also urged caution and the need to actively engage with the Council Solicitor.

The Chief Executive informed Members that he would make arrangements with the Council's Law Agent to attend the Adjourned November Meeting thus affording Members the opportunity to discuss the matter and raise any related questions in committee.

On the proposal of Cllr Mc Monagle, seconded by, Cllr Brogan, the matter was thus deferred to 5 pm on Tuesday 2<sup>nd</sup> December, 2014 subject to the availability of the Council's Law Agent.

C/578/14 PROBLEMS WITH STANDING WATER ON OUR ROADS AND INCREASED BLOCKAGE OF THE DRAINAGE NETWORK

The following Motion submitted by Cllr Mc Daid was deferred to the Adjourned November Meeting:-

"That this Council because of the increasing problems with standing water on our roads and the increasing blockage of the drainage network ensures that such problems are dealt with as a matter of urgency and that the level of manpower needed matches the demand to ensure the safety of the travelling public".

C/579/14 REINSTATEMENT OF LIS MONIES

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

“That Donegal County Council calls for the reinstatement of LIS monies in order to address the deterioration of so many rural roads”

Members were informed that:-

“The following information is provided for members for their discussion of this motion.

Under the Local Government Act the Council as road authority may provide assistance by way of the carrying out of works, a financial contribution or otherwise towards the construction of or improvement of a non-public road which—

- (a) provides access to parcels of land of which at least 2 are owned or occupied by different persons, or
- (b) provides access for harvesting purposes (including turf or seaweed) for 2 or more persons, or
- (c) shall in the opinion of the road authority be used by the public.

These are referred to as Local Improvement Schemes or LIS's. The DTTAS may also make a grant to a road authority in relation to assistance by the Council towards the construction or improvement of non-public roads.

For many years the Department provided specific funding for these works. This ceased in 2011. Since 2013 the Department had provided flexibility in the discretionary grant to fund LIS's up to 15% or approximately €600,000.

The allocation of this funding towards LIS's however would reduce funding available for other activities including winter service, bridge improvement, as well as general maintenance (drainage works, pothole repairs, lining, verge cutting etc.). It is therefore recommended that funding not be diverted from this source.

This Motion calling for the reinstatement of the LIS Grants can be forwarded to the Department of Transport after it is adopted”

Cllr Jordan outlined the need for the urgent reinstatement of LIS monies and remedial works to be carried out on many of the

County's rural roads which at present were a danger to the public and many of the health care services using them on a daily basis.

There was no opposition to the Motion.

Mr John Mc Laughlin, Director of Roads & Transportation said that he would be happy to forward same to the Department of Transport.

C/580/14 BEACH MANAGEMENT AND APPOINTMENT OF A BEACH MANAGEMENT OFFICER

The following Motion submitted by Cllr O' Neill was deferred to the Adjourned November Meeting:-

"That this Council discusses Management on our beaches across County Donegal and arrangements be put in place in advance of 2015 with the appointment of a Beach Management Officer"

C/581/14 EXPLORATION OF ALL FUNDING OPTIONS FROM EUROPE INCLUDING LOW COST LOANS WHICH CAN BE USED FOR RETROFITTING DOORS AND WINDOWS IN THE CURRENT HOUSING STOCK

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

"That this Council undertakes to explore all funding opportunities available from Europe, including low cost loans, which can be used for retro fitting of doors and windows in the current housing stock to improve their energy rating"

Members were informed that:-

"Over the past number of years, Donegal County Council has been proactive in terms of accessing funding, in addition to the funding directly provided by Council, to improve our Social Housing Stock.

During 2013, the Council spent almost €1,100,000 on improving the energy efficiency of its occupied stock utilising a combination of national funding from the Fabric Upgrade/Job Stimulus Programme, the SEAI Energy Improvement Works Programme, and the Window/Door Replacement Programme.

It is envisaged that a similar amount will also be spent this year on improving the energy efficiency of the stock, excluding window/door replacement as phase 1 of an ongoing rolling programme where monies have been made available to provide wall and attic insulation.

Indicators are that when this initial Phase 1 of the works is complete, further funding will be available for replacement of windows and doors under phase 2.

The Council will continue to seek to maximise its uptake of these funds including any new initiatives which may be forthcoming”.

Cllr Doherty advised that the European Investment Bank was currently lending monies for retro-fitting and thus called on the Council to actively pursue all access to this low cost funding.

He commended the Housing Department for works carried out to date , but advised of the need for immediate action particularly in relation to the replacement of windows and compliance with the new energy rating regulations.

He called on the EU Section within Donegal County Council to assist in this quest.

There was no opposition to the Motion.

Mr Liam Ward, Director Housing & Corporate noted that Donegal County Council had been proactive particularly in relation to the SEI Programme.

He took on board the comments raised , and reminded Members that the Council’s housing stock was considerably large and would take a number of years to fully address.

C/582/14 REMOVAL OF FLOURIDE OR ITS DERIVATIVE FROM THE IRISH WATER SUPPLY

The following Motion submitted by Cllr L Doherty was deferred to the Adjourned November Meeting:-

“"That this Council calls for Fluoride or any derivative to be removed from the Irish Water Supply, and to make it a crime for anyone to put it into the water supply"

C/583/14 PLANS FOR 1916 COMMEMORATIONS/EVENTS

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

"That this Council discuss and agree a plan to commemorate 1916 in the County in an inclusive and meaningful way"

Members were informed that:-

“A working group has been established within the Community, Culture & Planning Directorate to examine options for the appropriate commemoration of 1916.

It is intended to come up with proposals to ensure the proper commemoration of this pivotal event in our history. This is being done in the overall context of our activity in relation to the decade of commemoration”

Cllr Mc Gowan welcomed the establishment of a working group to oversee same and asked that the membership of the be group be amended to include the Elected Members.

The necessity of making it an open an inclusive experience for all concerned was acknowledged.

It was important, he said, that the commemorations were carried out in a cost-effective way involving all Civic Buildings and services.

Cllr Brogan advised of the need to widen out the scope of the celebrations to include schools and colleges and liaison with organisations such as Failte Ireland.

Cllr Gallagher as Chair of the Community Cultural and Social SPC said that the Committee in question had as part of its remit to undertake a 5 year programme encompassing a number of pillars of work. This topic, she noted would fit nicely into this designated work area allowing Members to progress the matter in a sensitive and sensible manner.

There was no opposition to the Motion.

Mr Michael Heaney, Director Community , Culture & Enterprise confirmed that the 1916 centenary was recognised a standout key event and that it would be progressed further at Council, SPC and District level with the aim of drawing up a proactive programme of events thus ensuring active engagement with the community at large.

Cllr Mc Gowan welcomed the suggestion by Cllr Gallagher that the matter be driven by the Corporate SPC. He asked also that arrangement be put in place to accommodate the following:-

1. The flying of the national flag on all public buildings in 2016 in accordance with the normal protocols.
2. The erection of a small memorial in the Diamond, Lifford, to commemorate the events of 1916.

C/584/14 ADJOURNMENT OF MEETING

On the proposal of Cllr Brogan, seconded by, Cllr Mc Dermott, it was resolved to adjourn the meeting until 1pm on Tuesday 2<sup>nd</sup> December, 2014.

It was further agreed that the following Schedule of Meetings would be in operation on Tuesday 2<sup>nd</sup> December, 2014:-

- 1.00pm – Adjourned November Meeting.
- 2.30pm – Planning Workshop
- 5.00pm – Meeting with Council Solicitor

C/585/14 REQUEST FOR SUSPENSION OF STANDING ORDERS

Cllr Brogan proposed, seconded by, Cllr Donaghey that the meeting rise at 6pm.

After some debate it was agreed however to adjourn the meeting following the consideration of Motion No 20.

C/586/14 REQUEST FOR FOR NRA TO REVIEW ROAD SAFETY MEASURES FOR SCHOOLS ADJACENT TO NATIONAL PRIMARY ROADS

On the proposal of Cllr Mc Brearty, seconded by, Cllr Crawford, it was resolved to adopt the following motion:-

"I am calling on the NRA to review their road safety measure for schools adjacent to National Primary Roads such as Ballylast and Lurgybrack NS with a view to erecting appropriate safety barriers."

Members were informed that:-

“The standard in relation to the provision of safety barrier on the National road network is TD19/13. The provision of a safety barrier requires both an appropriate setback from the road edge and a working width behind the barrier to accommodate vehicle intrusion. The issue in relation to such schools adjacent to the National Routes is that the provision of the safety barrier will restrict the existing off road parking and set down areas outside the school where no extra lands are available to compensate for the area set aside with the provision of the safety barrier. It is not considered appropriate to relax any of the provisions of TD19/13 relating to the provision of safety barrier.

In relation to Lurgybrack School, the School was able to access adjacent lands and the NRA funded safety measures which appear to have helped traffic control and circulation at the school.

In relation to Ballylast School, there is insufficient space for a standard crash barrier. The existing wooden fence in place serves a main purpose of helping delineate and separate the main road from the parking area and it also helps prevent school children running out and dashing across the main road.

It is understood that the school may be in a position to convert the existing wooden fence to a metal railing similar to Lurgybrack School and the Council is willing to engage with the School and the NRA to determine if there is a way of accomplishing this to assist with School safety”.

Cllr Mc Brearty was of the opinion that the reply did not go far enough to address his concerns. There was, he noted, a history of serious accidents which went unnoticed at these locations. Concern was expressed also with regard to the lack of space available for the erection of crash barriers.

It was acknowledged that there were problems also with regard to public lighting and visibility especially in the winter months. He

outlined the need to put the appropriate mechanisms in place for both children and their parents.

Cllr Crawford noted that one of the main obstacles to improvement was lack of room for the erection of safety barriers. It was, he added, within the Council's remit to alleviate this problem. Health and safety was paramount, he advised.

There was no opposition to the Motion.

Mr John Mc Laughlin, Director Roads & Transportation informed Members that a considerable assistance had been provided to Schools over the years even though the Council had no specific role in the matter. He agreed to work with the NRA to broker a deal to improve the situation and advised that it could also be included on the agenda for the forthcoming meeting with the NRA.

Any information received, it was noted, could be relayed back to the Stranorlar Municipal District Committee.

Cllr Mc Brearty welcomed the fact that it could be included on the agenda for the meeting with the NRA, citing the need to deal with the issue from a public lighting point of view.

C/587/14

VOTE OF CONGRATULATIONS

Congratulations was extended to the Termon Ladies Football Team on reaching the All Ireland Football Club Final.

