

**MINUTES OF THE SPECIAL MEETING OF DONEGAL COUNTY COUNCIL HELD  
ON 24<sup>th</sup> FEBRUARY 2022**

C/78/22

**MEMBERS PRESENT**

Cllrs J. Murray, Cathaoirleach, L. Blaney, K. Bradley, C. Brogan, T. Conaghan, D. Coyle, G. Crawford, G. Doherty, R. Donaghey, D. M. Kelly, J. Mc Guinness, P. Mc Gowan, M. Mc Mahon, G. Mc Monagle, J. O'Donnell, J. S. Ó'Fearraigh,..

Online: P. Canning, N. Crossan, T. Crossan, A. Doherty, M. Farren, M. T. Gallagher, N. Jordan, J. Kavanagh, N. Kennedy, M. C. Mac Giolla Easbuig, M. Mc Bride, M. Mc Clafferty, M. McDermott, I. Mc Garvey, N. Mc Garvey, A. Molloy, M. Naughton, B Sweeny.

C/79/22

**OFFICIALS IN ATTENDANCE**

John Mc Laughlin, Chief Executive, Patsy Lafferty, A/Director of Housing, Corporate and Cultural Services / Meetings Administrator, Brendan O' Donnell, A/Director of Roads & Transportation, Eunan Quinn, A/Director of Community Development & Planning Services, Michael Mc Garvey, A/Director of Water & Environment, Garry Martin, Director of Economic Development, Information Systems & Emergency Services, Paul Christie, Senior Executive Planner, Frances Friel, Communications Officer Seán O' Daimhin, Rannóg na Gaeltachta, Róise Ní Laifeartaigh, Rannóg na Gaeilge, Anne Marie Crawford, Staff Officer.

C/80/22

**ENHANCED DEFECTIVE CONCRETE BLOCKS GRANT SCHEME**

The Cathaoirleach commencing the meeting said that this was an emotive topic affecting many families and homeowners throughout the county. The meeting, he said, was being held on foot of a motion submitted under urgent business and with full cross-party support. It was, he advised, timely in light of the recent storms.

The Chief Executive informed members that together with the Mr Patsy Lafferty, A/Director of Housing, Corporate & Cultural Services, he had met with Minister Darragh O' Brien at the Housing Summit in Dublin on the 23<sup>rd</sup> March. The Minister, he stated, had confirmed that the first set of regulations in respect of the payment of engineer's fees and emergency works payments would be released very soon. He noted that details in relation to same had yet to be received by the Council.

Members were informed that under the current Defective Concrete Blocks Scheme 5 no houses had been completed out of 500-600 applications, and that a considerable effort was now needed to ensure that the focus was concentrated on the large number of homes that required remediation. The logistics of same, he said, required immediate consideration.

He said that the it was imperative now that (a) the scheme was kept simple for the engineers and the homeowners and (b) that monies were paid out quickly to applicants.

C/81/22 **ADJOURNMENT OF THE MEETING**

It was unanimously agreed to adjourn the meeting for a short period.

C/82/22 **ENHANCED DEFECTIVE CONCRETE BLOCKS GRANT SCHEME**

Mr Patsy Lafferty, A/ Director Housing, Corporate, & Cultural Services gave a detailed presentation to members on the background to the scheme and provided an update in relation to the status of current applications.

The Chief Executive during the presentation provided an overview of the main workflow differences between the old and the new scheme and highlighted the applicable differences. He said that the Enhanced Scheme provided for a new method of processing applications in conjunction with the Department of Housing & Local Government & Heritage with the Housing Agency also having a significant role going forward in the application process, the determination of remedial measures and the awarding of grants. The Council's role, it was noted, would be reduced and further determination was required in relation to this aspect. All engineering tasks it was confirmed would now be carried out by the Housing Agency. The Council, he said, would continue to accept applications from homeowners and validate these for general eligibility and that that these would then be passed to the Housing Agency for the determination on remedial measures and the amount of the grant to be awarded.

Payment of the grant would then be undertaken by the Council pending further clarity on the operational details of the scheme and an assurance in relation to recoupment costs. He confirmed that the Council would administer the parts of the scheme applicable to them and confirmed that the Council would no longer be involved in the engineering aspect of the Enhanced Defective Concrete Blocks Scheme.

It was noted that a proposal had been made to the Department in relation to the Council's own Social Housing stock (1000 houses approx. to be remediated over a four year period) and that approval was awaited on what would be a significant undertaking for the authority.

A lengthy debate ensued during which members raised the following questions:

**Support/Assistance/FAQ's**

- Can a dedicated helpline be set up in respect of the Defective Concrete Blocks Grant Scheme? Can in-person meetings be arranged with applicants to deal with specific queries on their applications?

- Can the Council compile a FAQ document which would provide an easy access to the list of questions raised today and publish it on the Council's web site?

#### Payment of Engineer's Fees – New Regulations

- When will people get their Engineers Fees recouped, where they haven't yet got Stage 1 approval?

#### Emergency Payment – New Regulations

- Need clarity on the emergency payment – does applicant need to be Stage 1 approved?
- Is there any flexibility to access the emergency fund for applications who are not Stage 1 approved?
- Is the Council now accepting applications for the emergency payment?
- Can we receive assurance that emergency funding will not be subjected to additional bureaucracy or red tape and that the applications will be expedited and dealt with efficiency and quickly due to time?

#### Processing of Applications under Defective Concrete Blocks Grant Scheme.

- Are DCC currently receiving new applications under the current Scheme at the moment?
- When can people book tests with engineers in confidence and in the knowledge that the costs incurred by them will be covered?
- Can the contractors be paid directly from the Council rather than the homeowner under the current Scheme?

#### The New Enhanced Defective Concrete Blocks Scheme.

- When will details of the new Scheme be announced? Are foundations going to be covered under the Enhanced Scheme?
- Will the Mica office be adequately resourced when there is an upsurge in applications?

#### Social Houses affected by Defective Blocks.

- Will remediation works be carried out by the DCC and what input from tenants?
- Is a four year programme for the remediation of houses realistic?
- How will the social houses be remediated? When and how will they be done?
- Have the Council any idea when they can expect update on the social housing scheme.

#### Building Control / Standards / Planning Matters.

- What testing is being carried out on blocks at present and what are the Regulatory bodies doing to ensure that mica infested blocks are not entering the marketplace now.

- Is there any update on the regulation of quarries?
- Clarification if houses being rebuilt have to be built in accordance with the 2007 building standards or the current standards?
- How can we make sure that the issue of defective blocks does not happen again?
- What are the alternative materials that can be used in housing construction other than blocks, e.g. bricks, timber frame houses, etc.
- Can we have clarity that defective blocks came from more than one quarry in the County?
- Have we enough skilled workers to carry out the works?
- The issuing of Enforcement Notices to affected homeowners who are providing temporary accommodation beside their homes needs to be addressed.

#### Waste Disposal

- Do we have enough landfill areas to safely dispose of waste materials?

#### Other Issues

- How can funding be accessed for the “Community Based Hub” that has been proposed by the homeowners?
- Questions relating to the purchase of 5 houses at An Crannla, Buncrana.
- Has Modular homes and sites been identified for social housing tenants and private home owners.

The following general issues were highlighted during the debate:

- Booklet with all relevant information should be made available for distribution.
- Active communication line needs to be maintained so that homeowners can have access to all the statutory bodies concerned.
- Pace of remediation needs to be increased.
- Donegal County Council must be ready to deal with the upsurge in applications that will come with the Enhanced Scheme.
- Call needs to go out now and some form of incentive given so that skilled workers can return to Donegal.
- Acknowledged the work carried out to date by the staff in the Mica Office and the availability of personnel to deal with queries raised by homeowners.
- Recognition now that the problem is not just Mica but other deleterious materials as well.
- Chartered Surveyors of Ireland recommendation needs to be part of the rate being given to homeowners.
- Legislation for the new scheme must be expedited so that the terms of reference can be up and running by the summertime.

- Indicator needed to flag periods of stormy weather so that homeowners are better prepared to deal with the relevant consequences.
- Noted that the estimated rebuilding costs may have to be given for 8 different types of houses.
- Imperative that there is access to Department engineers as the schemes moves forward.
- Clarity needed in relation to the role of the Housing Agency.
- Donegal County Council needs to be proactive when it comes to planning matters with specific exemptions in place for those who have to demolish their homes.
- Concerted effort needs to be made by the Oireachtas members to move this matter forward and increase the pace of the scheme.
- Housing Agency must be ready to act as Donegal County Council can only do so much.
- Experience and information gathered to date must be used to ensure that the new testing regime covers all aspects of the problem.
- Needs to be ongoing engagement with companies who manufacture modular homes.
- Must be adequate consideration as to how the Enhanced Scheme can be fast tracked.

Members welcomed the Minister for Agriculture, Food and the Marine Mr. Charlie Mc Conalogue, T.D and Deputy Joe Mc Hugh, T.D to the meeting.

Minister Mc Conalogue addressing the meeting acknowledged and thanked all those who were working on the issues in what was a challenging situation for all concerned. It was, he advised the issue of a generation and an ongoing trauma for every family affected by it.

He said that the Government were absolutely committed to working with and supporting homeowners and to ensure that the scheme when delivered was fit for purpose. He paid tribute to those who had campaigned on behalf of mica affected families. There were welcome changes in the Enhanced Scheme, he said, particularly in relation to greater flexibility on storage, accommodation, and rental costs together with the monetary provision for emergency works.

It was intended, he advised, to have the regulations signed and finished within the coming week. Minister O' Brien, he stated, was working hard to get the scheme through the Dáil and it was extremely important that all stakeholders worked together so that there was sufficient co-ordination amongst all involved in the process.

The key, he contended, was to ensure that updated costings were incorporated into the scheme going forward. It was important, he

added, that the Enhanced Scheme reflected accurate market costs and prices and that an updated costing came into play annually. It was imperative, he said, that public representatives from all entities worked together to ensure the success of the scheme. The Government, he said, were committed to delivering the scheme as quickly as possible. Deputy Joe Mc Hugh said it was important that the Oireachtas members were kept in the loop as to what was happening on the ground. He cited the need to have a representative from the Department attend the next meeting as it was important that those implementing the scheme in Dublin were involved. He said that there had been an erosion of confidence in relation to the SCSl and that it was important that a decision was made on this issue over the next few days. Facilitators, he contended, needed, to be rolled out as part of the Housing Agency's commitment to the process. It was important also, he said, that Oireachtas Members met with the Elected Members on a regular basis to keep abreast of the issues at local level. There was recognition also of the fact that Minister O' Brien's office were committed to getting the legislation in relation to the Enhanced Scheme through the Dáil by early Summer 2022.

The Cathaoirleach said that on foot of the resolution agreed at the Adjourned Meeting on the 21<sup>st</sup> February 2022 it was now clear that the following actions should be initiated namely,

- Questions highlighted are out in an FAQ document and published online.
- That the Oireachtas Members and a representative from the Department be invited to attend the next appropriate meeting and that meetings on the Mica issue are held on a regular basis.

The Chief Executive acknowledged that there was huge pressure and stress on the affected homeowners. He said that the Council would have no problem in answering the questions that were relevant to the Council. The issue of a one-stop shop could be looked at, he said, but a conversation was needed as to how this could be done so that all aspects of the process were covered. It was acknowledged that the Council was and would be working with a scheme which had been written by another body.

He said that works would have to be ramped up hugely to ensure that houses were completed and that it was hoped that the new scheme when operational would be better able to accommodate the timely completion of the relevant works.

The Council, he stated, was committed to doing what it could, and he said that the questions and answers document (FAQ document) as requested would be made available on the Council website.

Cllr G Doherty said that he appreciated that the Council did not have all the answers and cited the need for the a questions and answers document encompassing responses from all of the agencies involved.

Cllr Mc Monagle alluded to the fact that at a recent meeting of the Housing Strategic Policy Committee an explanation as to the context and the rationale for buying the five houses in An Crannla had been provided, and was very helpful. He asked that this now be generally circulated so that people could make up their own minds.

The Cathaoirleach asked that the information referred to by Cllr Mc Monagle also be put on the Council website. He said that information he had received in relation to the purchase in the interest of transparency had been forwarded to An Garda Siochana and that the engagement of an independent body to carry out a review on the matter was being looked at.

The Chief Executive said that it would be possible to share the minutes from the Housing SPC and get the record out there.

The Cathaoirleach thanked all concerned for their contribution and input. It had been a useful exercise, he said, and it was hoped to have regular meetings on the mica issue going forward.

This concluded the business of the meeting.