

**MINUTES OF MUNICIPAL DISTRICT OF LETTERKENNY MEETING HELD
IN THE LETTERKENNY PUBLIC SERVICES CENTRE ON
TUESDAY, 15 JANUARY 2019**

MDL486/19 **MEMBERS PRESENT**

Cllr. Liam Blaney
Cllr. Ciaran Brogan
Cllr. Gerry McMonagle
Cllr. Adrian Glackin
Cllr. Jimmy Kavanagh
Cllr. Michael McBride

MDL487/19 **OFFICIALS PRESENT**

Liam Ward, Director of Service
Fergal Doherty, S.E.E./Area Manager, Roads & Transportation
Joe Ferry, A/Senior Executive Chemist
Carol Margey, Executive Planner
Patricia McIntyre, Area Manager
Christina O'Donnell, Development Officer
Linda McCann, Senior Staff Officer

In the absence of Cllr. Ian McGarvey, the meeting was chaired by Mayor, Cllr. Michael McBride following the proposal of Cllr. Liam Blaney and seconded by Cllr. Ciaran Brogan.

MDL488/19 **APOLOGIES**

Cllr. Ian McGarvey
Cllr. John O'Donnell
Cllr. James Pat McDaid

MDL489/19 **MATTERS ARISING FROM THE MINUTES**

There were no matters arising from the Minutes of 13 November 2018.

MDL490/19 **ADOPTION OF MINUTES OF MDL MEETING HELD ON 13 November, 2018**

On the proposal of Cllr. Ciaran Brogan and seconded by Cllr. Jimmy Kavanagh, the Minutes of MDL Meeting held on 13 November 2018, were adopted.

MDL491/19 PARKING DRUMONAGHAN WALK, RAMELTON

This motion was deferred in the absence of Cllr. Ian McGarvey:

“That this Council provide Parking at Drumonaghan Walk, Ramelton.”

The Members were advised:

“Drumonaghan Woodland Walk is in the ownership of, and is the responsibility of Coillte. The car park requirements can be highlighted to Coillte at an interagency meeting.”

MDL492/19 HEDGING BRIDGEND, KILMACRENNAN ROAD

This motion was deferred in the absence of Cllr. Ian McGarvey:

“That the Council deal with the hedging on right hand side of the road as you leave the Bridgend on the Kilmacrennan Road.”

The Members were advised:

“Roads will assess and implement required measures.”

MDL493/19 SEWERAGE SCHEME – MILFORD, RATHMULLAN RAMELTON

Cllr. Ciaran Brogan advised that Cllr. Ian McGarvey requested that this motion is amended and forwarded to Plenary Council . On the proposal of Cllr. Ciaran Brogan and seconded by Cllr. Liam Blaney, the following motion was sent to Plenary Council:

“That this Municipal District seriously consider the proposed Sewage Scheme for the towns of Milford, Rathmullan and Ramelton; No 1 Discharge Point, No -2 location of treatment Plant, and if it is for Primary, Secondary or Tertiary Treatment. I am asking that this Council establish beyond doubt that Irish water will not be allowed to impose such a Scheme on the people of this area such an offence.”

The Members were advised :

“In the event that this motion is adopted by Letterkenny Municipal District Committee, Donegal County Council will forward this submission to Irish Water (IW), and request that IW respond directly to Councillor McGarvey with their response and copy it to the other Elected Members of Letterkenny Municipal District. Any response received by the Council will be passed on to Councillor McGarvey.

There are a number of avenues available to the Elected Members to raise queries/ questions with Irish Water which include:

- Use of the dedicated Local Representative telephone number.

- *IW has also provided a dedicated Local Representative Support Service email.*
- *Arranging to meet with IW Staff at the Clinic for Elected Members available in the County House, Lifford prior to the County Council Plenary Meetings.*

Irish Water will have to apply to Donegal County Council for certain approvals/permissions/licences for which the Council has a statutory function in relation to the scheme. Applications such as applications for planning permissions and road closures to facilitate construction works, etc, will be assessed in accordance with legislation and guidance and will also invite submissions from the public.”

MDL494/19 ROAD MAINTENANCE MANORCUNNINGHAM

This motion was deferred in the absence of Cllr. James Pat McDaid:

“That this Council liaise with the current Roads Engineer in the Manor area which the Letterkenny area will be inheriting this year after the Local Elections to make sure that these roads are being maintained and are on Roads Programmes where necessary in the interim.”

The Members were advised:

“Inishowen Area Roads have included Manor ED roads on their maintenance programme and have undertaken significant road maintenance and flood repair works in the area during 2018.”

MDL495/19 VISION LINES OLD RASHEDOGE BRIDGE

This motion was deferred in the absence of Cllr. James Pat McDaid:

“That this Council take immediate action to improve the vision lines at the Old Rashdeoge Bridge in Glenswilly at the junction heading in the back road towards New Mills bridge.”

The Members were advised:

“Roads are making arrangements to have the vegetation cut back at this location over the coming weeks.”

MDL496/19 VISION LINES - CULLION ROAD JUNCTION

This motion was deferred in the absence of Cllr. James Pat McDaid:

“That this Council take immediate action to improve the vision lines at the Cullion road junction at Letterkenny ready mix.”

The Members were advised:

“Roads continue to maintain hedges and signs/markings at this junction such that the maximum available sight lines are maintained, and have recently negotiated further removals of hedgelines to be carried out in the coming weeks. The long term solution at this junction lies in its realignment, for which the Council have developed plans, as part of the Southern Relief Road, for which an application for funding has been made to the Government.”

MDL497/19 STREET LIGHT ROSEMOUNT COTTAGES, KILMACRENNAN

This motion was deferred in the absence of Cllr. John O’Donnell:

“Calling on this Council to install a street light on the back lane at Rosemount cottages, Kilmacrennan.”

The Members were advised:

“Installation of street lighting will be decided on in accordance with the ongoing 3 Year Public Lighting Programme. Following confirmation of funding in 2019, it is intended that a workshop to discuss 2019 Street lighting installations will take place.”

MDL498/19 ARTWORK BESIDE N56 AT KILMACRENNANAN

This motion was deferred in the absence of Cllr. John O’Donnell:

“Calling on this Council to install art work on the N56 on way into Kilmacrennan relating to the history of our village as part of the new roadworks from the Bluebanks to the Village.”

The Members were advised:

“DNRDO advise that there will be funding for an Art Scheme associated with the Road Scheme. DNRDO will liaise with the Arts Officer regarding the type of scheme and possible location.”

MDL499/19 SPEED RAMPS LOWER MOUNT MARIAN

This motion was deferred in the absence of Cllr. John O’Donnell:

“Calling on this Council to install speed ramps at Lower Mount Marian, Milford following request by concerned residents.”

The Members were advised:

“Roads will assess for the appropriateness of measures, and what measures are suitable, at the entrance to this estate.”

MDL500/19 GARDA RESOURCES

On the proposal of Cllr. Adrian Glackin and seconded by Cllr. Gerry McMonagle, the following motion was adopted:

“That this Council calls on the Government to provide extra Garda resources to the area. Garda numbers in Donegal continue to fall while crime, unprovoked assaults and dangerous driving are still a concern among citizens.”

The Members were advised:

“Should the motion be adopted the Council will follow up with the Department of Justice & Equality.”

On proposing the motion, Cllr. Glackin advised of the considerable reduction of Garda resources and Community Garda in Donegal since 2016 and asked that a letter was sent to the Minister for Justice requesting that adequate resources would be provided to Donegal. There has been an increase in number of crimes, assaults and break-ins and there is no Garda presence in rural areas and no adequate resources available to Garda in the county. Cllr. Glackin called for an increase in resources in conjunction with Brexit.

On seconding the motion, Cllr. McMonagle fully supported the motion and spoke of the depletion of the force, lack of personnel and resources, no vehicles available in stations. Cllr. McMonagle called for an increase in Community Policing and a review of border policing in conjunction with Brexit.

Cllr. Kavanagh asked if the motion could be amended to give consideration to the provision of Garda Reserves in Letterkenny. Cllr. Glackin agreed to the amendment however requested that the priority be given to the increase in Garda personnel and resources.

MDL501/19 CCTV LETTERKENNY AREA

On the proposal of Cllr. Adrian Glackin and seconded by Cllr. Gerry McMonagle, the following motion was adopted:

“That this Council supports the Letterkenny Chamber of Commerce in obtaining extended CCTV in the Letterkenny area.”

The Members were advised:

“The Council supports the Chamber of Commerce in extending CCTV in the Letterkenny area, and along with the Gardaí, have worked with the Chamber, in

preparing their application for funding to the Department.”

On proposing the motion, Cllr. Glackin referred to recent assaults in Letterkenny and the assistance CCTV can give in carrying out investigations and the use of CCTV as a preventative measure.

On seconding the motion, Cllr. McMonagle fully supported the motion.

Liam Ward said the Council was supportive of the Chamber of Commerce in Letterkenny, Ballybofey/Stranorlar and Carndonagh. There was a query in relation to the Data Controller Role and this had been raised nationally. The Council were looking at issues with extending the existing system in Letterkenny and agreed to come back to Members on this with a view to support the Chamber of Commerce.

MDL502/19 HOME HELPS

On the proposal of Cllr. Adrian Glackin and seconded by Cllr. Gerry McMonagle, the following motion was adopted:

“That this Council acknowledges the wonderful support and services provided by Home Helps in the area and calls on the Minister for Health to sanction more funding for the provision of home help in this District. Additional home help can help alleviate overcrowding at hospitals by caring for some elderly patients who have to remain in hospital as they have no one to care for them at home.”

The Members were advised:

“The motion is noted and if adopted the Council will make contact with the Minister for Health.”

On proposing the motion, Cllr. Glackin spoke of the invaluable work and support given by the Home Help Service in particular to patients and their families. This service had been reduced considerably and Cllr. Glackin said if the service was increased this would help alleviate overcrowded hospital crisis.

On seconding the motion, Cllr. McMonagle fully supported the motion and commended helpers that go beyond their duty as there was not enough time allocated to each patient. Cllr. McMonagle asked that the Government invest more in community services.

MDL503/19 SIGNAGE FOR TWINNING OF LETTERKENNY WITH RUDOLSTADT

On the proposal of Cllr. Jimmy Kavanagh and seconded by Cllr. Ciaran Brogan the following motion was adopted:

“That the Council erect signage indicating that Letterkenny is now twinned with Rudolstadt, Truringia, Germany.”

The Members were advised that:

“The motion is noted, and if adopted this will be arranged.

On proposing the motion, Cllr. Kavanagh asked that the Council erect signage at the entrance to Letterkenny town.

On seconding the motion, Cllr. Ciaran Brogan supported the motion.

MDL504/19 ILLEGAL DUMPING WINDMILL VIEW

On the proposal of Cllr. Jimmy Kavanagh and seconded by Cllr. Ciaran Brogan, the following motion was adopted:

“That the Council investigate and deal with the illegal dumping issue at the rear of Windmill View in Letterkenny.”

The Members were advised:

“The Council is aware of this issue and investigations are ongoing. It is planned to carry out an extensive clean up of the area concerned in the coming weeks.”

On proposing the motion, Cllr. Kavanagh stated that dumping was ongoing for sometime and asked that this was cleaned up and that the Council make every effort to establish who is dumping.

On seconding the motion, Cllr. Ciaran Brogan fully supported the motion and raised the concern of residents in Windmill View. Cllr. Brogan asked that the Council to examine developing this area for housing, improve public lighting and footpaths. Cllr. Brogan asked that a report be prepared on the potential development of this area.

MDL505/18 INVITATION TO IRISH WATER

On the proposal of Cllr. Gerry McMonagle and seconded by Cllr. Ciaran Brogan the following motion was adopted:

“That this Council invite Irish Water into our next Municipal District meeting to get a Presentation and Updates from them on ongoing works in our Municipal District including their Plans for Upgrading Water and Sewage infrastructure in the Leck/South Letterkenny area of the Town.”

The Members were advised:

“In the event that this motion is adopted by Letterkenny Municipal District Committee, Donegal County Council will forward this submission to Irish Water (IW), and request that IW respond directly to Councillor McMonagle with their response and copy it to the other Elected Members of Letterkenny Municipal District. Any response received by the Council will be passed on to Councillor McMonagle.

There are a number of avenues available to the Elected Members to raise queries/questions with Irish Water which include:

- Use of the dedicated Local Representative telephone number.*
- IW has also provided a dedicated Local Representative Support Service email.*
- Arranging to meet with IW Staff at the Clinic for Elected Members available in the County House, Lifford prior to the County Council Plenary Meetings.”*

On proposing the motion, Cllr. McMonagle asked that a meeting was arranged with Irish Water and Members in order that Members can be fully informed of the ongoing and proposed works in Letterkenny by Irish Water in order to answer queries from the public when contacted. In particular, Cllr. McMonagle asked for a meeting with Irish Water and the appointed Contractor to answer queries in respect of ongoing works on Circular Road following a deputation from businesses in this area prior to the meeting.

Cllr. McMonagle highlighted the need for more interaction with the public face to face to alleviate any confusion in respect of road closures, in particular, on Circular Road as this was affecting businesses and jobs in the area.

On seconding the motion, Cllr. Ciaran Brogan fully supported the motion and asked that the Council and Irish Water meeting the residents in this area to address their concerns. Cllr. Brogan spoke of the difficulties in meeting Irish Water at the allocated time during Plenary Council meetings and asked that the dedicated Liaison Officer be appointed to liaise locally with Elected Members and residents.

MDL506/19 TRAFFIC MARKINGS AT JUNCTION OF HIGH ROAD AND JOHN MCLAUGHLIN WAY

On the proposal of Cllr. Gerry McMonagle and seconded by Cllr. Adrian Glackin, the following motion was adopted:

“That this Council installs a Yellow Box on the High Road at the junction with John Mc Laughlin Way to facilitate traffic in and out of this road which services the New Courthouse and Apartment Block.”

The Members were advised:

“This yellow box to be reinstated following the completion of civil works in this location, which are not complete.”

On proposing the motion, Cllr. McMonagle spoke of the congestion and the request from residents for a Yellow Box to allow traffic turn right coming out of the entrance to the Court House and apartments. Cllr. McMonagle asked that the Council also improve the footpaths in this area and the provision of a Pedestrian Crossing.

On seconding the motion, Cllr. Glackin fully supported the motion as presented by Cllr. McMonagle.

MDL507/19 PROTECTION OF LIFE SAVING EQUIPMENT

On the proposal of Cllr. Gerry McMonagle and seconded by Cllr. Adrian Glackin, the following motion was adopted:

“That this Municipal District investigates ways and means to protect our Life Saving equipment, i.e., lifebuoy and Throw ropes from theft and vandalism.”

The Members were advised that:

“The placement of ringbuoys at many locations throughout Ireland has contributed to the saving of many lives. Regrettably, there are still incidents of malicious damage and theft to these lifesaving appliances and there is a continuing need for the public to be made aware, in unambiguous terms, that damage or theft of such ringbuoys or the attached rope, could result in the loss of life. Efforts continue to educate the public that "A Stolen Ringbuoy can mean a Stolen Life".

The Local Authorities maintain Ringbuoys as lifesaving appliances nationwide. The purpose of these Ringbuoys is twofold: firstly they act as a constant visible reminder of the danger that the Aquatic environment represents, and they are intended to be used to effect a life-saving rescue of any person who may find themselves in distress. Some irresponsible members of the public vandalise these lifesaving appliances. There is obviously a financial cost to this vandalism to be borne by the ratepayers and taxpayers, but the serious risk is to human life caused by the deliberate damage to this equipment. Donegal County Council appeals to the public to assist in maintaining these vitally important lifesaving appliances in good condition at all times. Any person seen tampering or in possession with these lifebelts should be reported to the Council and/or the Garda Station. The Gardai have been successful in convicting members of the public for interfering with and damaging lifesaving equipment but they require the public's assistance in successful prosecutions.

Irish Water Safety commenced a collaborative project with all the Local Authorities which involved designing a sticker which was placed on Ring buoys around the country, which read 'A stolen ringbuoy a stolen life'. This initiative has been successful in reducing the degree of vandalism and damage to them however there is a small number of members of the public who persistently remove and damage ring

buoys. We seek the public's support in dissuading and preventing this unnecessary damage."

On proposing the motion, Cllr. McMonagle spoke of the seriousness as outlined in the response of Ringbouys being stolen and asked that people that do this to think of the serious implications of their actions. Cllr. McMonagle asked that the Council look at companies that develop tracking devices for life saving equipment.

On seconding the motion, Cllr. Glackin fully supported the motion.

MDL508/19 25TH ANNIVERSARY OF AINTREE GRAND NATIONAL WIN BY ROUGH QUEST

On the proposal of Cllr. Michael McBride and seconded by Cllr. Ciaran Brogan the following motion was adopted:

"That Donegal County Council would consider marking the 25th Anniversary of Downings native Mr Terry Casey achievement winning the Aintree Grand National with Rough Quest ridden by Irish National Hunt legend Mick Fitzgerald."

The Members were advised:

"The motion is noted and if adopted the Council will be guided by the suggestions from the Members on the most appropriate and financially viable option to mark the occasion."

On proposing the motion, Cllr. McBride spoke of Terry Casey winning the Aintree Grand National in 1996 which was a huge achievement at the time for someone in Donegal. Cllr. McBride asked that the Council ensure a project was in place to mark the 25th Anniversary in 2021 and liaise with family members. A possible footpath/walkway between Downings and Carrigart with memorial markers along the route would be effective.

On seconding the motion, Cllr. Brogan fully supported the motion and commended the achievement and contribution of the Casey family to tourism in the area and the potential of further tourism with such a project.

MDL509/19 CONTROLLED PEDESTRIAN CROSSING AT PORT ROAD

On the proposal of Cllr. Michael McBride and seconded by Cllr. Gerry McMonagle the following motion was adopted:

"Following the decision to grant planning for a Supermac's so close to the Tesco roundabout in Letterkenny I am again asking for a proper controlled crossing to be put in place on the IT side of the Port Road for the safe crossing of pedestrian and cyclists as a matter of urgency."

The Members were advised:

“The Council will undertake an assessment of need for a pedestrian crossing between the IT and Tesco Roundabout and the suitability of introducing one at this location and report back to the Letterkenny MD.”

On proposing the motion, Cllr McBride highlighted his concerns in relation to traffic management, pedestrian safety and asked that controlled crossings would be put in place for pedestrian and cyclist safety.

On seconding the motion, Cllr. McMonagle fully supported the motion.

MD510/19 STREET LIGHT NEW LEITIR ROAD

On the proposal of Cllr. Michael McBride and seconded by Cllr. Liam Blaney the following motion was adopted:

“That Donegal County Council erect a street light at the new Leitir junction in Kilmacrennan on the N56 as a matter of urgency.”

The Members were advised:

“Installation of street lighting will be decided on, in accordance with the ongoing 3 year Public Lighting Programme. Following confirmation of funding in 2019, it is intended that a workshop to discuss 2019 street lighting installations will take place.”

On proposing the motion, Cllr McBride asked that a light was put in place as this was a busy junction and taking into consideration the current development of a playground and football pitch. The Contractor was willing to take power across to the traffic island. Cllr. McBride asked that the TII review it's policy as there was lighting at numerous junctions throughout the county that was outside the speed limit of the town.

On seconding the motion, Cllr. Blaney fully supported the motion and asked Roads to take a further look at this.

MDL511/19 OLD HOTEL SITE MAIN STREET, MILFORD

On the proposal of Cllr. Liam Blaney and seconded by Cllr. Michael McBride the following motion was adopted:

“That this Council does a report and present it at our next Municipal meeting on 12th February on what options are available to us to purchase the old Hotel site on Main St, Milford.”

The Members were advised:

“Under the Rural Regeneration and Development Fund (RRDF), Donegal Co. Council has made application to fund detailed master planning for a number of towns across the County, one of which is Milford. While this application was not included in the funding announced in late November 2018, it is understood that a further round of allocations will be made in early 2019.

The overall plan for the towns in question is to draw up proposals to attract investments from the range of funding programmes available to develop high quality Urban and Rural settlements which contribute to Regeneration, Compact Growth, providing viable Housing options in towns and villages core areas and develops opportunities for Economic regeneration on brownfield sites etc. It is accepted that to make this happen in a meaningful way, this programme of work must address the following areas of work utilising the legislation available at present;

- (i) Vacant Sites*
- (ii) Derelict Sites*
- (iii) Casual Trading*
- (iv) Rates Incentives*

In the absence of RRDF funding, the Council is currently examining options to progress this work and details will be presented to Elected Members in the coming weeks. It is envisaged that the work will include:

- Identify and investigate key strategic development sites and locations for regeneration within Town Centre environments*
- Engage with all relevant stakeholders as necessary*

It is suggested that this proposal be considered within this overall work programme. It should also be noted that the building in question is on the National Inventory of Architectural Heritage.”

On proposing the motion, Cllr. Blaney asked if the Council would purchase the property to assist with the regeneration of the town. Options that could be considered would be provision of car parking, car charging points and asked that if the Council purchased the property the Council would consult with people in Milford on it's overall development.

On seconding the motion, Cllr. Mc Bride fully supported the motion.

Liam Ward clarified that the Council was not suggesting housing would be the only option and that there was a need to secure funding streams, i.e. RRDF and a proposal to look at a number of towns including Milford. It was important that the building was not on the list of Protected Structures.

MDL512/19 PART 3 GAMING AND LOTTERIES ACT, 1956

On the proposal of Cllr. Ciaran Brogan and seconded by Cllr. Michael McBride the following motion was adopted:

“I propose that this Municipal District initiate the process to adopt Part 3 of the Gaming and Lotteries Act of 1956 for this District.”

The Members were advised:

Gaming and Lotteries Act 1956 (as amended) –

The 1956 Act as amended remains the principal legislation covering the matter – although it has been indicated for some time that it is to be substantially updated and replaced.

Gaming is defined in Section 2 of the Act as meaning –

“playing a game (whether of skill or chance or partly of skill and partly of chance) for stakes hazarded by the players.”

Section 4 of the Act contains a general prohibition on promoting, assisting in promoting or providing facilities for any kind of gaming –

“(a) in which by reason of the nature of the game, the chances of all the players (including the banker) are not equal, or

(b) in which any portion of the stakes is retained by the promoter or is retained by the banker otherwise than as winnings on the result of the play, or

(c) by means of any slot machine”.

However, there is an exception to the general prohibition where gaming is carried on at a licenced amusement hall or funfair as provided for in Part III of the Act. Such licenced gaming is subject to compliance with the conditions in Section 14 and those of of the court certificate and Licence granted.

Council role

The Council’s role in the matter comes in under Section 12 of the Act which provides that Part III (dealing with the provision for licenced gaming) applies only in an area where is at the relevant time a resolution in force (made by the Council under Section 13) adopting Part III.

The Council can adopt or rescind such adoption as it may decide. The adoption can be for all or part of the Council’s administrative area (however see further below what is stated regarding the role now of the MD members).

Where a resolution adopting Part III is in force it permits licences to be granted for gaming at a particular amusement hall or funfair (subject as above). However before applying for a licence, the Applicant must first obtain a certificate from the District Court on an annual basis in accordance with Section 15 and the Court may attach conditions to any such certificate in accordance with Section 15(4).

Procedure for adoption under Section 13 –

- (a) If the MD members wish to consider the adoption of Part III in all or part of the MD, they would firstly have to decide to initiate the procedure.*
- (b) Once that is done at least one month's notice of intention to propose the adoption has to be given in writing to each MD member and also published in at least two newspapers circulating in the area. In practice this would mean a gap of two months between the decision of the MD members to initiate the procedure and a decision being made by the members to adopt or otherwise Part III.*
- (c) If a resolution is passed adopting Part III there is a further requirement to publish notice of that fact in at least two newspapers circulating in the area and also to send copy of the resolution to the Minister.*

History of previous adoption of Part III of the 1956 Act in the County –

At a stage Part III was adopted throughout the County but in 1986 decisions were made in all areas in the County (apart from the Bundoran Town area) to rescind the adoption. These decisions were contentious at the time and led on to a number of legal challenges in the higher Courts which ultimately failed and the rescinding of Part III was affirmed. That remains the position up to the current day and the former Bundoran Town area is still the only place in the county where licenced amusement halls can operate.

Role of Municipal District Members following the enactment of the Local Government Reform Act 2014 –

Since 2014 and the commencement of the term of the current Council, the Council functions under Section 13 of the 1956 Act are generally matters for the MD members in accordance with Section 131A(1)(a) and Schedule 14A Part I (reference no. 43) of the Local Government Act 2001 as amended by the 2014 Act.

On proposing the motion, Cllr. Brogan asked for the Members support to initiate Part 3 of the Gaming and Lotteries Act, 1956 in order to support businesses that are compliant with the Council, Revenue and creating jobs which are being impacted by this Legislation. Cllr. Brogan spoke of the accessibility of gambling online and how this has changed in the past 30 years.

On seconding the motion, Cllr. McBride supported the motion and in particular supporting businesses who have invested in stock and premises.

Liam Ward outlined the process as detailed in the response.

Cllr. Blaney voiced his concern regarding opening up further gambling opportunities when there was an excess readily available and asked that the decision would be deferred to the next meeting.

Cllr. Kavanagh also voiced concern in that these premises are currently legal in one area and if Part 3 is adopted making existing premises outside of this area legal and potential to open up further gambling.

Cllr. Brogan advised that the Members were at this point allowing the process to commence through public consultation.

The Members agreed to proceed to commence the process and obtain the feedback of the public through the public consultation process.

MD513/19 SECOND LEVEL SCHOOLS

On the proposal of Cllr. Ciaran Brogan and seconded by Cllr. Gerry McMonagle the following motion was adopted:

“I propose that this Council facilitate and engage with second level education schools in Letterkenny with a view to discuss their plans and visions for their needs towards the 2040 Government Plan that identifies huge growth in this area and in turn engage directly with the Department of Education as we are now reviewing our Letterkenny Town Plan.”

The Members were advised:

“Engagement has been initiated in December 2018 with the Department of Education and Skills as part of the work to prepare a Local Area Plan for Letterkenny. The initial communication has requested discussion in relation to the spatial land use planning requirements for education services in Letterkenny in the light of the future growth proposition and identification of Letterkenny as a regional centre in the National Planning Framework. In addition and in parallel, steps are currently being taken to meet directly with the principals of the secondary and primary level schools serving Letterkenny in order to identify the schools individual land use issues and plans and this communication will build upon the contact that was made with the local education providers in May and June 2018 during the preliminary consultation process. Letterkenny MD members will be fully briefed on the progress of these meetings through the scheduled workshop in respect of the Local Area Plan on 12th February 2019. “

On proposing the motion, Cllr. Brogan said it was important that the schools were included in the Letterkenny Area Plan and asked that the Council directly engage with Boards of Management to establish the needs in growth of the schools, Greenfield sites, etc. Cllr. Brogan asked that the Council consult with Minister Joe McHugh also.

On seconding the motion, Cllr. McMonagle in supporting the motion spoke of the LYIT plans for development in the future.

MD514/19 NEW SOCCER PITCH GLENCAR LETTERKENNY

On the proposal of Cllr. Ciaran Brogan and seconded by Cllr. Gerry McMonagle the following motion was adopted:

“I propose that this Council identifies suitable land to facilitate a new soccer pitch in the Glencar area of Letterkenny to support the local community.”

The Members were advised:

“The identification of appropriate lands for the provision of Sporting and Recreational facilities will form part of the considerations for the Local Area Plan for Letterkenny which is currently being progressed. It is proposed to publish the Draft LAP for Letterkenny in Q2 2019 and there will be further engagement with MD members in advance of this. The Council has assisted many sporting clubs to develop and improve their facilities through the Development Fund Initiative and other funding programmes. The main source of funding for sporting clubs to develop facilities is the Sports Capital Programme and the Council has in the past assisted clubs in making applications under this programme.”

On proposing the motion, Cllr. Brogan said that this motion was previously raised by Cllr. McMonagle and asked that the Council find a suitable site to give to a Community Group in the area to secure funding to develop a football pitch similar to Ballyraine.

On seconding the motion, Cllr. McMonagle advised that the football team in the area does not have a pitch and cannot get access to facilities in the town due to high demand. Cllr. McMonagle said that there were very little playing facilities in the housing developments in this area.

MDL515/19 MAYORS BUSINESS

Liam Ward in the absence of the Mayor referred to a letter received from the Mayor in Rudlstat thanking Members for their hospitality during the visit and extending an invitation to their St. Patrick’s Day celebrations this year.

On the proposal of Cllr. Ciaran Brogan and seconded by Cllr. Liam Blaney it was agreed that the Mayor and Deputy Mayor should attend the celebrations on behalf of the Letterkenny Municipal District.

MDL516/19 CORRESPONDENCE

Patricia McIntyre advised of the following correspondence for Members to consider:

Use of Council land at Neil T. Blaney Road to facilitate a Charity Truck Run on 31st March, 2019 – Proposed by Cllr. Liam Blaney, seconded Cllr. Jimmy Kavanagh.

Inland Fisheries request to attend the February meeting – Proposed by Cllr. Ciaran Brogan and seconded by Cllr. Jimmy Kavanagh.

Request from West Dunbartonshire Council to establish a friendship agreement with Letterkenny Municipal District for the purpose of encouraging education, sport and tourism – Proposed by Cllr Jimmy Kavanagh and seconded by Cllr. Ciaran Brogan.

MDL517/19 ENVIRONMENT

The Members noted the report as circulated with the agenda and the following issues were raised:

517.1 – Ballywhoriskey Pier

Cllr. Liam Blaney asked for an update on the upgrading works agreed by Ballywhoriskey Pier.

The Members complimented the work of the staff on the Mobile Litter Unit.

MDL518/19 COMMUNITY ENTERPRISE & CULTURAL SERVICES

The Members noted the report as circulated with the agenda and the following issues were raised:

518.1 – Great Arches

The Members welcomed the funding for the Great Arches.

518.2 – Town & Village Renewal Scheme

Cllr. McBride advised that the Churchill Play Park would be opened on St. Patrick Day and complimented the local Committee, the Council and the contractor on this great facility.

MDL519/19 ROADS & TRANSPORTATION

The Members noted the report as circulated with the agenda.

MDL520/19 HOUSING AND CORPORATE SERVICES

The Members noted the report as circulated with the agenda and the following issues were raised:

520.1 – Turnkey in Carrigart

Cllr. Blaney asked for an update on progress on the turnkey for Carrigart. Patricia McIntyre advised that Carrigart Stage 1 in Principle was received on Council owned lands which the Council encountered difficulties with the land condition.

520.2 – Minister for Housing visit to Donegal

The Members thanked the Minister for Housing for his visit to Donegal on Friday, 11th January and the meeting held with Members.

Cllr. McMonagle raised the need for housing and asked that the Council would not provide a two tiered system of housing and ensure that all houses are of a high standard.

Cllr. Brogan said the Minister advised that funding was available for extra resources should a case be made for extra housing maintenance staff.

520.3 – Housing Developments

Cllr. Blaney asked for a report on the number of house purchases in the past two years and the number of social housing units built and location of same.

***MDL521/19* PLANNING & ECONOMIC DEVELOPMENT**

The Members noted the report as circulated with the agenda.

Questions

***MD522/19* OBSTRUCTION AT BANK TERRACE, RAMELTON**

In answer to his question on what had been done on the obstruction on Bank Terrace and Line for Pedestrians to Cemetery from the Bridge, Cllr. Ian McGarvey was advised:

“Roads were previously in liaison with the landowner regarding the slippage onto the County Road, and will re-engage with a view to rectification.”

***MD523/19* CARPARK AT RAMELTON CEMETERY**

In answer to his question on what was done about the proposed Carpark at the Cemetery in Ramelton, Cllr. Ian McGarvey was advised:

“There is currently no identified budget or location, for the construction of a carpark at Bank Terrace Burial Ground.”

MD524/19 LOW BARRIERS MILFORD/KERRYKEEL ROAD

In answer to his question on whether this Municipal District would replace the low Barriers on the Milford / Kerrykeel Road, Cllr. Ian McGarvey was advised:

“The budget cost for the replacement of the Safety Barriers is €75,000. There is currently no identified budget to replace these barriers. Roads could replace to the extent of any allocated budget.”

MD525/19 FOOTPATH FROM LETTERKENNY TO CONWAL GRAVEYARD

In answer to his question on when the Council would expect work to commence on the footpath leading from Letterkenny to Conwal graveyard, Cllr. James Pat McDaid was advised:

“The Council propose to commence works around the end of February with a view to their being completed in May”.

MD526/19 CRASH BARRIER AT GLENMAQUINN SCHOOL

In answer to his question requesting an update on his previous motion regarding erecting a crash barrier at Glenmaquinn school, Cllr. James Pat McDaid was advised:

“Design consultants RPS are currently developing a design such that roads will be in a position to tender. Further update to follow once tendered price is received.”

MD527/19 ROADMARKINGS ROCKHILL ROAD

In answer to his question on whether this Council would consider putting some road markings on the Rockhill road where the road narrows very quickly from a wider stretch between the Rockhill gates and the big tree at Bomany Junction, Cllr James Pat McDaid was advised:

“Roads plan to get this work done in March / April 2019, weather permitting, when the lining contractors have been appointed.”

MD528/19 FOOTPATH CARRIGART TO DOWNINGS

In answer to his question on whether there had been any progress on the footpath from Carrigart to Downings, Cllr. John O’Donnell was advised:

“This scheme required a Stage 2 Appropriate Assessment as it is within a Special Area of Conservation (SAC). The Natura Impact Statement NIS was completed in 2017 but funding was not in place to allow the NIS be considered by An Bord Pleanala. Funding has been confirmed in November 2018, the NIS has been reviewed and it is anticipated that the scheme will be advertised in the next two weeks, inviting representation from

the public. In the event that the scheme is approved by An Bord, then the way is clear to apply for funding under one of the appropriate schemes.”

MD529/19 **ELECTORAL MAPS AND REGISTERS FOR NEW ELECTORAL AREAS**

In answer to his question on when would each Elected Member be provided with a set of good quality electoral maps and registers for the new areas, Cllr. John O’Donnell was advised:

“Confirmation is currently awaited from the Department in relation to the detailed technical description of the recommended electoral areas. Upon receipt of same detailed illustrative maps will be made available to the members together with the respective registers. It is expected that these will be provided shortly.”

MD530/19 **ALLOCATING RAMELTON COUNCIL HOUSES**

In answer to his question on when would the houses that the Council bought in Ramelton be ready for allocating, Cllr. John O’Donnell was advised:

“This is ongoing at present and Members will be updated as progress is made.”

MD531/19 **RE-NAMING OF CARPARK AT OLD MART, LETTERKENNY**

In answer to his question on when would the renaming of the carpark at the Old Mart in Letterkenny to "Hugh Duffy Carpark" take place, and could a date in the near future be agreed, Cllr. Jimmy Kavanagh was advised:

“The event will be arranged shortly on a date that is mutually acceptable to the Members.”

MD532/19 **RE-ERECTION OF PLAQUE AT THE PIER, RATHMULLAN**

In answer to his question on whether the Council could retrieve and re-erect at The Pier in Rathmullan the plaque commemorating the opening of the viaduct in 1934 and the quay head in 1957 which was opened by Sean Lemass, the plaque was removed and is now lying behind the playground, Cllr. Jimmy Kavanagh was advised:

“The Council will investigate this.”

MD533/19 **DERELICT SITES REGISTER**

In answer to his question on whether this M.D. had a Derelict Site Register and if so how many Derelict Sites are Registered, Cllr. Gerry McMonagle was advised:

“The Derelict Sites Register is managed at County level by the Central Planning Unit, County House, Lifford, in accordance with the provisions of the Derelict Sites Act 1990.

There are currently 18 no. sites on Co. Donegal’s ‘Derelict Sites Register’ of which 2 are in the Letterkenny MD area at the following locations;

- Ballyare, Ramelton*
- Tamney, Fanad*

A targeted review of derelict sites in the central areas of Letterkenny is ongoing in tandem with, and to inform, the preparation of the Letterkenny LAP.”

MD534/19 SOCIAL ENTERPRISE CENTRE

In answer to his question on what was the proposed start date for the building of the Social Enterprise Centre, Cllr. Gerry McMonagle was advised:

“The project architects, Hall Black Douglas, are currently progressing the design of the proposed Social Enterprise Centre building. It is envisaged that a workshop will take place with the elected members of Letterkenny MD in February 2019 with the submission of a Part 8 planning application for the development soon thereafter. Subject to the receipt of planning approval, the current programme for the development is for construction to commence in Q4 of 2019 with completion by December 2020”.

MD535/19 WALKWAY CRAOIBHIN TO TERMON NATIONAL SCHOOL

In answer to his question on when would the work commence on the marked walkway between the Craoibhin and the Termon National School, Cllr. Michael McBride was advised:

“Pending receipt of design, it is intended that the road markings be put down when road marking contractors are next in the area, with in the coming months.”

MD536/19 FOOTPATH ROSSNAKILL

In answer to his question on when it was proposed to begin the footpath replacement in Rossnakill, Cllr. Liam Blaney was advised:

“It is currently programmed to have these works completed by the end of March.”

MD537/19 CAR PARK BESIDE PORTSALON GOLF CLUB

In answer to his question on when did this Council intend to do the work on the Car Park beside the Golf Club at Portsalon and would it be completed before the busy summer period, Cllr. Liam Blaney was advised:

“Design of the carpark is currently being developed by Community and Enterprise. Upon receipt of design, Roads propose to carryout the majority of the works between the beginning of February and the end of May to avoid the summer season. The completion of the masonry wall is likely to be later than this but these works would have limited impact on the traffic in the area.”

MD538/19 SOCIAL ENTERPRISE BUILDING AND JOE BONNER ROAD

In answer to his question requesting a report on the proposed new Social Enterprise Building and the proposed Joe Bonner Road and additional footpath works under this funding programme and a report on why these projects have been delayed so long, Cllr. Ciaran Brogan was advised:

“Social Enterprise Building project architects, Hall Black Douglas, are currently progressing the design of the proposed Social Enterprise Centre building. It is envisaged that a workshop will take place with the elected members of Letterkenny MD in February 2019 with the submission of a Part 8 planning application for the development soon thereafter. Subject to the receipt of planning approval, the current programme for the development is for construction to commence in Q4 of 2019 with completion by December 2020.

In relation to the Joe Boner Road, there was a requirement to implement a monitored settlement regime over a section adjacent to the existing Joe Boner Road, requiring the procurement and implementation of Ground Investigation works which have been completed, and the implementation of vertical drainage and superloading which have also been completed. Progress of settlement, indicated around Oct/Nov last year, that it was now in order to commence construction works. Letterkenny Roads will now commence this month on the construction works to underside of surface course, such that the allocated funding can be drawn down by year end 2019. Further works by IW outside of the road footprint are to be carried out before the road will be opened to the public. Programming of these works is outside of the control of the Roads section. Members to be advised when this information is at hand.”

MD539/19 OLD COURTHOUSE, LETTERKENNY

In answer to his question requesting an updated report on what stage the Old Courthouse was at and what steps the Council had taken to develop this into a Tourism/Cultural Center as agreed by this Council, Cllr. Ciaran Brogan was advised:

“The Council plans to re-locate staff that are currently in rented office accommodation in Letterkenny to the building and arrangements are being made in this regard.

The Council has had a number of engagements with Failte Ireland in relation to developing potential Tourism uses in the Old Courthouse in Letterkenny, including a Workshop for local Tourism operators in Letterkenny and its Environs in July 2018.

The Council hope to progress plans for a Tourist Attraction at this location in the early part of 2019 in conjunction with Failte Ireland and other interested parties”

MDL540/18 DATE AND VENUE OF NEXT MEETING

It was agreed that the next MDL Meeting would be held on 12th February 2019 at the Milford PSC commencing at 2:00 p.m.

This concluded the business of the meeting.

Mayor

Meetings Administrator