

COMHAIRLE CHONTAE DHUN NA nGALL

Oifig Riarthóir na
gCruinnithe
Aras an Chontae
Leifear
24 Eanáir, 2023

FÓGRA CRUINNITHE

DO GACH BHALL DEN CHOMHAIRLE

A Chara

Beidh Cruinniú de Chomhairle Contae Dhún na nGall ar siúl **Dé Luain, 30 Eanáir, 2023** ag **11.00 r.n in Áras an Chontae, Leifear.** Ta Clár an chruinnithe leis seo. Seolfar nasc leictreonach chuig an chruinniú i gcomhfhreagras eile.

Beidh Clár Orduithe an Phríomh-Fheidhmeannaigh le feiceáil ag an chruinniú

Mise, le meas



Pádraig Ó Laifearaigh
Riarthóir Cruinnithe

DONEGAL COUNTY COUNCIL

Office of Meetings Administrator
County House
Lifford
24th January, 2023

NOTICE OF MEETING

TO EACH MEMBER OF DONEGAL COUNTY COUNCIL

Dear Councillor,

A Meeting of Donegal County Council will be held on Monday 30th January, 2023 at 11.00am in the County House, Lifford. The agenda for the meeting is attached. An online link to join the meeting will issue separately.

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

Yours sincerely



Patsy Lafferty
Meetings Administrator

AGENDA

1. **Confirmation of Minutes**
 - a) Confirmation of the Minutes of the Annual Budget Meeting of Donegal County Council held on the 21st November, 2022.
 - b) Confirmation of the Minutes of the November Meeting of Donegal County Council held on the 28th November, 2022.
 - c) Confirmation of the Minutes of the Special Meeting of Donegal County Council held on the 16th December, 2022.

2. **Disposal of Land – Section 211 of the Planning and Development Act, 2000(as amended)**
 - a) Notice under Section 211 of the Planning and Development Act 2000 (as amended) and under Section 183 of the Local Government Act 2001 (as amended) – to dispose of lands at Inver Glebe to Clive & Geraldine Vance.
 - b) Notice under Section 211 of the Planning and Development Act 2000 (as amended) and under Section 183 of the Local Government Act 2001 (as amended) – to dispose of dwelling house at 12 St Benildus Ave, Ballyshannon to Mr Harry Doherty.

3. **Taking of decision pursuant to the Planning and Development Act, 2000 (Part XI), and the Planning and Development Regulations, 2001**
 - a) To approve the carrying out of works with regard to upgrading traffic and pedestrian facilities on the L-2454-1, Guesthouse End, Raphoe, Co Donegal.
 - b) To approve the carrying out of works with regard to upgrading traffic and pedestrian facilities on the R236 Meeting House Street to St Eunan’s National School, Raphoe.
 - c) To approve the carrying out of works with regard to upgrading the traffic and pedestrian facilities on the R246 Fairways Road, Portsalon – R246 Portsalon Active Travel Scheme.
 - d) To approve the carrying out of works in respect of the construction of public convenience facilities including a “changing place unit” at Letterkenny Retail Park, Paddy Harte Road, Letterkenny.

4. **Corporate**
 - a) To consider authorisation of Council representation at the St Patrick’s Day events in the USA.
 - b) To note obligations on Members under the Local Elections (Disclosure of Donations & Expenditure) Act, 1999 as amended, to submit a donation statement for 2022 by 31st January, 2023.
 - c) To note obligations on Members under (Part 15) Local Government Act, 2001 Ethics Framework to submit declaration of interest for 2022 by the 28th February, 2023.

- d) To agree date for Special Meeting to fill casual vacancy on Donegal County Council arising from the resignation of Cllr Ian Mc Garvey.
- e) To note receipt of Books of Condolence in respect of Creeslough.

5. **Water & Environment**

- a) To consider and approve the adoption of the Donegal County Council Annual Service Delivery Plan 2023, in accordance with Section 134 (a) of the Local Government Act, 2001.
- b) Notice of proposal to make Byelaws - Beach Bye Laws Amendment - Control of dogs on beaches – “Regulation and Control of Certain Beaches (Amendment) Bye-Laws 2022”

6. **Housing**

- a) To consider and approve the policy in relation to the sale of houses under the Tenant (Incremental) Purchase Scheme 2016.
- b) To consider and approve the policy in relation to Housing Acquisitions.
- c) To consider and approve the policy in relation to the Local Authority Loan Scheme.

7. **Cultural Services**

To consider and approve the Museum’s Strategic Plan (2023-2027) including a 1-year Implementation Plan for 2023.

8. **Community Development**

- a) To approve expenditure under the Letterkenny Town Social Enterprise Capital Grant Scheme in 2023, in accordance with Section 104 of the Local Government Act 2001.
- b) To note Donegal County Council Joint Policing Committee Annual Report 2022.
- c) To adopt a Donegal Outdoor Recreation Strategy.

9. **Planning**

Donegal County Development Plan 2018-2024 (As Varied): Variation in respect of a Wind Energy Policy Framework: Final Procedures in respect of the Making of The Variation.

10. **Finance**

That Donegal County Council approve, subject to the sanction of the appropriate Minister, the raising of a capital loan in the sum of €10m for the purpose of financing/co-financing the various capital projects listed on Schedule 1 attached.

11. **Endorsement of Minutes.**

To note minutes of the meeting of the Corporate Policy Group held on the 7th November, 2023.

12. **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 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, and the Local Government (Expenses of Local Authority Members) Regulations, 2014(as amended)

Training

- AILG Elected Member's Training Programme – Module 1 “A Briefing on the Electoral Reform Act” to be held on Thursday 23rd February, 2023 (Northern & Western Region). Venue to be confirmed.
- LAMA Spring Seminar to be held from the 2nd to the 4th March 2023 in the West Lodge Hotel, Bantry, Co Cork. Brochure to be circulated.
- AILG Annual Conference to be held on the 19th and 20th April in the Hotel Kilkenny, Kilkenny. Details to be circulated.

Conferences

- “The Association of Irish Regions Conference” to be held from 7th – 9th February, 2023 in the Four Seasons Hotel, Monaghan.

Travel Abroad

- Attendance of the CPMR representative at the CPMR Fisheries Working Group meeting in Brussels on the 25th January, 2023.
- Attendance of the CPMR representative at the CPMR Political Bureau Meeting in Cartagena, Murcia, Spain on the 10th March, 2023.
- Attendance of the Cathaoirleach at the Irish American Business Chamber Network Ambassador's Awards in Philadelphia on the 24th February, 2023.

13. **Report on attendance at Conference/Event**

Cllr John S O' Fearraigh

Attendance at the CPMR Fisheries Working group meeting on the 6th October, 2022 in Brussels.

MOTIONS

LETTERKENNY/MILFORD MUNICIPAL DISTRICT

Housing

14. **Cllr Gerry Mc Monagle**

“That this Council submits to the Department of Housing, Local Government and Heritage as a matter of urgency a proposal based on information received from Defective Block applications making a case for the introduction and use of Modular Homes to house those families most in need when their homes are being demolished or remediated due to Defective Blocks.”

LIFFORD/STRANORLAR MUNICIPAL DISTRICT

Roads & Transportation

15. **Cllr Patrick Mc Gowan**

"That Donegal County Council hold a public consultation to review Zebra Crossing's without beacons which are being piloted in Donegal as part of a national Department of Transport & NTA initiative and that advance advisory signage is erected immediately to inform drivers and pedestrians of new pedestrian crossing layouts ahead as well as the removal of any dangerous crossings."

DONEGAL MUNICIPAL DISTRICT

Water & Environment

16. **Cllr Noel Jordan**

"I am asking the Department of the OPW for an update on the applications for a Flood Relief Schemes in Donegal with specific emphasis on the south of the county where householders and businesses live in fear in such flood risk areas."

Planning

17. **Cllr Michael Mc Mahon**

"That this County oppose any licence being granted by Minister Eamonn Ryan in regards to prospecting anywhere in Donegal and that we support the action taken by Leitrim County Council." This would have a serious effect on Donegal such as tourism, clean water, rivers and many other scenic spots in the county."

GLENTIES MUNICIPAL DISTRICT

Housing

18. **Cllr Marie T Gallagher**

"That this Council condemn the Governments paper on Affordable Housing, which excludes Donegal County Council from receiving funding under this scheme and agrees to a new policy within this Councils housing policy to ensure affordable homes are built alongside social housing projects."

Corporate

19. **Cllr Michael Mc Clafferty**

"In the interest of our people and communities and for the people of Donegal, that we as a Council object in the strongest possible terms to any change being made to the NowDoc service (or any possible replacement by Caredoc) of which I understand plans are gathering at great pace to happen. We object to any change of such nature to the current NowDoc service model which covers all rural Donegal as well as all its towns and villages. Such a change if it were to come to pass would put both our hospitals and A & E under much more added pressure and stress in what is

already a very unsatisfactory situation. This cannot be allowed to happen, and I am asking the Council please to write to our Health Minister Stephen Donnelly, to prevent such a move from taking place and to stress how serious this would be for Donegal and its residents. I kindly ask the Council without delay to write to Minister Donnelly personally on this matter and seek assurance that the NowDoc model will not be replaced.”

Water & Environment

20. Cllr John S O' Fearraigh

"That the Council Executive demand a meeting with the Bord of Uisce Eireann regarding the ongoing unacceptable disruption in the water supplies in this county and a time frame of when this will be done, and also that the executive impress on Uisce Eireann the fact that Council Staff worked 24 hour shifts during the Christmas period and that they are commended for their hard work."

INISHOWEN MUNICIPAL DISTRICT

Roads & Transportation

21. Cllr Terry Crossan

"That Donegal County Council, in light of recent flooding events, prioritise attention to culverts that are consistently proving to be problematic and consistently cause damage to adjacent properties."

22. Cllr Martin Farren

"That Donegal County would seek to secure extra funding from central Government to purchase more vehicles with the aim of extending the road gritting programme."

Finance

23. Cllr Nicholas Crossan

"That this Council review and reassess spending practices in the pursuit of providing best value for money in accordance with the priority needs of the people of Donegal."

Housing

24. Cllr Paul Canning

"I would ask this Council to put in place a policy that would guarantee the delivery of 5% of all social houses constructed in the next 5 years for the sole purpose of occupancy of residents with special needs in so far as complete disability friendly, independent living quarters for full-time carers and purpose built sensory adaptable rooms."

Corporate

25. Cllr Jack Murray

"That this Council calls for the implementation of a multi-annual plan to increase the number of public hospital beds in Donegal, and throughout the State, including more acute inpatient, sub-acute hospital beds and

community step-down beds to speed up hospital admissions and discharges; further, this Council calls for the use of all necessary, available private beds during times of severe pressure on the public health system."

26. Cllr Albert Doherty

RSA/NDLS service

"That Donegal County Council demand that RSA ensure that SGS Ireland and NDLS maintain and deliver an accessible, open and assistive service to the people of Donegal and that Donegal County Council also liaise, press and offer facilities to NDLS to provide services at the PSC in Inishowen"

27. Cathaoirleach's Business

28. Chief Executive's Management Report

QUESTIONS

LETTERKENNY/MILFORD MUNICIPAL DISTRICT

Emergency Services

29. Cllr Gerry Mc Monagle

Can I have an update on the national review of the Retained Fire Service Model - Has it been completed and what are the outcomes of the review?

Housing

30. Cllr Gerry Mc Monagle

Has the OPW or any other Government Department been in contact with this Council in relation to the availability of lands for the building of Modular Homes and have they discussed with Council their intended use?

Corporate

31. Cllr Ciaran Brogan

Has this Council any plans to review the Directorates of this Council to ensure that the resources are following the priorities?

Roads & Transportation

32. Cllr Ciaran Brogan

Can we have a updated report on the current status of the TEN-T Project, Bonagee Link, Manorcunningham to Lifford, Ballybofey and Stranorlar By-Pass?

Finance

33. Cllr Ciaran Brogan

Can we have an updated report on the URDF, RRDF, Greenway, Active Travel, Climate Adaptation and all capital projects being undertaken by this Council including the Piers and Harbours?

LIFFORD/STRANORLAR MUNICIPAL DISTRICT

Corporate

34. Cllr Gerry Crawford
Re: Prior School County Archive Project
In Budget 2022 funding was allocated to enable action to identify works required to enable the School to be brought to the standard required to present as the public contact point regarding archive enquiries. What action has the Council taken to date to progress this?
35. Cllr Patrick Mc Gowan
Please give details on how many staff positions across the county are temporary acting positions such as Roads, Litter Wardens, Housing etc with an explanation in each case as these temporary acting positions affect both the relevant staff member and the smooth running of local services.

Housing

36. Cllr Gerry Crawford
How many Social Houses are under construction in each MD and what is the expected completion date for each?
37. Cllr Gerry Crawford
How successful have energy conservation measures been in the Council's Public buildings?

Roads & Transportation

38. Cllr Patrick Mc Gowan
Why are specialised pothole repair machines not used during cold wet winter months especially on roads in the east of the County which are more susceptible to freezing temperatures causing damage to road surfaces? Using cold deferred- set tar during wet and frost is not the solution.

DONEGAL MUNICIPAL DISTRICT

Emergency Services

39. Cllr Michael Mc Mahon
Can I have an update in relation to the status of Fire Stations in the county?

GLENTIES MUNICIPAL DISTRICT

Water & Environment

40. Cllr Marie T Gallagher
Has this Council received any correspondence from Irish Water regarding the costs of new water connections for one-off housing?

Planning

41. Cllr Marie T Gallagher
Within the preparations for the new County Development Plan has this Council undertaken any research on the prospect of modular homes as permanent residence being a prospect for housing in this County?

Roads & Transportation

42. Cllr Michael Mc Clafferty
Has there been any updates since our last meeting on a Deer Culling Policy for Donegal and if not, when do you envisage a response will be received?
43. Cllr Michael Mc Clafferty
With the current problem of NCT delays does the Council see themselves as having any role to play in possibly speeding up matters or any suggestions to put forward on this matter?
44. Cllr John S O' Fearraigh
Could this Council write to the Department for additional funding for the Back of Earagail road?

INISHOWEN MUNICIPAL DISTRICT

Roads & Transportation

45. Cllr Paul Canning
What is the procedure in getting old telegraph poles replaced and wires put underground?
46. Cllr Paul Canning
How much does it cost to replace a telegraph pole and install wires underground and who is the contact to pursue this?
47. Cllr Albert Doherty
EV Charges Scheme.
Has Donegal County applied and signed up to the Electric Vehicle on street public charges scheme? (2019) or will DCC apply and sign up to the scheme and is Donegal County Council pursuing the provision of mobility and/or fast charging hubs for Electrical Vehicles and if so at what locations in the County?
48. Cllr Terry Crossan
How many foreshore licenses have been issued in respect of Lough Foyle's western shore in the last ten years?
49. Cllr Albert Doherty
ENERVEO and Public Lighting service provision.
Will Donegal County Council request from ENERVEO an improvement and increase in their personnel and resources to enable an improvement in the provision and delivery of services in the County?

Finance

50. **Cllr Jack Murray**

Can this council set out the current policy and/or practice regarding human rights compliance in procurement (including divestment if required due to human rights violations)?

Economic Development

51. **Cllr Jack Murray**

Can this Council quantify the amount of queries received in relation to economic investment per electoral area across the county?

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

CORK COUNTY COUNCIL

That Cork County Council would write to the Government and the Minister for Finance to reintroduce an income tax credit scheme to incentivize and encourage many more Irish people to take out personal health insurance cover while also preserving the existing rebate of up to €200.00 at the point of purchase.

CORK COUNTY COUNCIL

“That Cork County Council would write to the Minister for Housing, Local Government & Heritage of Ireland to express concern at the proposed Planning & Development Bill coming before cabinet this week which will limit local Councillors’ powers. The proposed bill seeks to change the term of the County Development Plan to ten years which is far too long. Members also agreed to circulate the letter to all local authorities as well as LAMA and AILG.”

CORK COUNTY COUNCIL

That Cork County Council would write formally to the Minister for Transport requesting that his Department (Department of Transport) would contribute financially to the LIS Scheme (Local Improvement Scheme). Presently, all funding comes from the Department of Community & Rural Development. The anomalies in the scheme in which there must be two active farmers on the scheme and people have to reapply. It was also agreed that a copy of this letter would be circulated to the Minister for Community & Rural Affairs.”

CORK COUNTY COUNCIL

“That Cork County Council call on the Minister for Transport to consider that Uber be allowed to operate in this Country. Due to the lack of taxi availability leading to isolation for member of rural communities. Uber could be a welcome resolution.”

KERRY COUNTY COUNCIL

“That we Killarney MD write to the relevant Ministers requesting that when the Ukrainian Refugees return home, when it’s safe to do so, that we would retain their current accommodation for the homeless and those on our Local Authority Housing List, where possible. If passed, I request this would be circulated to all other Local Authorities.”

LEITRIM COUNTY COUNCIL

“That Leitrim County Council call on this Government to hold, without any further delay, the long promised referendum on voting rights for Irish citizens abroad.”

LIMERICK COUNTY COUNCIL

“That Limerick City and County Council call on the Minister for Transport to adopt a policy at National level to have bus shelters constructed where there is a bus stop and that this Motion, if adopted, be circulated to all local authorities.”

MAYO COUNTY COUNCIL

“Calling on the Minister for Housing & Local Government to make a fund available to enable the taking in charge of estates across Ireland that have been taken in charge to address the legacy issue which is denying estates basic access services across our country. If supported, that the motion be circulated to all local authorities for support.”

MEATH COUNTY COUNCIL

“Meath County Council calls on the Government to amend the Electricity Regulation Act and associated legislation to allow for the consideration and possible implementation of nuclear power generation in Ireland.”

MONAGHAN COUNTY COUNCIL

“That this Council calls on the Minister for Health, Department of Health and the HSE to put in place proper, sensitive procedures to avoid any future retention of a baby’s organs, at post-mortem, without the express permission of the parent, to request that:

- Clear, written communication on consent forms be discussed with families at the time of death/prior to post-mortem taking place.
- Best practice models be examined from other countries to ensure the Irish systems is fit-for-purpose and with proper oversight.
- Communication of post-mortem results be respectful and delivered by meeting with assigned medical professional – clear, definition of this process should immediately become standard procedure for all hospitals.
- Post-mortem documentation should include a clear, concise and fully completed document for families.
- In cases where organs need to be retained, reasons must be clearly explained and a swift timeframe for their return must be communicated to parents.

Monaghan County Council demand that an investigation take place into the cases outlined by Primetime (RTE) on 3rd November 2022 and any other similar case that were not highlighted and that:

- Families who have had organs from their baby retained, be informed of what was taken away and why, and what happened to the organs.

These families should be afforded an in-person meeting to be give details.

- An independent inquiry takes place to determine why Consultant A was continuously used as a private pathologist after being found to be negligent in his form public-sector pathology role. This inquiry should also find reasons to why earlier recommendation, made by independent reviews, were not implemented.
- Clarification is needed on whether Consultant A is still conducting perinatal post-mortems.

“Monaghan County Council also asks that in cases where Parental Consent is not requested (Coroner’s post-mortem) that parents are still fully informed on organ retention and length of retention period.”

NORTHERN & WESTERN REGIONAL ASSEMBLY

“This Assembly (NWRA) propose and fully support Cancer Care West and the National Breast Cancer Research Institute in their proposed development of Cancer Centre for the West and North West of Ireland and seek the immediate appointment of a design team to progress a fit for purpose cancer hospital at UHG and build complimentary cancer care infrastructure at regional hospitals in accordance with balanced regional development a cancer care network for the Saolta region (West, North West) with a Cancer Centre at Galway University Hospital with appropriate infrastructure will be delivered (National Development Plan 2021-30).”

**MINUTES OF JANUARY MEETING OF DONEGAL COUNTY COUNCIL HELD ON
30th JANUARY, 2023 IN THE COUNTY HOUSE, LIFFORD**

C/1/23

MEMBERS PRESENT

Cllrs L. Blaney, Cathaoirleach, K. Bradley, C. Brogan, P. Canning, T. Conaghan, D. Coyle, G. Crawford, N. Crossan, T. Crossan, A. Doherty, L Doherty, R Donaghey, M Farren, M T Gallagher, M Harley, N Jordan, D M Kelly, N. Kennedy, M. McDermott, P. McGowan, M. Mc Mahon, A. Molloy, J Murray, M. Naughton, J. O Donnell, J. S Ó Fearraigh, and B. Sweeney.

Online: J. Kavanagh, M Mac Giolla Easbuig, F Mc Brearty Jnr, M Mc Clafferty, N Mc Garvey, J Mc Guinness, and G Mc Monagle.

Apologies were received from Cllr Gallagher who was unable to attend the meeting

C/2/23

OFFICIALS IN ATTENDANCE

John Mc Laughlin, Chief Executive, Patsy Lafferty, Director of Housing, Corporate and Cultural Services, Meetings Administrator, Bryan Cannon, A/Director of Roads & Transportation, Richard Gibson, Head of Finance, Garry Martin, Director of Economic Development, Information Systems & Emergency Services, Michael Mc Garvey, Director of Water & Environment, Liam Ward, Director of Community Development & Planning Services, Eunan Quinn, Senior Planner, Paul Christy, Senior Executive Planner, Daragh Mc Donough, IS Project Leader, Frances Friel, Communications Officer, William Colvin, Assistant Communications Officer, Seán O' Daimhin, Rannóg na Gaeilge, Róise Ní Laifeartaigh, Rannóg na Gaeilge, Anne Marie Crawford, Staff Officer.

C/3/23

**CONFIRMATION OF THE MINUTES OF THE ANNUAL BUDGET
MEETING OF DONEGAL COUNTY COUNCIL HELD ON THE 21st
NOVEMBER 2022**

On the proposal of Cllr McGowan, seconded by Cllr Harley the minutes of the Annual Budget Meeting of Donegal County Council held on the 21st November, 2022 were adopted.

C/4/23

**CONFIRMATION OF THE MINUTES OF THE NOVEMBER MEETING
OF DONEGAL COUNTY COUNCIL HELD ON THE 28TH NOVEMBER,
2022**

On the proposal of Cllr Canning, seconded by Cllr Crawford the minutes of the November Meeting of Donegal County Council held on the 28th November, 2022 were adopted.

C/5/23

**CONFIRMATION OF THE MINUTES OF THE SPECIAL MEETING OF
DONEGAL COUNTY COUNCIL HELD ON THE 16TH DECEMBER,
2022**

On the proposal of Cllr Harley, seconded by Cllr Coyle the minutes of the Special Meeting of Donegal County Council held on the 26th December, 2022 were adopted.

C/6/23

DISPOSAL OF LANDS AT INVER, GLEBE TO CLIVE AND GERALDINE VANCE

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

On the proposal of Cllr Naughton, seconded by Cllr Sweeny it was resolved to dispose of lands at Inver, Glebe to Clive and Geraldine Vance in accordance with the provisions of Section 211 of the Planning & Development Act, 2000 (as amended) and under Section 183 of the Local Government Act 2001, (as amended).

C/7/23

DISPOSAL OF DWELLING HOUSE AT 12 St BENILDUS AVENUE, BALLYSHANNON TO MR HARRY DOHERTY.

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

On the proposal of Cllr Sweeny, seconded by Cllr Mc Mahon it was resolved to dispose of dwelling house at 12 St Benildus Avenue, Ballyshannon to Mr Harry Doherty 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/8/23

TO APPROVE THE CARRYING OUT OF WORKS WITH REGARD TO THE UPGRADING OF TRAFFIC AND PEDESTRIAN FACILITIES ON THE L-2454-1, GUESTHOUSE END, RAPHOE

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

On the proposal of Cllr Crawford, seconded by Cllr Harley, the carrying out of works with regard to the upgrading of traffic and pedestrian facilities on the L-2454-1, Guesthouse End, Raphoe was approved in accordance with Part XI of the Planning & Development Act, 2000 (as amended) and Part 8 of the Planning & Development Regulations 2001(as amended).

C/9/23

TO APPROVE THE CARRYING OUT OF WORKS WITH REGARD TO THE UPGRADING OF TRAFFIC AND PEDESTRIAN FACILITIES ON THE R236 - MEETING HOUSE STREET TO ST EUNAN'S NATIONAL SCHOOL, RAPHOE

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

On the proposal of Cllr Mc Gowan , seconded by Cllr L Doherty, the carrying out of works with regard to the upgrading of traffic and pedestrian facilities on the R236 – Meeting House Street to St Eunan's National School, Raphoe was approved in accordance with Part XI of the Planning & Development Act, 2000 (as amended) and Part 8 of the Planning & Development Regulations 2001(as amended).

C/10/23 **TO APPROVE THE CARRYING OUT OF WORKS WITH REGARD TO THE UPGRADING OF TRAFFIC AND PEDESTRIAN FACILITIES ON THE R246 – FAIRWAYS ROAD, PORTSALON – PORTSALON ACTIVE TRAVEL SCHEME**

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

On the proposal of Cllr Coyle, seconded by Cllr Mc Dermott it was resolved to defer the matter to later in the meeting.

C/11/23 **TO APPROVE THE CARRYING OUT OF WORKS WITH REGARD TO THE CONSTRUCTION OF PUBLIC CONVENIENCE FACILITIES INCLUDING A CHANGING PLACE UNIT AT LETTERKENNY RETAIL PARK, PADDY HARTE ROAD, LETTERKENNY**

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

On the proposal of Cllr Coyle, seconded by Cllr Kelly, the carrying out of works with regard to the construction of public convenience facilities including a changing place unit at Letterkenny Retail Park, Paddy Harte Road, Letterkenny was approved in accordance with Part XI of the Planning & Development Act, 2000 (as amended) and Part 8 of the Planning & Development Regulations 2001(as amended).

C/12/23 **AUTHORISATION OF COUNCIL REPRESENTATION AT ST PATRICK'S DAY EVENTS IN THE USA**

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

On the proposal of Cllr Harley, seconded by Cllr O' Donnell it was resolved that the Cathaoirleach, the Leas-Chathaoirleach and the Chief Executive and /or a designated representative attend the St Patrick's Day events in the USA. Members were informed that invitations had issued from the various Donegal Associations in the United States.

C/13/23 **TO NOTE OBLIGATIONS ON MEMBERS UNDER THE LOCAL ELECTIONS (DISCLOSURE OF DONATIONS & EXPENDITURE) ACT, 1999 AS AMENDED, TO SUBMIT A DONATION STATEMENT BY 31ST JANUARY 2023**

On the proposal of Cllr Mc Gowan, seconded by Cllr Gallagher members noted the requirement under the Local Elections (Disclosure of Donations & Expenditure) Act, 1999 to submit a Donation Statement by the 31st January, 2023.

C/14/23 **TO NOTE OBLIGATIONS ON MEMBERS UNDER PART 15 LOCAL GOVERNMENT ACT, 2001 ETHICS FRAMEWORK TO SUBMIT A DECLARATION OF INTEREST BY THE 28TH FEBRUARY, 2023**

On the proposal of Cllr Mc Gowan, seconded by Cllr Gallagher, members noted the requirement to submit an Ethics Declaration by the

28th February, 2023 in accordance with Part 15 of Local Government Act, 2001 (as amended)

Cllr Mc Brearty alluded to the fact that there was an onus on members to provide details of all their assets.

The Cathaoirleach noted that each councillor had a duty to fully disclose all relevant information. He referred also to the requirement to read the Code of Conduct for Councillors and return a signed declaration of same.

C/15/23 **DATE FOR SPECIAL MEETING TO FILL CASUAL VACANCY ON DONEGAL COUNTY COUNCIL.**

On the proposal of Cllr O' Donnell, seconded by Cllr Bradley it was resolved that a Special Meeting of Donegal County Council be held on Monday 13th February, 2023 to fill the casual vacancy on Donegal County Council occasioned by the resignation of Cllr Ian Mc Garvey.

C/16/23 **BOOKS OF CONDOLENCE - CREESLOUGH TRAGEDY**

Mr John Mc Laughlin, Chief Executive informed members that messages and books of condolence had been received from the following:

- New Row Presbyterian Church, Coleraine - Letter
- Mid & East Antrim Borough Council - Letter
- Meath County Council – Letter & Book of Condolence
- Northern Ireland Legislative Assembly – Letter
- Lord Mayor of the City of London – Letter
- Fingal County Council – Book of Condolence
- Newry, Mourne and Down District Council – Book of Condolence
- Westmeath County Council – Book of Condolence
- Causeway Coast and Glens Borough Council - Book of Condolence
- Sligo County Council - Book of Condolence
- South Dublin County Council - Book of Condolence
- Louth County Council - Book of Condolence
- Kerry County Council - Book of Condolence
- Northern Ireland Assembly - Book of Condolence
- Offaly County Council - Book of Condolence
- Laois County Council - Book of Condolence
- Waterford City & County Council - Book of Condolence
- Clare County Council - Book of Condolence
- Gallen Community School, Ferbane, Co Offaly - Book of Condolence

He thanked all who had forwarded messages of sympathy and said that any additional correspondence could be forwarded to his office. It was intended, he said, that all the books and expressions of condolence would-be put-on display in Creeslough.

TO CONSIDER AND APPROVE THE ADOPTION OF THE DONEGAL COUNTY COUNCIL ANNUAL SERVICE DELIVERY PLAN 2023, IN ACCORDANCE WITH SECTION 134 (A) OF THE LOCAL GOVERNMENT ACT, 2001

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

A lengthy debate ensued, and a range of issues were discussed including:

- That the language used in Item 3.6.3 should reflect the need to maintain and improve service delivery and be included as a specific target going forward whilst consolidating current strengths.
- Provision of a water tanker in Inishowen a priority.
- Additional commitment needed with regard to the maintenance of burial grounds and the provision of additional sites. Cross-party discussion on the matter needs to take place at SPC level.
- Hydrants- query as to the method of detection and whether or not they can be tracked. Suggested that they be located in closer proximity.
- Concern that East Donegal is not being prioritised in terms of economic and tourism development and that standalone tourism entity is needed for East Donegal.
- Access issues on footpaths arising from the location of wooden poles need to be addressed.
- Minor access routes into the county are in poor condition and continually neglected.
- Disability access issues require attention and specific emphasis is needed in relation to footpath access.
- Recycling costs should be reviewed particularly in relation to the disposal cost of larger items.
- Query with regard to the level of basic first aid training provided for fire service personnel.
- Need for a moratorium on Fire Service cutbacks.
- Reference made to the need for First Responders at Fire Service incidents.
- Minister to be contacted regarding the upgrading from a red to a blue service on the offshore Islands.
- Public lighting issues an ongoing concern.
- Pothole Repair Machine should be purchased as the current use of a coal mix is not working.

Mr Garry Martin, Director Economic Development, Information Systems and Emergency Services said that the Annual Service Delivery Plan reflected what was adopted in the Revenue Budget and what could be effectively delivered on this basis. Much of what had been discussed, he noted, could be dealt with by the various Strategic Policy Committees.

There were, he advised, no cutbacks in terms of the Fire Service and that year on year the Revenue Budget provided for the operational element.

With regard to the issue in Ballyshannon/Bundoran he said that all concerned were working to a conclusion and that there was nothing in the Annual Service Delivery Plan that would interfere with that objective.

There was, he advised, an ongoing objective to increase the number of water tankers and that provision of same was based on the relevant funding being available.

Services on the offshore Islands, he advised, were determined in accordance with the National Policy Community Fire Safety on offshore islands and any change in the status had to be looked at in the context of current policy obligations. It would be possible, he said, to write to the Minister but that general national policy favoured the community service model on the islands.

Fire Service personnel, he confirmed, were appropriately trained and training needs were addressed on an ongoing basis. There were a number of specifics here which, he advised, could be shared with the elected members.

In relation to the tourism aspect, Mr Martin said that Donegal was promoted as a county-wide brand given the need to have it marketed nationally and internationally as a recognised brand. There was acknowledgement that many of the issues raised in respect of the tourism product could be debated further at SPC level. He was, he advised, happy to explore how best to provide a safe and secure service through the SPC.

Mr Michael Mc Garvey, Director Water & Environment alluded to the fact that the strategic objectives of the plan were set out on pages 2 &3. Many of the issues raised, he advised, could be debated further in the SPC forum and he thus recommended that the members adopt the plan as presented.

Mr Bryan Cannon, A/Director Roads & Transportation said that the Roads & Transportation SPC had developed a Public Lighting policy and that operational could be looked at going forward in this context. On the issue of pothole repair he noted that an item of equipment had been trialled in 2022 and that a broader pilot was planned for 2023.

With regard to the query by Cllr Mc Gowan on footpaths, he referenced the Public Lighting and Public Infrastructure Fund and the availability of monies from this fund to address the issues concerned on an MD basis.

Cllr Crawford was informed that greater detail in respect of problems with public lighting issues could be considered in greater detail by the Roads & Transportation SPC.

Mr Patsy Lafferty, Director Housing, Corporate & Cultural Services responding to a query from Cllr Mc Brearty in relation to the construction of a housing scheme in Raphoe said that contactor concerned had gone into administration and that the Council was working with the administrator and the Department to get the outstanding works re-tendered and completed. He advised that the procurement process involved had been similar to that used in other projects

Cllr Mc Monagle queried how often general first aid training was offered to Fire Fighters and how often this was training was renewed.

Cllr Mac Giolla Easbuig asked that the Minister be contacted with regard to the upgrading of the fire status on the offshore islands from a red to a blue service.

Mr Michael Mc Garvey, Director Water & Environment said that he would follow up on the issues raised by Cllr Mac Giolla Easbuig in relation to Anagaire and an update provided to the Glenties members.

He thanked members for their engagement and said that it was hoped in 2024 to provide members with a copy of the plan at an earlier stage so that a more comprehensive input could be incorporated into the document.

On the proposal of Cllr Mc Gowan, seconded by Cllr Gallagher the Donegal County Council Annual Service Delivery Plan 2023 was adopted in accordance with Section 134 (a) of the Local Government Act, 2001(as amended).

C/18/23

BEACH BYE LAWS AMENDMENT - CONTROL OF DOGS ON BEACHES – “REGULATION AND CONTROL OF CERTAIN BEACHES (AMENDMENT) BYE-LAWS 2022”

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

Cllr N Crossan said that he agreed with the overall objective of the amendment but had reservations as to how the management and policing of the byelaws would be carried out.

Cllr Gallagher noted that there had been considerable discussion at SPC level, and a range of issues discussed. There was acknowledgement also of the fact that the introduction of same was necessary if blue flag status was to be retained for the designated beaches in the county.

On the proposal of Cllr Gallagher, seconded by Cllr Kennedy it was resolved to make the Bye-Laws – entitled “Regulation and Control of Certain Beaches (Amendment) Bye-Laws 2023” in accordance with the published Bye-Laws and subject to the amendment outlined in the report.

C/19/23

TO CONSIDER AND APPROVE THE POLICY IN RELATION TO THE SALE OF HOUSES UNDER THE TENANT (INCREMENTAL) PURCHASE SCHEME 2016.-THE POLICY IN RELATION TO HOUSING ACQUISITIONS - THE POLICY IN RELATION TO THE LOCAL AUTHORITY LOAN SCHEME.

Members considered the reports circulated with the agenda in relation to the above. It was unanimously agreed to deal with the items collectively.

Mr Patsy Lafferty, Director Housing, Corporate & Cultural Services gave a detailed presentation on each of the items outlined above. The Housing SPC had, he confirmed, acknowledged that there were challenges going forward and that the policies as outlined had attempted to address same, whilst aiming to ensure that a balanced and proportionate approach was taken. There had been, he advised, varying views with regard to the contents but that these had ultimately been endorsed by the SPC and were now before members for approval with the recommendation that they be reviewed after one year.

Cllr Mc Brearty said that he could not legally support items 6(a), (b) and (c) especially the policy on the Housing Acquisition Programme for legal reasons. This, he confirmed, was due to the ongoing Garda investigation into the five Defective Concrete Block houses purchased by Donegal County Council in March 2021 and the three sets of malicious proceedings issued against him by the Council and currently before the High Court. Supporting same, he added, could seriously damage his defence case in these proceedings and his counter action against the Minister for Housing, Local Government & Heritage and the Attorney General.

The Cathaoirleach called on Cllr Mc Brearty to stick to the issues on the agenda.

Cllr A Doherty enquired in relation to the following:

1. Whether all the housing stock built in the 1990s onwards was categorised as higher risk and as a result required more than a visual examination.
2. In reference to bullet point 2(b) will Donegal County Council identify and tender for the testing of blocks from its own housing stock?
3. Will the Council identify structural engineers who have been

trained to a specific standard and will they be identified to would be purchasers?

4. In relation to the proposed review process, would it be practical in light of the results from the ongoing research to have a quarterly review of the policies.

Cllr Mac Giolla Easbuig said that he could not support the policy in relation to the sale of houses, as a point of principle.

Cllr Sweeny on the Loan Scheme queried whether a potential buyer needed to provide a report in cases where the property was built prior to 1990. He said that there were questions to be asked in terms of the cost of the report and what leeway existed in relation to this aspect of the loan scheme. He also referenced that certain locations had challenges that others did not.

Cllr O' Donnell welcomed the fact that a road map had been provided and direction given. He said that he supported the policies as presented together with the associated review mechanism.

Cllr Gallagher said that it was imperative that something was put in place for all three categories. Welcoming the introduction of the policies, she said, that these would be influenced by ongoing developments at national level.

Cllr Mc Guinness noted that it was a live document and one that would react to changes in the environment. It was imperative, he added, that members were able to make the relevant edits and changes going forward.

Cllr Canning asked that the review be carried out on a six-month basis as there were many tenants on HAP, and instances where the landlord wanted to sell. There was a danger, he added, that the Council could miss out on funding. He asked for clarification on the "exceptional circumstances" provision.

Whilst supporting the policies in principle, he said that he could foresee that there would be difficulties in asking applicants to test the materials in properties that they had not yet purchased and that this would inevitably slow the process.

Cllr Mc Dermott agreed that a six-month review mechanism was more practical and acknowledged that there would be challenges in getting properties built after 2000 over the line.

Cllr Mc Monagle said that the Council had an onus to do something in relation to the current housing crisis. He welcomed the policies and the fact that there were specific safeguards. It was important also, he added, that staff had indicators as to what could be bought.

Cllr Crawford in relation to the self-build regulations queried whether or not these were Department or Council driven. He asked whether or not the Council was making it too prohibitive for those who wanted to build their own house, in terms of the cost element and the range of conditions to be complied with.

Cllr Mc Gowan noted the necessity to move forward and asked that the issues raised today be looked at in greater detail.

Cllr Harley outlined his support and said that it was important that young people had the opportunity to avail of loans which would enable them to get on the property ladder.

Cllr Farren said that it was important that people were given hope and that Council tenants had the opportunity to buy their houses out.

Cllr Kavanagh cited the need to have the operation of the policies concerned included as a live item on the agenda for each Housing SPC.

Mr Patsy Lafferty responding to the issues raised advised members of the following:

- That geographical location was considered in the policy to assist those in specific locations without having to go through the testing process, if appropriate.
- With regard to loans the seller of the house was responsible for providing the report and test results.
- In relation to the Tenant Purchase Scheme and houses from 1990s onwards that it was intended to test all of these and provide a report to the tenant in order for the tenant to seek their own independent advice.

The policies as presented, he advised, had been the subject of much discussion and varying views had been expressed. It was, he confirmed, a live document and would be updated after 1 year or earlier depending on changes in the national guidelines.

He said he was happy to have the matter kept under regular review at SPC meetings. On the issue of self-build, he noted, that there were a lot of national regulations to be applied and that the local changes related primarily to the testing of the blocks as opposed to the standard certification requirements.

Mr John Gallagher, Senior Engineer, with regard to new build, confirmed that the Housing SPC had talked primarily about the testing of the blocks and that was the major change to this element over and above the national provisions on self-build homes.

Cllr Mc Brearty at this juncture queried why he had not received a response to his queries.

Mr Patsy Lafferty, Director Housing, Corporate & Cultural Services said that he had taken notes on the issues raised and did not see anything specific raised by Cllr Mc Brearty regarding the policies as presented.

Cllr Mc Brearty said that the policies were legally flawed and was asked by the Cathaoirleach to stop naming specific staff in his commentary.

On the proposal of Cllr O' Donnell, seconded by Cllr Farren it was resolved to adopt the policy in relation to the sale of houses under the Tenant (Incremental) Purchase Scheme 2016.

On the proposal of Cllr Gallagher, seconded by Cllr Harley it was resolved to adopt the policy in relation to Housing Acquisitions.

On the proposal of Cllr T Crossan, seconded by Cllr O' Donnell it was resolved to adopt the policy in relation to the Local Authority Loan Scheme.

C/20/23

TO CONSIDER AND APPROVE THE MUSEUM'S STRATEGIC PLAN (2023-2027) INCLUDING A ONE YEAR IMPLEMENTATION PLAN FOR 2023

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

On the proposal of Cllr Gallagher, seconded by Cllr Sweeny it was resolved to approve the Museum's Strategic Plan (2023-2027) including a 1-year Implementation Plan for 2023.

Cllr Kelly requested that specific emphasis be placed on encouraging schools to make more use of the Museum and its facilities and that this be prioritised in the strategy as adopted. He asked also that an update be provided in respect of the Letterkenny Cultural Corridor.

C/21/23

TO APPROVE EXPENDITURE UNDER THE LETTERKENNY TOWN SOCIAL ENTERPRISE CAPITAL GRANT SCHEME IN 2023

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

On the proposal of Cllr O' Donnell, seconded by Cllr Coyle it was resolved to approve expenditure under the Letterkenny Town Social Enterprise Capital Grant Scheme, in accordance with Section 104 of the Local Government Act, 2001 (as amended).

C/22/23

TO NOTE THE DONEGAL COUNTY COUNCIL JOINT POLICING COMMITTEE ANNUAL REPORT 2022

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

C/23/23 **TO ADOPT A DONEGAL OUTDOOR RECREATION STRATEGY**
Members considered and noted the report circulated with the agenda in relation to the above.

On the proposal of Cllr Gallagher, seconded by Cllr Kennedy it was resolved to adopt a Donegal Outdoor Recreation Strategy.

C/24/23 **DONEGAL COUNTY DEVELOPMENT PLAN 2018-2024 (AS VARIED): VARIATION IN RESPECT OF WIND ENERGY POLICY FRAMEWORK: FINAL PROCEDURES IN RESPECT OF THE MAKING OF THE VARIATION**
Members considered and noted the report circulated with the agenda in relation to the above.

Mr Liam Ward, Director Community Development & Planning Services confirmed that the report was for noting and that no formal resolution was required. It set out, he added, the concluding statutory steps to be taken in relation to the wind energy policy framework in respect of the direction issued by the Minister in relation to the variation as moved by members in 2022. It included, he confirmed, the consolidated variation included in the Minister's direction and there was now an obligation to publish in the local press.

Cllr Gallagher said that whilst the outcome had been disappointing there was a need now to feed back to the Department in relation to the fact that landslide susceptibility and the distance from wind turbine to human habitation warranted further consideration at national level. This was essential, she contended, if protection was to be afforded to local communities and needed to be enshrined in national legislation.

Cllr Molloy expressed disappointment with the outcome and said that these were issues which would come to the fore again in the consideration of the new Development Plan.

C/25/23 **RAISING OF A LOAN IN THE SUM OF €10 MILLION EURO FOR THE PURPOSE OF FINANCING/COFINANCING THE VARIOUS CAPITAL PROJECTS**
Members considered the report circulated with the agenda in relation to the above.

On the proposal of Cllr Mc Dermott, seconded by Cllr Kennedy, it was resolved subject to the sanction of the appropriate Minister, the raising of a loan in the sum of €10m for the purpose of financing/co-financing the various capital projects listed in the Schedule attached to the report from the Head of Finance dated the 17th January, 2023.

C/26/23 **ENDORSEMENT OF MINUTES OF THE MEETING OF THE CORPORATE POLICY GROUP HELD ON THE 7th NOVEMBER 2022**
On the proposal of Cllr Kennedy, seconded by Cllr Harley, the minutes of the meeting of the Corporate Policy Group, held on the 7th

November, 2022 were endorsed.

C/27/23

ATTENDANCE AT CONFERENCE /SEMINAR/ EVENTS

Having noted the revised arrangements under Section 142 of the Local Government Act, 2001, together with the Local Government (Remuneration & Expenses of Local Authority Members) Regulations 2010 -2022, as amended and directives issued by the Minister in that regard, on the proposal of Cllr Mc Dermott seconded by Cllr Canning, it was resolved to authorise any member, if he/she so wished, to attend the following conferences/ events, subject to the normal procedures:-

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

Training

- AILG Elected Member's Training Programme – Module 1 “A Briefing on the Electoral Reform Act” to be held on Thursday 23rd February, 2023 (Northern & Western Region). Venue to be confirmed.
- LAMA Spring Seminar to be held from the 2nd to the 4th March 2023 in the West Lodge Hotel, Bantry, Co Cork. Brochure to be circulated.
- AILG Annual Conference to be held on the 19th and 20th April in the Hotel Kilkenny, Kilkenny. Details to be circulated.

Conferences

- “The Association of Irish Regions Conference” to be held from 7th – 9th February, 2023 in the Four Seasons Hotel, Monaghan.

Travel Abroad

- Attendance of the CPMR representative at the CPMR Fisheries Working Group meeting in Brussels on the 25th January, 2023.
- Attendance of the CPMR representative at the CPMR Political Bureau Meeting in Cartagena, Murcia, Spain on the 10th March, 2023.
- Attendance of the Cathaoirleach at the Irish American Business Chamber Network Ambassador's Awards in Philadelphia on the 24th February, 2023.

C/28/23

REPORT ON ATTENDANCE AT CONFERENCE /SEMINAR/ EVENT

Members noted the report submitted by Cllr O' Fearraigh in respect of the CPMR Fisheries Working Group Meeting held on the 6th October, 2022 in Brussels.

C/29/23

INTRODUCTION AND USE OF MODULAR HOMES TO HOUSE FAMILIES WHOSE HOMES ARE BEING DEMOLISHED OR REMEDIATED DUE TO DEFECTIVE BLOCKS.

On the proposal of Cllr McMonagle seconded by Cllr McDermott it was resolved to adopt the following motion.

“That this Council submits to the Department of Housing, Local Government and Heritage as a matter of urgency a proposal based on information received from Defective Block applications making a case for the introduction and use of Modular Homes to house those families most in need when their homes are being demolished or remediated due to Defective Blocks.”

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

He said that he had put forward the motion as a result of concerns expressed by families who were facing the demolition of their homes and the reality was that the accommodation options out there were extremely limited. The response, he advised, was disappointing and in his opinion did not take into consideration the seriousness of the situation.

He cited the need for a proposal to be submitted to the Department highlighting the accommodation need in the county, the cost involved and the availability of lands which could facilitate modular homes.

Alluding to the response, he queried what appropriate incentives were involved and what response had been received from holiday homeowners in relation to pledges of accommodation. All this, he said, needed to be represented in the proposal to the Department.

The €20,000 grant, he said, was not sufficient to cover the costs for those who had to move out of their homes and did not take into account the needs of people with disabilities. He thus called on the Council to use its resources and put a case together and get the Department to take on board the request from defective concrete blocks homeowners for modular type homes.

Cllr Mc Dermott supporting the motion said it was vital that a proposal was submitted and noted that the Minister had already requested same. It was critical, he contended, that the provision of modular home type accommodation was looked at for different areas throughout the county and a submission put on the Minister’s desk as soon as possible. He reiterated the fact that accommodation options were limited and that the use of mobile homes was not suitable for many families. There was also the possibility, he said, that modular homes could be used in the future for the Local Authority’s own use.

There was no opposition to the motion.

Mr Patsy Lafferty, Director Housing, Corporate & Cultural Services outlined the main elements of his response.

He clarified that the Council’s role and functions related primarily to social housing and administering grant schemes in respect of social

housing. Homeowner representatives, he stated, already had a direct liaison link with Government and that the Council would seek to support the homeowners in their liaison with Government and work through the established arrangements.

Cllr Mc Monagle in response, said he was not happy with the response or the clarifications. The Council, he advised, had the engineers and architects to collate such a submission.

Cllr Mc Monagle said that the publication of the new regulations would see an avalanche of applications and that the need for alternative accommodation would escalate. He stressed the need for a unified approach going forward.

Mr Patsy Lafferty, Director Housing, Corporate & Cultural Services in relation to a query on comparisons with other homeowner schemes clarified that the Pyrite Scheme was an end to end scheme, managed directly by a single agency, where homes were assessed, procured and fixed by the agency concerned. The new Apartment Scheme, he confirmed, appeared similar to the Pyrite Scheme. These two schemes, he added, were similar in nature but fundamentally different from the Defective Concrete Block Scheme.

Cllr Mc Monagle concluding said it was terrible that DCB homeowners were going to be treated differently from apartment dwellers who also deserved their remediation scheme. Something needed to be done urgently, he added, otherwise the application process would inevitably be delayed, and homes would continue to deteriorate. He said that the private sector would be unable to help as there was little or no accommodation available at this point in time.

C/30/23

REVIEW ZEBRA CROSSINGS WITHOUT BEACONS

On the proposal of Cllr McGowan seconded by Cllr Canning it was resolved to adopt the following motion.

"That Donegal County Council hold a public consultation to review Zebra Crossing's without beacons which are being piloted in Donegal as part of a national Department of Transport & NTA initiative and that advance advisory signage is erected immediately to inform drivers and pedestrians of new pedestrian crossing layouts ahead as well as the removal of any dangerous crossings."

Cllr Mc Gowan received a reply from the Director of Roads & Transportation in relation to the above. He said that he had been shocked at the lax approach taken by the T.I.I and the N.R.A in relation to the introduction of such a major change. He referred to Balybofey/Stranorlar in particular and noted that the apparent dangers had been well documented at MD level. It was noted that signage had been erected at the pilot area in Dublin, yet this had not been permitted in Stranorlar. He said given the dangers involved clarification was

needed and swift action undertaken within a dedicated timeframe to ensure that an accidents did not occur.

Cllr Canning supported the motion and concurred with this assessment.

There was no opposition to the motion.

Mr Bryan Cannon, A/Director Roads & Transportation outlined the main aspects of the response and said that Donegal County Council was participating in a TII led pilot project trialling an alternative to the traditional zebra crossings with yellow flashing beacons. Three locations had been selected around the county with Ballybofey and Stranorlar the location selected in Donegal. He noted that legislation had been enacted that introduced a new class of zebra crossing without flashing beacons and that this new class of zebra crossing could be installed with or without a sign facing oncoming traffic. He said that a public consultation process was ongoing and that DCC had issued press releases in this regard in June 2022 and January 2023 to raise awareness of the crossings. Donegal County Council he noted were currently collating all local media, local social media, direct correspondence and representations on the matter and would be submitting same with the observations of relevant staff to TII in the coming weeks with a view to determining changes to the pilot.

Cllr Mc Gowan noted that there was a significant response to the ongoing consultation and that one of the major issues was that people could not see the lines on the road especially on a wet day and that this was going to cause an accident.

Concluding, he asked that the T.I.I deal with the issue as a matter of urgency.

C/31/23

UPDATE ON THE APPLICATIONS FOR FLOOD RELIEF SCHEMES IN DONEGAL.

On the proposal of Cllr Jordan seconded by Cllr Kennedy it was resolved to adopt the following motion.

"I am asking the Department of the OPW for an update on the applications for a Flood Relief Schemes in Donegal with specific emphasis on the south of the county where householders and businesses live in fear in such flood risk areas."

Cllr Jordan received a response from the A/Director Roads & Transportation.

He said that funding received from the OPW in 2019 had been mostly for flood relief schemes in the north and northeast of the county.

There were a number of schemes, he said, in South Donegal including Killybegs, Rossnowlagh and Donegal Town who had missed out and

were still waiting funding approval. He alluded to Donegal Town in particular which had been identified by CFRAMS as being susceptible to all flooding types and where action was needed urgently. There had been three major flooding events here since 2015, it was acknowledged, and with up to 75 properties at risk of flooding the danger was significant. He noted that there had been extensive flooding also in 2019 in Killybegs.

Cllr Kennedy said the motion was timely and acknowledged the seriousness of the situation.

There was no opposition to the motion.

Mr Michael Mc Garvey, Director Water & Environment said that there had been a meeting with the Minister and the Chairman of the OPW where a strong case had been made for a number of schemes including the Donegal Town Flood Relief Scheme to be advanced. He noted that there had been good engagement to date and that the Climate Action & Environment SPC would be kept updated on the progress.

Cllr Jordan welcomed the fact that there was ongoing engagement and the commitment to write again to the Minister.

C/32/23

THAT THIS COUNTY OPPOSE ANY LICENCE BEING GRANTED BY MINISTER EAMONN RYAN IN RESPECT OF PROSPECTING IN DONEGAL

On the proposal of Cllr McMahon, seconded by Cllr Murray it was resolved to adopt the following motion.

"That this County oppose any licence being granted by Minister Eamonn Ryan in regards to prospecting anywhere in Donegal and that we support the action taken by Leitrim County Council." This would have a serious effect on Donegal such as tourism, clean water, rivers and many other scenic spots in the county."

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

He advised that the issuing of such licences would have serious implications for the people of Donegal and that there were major concerns regarding the impact on tourism. He alluded to the issues that had arisen in the Sperrins, as a result of prospecting licences being granted. These companies, he said, had no respect for the environment and would be nothing but a blight on the landscape.

He said that protection should be afforded in the new National Development Plan. These industries, he noted used millions of tonnes of water which contained fluoride and cyanide, and which were a

danger to the farming community. The Department, he contended, needed to be serious about granting such licences.

Cllr Murray seconding the motion noted that the issue was relevant in South Donegal and Inishowen and cited the need to learn from the mistakes that had been made in the Sperrins. He said that a proactive approach was needed and that it did not bode well that the leader of the Green Party was involved in the issuing of such licences.

There was no opposition to the motion.

Mr Liam Ward, Director of Community Development & Planning Services said that the granting of such licences was a function of the Minister and that Donegal County Council was only a notice party in the process. There was a requirement, he confirmed, to make the public notices regarding proposed prospecting locations available for inspection in the public offices. He noted that the Minister could grant the licence but potential mining operators were obliged to apply for planning permission under the Planning & Development Act, 2000 (as amended) and that the granting of same by the Minister did not have any material impact on the ultimate decision by the Planning Authority.

Cllr Mc Mahon concluding said that very often such companies used a cunning approach to get local communities on side and thus there needed to be more effective regulation in place.

C/33/23

THAT THIS COUNCIL CONDEMN THE GOVERNMENT'S PAPER ON AFFORDABLE HOUSING.

On the proposal of Cllr Marie T Gallagher, seconded by Cllr Jordan it was resolved to adopt the following motion.

"That this Council condemn the Government's paper on Affordable Housing, which excludes Donegal County Council from receiving funding under this scheme and agrees to a new policy within this Councils housing policy to ensure affordable homes are built alongside social housing projects."

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

She said it was a matter of serious concern that Donegal County Council could not apply for funding and that clearly a discriminatory approach had been taken at national level. She said that the crux of the matter was that in many cases even if a site was available, people were not in a position to fund the construction element.

She called for the threshold for access to the Social Housing list to be lifted by at least €15,000 and said that a percentage of social housing should provide for specific element of affordable housing.

Cllr Jordan seconding the motion said that very often young couples found themselves better off not working in terms of accessing social housing and that this was something that could change if a certain percentage were allocated as affordable.

Mr Patsy Lafferty updated members in relation to the Affordable Housing initiatives in place at present including the Local Authority Affordable Purchase Scheme and the First Home Shared Equity Scheme. He noted that Donegal was not one of the Local Authorities included in the Local Authority Affordable Purchase Scheme as LAs participating in the scheme had to demonstrate affordability challenges. He noted that proposals to operate an Affordable Scheme had to meet certain eligibility criteria and demonstrate affordability challenges through the preparation of a Housing Need and Demand Assessment. The HDNA he confirmed would be undertaken during the preparation of the Housing Strategy of the review of the County Development Plan which has now commenced and that subject to the outcome of this it may be possible to make a proposal to join the scheme. He stated that given the increase in house prices in the County contact had been made with the Housing Delivery Coordination Office with a view to determining if the Council could make a case for affordable housing for specific locations.

Cllr Sweeny said that he felt that the use of the word condemnation was too strong in this case given the explanation provided by the Director of Service and suggested that the wording be amended.

Cllr Gallagher noted that efforts were ongoing to get the scheme opened up to Donegal, but contended, however that the Government paper differentiated between postcodes. She said that she would not be amenable to amending the motion.

She called on members to support the efforts made by the executive in their efforts to access the Local Authority Affordable Purchase Scheme.

With regard to the First Home Shared Equity Scheme, she said that this was not available in very town and village and thus development was not progressing at the pace needed.

There was concern also that the Defective Concrete Block issue had not been taken into consideration and that by the time the 2024 Development Plan was in place it would be too late for many looking to own their own homes.

Cllr Canning queried why Donegal had been side-lined and not included in the scheme.

It was clarified by the Director of Service that the scheme had been introduced based on a national analysis of house prices and that house prices in rural Donegal had not been deemed to be significantly high to

warrant inclusion. The Council was, now, he advised looking to make a case for Donegal based on escalating house prices.

Cllr Sweeny said that if this was the case then it did not make sense to condemn the paper if the scheme was something that we were aiming to be a part of. He suggested that the wording be amended with reference to the pursuit of Donegal County Council's inclusion in the Local Authority Affordable Purchase Scheme.

Cllr Gallagher said the scheme was not equitable said that all needed to be treated the same. She said that she was not prepared to change the motion and that if Cllr Sweeny wanted to put a counter proposal then it should be put to a vote.

Cllr Sweeny said that he was prepared to propose that all should be part of the scheme and that it was sensible to encourage action on the scheme going forward. Cllr Harley said that instead of condemn it should read that all Local Authorities be included in the scheme.

After some debate it was agreed to let the motion sit as originally submitted by Cllr Gallagher.

C/34/23

THAT THIS COUNCIL OBJECT TO ANY CHANGES BEING MADE TO THE NOWDOC SERVICES

On the proposal of Cllr McClafferty, seconded by Cllr O'Fearraigh it was resolved to adopt the following motion.

"In the interest of our people and communities and for the people of Donegal, that we as a Council object in the strongest possible terms to any change being made to the NowDoc service (or any possible replacement by CareDoc) of which I understand plans are gathering at great pace to happen. We object to any change of such nature to the current NowDoc service model which covers all rural Donegal as well as all its towns and villages. Such a change if it were to come to pass would put both our hospitals and A&E under much more added pressure and stress in what is already a very unsatisfactory situation. This cannot be allowed to happen, and I am asking the Council please to write to our Health Minister Stephen Donnelly, to prevent such a move from taking place and to stress how serious this would be for Donegal and its residents. I kindly ask the Council without delay to write to Minister Donnelly personally on this matter and seek assurance that the NowDoc model will not be replaced."

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

He outlined the seriousness of the situation and the fact that any move to relocate the service management of the service to Co Carlow was not in the best interests of the people of Donegal. He called on

members to support the motion as effectively what was happening was that Donegal was being downgraded once again.

Cllr O' Fearraigh seconding the motion asked what the reasons were for the service change and said that such changes would inevitably put pressure on Letterkenny University Hospital on top of its existing problems.

There was no opposition to the motion.

Cllr Mc Cafferty concluding said that the NowDoc staff in Donegal had not been informed of the changes. It was imperative, he added, that there was no downgrading of services in Donegal.

C/35/23

THAT THE COUNCIL EXECUTIVE DEMAND A MEETING WITH THE BORD OF UISCE EIREANN REGARDING THE ONGOING UNACCEPTABLE DISRUPTION IN THE WATER SUPPLIES IN THE COUNTY

On the proposal of Cllr O'Fearraigh, seconded by Cllr Gallagher it was resolved to adopt the following motion.

"That the Council Executive demand a meeting with the Bord of Uisce Eireann regarding the ongoing unacceptable disruption in the water supplies in this county and a time frame of when this will be done, and also that the executive impress on Uisce Eireann the fact that Council Staff worked 24 hour shifts during the Christmas period and that they are commended for their hard work."

Cllr O' Fearraigh received a response from the Director of Water & Environment in relation to the above. He highlighted a number of issues that had occurred in the Glenties Municipal District and the fact that Uisce Eireann had not made any significant investment in the west of the county.

The current process whereby members attended dedicated online clinics was not working, he said, and communication difficulties with Uisce Eireann compounded the problem. Businesses were also suffering, he added, and this was reflected throughout the county.

Cllr Gallagher concurred with this and said that there were many meetings but no answers and that Uisce Eireann was not meeting with people at ground level. Clarity was needed, she said, as to when the necessary infrastructure would be put in place.

There was no opposition to the motion.

Mr Michael Mc Garvey, Director Water & Environment said that he had gone ahead and requested a meeting and that a response had been received which would be forwarded to the elected members. He noted that there had been a number of requests for same at Municipal District level and also on foot of a recommendation made at the recent County

Development Plan workshop. The Director of Planning & Community Development had, he confirmed written, to Uisce Eireann in light of the request made at the workshop.

Responding to a query from Cllr Kelly, he said, that he agreed that face to face meetings were more effective, but that online engagement had also been a useful forum.

He would, he said, continue to forward members requests to Uisce Eireann and issue the response as outlined previously.

Cllr O' Fearraigh concluding said that investment in water and sewerage infrastructure was one of the most pressing issues at present and that all concerned needed to make an effort to resolve ongoing problems.

C/36/23

THAT DONEGAL COUNTY COUNCIL PRIORITISE ATTENTION TO CULVERTS THAT ARE CONSISTENTLY PROVING TO BE PROBLEMATIC

On the proposal of Cllr T Crossan, seconded by Cllr A Doherty it was resolved to adopt the following motion.

"That Donegal County Council, in light of recent flooding events, prioritise attention to culverts that are consistently proving to be problematic and consistently cause damage to adjacent properties." He received a response from the Director of Roads & Transportation in relation to the above.

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

He noted that there had been significant damage in 2017 and in subsequent flooding events. As a result, he called for culverts to be prioritised in order to prevent any further damage.

Cllr Crossan commended Donegal County Council employees who had carried out remedial works and cited the need to look immediately at all the preventative measures required.

Cllr A Doherty supporting the motion noted that there had been considerable debate at MD level and that a dedicated focus was needed on maintenance issues.

There was no opposition to the motion.

Mr Bryan Cannon welcomed the comments in relation to the Roads staff and said that if members had concerns then they should be brought to the attention of the Roads area staff.

Cllr Crossan asked that special attention be given to the matter and specific preventative measures put in place.

THAT DONEGAL COUNTY COUNCIL SECURE EXTRA FUNDING TO PURCHASE MORE GRITTING VEHICLES

On the proposal of Cllr Farren, seconded by Cllr N Crossan it was resolved to adopt the following motion:

“That Donegal County would seek to secure extra funding from central Government to purchase more vehicles with the aim of extending the road gritting programme.”

Cllr Farren received a response from the Director of Roads & Transportation in relation to the above. He paid tribute to the Roads staff in the Inishowen Municipal District and the excellent service that they provided. The following areas, he said should be included on the gritting programme:

- Road from the Crossroads at Greencastle to Shrove in light of its location on the Wild Atlantic Way.
- Road from Ballinacrea Chapel to Glen.

There had been serious difficulties in these areas, he noted, during the last period of bad weather causing serious disruption for many people and for those delivering specific services. Issues here, he contended, needed to be addressed sooner rather than later in the interest of road safety. Whilst welcoming the response, he said, that something needed to be done for the areas outlined above and that all that was involved was a 4km stretch of road.

Cllr N Crossan supporting the motion thanked the roads staff for their excellent work over the winter in relation to the gritting programme.

Mr Bryan Cannon, A/Director of Roads & Transportation thanked members for their comments and said that he could appreciate the sentiment expressed in the motion. He informed the meeting that there were over 1,140km of public roads in Donegal with 21 designated gritting routes. Staff, he advised, had done an excellent job during the last poor weather episodes and local staff in inclement weather do their best to keep routes safe.

Extensions to the gritting programme, he advised, required considerable examination including the time taken by the lorry to get to the route, the length of the route and the number of staff available. Other considerations included the volume of the grit, the screed rate and the availability of alternative routes.

He agreed to write to the Department of Transport and Transport Infrastructure Ireland to seek additional funding for winter maintenance.

Cllr Farren in his summary asked if his concerns could be taken on board and said that he was at a loss as to why a short 4km route could not be included.

THAT THIS COUNCIL REVIEW AND REASSESS SPENDING PRACTICES IN THE PURSUIT OF PROVIDING BEST VALUE FOR MONEY

On the proposal of Cllr N Crossan, seconded by Cllr Kennedy it was resolved to adopt the following motion.

"That this Council review and reassess spending practices in the pursuit of providing best value for money in accordance with the priority needs of the people of Donegal."

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

He said that in the current climate the Council could not keep going back to the business owners for additional monies and that spending needed to be prioritised so to get specific programmes of work over the line.

Going forward, he said, that a survey should be carried out in relation to each budgeted project or event and the following taken into consideration:

- Is it a standalone project or event?
- Can it be developed on foot of a community event?
- Location.
- Can it be developed into a perennial event?
- What is the net addition to the hospitality sector?
- Could we support community driven events better?
- Need to assess events we support annually and assess their viability.
- In terms of issues such as water running onto roads, assessment needed in relation to the cost to the Council and how this can be addressed.
- Housing properties are we reproofing for the future?
- Delay in retrofitting properties is leading to loss of revenue.
- Public lighting and value for money.

He called for an evaluation to be carried out within all divisions and where service provision was inadequate immediate action taken. It was acknowledged that there were between 1.8 and 2 million working hours in Donegal County Council and that if these could be managed just 1% better then there would be an associated increase in productivity. This 1% saving, he said would have little impact on services and would ensure that the taxpayer would not have to again bear the brunt of being levied with an increased rates bill.

Cllr Kennedy outlined her support for the motion.

There was no opposition to the motion.

Mr Richard Gibson, Head of Finance, outlined the fact that there were many processes and structure within the local government system which were designed to achieve accountability and best value for money for the citizen. He alluded also to the statutory obligations on local authorities in terms of spending decisions and how public money is spent which are shared across the reserved and executive functions of Council. There was acknowledgement also of the range of oversight, audit, risk management and governance mechanisms in place to enhance transparency and accountability. He noted that no system is infallible but that the practices outlined above provided as far as possible a solid foundation for meeting the needs of the citizens of the County and maximising value for money across Council services. This Council, he said, had a strong emphasis on governance and it achieved value for money in most things that it does.

Cllr Crossan noted that there was a thread running through the response in respect of good governance, transparency, accountability, and audit. He said that he was aware of the stringent controls involved in local authority spending but was looking for mechanisms to be put in place which would ensure that value for money was achieved in all aspects of spending. Concluding, he said, that the Council needed to lead by example in terms of its own spending habits before it reached out again to the taxpayer.

C/39/23

THAT THIS COUNCIL PUT A POLICY IN PLACE THAT 5% OF ALL SOCIAL HOUSES CONSTRUCTED WITHIN THE NEXT 5 YEARS FOR THE SOLE PURPOSE OF RESIDENTS WITH SPECIAL NEEDS

On the proposal of Cllr Canning, seconded by Cllr Molloy it was resolved to adopt the following motion.

“I would ask this Council to put in place a policy that would guarantee the delivery of 5% of all social houses constructed in the next 5 years for the sole purpose of occupancy of residents with special needs in so far as complete disability friendly, independent living quarters for full-time carers and purpose built sensory adaptable rooms.”

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

He welcomed the comprehensive response and said that a flat piece of concrete should be left at construction stage to facilitate the development of a completely adaptable house.

The Housing Programme, he noted, had envisaged the building of 600 units going forward and he contended that a least 30 of these should be built to facilitate disability friendly accommodation.

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

a small communal building in smaller developments that could accommodate 3 to 4 young people.

Cllr Canning asked that going forward a blank site is left in all housing estate developments to accommodate those with special needs, as currently this type of accommodation tends to be kept on the back burner. He said that, he hoped, to see in the next few years around 30 houses made available for this purpose.

Cllr Molloy supporting the motion said that the Disability Strategy Committee had just recently discussed the need for fully equipped accommodation locally. This, he said, made sense as it ensured that people were kept in their own environment and were able to live locally.

There was no opposition to the motion.

Mr Patsy Lafferty, Director Housing, Corporate & Cultural Services said the motion was timely and consistent with recent discussion by the Housing & Disability Steering Group. He said that the Council was very much committed to improving and expanding social housing provision for people with disabilities and had engaged with a range of stakeholders. He said that housing accommodation alone is often not sufficient to improve the lives of people with disabilities. Effective interagency co-operation was essential, he added, to meet the housing needs and other required supports.

Going forward, he said that the principle of the motion could be achieved where the Council is developing a social housing scheme on its own landbank and could reserve a portion of the overall development site for specified needs accommodation, where such a need has been identified in a town or village. This would ensure where the interagency supports were not fully in place when a scheme was being developed that a site or sites could be identified within the development, and then reserved so that construction could begin when all the associated supports were in place.

Cllr Canning thanked members for their support and asked that the matter be considered further by the Disability Strategy Committee and the Housing SPC so that it can be incorporated into the new County Development Plan.

C/40/23

MULTI-ANNUAL PLAN TO INCREASE THE NUMBER OF PUBLIC HOSPITAL BEDS IN DONEGAL

On the proposal of Cllr Murray, seconded by Cllr A Doherty it was resolved to adopt the following motion.

"That this Council calls for the implementation of a multi-annual plan to increase the number of public hospital beds in Donegal, and throughout the State, including more acute inpatient, sub-acute hospital beds and community step-down beds to speed up hospital admissions and

discharges; further, this Council calls for the use of all necessary, available private beds during times of severe pressure on the public health system."

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

He said that the shortage of hospital beds had been an ongoing issue over the last 17 years and that the crisis showed no sign of abating. It was essential, he added that measures were taken immediately to alleviate the pressure on the health service. He called on the Minister to take heed of the concerns being raised and to put in place all the necessary resources.

Cllr Doherty seconding the motion noted that a Donegal County Council Health Committee had been set up as a result of ongoing concerns with the items referred to in the motion. He said that the multi-annual plan required both the HSE and HIQUA to be totally involved. He alluded also to problems with step down facilities and the fact that in a designated period there were 16 beds available but not in use in the Inishowen area. This was something, he said, which could be driven by the Health Committee. The motion, he acknowledged, was timely and he welcomed the fact that it would be forwarded to the Minister for his attention.

There was no opposition to the motion.

Cllr Murray thanked members for their support.

C/41/23

RSA/NDLS SERVICE

On the proposal of Cllr A Doherty, seconded by Cllr T Crossan it was resolved to adopt the following motion.

"That Donegal County Council demand that RSA ensure that SGS Ireland and NDLS maintain and deliver an accessible, open and assistive service to the people of Donegal and that Donegal County Council also liaise, press and offer facilities to NDLS to provide services at the PSC in Inishowen"

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

He highlighted the fact that services were being reduced in Donegal with limited access in both Letterkenny and Donegal town since the start of 2023. Back in 2015, he said, a motion had been adopted calling for the Public Service Centres to be made available to accommodate the NDLS services. That motion, he said, had been driven by the fact that the National Driving Licence Service at that time had been curtailing and reducing services and was not delivering for 95% of the

population of Donegal. Another area of concern, he said, was the fact that currently the NDLS refused to accept cash.

He called on the NDLS to maintain the service in existence at present and be open and assistive to the people of Donegal. He requested that the Executive forward a significant letter to the RSA asking that services be maintained and that the Council offer its facilities in the Municipal Centres for use by the NDLS service.

Cllr T Crossan concurred with this and outlined his support for the motion.

There was no opposition to the motion.

Cllr Doherty said that he would make no apology for asking for a quality service for the people of Donegal.

C/42/23

CATHAOIRLEACH'S BUSINESS

Votes of Sympathy

A vote of sympathy was extended to the following:

- Aideen Doherty, Ukrainian Response Co-ordinator on the death of her father, Patrick H Doherty.
- Former Cllr Ian Mc Garvey on the death of his daughter, Marina Mc Garvey.
- Bridie Mc Brearty formerly Housing on the death of her father, Willie Doherty.
- Rose Patton, Roads on the death of her father, Anthony Chambers.
- The family of the late Gary Crossan, formerly Environment (DCC Dog Shelter).
- The family of the late Harry (Henry G) Quinn, Roads Section, Donegal Municipal District.
- Martina Carr, (Environment - County Laboratory) on the death of her mother Anna Galligan.
- Brian Mc Groarty, Roads Section, Donegal Municipal District, on the death of his mother, Ursula Mc Groarty.
- The family of the late Charlie Moohan, Retired Waterworks Inspector.
- John Morrow, Environment Litter Unit on the death of his mother, Bridget.
- Denis Mc Mullin, Water Services on the death of his mother, Josie Mc Mullin.
- Ross Hannigan, Road Design on the death of his father, Phonsie Hannigan.

Events Attended

- Donegal Enterprise Awards which took place in Rockhill House on Friday 2nd December, 2022.

- Launch of the Library ASD & Sensory Services in the Twin Towns Library, Stranorlar on the 6th December, 2022.
- Annual Delegation to Transport Infrastructure Ireland in Dublin on Thursday 8th December, 2022.
- Attendance at Donegal County Council Joint Policing Committee on Monday 16th January, 2023 in the presence of Commissioner Drew Harris and the Chief Superintendent, Aidan Glackin.
- Donegal Sports Star Awards held in the Mt Errigal Hotel, Letterkenny on Friday 27th January, 2023.

C/43/23

CHIEF EXECUTIVE’S MANAGEMENT REPORT

Members considered the report and addendum circulated with the agenda in relation to the above. Details were provided in respect of the following:

1. Community Development & Planning Services

- A. RRDF and URDF Funding Programmes Update
- B. Town and Villages Programme 2022
- C. Outdoor Recreation Infrastructure Scheme 2022
- D. Riverine Project Update
- E. Creeslough Working Group

2. Water and Environment

- A. Regional Energy Agency for the North West City Region
- B. Environment Update
 - (i) *Christmas Campaigns*
 - (ii) *2022 Tidy Towns Awards*
 - (iii) *Social Media Environment Awareness Videos*
 - (iv) *New Bring Bank Locations – Milford and Falcarragh*
 - (v) *Litter Fine Statistics 2022*
 - (vi) *Household Food Waste - Statistics*
- C. Climate Action
 - (i) *Local Authority Climate Action Plan*
- D. Flood Relief Scheme

3. Housing, Corporate & Cultural Services

- A. Cultural Services
 - (i) *Creative Ireland*
 - (ii) *Read DL*

- (iii) *Inishowen Trad Orchestra and Choir*
- (iv) *Letterkenny Trad Week*
- (v) *Exhibitions*
- (vi) *Preparation of New County Donegal Heritage Plan*
- (vii) *National Famine Commemoration – Donegal 2023*

B. Housing

- (i) Income Eligibility Thresholds for Social Housing Support

4. Roads & Transportation

- A. Areas Update
- B. National Roads Office Update
- C. Piers and Harbours Update

5. Roads & Transportation

Community Recognition Fund 2023

The Chief Executive said that members could come back directly if there was any specific issue that required clarification.

The following questions were submitted.

C/44/23

UPDATE ON THE NATIONAL REVIEW OF THE RETAINED FIRE SERVICE MODEL

Cllr McMonagle submitted the following question:

Can I have an update on the national review of the Retained Fire Service Model - Has it been completed and what are the outcomes of the review?

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

C/45/23

AVAILABILITY OF LANDS FOR THE BUILDING OF MODULAR HOMES

Cllr McMonagle submitted the following question:

Has the OPW or any other Government Department been in contact with this Council in relation to the availability of lands for the building of Modular Homes and have they discussed with Council their intended use?

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

C/46/23

DIRECTORATE REVIEW

Cllr Brogan submitted the following question:

Has this Council any plans to review the Directorates of this Council to ensure that the resources are following the priorities?

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

C/47/23 **UPDATE ON THE CURRENT STATUS OF THE TEN-T PROJECT**

Cllr Brogan submitted the following question:

Can we have a updated report on the current status of the TEN-T Project, Bonagee Link, Manorcunningham to Lifford, Ballybofey and Stranorlar By-Pass?

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

C/48/23 **UPDATE ON THE URDF, RRDF, GREENWAY, ACTIVE TRAVEL, CLIMATE ADAPTATION AND ALL CAPITAL PROJECTS INCLUDING THE PIERS & HARBOURS**

Cllr Brogan submitted the following question:

Can we have an updated report on the URDF, RRDF, Greenway, Active Travel, Climate Adaptation and all capital projects being undertaken by this Council including the Piers and Harbours?

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

C/49/23 **PRIOR SCHOOL COUNTY ARCHIVE PROJECT**

Cllr Crawford submitted the following question:

In Budget 2022 funding was allocated to enable action to identify works required to enable the School to be brought to the standard required to present as the public contact point regarding archive enquiries. What action has the Council taken to date to progress this?

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

C/50/23 **HOW MANY STAFF POSITIONS ACROSS THE COUNTY ARE TEMPORARY ACTING POSITIONS**

Cllr McGowan submitted the following question:

Please give details on how many staff positions across the county are temporary acting positions such as Roads, Litter Wardens, Housing etc with an explanation in each case as these temporary acting positions affect both the relevant staff member and the smooth running of local services.

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

C/51/23 **HOW MANY SOCIAL HOUSES ARE UNDER CONSTRUCTION IN EACH MD AND THE COMPLETION DATE FOR EACH**

Cllr Crawford submitted the following question:

How many Social Houses are under construction in each MD and what is the expected completion date for each?

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

C/52/23 **HOW SUCCESSFUL HAVE ENERGY CONSERVATION MEASURES BEEN IN THE COUNCIL'S PUBLIC BUILDINGS**

Cllr Crawford submitted the following question:

How successful have energy conservation measures been in the Council's Public buildings?

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

C/53/23 **WHY ARE SPECIALISED POTHOLE REPAIR MACHINES NOT USED DURING COLD WET WINTER MONTHS**

Cllr McGowan submitted the following question:

Why are specialised pothole repair machines not used during cold wet winter months especially on roads in the east of the County which are more susceptible to freezing temperatures causing damage to road surfaces? Using cold deferred- set tar during wet and frost is not the solution.

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

C/54/23 **CAN I HAVE AN UPDATE IN RELATION TO THE STATUS OF FIRE STATIONS IN THE COUNTY**

Cllr McMahon submitted the following question:

Can I have an update in relation to the status of Fire Stations in the county?

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

C/55/23 **COST OF NEW WATER CONNECTIONS FOR ONE-OFF HOUSING**

Cllr Gallagher submitted the following question:

Has this Council received any correspondence from Irish Water regarding the costs of new water connections for one-off housing?

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

C/56/23

HAS THIS COUNCIL UNDERTAKEN ANY RESEARCH ON THE PROSPECT OF MODULAR HOMES AS PERMANENT RESIDENCE

Cllr Gallagher submitted the following question:

Within the preparations for the new County Development Plan has this Council undertaken any research on the prospect of modular homes as permanent residence being a prospect for housing in this County?

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

C/57/23

DEER CULLING POLICY FOR DONEGAL

Cllr McClafferty submitted the following question:

Has there been any updates since our last meeting on a Deer Culling Policy for Donegal and if not, when do you envisage a response will be received?

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

C/58/23

NCT DELAYS

Cllr McClafferty submitted the following question:

With the current problem of NCT delays does the Council see themselves as having any role to play in possibly speeding up matters or any suggestions to put forward on this matter?

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

C/59/23

ADDITIONAL FUNDING FOR THE BACK OF EARAGAIL ROAD

Cllr O'Fearraigh submitted the following question:

Could this Council write to the Department for additional funding for the Back of Earagail road?

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

C/60/23

WHAT IS THE PROCEDURE IN GETTING OLD TELEGRAPH POLES REPLACED AND WIRES PUT UNDERGROUND

Cllr Canning submitted the following question:

What is the procedure in getting old telegraph poles replaced and wires put underground?

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

C/61/23 **HOW MUCH DOES IT COST TO REPLACE A TELEGRAPH POLE AND INSTALL WIRES UNDERGROUND**

Cllr Canning submitted the following question:

How much does it cost to replace a telegraph pole and install wires underground and who is the contact to pursue this?

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

C/62/23 **EV CHARGES SCHEME**

Cllr A Doherty submitted the following question:

Has Donegal County applied and signed up to the Electric Vehicle on street public charges scheme? (2019) or will DCC apply and sign up to the scheme and is Donegal County Council pursuing the provision of mobility and/or fast charging hubs for Electrical Vehicles and if so at what locations in the County?

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

C/63/23 **HOW MANY FORESHORE LICENSES HAVE BEEN ISSUED IN RESPECT OF LOUGH FOYLE'S WESTERN SHORE IN THE LAST 10 YEARS**

Cllr T Crossan submitted the following question:

How many foreshore licenses have been issued in respect of Lough Foyle's western shore in the last ten years?

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

C/64/23 **ENERVEO AND PUBLIC LIGHTING SERVICE PROVISION**

Cllr A Doherty submitted the following question:

Will Donegal County Council request from ENERVEO an improvement and increase in their personnel and resources to enable an improvement in the provision and delivery of services in the County?

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

C/65/23

CURRENT POLICY AND/OR PRACTICE REGARDING HUMAN RIGHTS COMPLIANCE IN PROCUREMENT

Cllr Murray submitted the following question:

Can this council set out the current policy and/or practice regarding human rights compliance in procurement (including divestment if required due to human rights violations)?

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

C/66/23

QUERIES RECEIVED IN RELATION TO ECONOMIC INVESTMENT PER ELECTORAL AREA

Cllr Murray submitted the following question:

Can this Council quantify the amount of queries received in relation to economic investment per electoral area across the county?

He received a response from the Director of Economic Development, IS & Emergency Services.

C/67/23

MOTIONS FROM OTHER COUNCILS/BODIES

Members noted the motions from other Councils/Bodies.

CORK COUNTY COUNCIL

That Cork County Council would write to the Government and the Minister for Finance to reintroduce an income tax credit scheme to incentivize and encourage many more Irish people to take out personal health insurance cover while also preserving the existing rebate of up to €200.00 at the point of purchase.

CORK COUNTY COUNCIL

“That Cork County Council would write to the Minister for Housing, Local Government & Heritage of Ireland to express concern at the proposed Planning & Development Bill coming before cabinet this week which will limit local Councillors’ powers. The proposed bill seeks to change the term of the County Development Plan to ten years which is far too long. Members also agreed to circulate the letter to all local authorities as well as LAMA and AILG.”

CORK COUNTY COUNCIL

That Cork County Council would write formally to the Minister for Transport requesting that his Department (Department of Transport) would contribute financially to the LIS Scheme (Local Improvement Scheme). Presently, all funding comes from the Department of Community & Rural Development. The anomalies in the scheme in which there must be two active farmers on the scheme and people have to reapply. It was also agreed that a copy of this letter would be circulated to the Minister for Community & Rural Affairs.”

CORK COUNTY COUNCIL

“That Cork County Council call on the Minister for Transport to consider that Uber be allowed to operate in this Country. Due to the lack of taxi availability leading to isolation for member of rural communities. Uber could be a welcome resolution.”

KERRY COUNTY COUNCIL

“That we Killarney MD write to the relevant Ministers requesting that when the Ukrainian Refugees return home, when it’s safe to do so, that we would retain their current accommodation for the homeless and those on our Local Authority Housing List, where possible. If passed, I request this would be circulated to all other Local Authorities.”

LEITRIM COUNTY COUNCIL

“That Leitrim County Council call on this Government to hold, without any further delay, the long promised referendum on voting rights for Irish citizens abroad.”

LIMERICK COUNTY COUNCIL

“That Limerick City and County Council call on the Minister for Transport to adopt a policy at National level to have bus shelters constructed where there is a bus stop and that this Motion, if adopted, be circulated to all local authorities.”

MAYO COUNTY COUNCIL

“Calling on the Minister for Housing & Local Government to make a fund available to enable the taking in charge of estates across Ireland that have been taken in charge to address the legacy issue which is denying estates basic access services across our country. If supported, that the motion be circulated to all local authorities for support.”

MEATH COUNTY COUNCIL

“Meath County Council calls on the Government to amend the Electricity Regulation Act and associated legislation to allow for the consideration and possible implementation of nuclear power generation in Ireland.”

MONAGHAN COUNTY COUNCIL

“That this Council calls on the Minister for Health, Department of Health and the HSE to put in place proper, sensitive procedures to avoid any future retention of a baby’s organs, at post-mortem, without the express permission of the parent, to request that:

- Clear, written communication on consent forms be discussed with families at the time of death/prior to post-mortem taking place.
- Best practice models be examined from other countries to ensure the Irish systems is fit-for-purpose and with proper oversight.
- Communication of post-mortem results be respectful and delivered by meeting with assigned medical professional – clear, definition of this

process should immediately become standard procedure for all hospitals.

- Post-mortem documentation should include a clear, concise and fully completed document for families.
- In cases where organs need to be retained, reasons must be clearly explained and a swift timeframe for their return must be communicated to parents.

Monaghan County Council demand that an investigation take place into the cases outlined by Primetime (RTE) on 3rd November 2022 and any other similar case that were not highlighted and that:

- Families who have had organs from their baby retained, be informed of what was taken away and why, and what happened to the organs. These families should be afforded an in-person meeting to be give details.
- An independent inquiry takes place to determine why Consultant A was continuously used as a private pathologist after being found to be negligent in his form public-sector pathology role. This inquiry should also find reasons to why earlier recommendation, made by independent reviews, were not implemented.
- Clarification is needed on whether Consultant A is still conducting perinatal post-mortems.

“Monaghan County Council also asks that in cases where Parental Consent is not requested (Coroner’s post-mortem) that parents are still fully informed on organ retention and length of retention period.”

NORTHERN & WESTERN REGIONAL ASSEMBLY

“This Assembly (NWRA) propose and fully support Cancer Care West and the National Breast Cancer Research Institute in their proposed development of Cancer Centre for the West and North West of Ireland and seek the immediate appointment of a design team to progress a fit for purpose cancer hospital at UHG and build complimentary cancer care infrastructure at regional hospitals in accordance with balanced regional development a cancer care network for the Saolta region (West, North West) with a Cancer Centre at Galway University Hospital with appropriate infrastructure will be delivered (National Development Plan 2021-30).”

This concluded the business of the meeting.