

CHONTAE DHUN NA nGALL

Oifig Riarthóir na
gCruinnithe
Aras an Chontae
LEIFEAR
19 Samhain, 2019

FOGRA CRUINNITHE

Beidh Cruinniú Comhairle Chontae Dhún na nGall ar siúl Dé Luain , 25 Samhain 2019, ag
11.00 r.n. in Áras an Chontae, Leifear

DO GACH BHALL DEN CHOMHAIRLE

A Chara

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

Beidh Clár Orduithe an Phríomh-Fheidhmeannaigh le feiceáil ag an gcruinniú.

Mise, le meas

**Seosamh O’Piobla
Riarthóir Cruinnithe**

DONEGAL COUNTY COUNCIL

Office of Meetings Administrator
County House
Lifford
19th November 2019

NOTICE OF MEETING

A Meeting of Donegal County Council will be held on Monday 25th November 2019, at
11.00am in the County House, Lifford.

TO EACH MEMBER OF DONEGAL COUNTY COUNCIL

Dear Councillor

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

The Register of Chief Executive’s Orders will be available for inspection at the meeting.

Yours sincerely



**Joe Peoples
Meetings Administrator**

AGENDA

1. Confirmation of Minutes

Confirmation of the Minutes of the September Meeting of Donegal County Council held on the 30th September, 2019.

2. Filling of Casual Vacancy in the membership of the Council

- a) Filling of casual vacancy occasioned by the death of Cllr Manus Kelly.
- b) Filling of consequential vacancies arising from a) above:-

- Letterkenny-Milford Municipal District Committee.
- Donegal County Council Value for Money Committee.
- Donegal County Council Health Committee.
- Donegal County Council Cultural Committee.
- Donegal County Enterprise Fund.
- Colmcille Heritage Trust.

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

- a) Notice under Section 211 of the Planning and Development Act 2000 (as amended) and under Section 183 of the Local Government Act 2001 – to lease property in the Buncrana Civic Offices to Donegal Digital Innovation Company Ltd.

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

To approve the carrying out of works with regard to the proposed development of a playground in Killea in the townland of Altaghaderry in the Inishowen Municipal District.

5. Finance

- a) To consider the Three Year Capital Programme for Donegal County Council for the period 2020 – 2022 inclusive.
- b) To agree Overdraft Accommodation of Five Million Euro (€5,000,000) for full year ending 31st December 2020.

6. Corporate

- a) To approve the Schedule of Council Meetings for 2020.
- b) Preparation of Corporate Plan 2019-2024.

7. Community and Enterprise

To note the nomination of Mr Jerry Early, Comhar na nOileán to fill the vacancy on the Donegal Local Community Development Committee.

8. Endorsement of Minutes

- a) To note minutes of the meeting of the Corporate Policy Group held on the 23rd September, 2019.
- b) To note minutes of the meeting of the County Donegal Heritage Forum held on the 12th April, 2018.

- c) To note minutes of the meeting of the County Donegal Heritage Forum held on the 5th July, 2018.
- d) To note minutes of the meeting of the County Donegal Heritage Forum held on the 4th October, 2018.
- e) To note minutes of the meeting of the County Donegal Heritage Forum held on the 7th February, 2019.
- f) To note minutes of the meeting of the County Donegal Heritage Forum held on the 2nd May, 2019.
- g) To note minutes of the meeting of the County Donegal Heritage Forum held on the 4th July, 2019.

9. Attendance at Conference, Seminar or Event

Authorisation of representation at a seminar, meeting or event under Section 142 (5) of Local Government Act, 2001, S.I. No. 668 of 2006, Local Government (Expenses or 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, and the Local Government (Expenses of Local Authority Members) Regulations, 2014.

Conferences

- Celtic Conferences – “First- time Home Buyers Incentives Conference” in the Four Seasons Hotel, Carlingford, Co Louth from the 13th - 15th December, 2019.
- Celtic Conferences – “The Irish Social Welfare System” in O’ Donovan’s Hotel, Clonakilty, Co Cork from the 6th - 8th December, 2019.
- Climate & Biodiversity Action Workshop in Wood Quay Venue, Dublin 8 on Wednesday 4th December, 2019.

MOTIONS

LIFFORD -STRANORLAR MUNICIPAL DISTRICT

Housing

10. Cllr Gerry Crawford

"That this Council debate housing policy in relation to medical support letters required for housing support applications or transfers."

Corporate

11. Cllr Gary Doherty

"That Donegal County Council calls on the Government to recognise that Parental Alienation is “Substantial and sustained dissatisfaction within a caregiver-child relationship associated with significant disturbance in functioning” as coded by the World Health Organisation in the latest International Classification of Diseases version 11."

12. Cllr Martin Harley

“Donegal County Council calls on the Irish Government Departments of Health, Justice and Equality and Children and Youth Affairs to recognise that Parental Alienation is " Substantial and sustained dissatisfaction within a caregiver -child relationship associated with significant disturbance in functioning" as coded by the World Health Organisation in the latest International Classification of Diseases version 11 and to implement recommendation 36 of the Report of the Reform of the Family Law System October 2019.”

INISHOWEN MUNICIPAL DISTRICT

Community & Planning

13. Cllr Albert Doherty

"Given the 2017 announcement that Britain is withdrawing from the London Fisheries Convention, effective as part of the Brexit process and mindful of,

a) The potential significant consequences and impact on the local fishing industry,

b) The continued claim of ownership of Lough Foyle and its sea bed by the Crown Estate

That this Council calls on the Irish Government to engage with the utmost urgency with the British Government to protect vital local Donegal fishing and economic interests.”

Economic Development

14. Cllr Jack Murray

That Donegal County Council notes that the Northern and Western Region of Ireland has been downgraded by the European Commission from the ‘developed’ category to ‘region in transition’ and calls on the Government to strategically invest in this area with a focused plan so that citizens in our region will reach an equal footing with other counties in terms of access to employment, healthcare, education and quality infrastructure.”

Finance

15. Cllr Terry Crossan

“I call on Donegal County Council to ask the Minister to reconsider the imposition of LPT on homeowners whose homes are deemed to be affected by Mica. Home owners not only have to endure the stress of watching the physical deterioration of their property on a daily basis but also have to endure the ongoing psychological stress regarding the impact of Mica on the future value of their homes.”

Roads & Transportation

16. Cllr Martin Mc Dermott

“To call on this Council to set up a County Transport Strategy with all the relevant stakeholders to help resolve all the transport issues in the county and for this to be done with immediate effect.”

LETTERKENNY – MILFORD MUNICIPAL DISTRICT

Water & Environment

17. Cllr Ian Mc Garvey

"That Donegal Co. Council will prepare and deliver a full programme for sewage treatment for Donegal and the Islands."

18. Cllr Michael Mc Bride

"That Donegal County Council ask the Minister for the Environment to consider the introduction of a grant scheme to replace asbestos roofs that are still commonplace on a variety of older buildings in Ireland."

Finance

19. Cllr Donal Coyle

"That this Council consider a reduction in rates to businesses in the county that are adversely affected by prolonged road works."

Emergency Services

20. Cllr Ciaran Brogan

"I propose that we as Council facilitate a meeting with our fire service team, architects and agents with a view to addressing concerns and challenges around the whole area of fire certificates for new and existing businesses."

DONEGAL MUNICIPAL DISTRICT

Finance

21. Cllr Michael Mc Mahon

"That this Council review and have a serious discussion with regards to the NPPR charge which was introduced in 2009."

Corporate

22. Cllr Barry Sweeny

"That Donegal County Council support and request of the Constituency Commission that South Donegal be reunited with the Donegal Dáil Constituency at the next redrawing of the constituency boundaries following the census in April 2021."

23. **Cathaoirleach's Business**

24. **Chief Executive's Management Report**

QUESTIONS

LIFFORD -STRANORLAR MUNICIPAL DISTRICT

Roads and Transportation

25. Cllr Gerry Crawford

"Will this Council detail the amount of LIS funding available to each MD in 2019 and confirm that it has been spent"?

Corporate

26. Cllr Gary Doherty

Can I have a list of overall staff numbers within the organisation including staff numbers within each Directorate and grade level"?

Finance

27. Cllr Gerry Crawford

"How much money has this Council allocated to part fund projects county-wide in 2018 and 2019 to date"?

Planning

28. Cllr Frank Mc Brearty

What is the current update with the planning enquiry into Donegal County Council"?

Housing

29. Cllr Frank Mc Brearty

What members of Donegal County Council have conflicts with any turnkey developments being bought or looked at by Donegal County Council past or present"?

30. Cllr Gary Doherty

What is the current status of the proposed new programme to retro-fit all windows and doors in our Local Authority housing stock"?

INISHOWEN MUNICIPAL DISTRICT

Water & Environment

31. Cllr Albert Doherty

Will Donegal County Council lobby Government departments again and seek for refuse providers and their clients a waiver in refuse fees for families and persons with disabilities and significant medical conditions"?

Information Systems

32. Cllr Jack Murray

What is the role of local authorities, if any, in the planning or rollout of communications infrastructure such as 5G"?

33. **Housing**

Cllr Martin Mc Dermott

"To ask the Council to give me update on SI house applications in the county"?

Community & Planning

34. Cllr Albert Doherty

“How advanced are the delivery of Master Planning earmarked for eleven towns and villages in Donegal. What Council Directorates are involved and is development dependent totally on receipt of significant funding by Donegal County Council from the Rural and Urban Regeneration fund and/or the Regional Enterprise Development Fund”?

Planning

35. Cllr Terry Crossan

“Will DCC urge both Governments to enact the Foyle and Carlingford Fisheries Order 2007 to enable regulation of aquaculture on Lough Foyle to commence”?

36. Cllr Terry Crossan

“Does Donegal Council have a role in enforcing the Foreshore Act of 1933 in terms of pollution that is being caused by the proliferation of unregulated aquaculture on the western shore of Lough Foyle from Muff northwards to Redcastle”?

Corporate

37. Cllr Jack Murray

“Can this Council outline all measures that have been taken subsequent to my motion which called for outreach with schools in relation to voter registration”?

LETTERKENNY- MILFORD MUNICIPAL DISTRICT

Roads & Transportation

38. Cllr Jimmy Kavanagh

“Can Donegal County Council commit to supporting the "Make Way Day" initiative”?

39. Cllr Donal Coyle

“I request a breakdown of estimated cost of each section of Ten-T project and in relation to Section 2 that the estimated cost of the Bonagee Link and Bridge be given”?

40. Cllr Ian Mc Garvey

“Can I have details of the progress on the A5, N14 and the Bonagee Link”?

Housing

41. Cllr Ian Mc Garvey

“What can be done to deal with the housing crisis in Donegal going forward”?

Economic Development

42. Cllr Ciaran Brogan

“Can I have an updated report on the new Business Support Unit set up by this Council”?

43. Motions from Other Councils/Bodies

CARLOW COUNTY COUNCIL

“Carlow County Council calls on the Minister for Health to immediately reinstate the Rehabilitative Training Bonus for people with disabilities.”

CLARE COUNTY COUNCIL

“We Clare County Council call on the Minister for Health, Simon Harris and the HSE to support a call for the introduction of a National Screening Protocol of all neonates (newborn infants) to effectively screen for immune compromise, in advance of the commencement of the administration of Live Virus Vaccines under the State Vaccination Programme, in line with the HSE National Immunization Advisory Committee guidelines as revised February 2019.”

DÚN LAOGHAIRE –RATHDOWN COUNTY COUNCIL

“That the Chief Executive, once again writes to the Minister for Housing, Planning and Local Government, Eoghan Murphy MD and the Finance, Public Expenditure and Reform, Paschal Donohoe TD to express this Council’s complete dissatisfaction with the requirement for all Councils to decide on the variation of the Local Property Tax (LPT) basic rate in the absence of comprehensive budgetary information which is impossible to achieve within the existing timescale i.e. end of September each year. This Council calls on both Ministers to undertake to move the date required for that all local authorities to inform the Revenue Commissioners of the basis rate of LPT to no earlier than the end of October and that a copy of this motion is send to all local authorities across Ireland”.

LEITRIM COUNTY COUNCIL

“That Leitrim County Council unanimously support The Beef Plan Campaign in seeking to get for its members and all producers a much fairer percentage share of the income from the livestock they are producing. In particular, we want to see all thirteen of their key grievances, concerning policy and technical issues, addressed in full by the meat factories. Also, that this motion is forwarded to the Minister for Agriculture and to all other Councils seeking their full support”.

LEITRIM COUNTY COUNCIL

“That Leitrim County Council call on the Minister for Agriculture Michael Creed and the Government to reject the Mercosur Trade Deal in light of the threat that it poses to our main industry which is already experiencing great difficulty in the marketplace with diminishing returns to the primary producer. The Mercosur deal coupled with the proposals coming from the National Climate Change Council which is proposing to terminate beef production via the suckler herd has potential to shut down rural Ireland particularly the Northwest where the land type doesn’t lend itself to any other type of production.”

LEITRIM COUNTY COUNCIL

“That Leitrim County Council supports The Beef Plan Movement and farmers in their campaign for a fair share of profits that are being made

from beef and lamb sales, and calls on the Minister for Agriculture to help free farmers from the beef baron's shackles of slavery."

LEITRIM COUNTY COUNCIL

"That Leitrim County Council calls on the Minister for Agriculture, Michael Creed T.D., to take some positive action to alleviate the crisis that is looming in the beef sector at the moment."

LEITRIM COUNTY COUNCIL

"That Leitrim County Council call on the Minister for the Environment to introduce a moratorium on the granting of planning permission for new wind farms until such time as the long overdue new guidelines are issued by the Minister."

LEITRIM COUNTY COUNCIL

"That Leitrim County Council call on the National Transport Authority, The Minister for Transport and his Department to extend the area of operations for Local Area Hackney licenses from 5-7 kilometers to 16-20 kilometers."

MONAGHAN COUNTY COUNCIL

"That Monaghan County Council calls on the Minister for Communications, Climate Action and the Environment, Richard Bruton TD, to legislate for the banning of all non-recyclable materials used in food/drinks packaging by the end of 2021 and ensure that only recyclable and biodegradable packaging be used."

MONAGHAN COUNTY COUNCIL

"That this Council supports the ongoing campaign by the National Ambulance Services Representative Association in their efforts to have Trade Union representation rights advocated on their behalf through the Psychiatric Nurses Association and further calls on Health Minister Simon Harris to instruct the HSE to resolve this issue through the Workplace Relations Commission and negotiation."

ROSCOMMON COUNTY COUNCIL

"It was agreed to request that the Joint Oireachtas Committee on Health meet to discuss the proposed closure of Cuisle Centre in Donamon, Co. Roscommon as a National Holiday Centre and that the Irish Wheelchair Association be invited to this meeting to explain their decision."

SLIGO COUNTY COUNCIL

"To request, in consultation with Coillte, for signage to be place at local woodland areas and forest recreation walks in order to increase awareness of Lyme Disease, to advise the public of the dangers of contracting Lyme disesease from ticks, and how to protect yourself when visiting the outdoors. And also to request for this motion to be forwarded to all local authorities for consideration."

WESTMEATH COUNTY COUNCIL

“For Westmeath County Council to call on the Taoiseach and Minister for Defence, Leo Varadkar TD to establish without delay a Commission on the Future of the Defence Forces in Ireland and also to establish a Permanent and Independent Defence Forces Pay Body.”

WICKLOW COUNTY COUNCIL

“That Wicklow County Council has a social responsibility to serve, inform and protect the public and the environment from exposure to harm, and therefore it opposes the roll-out of unregulated 5G in the County of Wicklow based on the ‘precautionary principle’ pending the enactment by Dail Éireann of protective legislation.”

MINUTES OF THE NOVEMBER MEETING OF DONEGAL COUNTY COUNCIL,
HELD IN THE COUNTY HOUSE, LIFFORD ON 25TH NOVEMBER, 2019

C/336/19

MEMBERS PRESENT

Cllrs N Crossan (Cathaoirleach), L Blaney, K Bradley, C Brogan, P Canning, T Conaghan, D Coyle, A Doherty, G Doherty, L Doherty, R Donaghey, M Farren, M. T. Gallagher, M Harley, N Jordan, J Kavanagh, D Kelly, N Kennedy, M Mac Giolla Easbuig, F Mc Brearty Jnr, M Mc Bride, M McClafferty, M McDermott, I Mc Garvey, N Mc Garvey, B McGuinness, M McMahan, A Molloy, M Naughton, J S Ó Fearraigh, and B Sweeny.

C/337/19

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, Divisional Manager, Water Capital, Róise Ní Laifeartaigh, Rannóg na Gaeilge, Anne Marie Crawford, Staff Officer.

C/338/19

CONFIRMATION OF THE MINUTES OF THE SEPTEMBER MEETING OF DONEGAL COUNTY COUNCIL HELD ON 30TH SEPTEMBER, 2019

On the proposal of Cllr Harley, seconded by Cllr Kennedy the minutes of the meeting of Donegal County Council held on the 30th September 2019 were adopted.

C/339/19

FILLING OF CASUAL VACANCY OCCASIONED BY THE DEATH OF CLLR MANUS KELLY

Members welcomed Deputy Charlie Mc Conalogue, T.D to the meeting.

Cllr Brogan informed members that Mr Donal Kelly had been nominated and selected by the Fianna Fáil Party to fill the vacancy occasioned by the death of former Councillor Manus Kelly. He welcomed Cllr Kelly's wife Jacqueline and daughter Kelda to the chamber.

Acknowledging that this was a difficult day for the Kelly family, he said, that he hoped Donal would find comfort in continuing the work started by Manus and assured him that he would have the support of all groupings in the chamber.

On the proposal of Cllr Brogan, seconded by Cllr Coyle it was resolved that Donal Kelly fill the casual vacancy on Donegal County Council occasioned by the death of Cllr Manus Kelly.

Members from the various groupings welcomed Cllr Kelly to the chamber and assured him that every support and assistance would be provided going forward.

Cllr Kelly thanked members and outlined his intention to work to the best of his ability for the people in the Letterkenny –Milford Municipal District and to continue with the work initiated by Manus. His son, he said, had great drive and ambition and would have made a great politician. It was an honour, he said, to sit on his seat and have the opportunity to continue that work.

The Chief Executive on behalf of the management and staff extended a warm welcome to Cllr Kelly and congratulated him on his co-option.

- C/340/19 FILLING OF CASUAL VACANCY ON THE LETTERKENNY – MILFORD MUNICIPAL DISTRICT COMMITTEE
On the proposal of Cllr Brogan, seconded by Cllr Mc Garvey it was resolved that Cllr Donal Kelly fill the casual vacancy on the Letterkenny-Milford Municipal District Committee.
- C/341/19 FILLING OF CASUAL VACANCY ON THE DONEGAL COUNTY COUNCIL VALUE FOR MONEY COMMITTEE
On the proposal of Cllr Brogan, seconded by Cllr Mc Garvey it was resolved that Cllr Donal Kelly fill the casual vacancy on the Donegal County Council Value For Money Committee.
- C/342/19 FILLING OF CASUAL VACANCY ON THE DONEGAL COUNTY COUNCIL HEALTH COMMITTEE
On the proposal of Cllr Brogan, seconded by Cllr Mc Garvey it was resolved that Cllr Donal Kelly fill the casual vacancy on the Donegal County Council Health Committee.
- C/343/19 FILLING OF CASUAL VACANCY ON THE DONEGAL COUNTY COUNCIL CULTURAL COMMITTEE
On the proposal of Cllr Brogan, seconded by Cllr Mc Garvey it was resolved that Cllr Donal Kelly fill the casual vacancy on the Donegal County Council Cultural Committee.
- C/344/19 FILLING OF CASUAL VACANCY ON THE DONEGAL COUNTY COUNCIL ENTERPRISE FUND
On the proposal of Cllr Brogan, seconded by Cllr Mc Garvey it was resolved that Cllr Donal Kelly fill the casual vacancy on the Donegal County Enterprise Fund.
- C/345/19 FILLING OF CASUAL VACANCY ON COLMCILLE HERITAGE TRUST
On the proposal of Cllr Brogan, seconded by Cllr Mc Garvey it was resolved that Cllr Donal Kelly fill the casual vacancy on Colmcille Heritage Trust.

C/346/19

DISPOSAL OF LAND – TO LEASE PROPERTY IN THE BUNCRANA CIVIC OFFICES TO DONEGAL DIGITAL INNOVATION COMPANY LTD

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

On the proposal of Cllr Donaghey, seconded by Cllr N Crossan it was resolved to lease property in Buncrana Civic Offices, St Oran's Road, Buncrana to Donegal Digital Innovation Company Ltd By Guarantee for a period of 15 years commencing on 1st December, 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/347/19

TO APPROVE THE CARRYING OUT OF WORKS WITH REGARD TO THE PROPOSED DEVELOPMENT OF A PLAYGROUND IN KILLEA

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

Cllr Mc Brearty said that whilst he welcomed the new playground in Killea there were issues that needed to be addressed and he called on the executive to clarify the position in relation to the takeover of playgrounds and related insurance issues.

He asked for clarification in relation to the number of playgrounds in the control of the Council and the number outside of their remit. The Raphoe Playground Committee, he advised, had spent the last six months trying to source insurance cover to no avail.

On the proposal of Cllr Canning, seconded by Cllr Mc Dermott it was resolved to approve the carrying out of works with regard to the development of a playground in Killea in the townland of Altaghaderry in the Inishowen Municipal District, in accordance with Part XI of the Planning & Development Act, 2000 (as amended) and Part 8 of the Planning & Development Regulations 2001 (as amended) subject to reviewing the location of recycling facilities on the site.

Mr Liam Ward, Director Community & Planning Services said whilst he did not have the exact number to hand there were a significant number of playgrounds provided under other funding mechanisms and in conjunction with local community groups. At this point, he said Donegal County Council was not providing money or insurance for these.

The cost of insurance for playgrounds, he said, was not unique to the Lifford - Stranorlar MD and occurred also in other locations. Many groups, he contended, were happy to remain as they were and did not want to be taken over. The executive, he noted, were willing to look at the matter and if warranted a policy review could then be initiated.

Cllr Mc Brearty said that in light of the fact that the Strategic Policy Committees were not up and running that consideration should be given to allocating monies for insurance purposes etc from the DFI and Members Development Funds. He asked that the matter be put to a vote.

The Director of Service noted that there had been workshops with regard to DFI and Members Development funding. He said that he would be happy to engage with members but urged caution with regard to making amendments to same.

Cllr Mc Brearty again voiced his concern about the situation in Raphoe and said that it needed to be addressed immediately.

C/348/19

TO CONSIDER THE THREE YEAR CAPITAL PROGRAMME FOR THE PERIOD 2020 – 2022 INCLUSIVE

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

Cllr Mc Brearty enquired as to the delay in bringing the Corporate Plan to members.

Mr Richard Gibson A/Head of Finance provided a brief overview of the report. He said that the Council was continuing with a rigorous approach to the management of capital projects and programmes and would focus on managing projects within approved and defined budget lines.

A lengthy debate ensued with members raising a number of issues. (Vide Appendix 1)

The Chief Executive informed members that the Council was legally bound to publish a three year Capital Programme in relation to items that necessitated funding over the ensuing three years. The report, he said, was not however indicative of all that could be done in that period. The process, he advised, was about governance arrangements and overall audit and oversight requirements so that all the players involved were aware of what the plans were, and that they were consistent with the overall objectives of the Council. The plan, he said, set specific parameters and provided an outline of relevant projects that could be considered at any stage in the process subject to the relevant funding being available.

There was general acknowledgement that the 2020-2022 plan offered considerably more opportunity than previous plans with a projected spend of €157,000,000 in 2020 as opposed to €26,000,000 in 2014.

Alluding to the housing programme in particular, he said that significant strides had been taken in the delivery of social housing and in the continuation of the acquisition programme.

In relation to Bundoran and Ballyshannon Fire Stations, he confirmed that it had not been possible to obtain from the Department a commitment to fund two separate fire stations.

Buncrana Leisure Centre it was noted was a viable project and would progress to the next stage in the coming weeks after which a definite design would be settled upon.

A number of applications, it was confirmed, had been made in respect of the Greencastle Breakwater project.

Flooding, he said, was an emotive issue in many areas yet no provision existed in the capital programme. Funding was not the responsibility of Donegal County Council but it was noted however that there was good engagement with the OPW in relation to flooding issues.

In relation to the TEN-T it was confirmed that the scope did not exist to split the project and that to do so would result in the process going back to the drawing board. It was envisaged, he said, that sufficient monies would be made available to deliver all elements of the project together.

The Council it was noted had ongoing engagement with the Department in relation to the MICA issue and that it was anticipated that the outcome would be clearer when the details of the scheme were concluded.

That the capacity existed to co-fund Islands projects as and when the need arose.

That the requirement to publish the Corporate Plan in line with the formation of the new Council was being addressed and could be brought to members prior to the end of December if they so wished. The general consensus however was that publication should be delayed until the outcome and fallout from Brexit became clearer, given the exceptional circumstances that existed in Donegal both economically and geographically. In light of this it was suggested that the plan be presented to the January meeting of Council.

On the proposal of Cllr Brogan, seconded by Cllr Mc Guinness it was resolved to adopt the Three Year Capital Programme for the period 2020 – 2022 inclusive.

Cllr Naughton alluding to the fact that the issue of fire cover in South Donegal had not been resolved and that a request had issued to the Minister following the Special Meeting in June 2018 to meet with members regarding the situation.

He enquired if there had been any progress to date on the matter.

It was subsequently agreed that the Cathaoirleach would write to the Minister for Housing, Planning & Local Government and request that he meet with the Donegal MD members regarding the provision of fire cover in South Donegal.

C/349/19

MOTION UNDER URGENT BUSINESS – RIGHTS FOR NON EU CITIZENS WITH A RIGHT TO PERMANENT RESIDENCE IN OUR JURISDICTION

A request signed by Cllrs N Crossan, Mc Brearty, Mc Bride, Conaghan, Mc Mahon, I Mc Garvey, O' Fearraigh, A Doherty, Mc Clafferty, Kavanagh, Sweeny, Harley, Donaghey, Coyle, Gallagher, L Doherty, Canning, N Mc Garvey, Molloy, Brogan, Farren, Kelly, Blaney and Jordan to have the following motion discussed as urgent business in accordance with Standing Order No 27 was submitted to the Meetings Administrator:-

“That Donegal County Council write to both An Taoiseach and An Tánaiste giving rights to those Non- EU citizens , who have a right of permanent residence in our jurisdiction, to have rights and privileges in the other via the Common Travel Area.”

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

C/350/19

OVERDRAFT ACCOMMODATION OF FIVE MILLION EURO FOR FULL YEAR ENDING 31ST DECEMBER 2020

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 Kennedy, seconded by Cllr Blaney it was resolved in accordance with Section 106 of the Local Government Act 2001 and subject to the sanction of the Minister for Housing, Planning 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 five million euro (€5,000,000).
- (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/351/19 ADJOURNMENT OF THE MEETING
It was unanimously agreed to adjourn the meeting until 2.30pm.
- C/352/19 TO APPROVE THE SCHEDULE OF COUNCIL MEETINGS FOR 2020
On the proposal of Cllr Mc Garvey, seconded by Cllr Gallagher it was resolved to adopt the Schedule of Council Meetings for 2020.
- C/353/19 PREPARATION OF THE CORPORATE PLAN 2019-2024
Members noted that the plan would be brought to Council in January 2020.
- C/354/19 TO NOTE THE NOMINATION OF MR JERRY EARLY, COMHAR NA nOILEÁN TO FILL THE VACANCY ON THE DONEGAL LOCAL COMMUNITY DEVELOPMENT COMMITTEE
On the proposal of Cllr Gallagher, seconded by Cllr N McGarvey, members noted the nomination of Mr Jerry Early, Comhar na n Oileán to fill the casual vacancy on the Donegal Local Community Development Committee.
- C/355/19 TO NOTE MINUTES OF THE CORPORATE POLICY GROUP MEETING HELD ON 23rd SEPTEMBER, 2019.
On the proposal of Cllr Gallagher, seconded by Cllr Mc Dermott the minutes of the meeting of the Corporate Policy Group held on the 23rd September, 2019 were noted.
- C/356/19 TO NOTE MINUTES OF THE COUNTY DONEGAL HERITAGE FORUM MEETING HELD ON 12th APRIL, 2018.
On the proposal of Cllr Sweeny, seconded by Cllr Bradley the minutes of the meeting of the County Donegal Heritage Forum held on the 12th April, 2019 were noted.
- C/357/19 TO NOTE MINUTES OF THE COUNTY DONEGAL HERITAGE FORUM MEETING HELD ON THE 5th JULY, 2018.
On the proposal of Cllr Bradley, seconded by Cllr L Doherty the minutes of the meeting of the County Donegal Heritage Forum held on the 5th July, 2019 were noted.
- C/358/19 TO NOTE MINUTES OF THE COUNTY DONEGAL HERITAGE FORUM MEETING HELD ON 4th OCTOBER, 2018.
On the proposal of Cllr Sweeny, seconded by Cllr A Doherty the minutes of the meeting of the County Donegal Heritage Forum held on

the 4th October, 2019 were noted.

C/359/19 TO NOTE MINUTES OF THE COUNTY DONEGAL HERITAGE FORUM MEETING HELD ON 7th FEBRUARY, 2019.
On the proposal of Cllr Bradley, seconded by Cllr L Doherty the minutes of the meeting of the County Donegal Heritage Forum held on the 7th February, 2019 were noted.

C/360/19 TO NOTE MINUTES OF THE COUNTY DONEGAL HERITAGE FORUM MEETING HELD ON 2nd MAY, 2019.
On the proposal of Cllr Kavanagh, seconded by Cllr Sweeny the minutes of the meeting of the County Donegal Heritage Forum held on the 2nd May, 2019 were noted.

C/361/19 TO NOTE MINUTES OF THE COUNTY DONEGAL HERITAGE FORUM MEETING HELD ON 4th JULY, 2019.
On the proposal of Cllr N McGarvey, seconded by Cllr Mc Dermott the minutes of the meeting of the County Donegal Heritage Forum held on the 4th July, 2019 were noted.

C/362/19 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 Kavanagh, seconded by Cllr Mc Dermott, it was resolved to authorise any member, if he/she so wished, to attend the following conferences, subject to the normal procedures:-

- i. Individual members not exceeding their annual budget for attendance at conferences.
- ii. Payment of expenses for attendance to be conditional on the member furnishing documentary evidence of attendance.
- iii. Submission of a Conference Report.

Conferences

- Celtic Conferences – “First- time Home Buyers Incentives Conference” in the Four Seasons Hotel, Carlingford, Co Louth from the 13th - 15th December, 2019.
- Celtic Conferences – “The Irish Social Welfare System” in O’ Donovan’s Hotel, Clonakilty, Co Cork from the 6th - 8th December, 2019.
- Climate & Biodiversity Action Workshop in Wood Quay Venue, Dublin 8 on Wednesday 4th December, 2019.

C/363/19 CONSIDERATION OF MOTIONS
Cllr Mc Brearty said that he was extremely annoyed that his motion had not been included on the agenda for the meeting. It was, he said, bonafide and in no way irregular or illegal. It related, he said, to abuse of power by the Gardaí and not to council staff. He told the

Cathaoirleach that he should have been informed in writing of the decision to exclude it from the agenda.

Cllr Crossan advised that the motion did not fit in with the criteria laid down in Standing Orders and that he had informed the Meetings Administrator of same.

C/364/19 DEBATE HOUSING POLICY IN RELATION TO MEDICAL SUPPORT LETTERS REQUIRED

The following motion was submitted by Cllr Crawford:-

“That this Council debate the Housing Policy in relation to medical support letters required for housing support applications or transfers.”

On the proposal of Cllr Mc Dermott, seconded by Cllr L Doherty it was resolved to defer the matter to the January 2020 Council Meeting.

C/365/19 RECOGNITION THAT PARENTAL ALIENATION IS SUBSTANTIAL AND SUSTAINED DISSATISFACTION WITHIN THE CAREGIVER-CHILD RELATIONSHIP ASSOCIATED WITH SIGNIFICANT DISTURBANCE IN FUNCTIONING”

It was unanimously agreed to take Motions No 11 and 12 together.

On the proposal of Cllr Harley, seconded by Cllr Gallagher it was resolved to adopt the following motion:-

“Donegal County Council calls on the Irish Government Departments of Health, Justice and Equality and Children and Youth Affairs to recognise that Parental Alienation is "Substantial and sustained dissatisfaction within a caregiver - child relationship associated with significant disturbance in functioning" as coded by the World Health Organisation in the latest International Classification of Diseases version 11 and to implement recommendation 36 of the Report of the Reform of the Family Law System October, 2019.”

Cllr Gallagher proposed the following motion on behalf of Cllr G Doherty. It was seconded by Cllr Harley and unanimously adopted:-

“That Donegal County Council calls on the Government to recognise that Parental Alienation is “Substantial and sustained dissatisfaction within a caregiver-child relationship associated with significant disturbance in functioning” as coded by the World Health Organisation in the latest International Classification of Diseases version 11”

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

Cllr Harley said that this was an emotive issue and one which caused considerable heartache for many children whose parents had separated. Greater recognition was needed, he added, in relation to

this problem which created the wrong environment for children to grow up in. He asked that the motions be brought to the attention of all Local Authorities and forwarded to the Ministers for Health, Justice, Children and Youth Affairs.

Cllr Gallagher said it was imperative that the matter was addressed at national level for the sake of many children who found themselves in this situation through no fault of their own.

There was no opposition to the motion.

The Meetings Administrator confirmed that the motions as adopted would be forwarded to the relevant Government Ministers.

C/366/19

THAT THIS COUNCIL CALL ON THE IRISH GOVERNMENT TO URGENTLY ENGAGE WITH THE BRITISH GOVERNMENT TO PROTECT VITAL LOCAL DONEGAL FISHING AND ECONOMIC INTERESTS EFFECTIVE AS PART OF THE BREXIT PROCESS.

On the proposal of Cllr A Doherty, seconded by Cllr L Doherty it was resolved to adopt the following motion:-

“Given the 2017 announcement that Britain is withdrawing from the London Fisheries Convention, effective as part of the Brexit process and mindful of,

- a) the potential significant consequences and impact on the local fishing industry,
- b) the continued claim of ownership of Lough Foyle and its sea bed by the Crown Estate,

That this Council calls on the Irish Government to engage with the utmost urgency with the British Government to finally resolve the ongoing conflict over the ownership of Lough Foyle and to protect vital local Donegal fishing and economic interests.”

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

He informed the meeting that there were significant implications for all and noted in particular the effect on the fishing fleet. Local fishermen, he said, were very concerned in relation to their livelihoods. A range of agencies including a number of cross-border entities all had an interest in the Foyle, he noted.

The motion, he said, called on the Irish Government to engage with the British Government to protect vital local interests.

Cllr L Doherty concurred with this assessment and said that it was timely in the context of the current Brexit scenario.

There was no opposition in relation to the motion.

The Meetings Administrator confirmed that a copy of the motion would be forwarded to the relevant Government Department.

Cllr Doherty asked that a copy of the correspondence be circulated to the Oireachtas members.

C/367/19

THAT THIS COUNCIL CALL ON THE GOVERNMENT TO STRATEGICALLY INVEST IN THE NORTHERN AND WESTERN REGION OF IRELAND WHICH HAS BEEN DOWNGRADED BY THE EUROPEAN COMMISSION FROM THE DEVELOPED CATEGORY TO A REGION IN TRANSITION.

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

“That Donegal County Council notes that the Northern and Western Region of Ireland has been downgraded by the European Commission from the ‘developed’ category to ‘region in transition’ and calls on the Government to strategically invest in this area with a focused plan so that citizens in our region will reach an equal footing with other counties in terms of access to employment, healthcare, education and quality infrastructure.”

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

There was no opposition to the motion.

C/368/19

THAT THIS COUNCIL CALL ON THE MINISTER TO RECONSIDER THE IMPOSITION OF LPT ON HOMEOWNERS WHOSE HOMES ARE AFFECTED BY MICA

On the proposal of Cllr A Doherty, seconded by Cllr Gallagher, the following motion submitted by Cllr T Crossan was adopted:-

“I call on Donegal County Council to ask the Minister to reconsider the imposition of LPT on homeowners whose homes are deemed to be affected by Mica. Home owners not only have to endure the stress of watching the physical deterioration of their property on a daily basis but also have to endure the ongoing psychological stress regarding the impact of Mica on the future value of their homes.”

Cllr Crossan received a response from the A/Head of Finance in relation to the above.

There was no opposition to the motion.

Cllr Blaney advised that this had already been raised at MD level and

noted that as the LPT was self assessed it was up to the homeowner to put a value on their property. In such cases, he said, it was imperative that this reflected that the property had mica.

C/369/19

TO SET UP A COUNTY TRANSPORT STRATEGY TO HELP RESOLVE ALL THE TRANSPORT ISSUES IN THE COUNTY

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

“To call on this Council to set up a County Transport Strategy with all the relevant stakeholders to help resolve all the transport issues in the county and for this to be done with immediate effect.”

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

He noted that a number of counties had set up a County Transport Strategy given that public and especially rural transport were vitally important for counties such as Donegal. He alluded to a number of transport issues in the Inishowen area.

He called for a body to be set up which could meet a couple of times a year or in times of crisis and which would incorporate bodies such as Local Link and the National Transport Authority. A co-ordinated approach would, he confirmed, benefit Donegal especially when funding was being sought from the Department.

Cllr Brogan said that there needed to be engagement with the NTA in relation to the county as a whole including the need to identify a transport hub in Letterkenny. He cited the need also for engagement with transport operators in developing a county-wide strategy.

Members noted the excellent services provided by Local Link.

There was no opposition to the motion.

Mr John Mc Laughlin, Director of Roads & Transportation confirmed that he would be happy to engage with the NTA on the members behalf.

Cllr Mc Dermott welcomed the comment and said that he was happy for the motion to proceed on a county-wide basis.

C/370/19

SEWAGE TREATMENT PROGRAMME FOR DONEGAL AND THE ISLANDS

On the proposal of Cllr I Mc Garvey, seconded by Cllr Mc Clafferty it was resolved to adopt the following motion:-

“That Donegal Co. Council will prepare and deliver a full programme for sewage treatment for Donegal and the Islands.”

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

Many of the problems and deficits in relation to the sewage system, he said, had been down to poor and haphazard planning in the first instance. He alluded to specific problems in the Milford/ Letterkenny area. The Council, he contended, had an obligation to address the issues and plan effectively for the future.

Cllr Mc Clafferty supporting the motion noted that sewage treatment facilities in the Falcarragh and Dunfanaghy areas were currently working at full capacity and could not support any new development.

There was no opposition to the motion.

Mr Michael Mc Garvey, Director Water & Environment said that members concerns had been noted and that the Council as the agent for Irish Water would pass these on and request that a full response be provided.

Cllr Mc Garvey welcomed the response and said that it was imperative that Irish Water were invited into the chamber to meet with members. This would, he said, afford all involved the opportunity to address the many concerns that were being raised at MD level.

C/371/19

THAT THIS COUNCIL CALL ON THE MINISTER FOR THE ENVIRONMENT TO CONSIDER THE INTRODUCTION OF A GRANT SCHEME TO REPLACE ASBESTOS ROOFS.

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

“That Donegal County Council ask the Minister for the Environment to consider the introduction of a grant scheme to replace asbestos roofs that are still commonplace on a variety of older buildings in Ireland.”

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

He noted that there were still a considerable number of buildings with asbestos roofs in Donegal and that the cost of replacing and disposing of such material was astronomic, and beyond the reach of many owners. He called for a programme to be put in place to eliminate asbestos as a roofing product.

Cllr Kennedy said that such a scheme would help to eliminate the illegal dumping of asbestos.

There was no opposition to the motion.

Mr Michael Mc Garvey, Director Water & Environment confirmed that he would write to the Department of Communication, Climate Action and the Environment, and raise the matter at the next Regional Waste Management meeting on the 3rd December, 2019 in Galway.

C/372/19

REDUCTION IN RATES TO BUSINESSES AFFECTED BY PROLONGED ROAD WORKS

On the proposal of Cllr Coyle, seconded by Cllr Blaney it was resolved to adopt the following motion:-

"That this Council consider a reduction in rates to businesses in the county that are adversely affected by prolonged road works."

Cllr Coyle received a response from the A/Head of Finance in relation to the above:-

He referred in particular to the ongoing road works in Letterkenny and the impact on local businesses in the Glencar and Pearse Road areas. One hotel, he noted had lost €140,000 over five month period. This, he added, ultimately affected the town and main street areas. It was regrettable; he said that there was no provision for these businesses to avail of a rate rebate.

Cllr Blaney contended that there should be some way of softening the blow for rate payers particularly in light of the planned 4 lane works into Letterkenny.

There was no opposition to the motion.

The A/ Head of Finance whilst acknowledging the sentiment of the motion confirmed that there was no provision in the rates legislation to address the matter. He noted however that in the majority of cases temporary disruption as a result of capital works resulted in long term benefits for rate payers. The Council, he advised would continue to work with individual businesses in relation to specific payment plans.

C/373/19

FACILITATE A MEETING WITH OUR FIRE SERVICE TEAM, ARCHITECTS AND AGENTS TO ADDRESS THE WHOLE AREA OF FIRE CERTIFICATES FOR NEW AND EXISTING BUSINESSES.

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

"I propose that we as a Council facilitate a meeting with our fire service team, architects and agents with a view to addressing concerns and challenges around the whole area of fire certs for new and existing businesses."

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

He said that there were a number of concerns in relation to delays for new and existing businesses and called on the Council to engage and facilitate premises owners at the coal face. There was a need, he said, for a common sense approach with far too many businesses being asked to employ fire consultants at an additional cost. Every effort, he advised, needed to be made to assist and support business development. A more accessible system, he said, was needed at this juncture.

Cllr Naughton supporting the motion said that the process created additional expense for business owners. A co-ordinated approach was needed, he said, given that the businesses in question were rate payers on which the Council was dependent. He welcomed the fact that the Fire Service was willing to engage with agents generally, as this would provide a forum to address many of the common challenges.

There was no opposition to the motion.

Cllr Brogan welcomed the response and again outlined the necessity of reaching out to the business community.

C/374/19

REVIEW AND DISCUSS THE NPPR CHARGE WHICH WAS INTRODUCED IN 2009

On the proposal of Cllr Mc Mahon, seconded by Cllr Gallagher the following motion was adopted:-

“That this Council review and have a serious discussion with regards to the NPPR charge which was introduced in 2009.”

He alluded to the fact that in many cases people were willing to pay the charge but simply had not been aware of the deadlines and penalties. It was imperative, he added, that the Council engage with people and negotiate to reduce the penalties. It was unfair to levy same, he added when those concerned had not been aware of the charge in the first place.

Cllr Gallagher said that there were anomalies in a number of these cases and that additional discussion was needed in relation to the charges in question.

There was no opposition to the motion.

Mr Richard Gibson, A/Head of Finance alluded to the fact that the charge had been in place from 2009-2013 inclusive and that it was still collected centrally by the NPPR Bureau on behalf of local authorities.

The Council, he advised, had carried out a major information campaign in 2009 across the County and further afield. It was noted that from

2014 onwards NPPR was no longer charged, but that any outstanding liabilities were due in full together with penalties for non-compliance. Members were informed that over €30.4 million had been collected in NPPR since 2009 and income expected to be in the region of €900,000 for 2020.

The Council, he confirmed, would continue to engage with the public and every effort would be made to facilitate customers through the implementation of payment plans.

Cllr Mc Mahon acknowledged the response but contended that the issue of the penalty clause needed to be looked at again.

C/375/19

THAT SOUTH DONEGAL BE REUNITED WITH THE DONEGAL DÁIL CONSTITUENCY

On the proposal of Cllr Sweeny, seconded by Cllr MC Mahon the following motion was adopted:-

"That Donegal County Council support and request of the Constituency Commission that South Donegal be reunited with the Donegal Dáil Constituency at the next redrawing of the constituency boundaries following the census in April 2021."

He said that the people of South Donegal felt under represented and disenfranchised and were often unclear as to who was actually representing them. The general consensus, he said, was that this was not the natural boundary and thus called for the matter to be reassessed.

Cllr Mc Mahon noted that the situation also caused problems for the TDs in Leitrim and Sligo area.

There was no opposition to the motion.

Mr Joe Peoples, Director Housing, Corporate & Cultural Services alluded to the fact that the current Dáil constituency boundaries for Donegal and Sligo/Leitrim were established following the recommendations contained in the Constituency Commission Report of 2012. The next census, he advised, was due to take place in 2021 and another Constituency Commission would be established then with a provision for public consultation. The motion, he added, could be reviewed at that point when there would be an opportunity to make a submission to the commission.

Cllr Sweeny was informed that Donegal County Council could reaffirm its position after the completion of the census in 2021.

C/376/19

CATHAOIRLEACH'S BUSINESS

Votes of Sympathy

A vote of sympathy was extended to the following:-

- Pat Gallagher, Leitirmacaward Water Treatment Plant on the death of his mother, Sadie.
- Gerard Doran, Inishowen Roads on the death of his father Gerard.
- Sean Doran, Inishowen Roads on the death of his father Gerard.
- Frances Wilson, Community & Planning on the death of her father, Michael.
- Kevin Mc Menamin, Housing & Motor Tax on the death of his mother, Bridie.
- Joy Harron, Tourism Unit on the death of her father, Billy.
- Seamus Mc Kelvey, Roads & Transportation on the death of his father Jimmy.

T.I.I. Delegation to Dublin -28TH November 2019

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, it was unanimously agreed to approve the participation of members in the annual T.I.I. Delegation to Dublin on Thursday 28th November, 2019.

The delegation it was noted would discuss the needs and funding requirements for national roads in Donegal and wider access to the northwest region.

The Cathaoirleach informed members that the delegation would be led by the Leas Chathaoirleach, Cllr Niamh Kennedy.

C/377/19

CHIEF EXECUTIVE'S MANAGEMENT REPORT

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

1. Community Development & Planning Services

- A. 2019 Town and Villages Scheme
- B. Rural Development Programme/LEADER
- C. PEACE Projects Launch
- D. Rural Regeneration & Development Fund (RRDF)

2. Water & Environment

A. Waste Management

- (i) Donegal Men's Shed Showcase*
- (ii) Letterkenny University Hospital – Sustainability Day*
- (iii) €coMerit Award for Donegal Airport*

B. Coastal Management

- (i) Inishfree Bay and Gweebarra Bay Coastal Flooding and Erosion Risk Management Study*
- (ii) Arranmore Public Conveniences*

C. Rural Water

- (i) Group Water Schemes Takeover Project*
- (ii) Multi Annual Rural Water Programme*

3. Roads & Transportation

- A. 2019 Road Works Programme
- B. Roinn na Gaeltacht Islands Funding
- C. 2019/2020 Winter Maintenance
- D. Countywide Roads Workshops
- E. Public Lighting
- F. Noise Plans
- G. Piers & Harbours
- H. DTTAS Specific Grants
- I. Letterkenny Traffic Management
- J. Strategic Regional and Local Roads
- K. Burtonport Harbour
- L. National Roads Office Update

4. Housing, Corporate & Cultural Services

A. Housing Capital Update

- (i) Social Housing Developments*
- (ii) Social Housing through Turnkey Acquisition*
- (iii) House Acquisition Programme (Single Units)*
- (iv) MICA in houses in Donegal*

B. Cultural Services

- (i) Wainfest*
- (ii) My Open Library*
- (iii) Letterkenny Trad Week*
- (iv) Donegal Connect Genealogy*

- (v) *Historic Towns Initiative*
- (vi) *Pilot Thatch Repair Grants Scheme*

Notes of Congratulations

Cllr Harley asked that a note of congratulations be extended to the following:-

- Paddy Burke, Donegal Person of the year in London.
- Tim Kelly who recently received the Business person of the Year award from the London Post.
- Leah Gallen on winning her seventh Ulster title.

Cllr Mc Bride asked that congratulations be extended to Paddy Mc Devitt, Boston GAA on winning the Donegal GAA Overseas Appreciation award.

On the proposal of Cllr I Mc Garvey, seconded by Cllr Blaney congratulations was extended to Gerry Keeney, Water Services on his retirement after 41 years with Donegal County Council.

Digital Innovation Project Launch -Malinbeg

Cllr Kennedy thanked all involved with the Malinbeg Project which had greatly improved and boosted mobile phone coverage in the area.

C/378/19

MOTION UNDER URGENT BUSINESS – RIGHTS FOR NON EU CITIZENS WITH A RIGHT TO PERMANENT RESIDENCE IN OUR JURISDICTION

Cllr Crossan said that the issue was an emotive one and warranted attention at this point in time.

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

“That Donegal County Council write to both Taoiseach and Tánaiste giving rights to those Non- EU citizens , who have a right of permanent residence in our jurisdiction, to have rights and privileges in the other via the Common Travel Area”.

He thanked members for their co-operation and asked that it be forwarded to the Taoiseach and the Tánaiste as soon as possible.

The following questions were noted.

C/379/19

THE AMOUNT OF LIS FUNDING AVAILABLE TO EACH MD IN 2019

Cllr Crawford submitted the following question:-

Will this Council detail the amount of LIS funding available to each MD in 2019 and confirm that it has been spent?

He received a response from the Director Roads & Transportation in relation to the above.

C/380/19 LIST OF OVERALL STAFF NUMBERS
Cllr G Doherty submitted the following question:-

Can I have a list of overall staff numbers within the organisation including staff numbers within each Directorate and grade level?

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

C/381/19 AMOUNT OF MONEY ALLOCATED TO PART FUND PROJECTS COUNTYWIDE IN 2018 AND 2019 TODATE
Cllr G Crawford submitted the following question:-

How much money has this Council allocated to part fund projects county-wide in 2018 and 2019 to date?

He received a response from the A/ Head of Finance in relation to the above.

C/382/19 CURRENT UPDATE OF THE PLANNING ENQUIRY INTO DONEGAL COUNTY COUNCIL
Cllr Mc Brearty submitted the following question:-

What is the current update with the planning enquiry into Donegal County Council?

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

C/383/19 WHAT MEMBERS HAVE CONFLICTS WITH ANY TURNKEY DEVELOPMENTS BEING BOUGHT OR LOOKED AT BY DONEGAL COUNTY COUNCIL PAST OR PRESENT
Cllr Mc Brearty submitted the following question:-

What members of Donegal County Council have conflicts with any turnkey developments being bought or looked at by Donegal County Council past or present?

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

C/384/19 CURRENT STATUS OF THE PROPOSED NEW PROGRAMME TO RETRO-FIT WINDOWS AND DOORS IN OUR HOUSING STOCK
Cllr G Doherty submitted the following question:-

What is the current status of the proposed new programme to retro-fit all windows and doors in our Local Authority housing stock?

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

C/385/19 WAIVER IN REFUSE FEES
Cllr A Doherty submitted the following question:-

Will Donegal County Council lobby Government departments again and seek for refuse providers and their clients a waiver in refuse fees for families and persons with disabilities and significant medical conditions?

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

C/386/19 WHAT IS THE ROLE OF LOCAL AUTHORITIES, IF ANY, IN THE PLANNING OR ROLLOUT OF COMMUNICATIONS INFRASTRUCTURE SUCH AS 5G
Cllr Murray submitted the following question:-

What is the role of local authorities, if any, in the planning or rollout of communications infrastructure such as 5G?

He received a response from the Director of Economic Development, Information Services & Information Services in relation to the above.

C/387/19 UPDATE ON SI HOUSE APPLICATIONS
Cllr McDermott submitted the following question:-

To ask the Council to give me update on SI house applications in the county?

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

C/388/19 HOW ADVANCED IS THE DELIVERY OF THE MASTER PLANNING EARMARKED FOR ELEVEN TOWNS AND VILLAGES IN DONEGAL
Cllr A Doherty submitted the following question:-

How advanced are the delivery of Master Planning earmarked for eleven towns and villages in Donegal. What Council Directorates are involved and is development dependent totally on receipt of significant funding by Donegal County Council from the Rural and Urban Regeneration fund and/or the Regional Enterprise Development Fund?

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

C/389/19 WILL DCC URGE BOTH GOVERNMENTS TO ENACT THE FOYLE AND CARLINGFORD FISHERIES ORDER 2007.

Cllr Crossan submitted the following question:-

Will DCC urge both Governments to enact the Foyle and Carlingford Fisheries Order 2007 to enable regulation of aquaculture on Lough Foyle to commence?

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

C/390/19 DOES DONEGAL COUNTY COUNCIL HAVE A ROLE IN ENFORCING THE FORESHORE ACT OF 1933 IN TERMS OF POLLUTION

Cllr T Crossan submitted the following question:-

Does Donegal Council have a role in enforcing the Foreshore Act of 1933 in terms of pollution that is being caused by the proliferation of unregulated aquaculture on the western shore of Lough Foyle from Muff northwards to Redcastle?

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

C/391/19 OUTREACH WITH SCHOOLS IN RELATION TO VOTER REGISTRATION

Cllr Murray submitted the following question:-

Can this Council outline all measures that have been taken subsequent to my motion which called for outreach with schools in relation to voter registration?

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

C/392/19 MAKE WAY DAY INITIATIVE

Cllr Kavanagh submitted the following question:-

Can Donegal County Council commit to supporting the "Make Way Day" initiative?

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

C/393/19 TEN-T PROJECT

Cllr Coyle submitted the following question:-

I request a breakdown of estimated cost of each section of Ten-T project and in relation to Section 2 that the estimated cost of the Bonagee Link and Bridge be given?

He received a response from the Director Roads & Transportation in relation to the above.

C/394/19 PROGRESS ON THE A5, N14 AND THE BONAGEE LINK

Cllr Mc Garvey submitted the following question:-

Can I have details of the progress on the A5, N14 and the Bonagee Link?

He received a response from the Director Roads & Transportation in relation to the above.

C/395/19 HOUSING CRISIS IN DONEGAL

Cllr Mc Garvey submitted the following question:-

What can be done to deal with the housing crisis in Donegal going forward?

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

C/396/19 NEW BUSINESS SUPPORT UNIT

Cllr Brogan submitted the following question:-

Can I have an updated report on the new Business Support Unit set out by this Council?

He received a response from the Director of Economic Development, Information Services & Information Services in relation to the above.

C/397/19 MOTIONS FROM OTHER COUNCILS

Members noted the following motions from other Councils.

CARLOW COUNTY COUNCIL

“Carlow County Council calls on the Minister for Health to immediately reinstate the Rehabilitative Training Bonus for people with disabilities.”

CLARE COUNTY COUNCIL

“We Clare County Council call on the Minister for Health, Simon Harris and the HSE to support a call for the introduction of a National Screening Protocol of all neonates (newborn infants) to effectively screen for immune compromise, in advance of the commencement of the administration of Live Virus Vaccines under the State Vaccination Programme, in line with the HSE National Immunization Advisory Committee guidelines as revised February 2019.”

DÚN LAOGHAIRE –RATHDOWN COUNTY COUNCIL

“That the Chief Executive, once again writes to the Minister for Housing, Planning and Local Government, Eoghan Murphy MD and the

Finance, Public Expenditure and Reform, Paschal Donohoe TD to express this Council's complete dissatisfaction with the requirement for all Councils to decide on the variation of the Local Property Tax (LPT) basic rate in the absence of comprehensive budgetary information which is impossible to achieve within the existing timescale i.e. end of September each year. This Council calls on both Ministers to undertake to move the date required for that all local authorities to inform the Revenue Commissioners of the basis rate of LPT to no earlier than the end of October and that a copy of this motion is send to all local authorities across Ireland".

LEITRIM COUNTY COUNCIL

"That Leitrim County Council unanimously support The Beef Plan Campaign in seeking to get for its members and all producers a much fairer percentage share of the income from the livestock they are producing. In particular, we want to see all thirteen of their key grievances, concerning policy and technical issues, addressed in full by the meat factories. Also, that this motion is forwarded to the Minister for Agriculture and to all other Councils seeking their full support".

LEITRIM COUNTY COUNCIL

"That Leitrim County Council call on the Minister for Agriculture Michael Creed and the Government to reject the Mercosur Trade Deal in light of the threat that it poses to our main industry which is already experiencing great difficulty in the marketplace with diminishing returns to the primary producer. The Mercosur deal coupled with the proposals coming from the National Climate Change Council which is proposing to terminate beef production via the suckler herd has potential to shut down rural Ireland particularly the Northwest where the land type doesn't lend itself to any other type of production."

LEITRIM COUNTY COUNCIL

"That Leitrim County Council supports The Beef Plan Movement and farmers in their campaign for a fair share of profits that are being made from beef and lamb sales, and calls on the Minister for Agriculture to help free farmers from the beef baron's shackles of slavery."

LEITRIM COUNTY COUNCIL

"That Leitrim County Council calls on the Minister for Agriculture, Michael Creed T.D., to take some positive action to alleviate the crisis that is looming in the beef sector at the moment."

LEITRIM COUNTY COUNCIL

"That Leitrim County Council call on the Minister for the Environment to introduce a moratorium on the granting of planning permission for new wind farms until such time as the long overdue new guidelines are issued by the Minister."

LEITRIM COUNTY COUNCIL

“That Leitrim County Council call on the National Transport Authority, The Minister for Transport and his Department to extend the area of operations for Local Area Hackney licenses from 5-7 kilometers to 16-20 kilometers.”

MONAGHAN COUNTY COUNCIL

“That Monaghan County Council calls on the Minister for Communications, Climate Action and the Environment, Richard Bruton TD, to legislate for the banning of all non-recyclable materials used in food/drinks packaging by the end of 2021 and ensure that only recyclable and biodegradable packaging be used.”

MONAGHAN COUNTY COUNCIL

“That this Council supports the ongoing campaign by the National Ambulance Services Representative Association in their efforts to have Trade Union representation rights advocated on their behalf through the Psychiatric Nurses Association and further calls on Health Minister Simon Harris to instruct the HSE to resolve this issue through the Workplace Relations Commission and negotiation.”

ROSCOMMON COUNTY COUNCIL

“It was agreed to request that the Joint Oireachtas Committee on Health meet to discuss the proposed closure of Cuisle Centre in Donamon, Co. Roscommon as a National Holiday Centre and that the Irish Wheelchair Association be invited to this meeting to explain their decision.”

SLIGO COUNTY COUNCIL

“To request, in consultation with Coillte, for signage to be placed at local woodland areas and forest recreation walks in order to increase awareness of Lyme Disease, to advise the public of the dangers of contracting Lyme disease from ticks, and how to protect yourself when visiting the outdoors. And also to request for this motion to be forwarded to all local authorities for consideration.”

WESTMEATH COUNTY COUNCIL

“For Westmeath County Council to call on the Taoiseach and Minister for Defence, Leo Varadkar TD to establish without delay a Commission on the Future of the Defence Forces in Ireland and also to establish a Permanent and Independent Defence Forces Pay Body.”

WICKLOW COUNTY COUNCIL

“That Wicklow County Council has a social responsibility to serve, inform and protect the public and the environment from exposure to harm, and therefore it opposes the roll-out of unregulated 5G in the County of Wicklow based on the ‘precautionary principle’ pending the enactment by Dail Éireann of protective legislation.”