**Minutes of Meeting of Cavan County Council held on 10 October 2016 in the Council Chamber**

Councillor F. Curtin, Cathaoirleach Presiding

Present: Councillors M. Argue, W. Bennett, C. Brady, D. Brady, P. Brady, N. Connell,

J.P. Feeley, C. Kelly, P. McDonald, P. McVitty, P. O’Reilly, S. O’Reilly,

S. P. O’Reilly, P. Smith, S. Smith, V. Smith.

In Attendance: T. Ryan, Chief Executive

E. Doyle, Director of Service

J. McLoughlin, Director of Service

P. Connaughton, Acting Director of Service

E. McGinn, Meetings Administrator

1. **To confirm Minutes of Meetings & In-Committee Items of Cavan County Council held on 12 & 19 September 2016. Miontuairiscĺ cruinnithe 12 & 19 Mean Fomhair 2016 a dhearbhu.**

It was:

Proposed by Councillor J.P. Feeley

Seconded by Councillor P. McVitty

And

Resolved:

“that minutes of monthly meeting & in-committee meeting of Cavan County Council held on 12 & 19 September 2016 be hereby approved”.

**2. To note Minutes of Corporate Policy Group meeting held on 8 September 2016.**

Noted.

**3. To note Chief Executive’s Orders.**

Noted.

**4. To note Chief Executive’s monthly report.**

Noted.

**5(a)To approve the disposal of lands at Putiaghan Upper, Belturbet, Co. Cavan containing 0.2866 ha. (0.708 acres) to Damien & Breege McConnell for the sum of €4,200, pursuant to Section 183 of the Local Government Act, 2001 and Section 211 of the Local Government (Planning & Development) Act 2000.**

It was:

Proposed by Councillor S. Smith

Seconded by Councillor J.P. Feeley

And

Resolved:

“that the disposal of lands at Putiaghan Upper, Belturbet, Co. Cavan containing 0.2866 ha. (0.708 acres) to Damien & Breege McConnell for the sum of €4,200, pursuant to Section 183 of the Local Government Act, 2001 and Section 211 of the Local Government (Planning & Development) Act 2000 be hereby approved”.

**(b) To approve a 50 year lease of 0.334 acres of land at Drumnawall, Arva, Co. Cavan to the Trustees of St. Patrick’s GAA Club, Arvagh, Co. Cavan namely Cormac O’Donnell, Cyril Sheridan, Jim McDonnell, Barney Cully, Michael Ellis and Danny Murphy c/o Eddie Ward, Secretary St. Patrick’s GAA Club, Ceol na gCrann, Farrangarve, Arvagh, pursuant to Section 183 of the Local Government Act, 2001 and Section 211 of the Local Government (Planning & Development) Act 2000.**

It was:

Proposed by Councillor S. Smith

Seconded by Councillor M. Argue

And

Resolved:

“that a 50 year lease of 0.334 acres of land at Drumnawall, Arva, Co. Cavan to the Trustees of St. Patrick’s GAA Club, Arvagh, Co. Cavan namely Cormac O’Donnell, Cyril Sheridan, Jim McDonnell, Barney Cully, Michael Ellis and Danny Murphy c/o Eddie Ward, Secretary St. Patrick’s GAA Club, Ceol na gCrann, Farrangarve, Arvagh, pursuant to Section 183 of the Local Government Act, 2001 and Section 211 of the Local Government (Planning & Development) Act 2000 be hereby approved”.

**6. Approval of replacement nominees Mr. Seamus McGrath, Disability Network & Mr. Jim Reilly, Public Participation Network to Cavan Local Community & Development Committee.**

It was:

Proposed by Councillor P. Brady

Seconded by Councillor C. Kelly

And

Resolved:

“that the replacement nominees Mr. Seamus McGrath, Disability Network & Mr. Jim Reilly, Public Participation Network to Cavan Local Community & Development Committee be hereby approved”.

**7. To approve Cavan County Council’s Litter Management Plan 2016-2019.**

It was:

Proposed by Councillor D. Brady

Seconded by Councillor C. Kelly

And

Resolved:

“that Cavan County Council’s Litter Management Plan 2016-2019 be hereby approved.

Councillor D. Brady as Chairman of the Environment and Planning SPC hoped that the new litter management plan would bring the County closer to litter-free status. Councillor D. Brady thanked Conor Craven and staff for the great work done in producing the plan. Councillor D. Brady noted that a new litter warden is being employed by Cavan County Council and possibly another one next year. Councillor D. Brady noted that there is a number of new schools joining the Green School Programme with two of these being secondary schools.

Councillor S. O’Reilly felt that it was unnecessary to introduce in the new litter plan a charge for recycling garden waste. Councillor S. O’Reilly noted that it was not always an option for people with small gardens to compost hedge trimmings.

Councillor C. Brady stated that cigarette butts were a problem in town and villages and stated that the onus should be put on the owner of the premises to address the issue.

Mr. P. Connaughton, Acting Director of Services stated that the new litter plan sets out the local authority’s objectives and targets for the control of litter in the County. The plan will focus on the prevention, control and management of litter within the County. Mr. Connaughton stated the charge on recycling garden waste is in place to offset the cost of dealing with and treating the waste. He also stated that it was put in place in order to encourage people to home compost.

**8. To fix date and time for Budget Meeting 2017**

It was:

Proposed by Councillor S.P. O’Reilly

Seconded by Councillor C. Kelly

And

Resolved:

“that Friday 25th November, 2016 at 10.00a.m. for Cavan County Council’s Budget Meeting be hereby approved”.

**9. To fix date and time for December Monthly Meeting 2016**

It was:

Proposed by Councillor S.P. O’Reilly

Seconded by Councillor C. Kelly

And

Resolved:

“that Friday 9th December, 2016 for Cavan County Council’s December Monthly Meeting be hereby approved”.

**10. To approve attendance of members at –**

* **Celtic Conferences Conference on “Brexit The Economic Consequences for Ireland” to be held in Carlingford, Co. Louth from 14-16 October**

It was:

Proposed by Councillor J.P. Feeley

Seconded by Councillor M. Argue

And

Resolved:

“that the attendance of Councillors S. O’Reilly and C. Kelly at Celtic Conferences on “Brexit The Economic Consequences for Ireland” to be held in Carlingford, Co. Louth from 14-16October be hereby approved”.

* **Celtic Conferences Conference on “Local Economic & Community Plans” to be held in the Clonakilty Hotel, Co. Cork from 28-30 October.**

It was:

Proposed by Councillor J.P. Feeley

Seconded by Councillor M. Argue

And

Resolved:

“that the attendance of Councillor W. Bennett at Celtic Conferences Conference on “Local Economic & Community Plans” to be held in the Clonakilty Hotel, Co. Cork from 28-30October be hereby approved”.

* **Co-operation Ireland Seminar on “Revitalising small towns across the Island of Ireland: The role of local government” to be held in the Hillgrove Hotel, Monaghan on 27October.**

It was:

Proposed by Councillor J.P. Feeley

Seconded by Councillor M. Argue

And

Resolved:

“that the attendance of Councillors W. Bennett, P. McVitty, S. O’Reilly, J.P. Feeley and P. Brady at “Revitalising small town across the Island of Ireland: The role of Local Government” to be held in the Hillgrove Hotel, Monaghan on 27 October be hereby approved”.

* **Rebuilding Ireland. Action Plan for housing and homelessness Seminar to be held in the Park House Hotel, Edgeworthstown on 4/5 November, 2016.**

It was:

Proposed by Councillor J.P. Feeley

Seconded by Councillor M. Argue

And

Resolved:

“that the attendance of Councillors C. Brady, J.P. Feeley and P. Brady at Rebuilding Ireland –Action Plan for housing and homelessness Seminar to be held in the Park House Hotel, Edgeworthstown on 4/5 November, 2016 be hereby approved”.

* **AILG Training for Elected Members – National & Local Authority Emergency Planning to be held on Saturday 22nd October, 2016 in the Radisson Hotel, Sligo.**

It was:

Proposed by Councillor J.P. Feeley

Seconded by Councillor M. Argue

And

Resolved:

“that the attendance of Councillors W. Bennett, M. Argue, V. Smith, P. McVitty, P. O’Reilly, S. O’Reilly, J.P. Feeley, P. Brady, S. Smith, C. Kelly and S.P. O’Reilly at AILG Training for Elected Members – National & Local Authority Emergency Planning to be held in the Radisson Hotel, Sligo on 22nd October, 2016 be hereby approved

**11(a) To note letter from Deputy Niamh Smyth in relation to Presentation from Cavan**

**County Council made at the recent meeting on Arts, Heritage, Regional, Rural and Gaeltacht Oireachtas Committee Meeting.**

Noted.

**(b) To note reply from Deputy Eamon Scanlon in relation to Sale of Celtic Media Group.**

Noted.

It was agreed to send a reminder letters to the following:

Minister Richard Bruton in relation to meeting with a delegation from Cavan County Council regarding school transport changes.

Minister Michael Creed in relation to change of dates for slurry spreading.

Minister Heather Humphreys in relation to growth of deer herd.

Minister Shane Ross in relation to meeting with a delegation from Cavan County Council regarding roads and Local Improvement Scheme

Hedge cutting– Councillor P. McVitty asked that trees marked dangerous by the Council last year and have not been cut yet, if an accident occurs who is responsible?

Mr. Joe McLoughlin, Director of Service informed Councillor McVitty that responsibility lies with the landowner. Mr. McLoughlin stated that the Council does serve notices on an annual basis to landowners who do not cut their hedges or trees. Mr. McLoughlin asked the members to alert him of the areas in question and he would have them looked at.

**Votes of Sympathy:**

* Jim. Marie, Shane & Gary Sheridan, Corlismore, Ballinagh on the tragic death of their daughter and sister Amy.
* Paul Mulligan staff member Cavan County Council on the death of his mother Mrs. Philomena Mulligan.

A minutes silence was held in memory of the deceased.

**Votes of Congratulations:**

* Crosserlough Minor Team on winning the County A Minor Championship Final
* Cornafean Junior Team on winning the County Junior Football Final.
* Castletara Camogie Club on celebrating its 50th Anniversary
* Mr. Ray Bonar on his new role as General Manager of Cavan General Hospital.

Councillor S.P. O’Reilly reminded the members of a Suicide awareness campaign with seven information evenings being held throughout the County. He asked the members to ensure all local community groups are notified of the information sessions. Councillor S.P. O’Reilly wished Palliative Care Nurse Mrs. Moya Carroll the very best in her retirement after 30 years working with Palliative Care Services Cavan/Monaghan.

**MEMBERS’ ITEMS - DEFERRED FROM SEPTEMBER MEETING**

**2. The need for a review of illnesses covered under the GMS/LTI Scheme.**

Councillor S.P. O’Reilly stated that the long term illness scheme allows you to get drugs, medicines and medical and surgical appliances directly related to the treatment of your illness, free of charge. He stated that the scheme does not depend on your income or other circumstances and is separate from the Medical Card Scheme but unfortunately illnesses such as cellulites, arthritis, chromes disease, depression, anxiety, bi-polar, chronic fatigue syndromes and many others that are not covered under the Long Term Illness scheme. Councillor S.P.O’Reilly noted that the long term illness scheme has not been renewed by the Government since 1970. Councillor S.P. O’Reilly noted that illnesses such as acute leukemia, cerebral palsy, cystic fibrosis, Parkinson’s disease among others are covered by the long term illness scheme. Councillor S.P. O’Reilly proposed that the Council write to the Minister for Health and the Minister for Finance asking that a review of the General Medical Scheme/Long Term Illness Scheme take place without delay. He noted that people are unable to afford medicines for many of their illnesses.

Councillor J.P. Feeley seconded the proposal.

**3. The need to install an ATM in Kilnaleck.**

Councillor S.P. O’Reilly proposed that the Council write to the Irish Bank Officials Organisation asking them to investigate the need for an automatic teller machine in Kilnaleck. Councillor S.P. O’Reilly noted that the Ulster Bank in Kilnaleck is closed and without the vital amenity of an ATM the town is losing trade as locals are going elsewhere to do their shopping.

Councillor C. Kelly seconded the proposal.

**4. The need for regulation of online and underage gambling.**

Councillor S.P. O’Reilly stated that there is currently an epidemic of underage gambling in the country. He stated that gone are the days when you had to walk into the local bookmaker to place a bet and produce an ID as proof you were over 18. He stated most gambling is now done online. Councillor S.P. O’Reilly noted that many commercial ads on TV currently are promoting online gambling. He noted that online gambling is having a detrimental effect on local bookmakers. He called for a review by the Minister for Finance to have taxes paid by terrestrial bookmakers who currently pay no tax at all. Councillor O’Reilly also proposed that a letter be sent to the Minister for Justice to ensure that regulations are put in place to curb online and underage gambling.

Councillor C. Kelly seconded the proposal.

Councillor J.P. Feeley noted that there is no level of control as betting can now be done on an Iphone by youngsters who are not the legal age.

Councillor S. O’Reilly supported the motion.

Councillor C. Brady stated that many young couples are refused a mortgage due to having an active online betting account.

**MEMBERS’ ITEMS – OCTOBER**

**6. That this Council outline its policy for employment of people with disabilities outlining (a) its quota (b) no of people presently employed.**

Councillor P. O’Reilly asked the executive to outline its policy for employment of people with disabilities outlining Cavan County Council’s quota and the number of people presently employed. He noted that many young people have completed several courses but due to a slight disability find it difficult to find work where they may require full time supervision.

Councillor W. Bennett supported the motion and noted that Drumlin House has two full time people employed in order to try and get placement work for young people with a disability. He stated that Tesco must be complimented for their work in employing people with disabilities.

Mr. Eoin Doyle, Director of Service stated that Cavan County Council is meeting our obligation and quota to employ people with disabilities. He stated that currently there are 29 people with a disability employed which is in excess of the required quota of 3%.

**7. That Cavan County Council call upon Irish Water to publish their plans to improve Ballinagh Wastewater Plant and to ask if it is envisaged that such plans will include a connection to Cavan town network and the new Cavan wastewater plant.**

Councillor W. Bennett asked that Cavan County Council call upon Irish Water to publish their plans to improve Ballinagh Wastewater Plant and to ask if it is envisaged that such plans will include a connection to Cavan town network and the new Cavan wastewater plant. He noted that in the past there were a few problems with pollution and the residents are worried that this may occur again.

Mr. Paddy Connaughton, Acting Director of Service informed the meeting that the Council will formally write to Irish Water and ask them what capital investment plans are in place for Ballinagh.

**8. Update on Killykeen Forest Park and developments in last year.**

Councillor W. Bennett asked the executive for an update on Killykeen Forest Park and developments in the last year. Councillor Bennett stated that it is vital that funding is put in place to ensure the maintenance of the tourism gem.

Mr. Eoin Doyle, Director of Services informed the meeting that the Council is working with Coillte to develop a masterplan for Killykeen Forest Park and it is hoped to have the plan complete with a view to monies becoming available in 2017.

Councillor C. Kelly and Councillor P. O’Reilly queried if there were any plans in place for Dun na Ri Forest Park and Virginia Forest.

Mr. Eoin Doyle, Director of Service stated that Killykeen Forest Park will be developed first and then the Council will look at the other parks in the County.

**9.(a) That Cavan County Council call on the Minster for Finance & the Minister for Public Expenditure to bring forward a plan for a programme of decentralisation of sections of government departments and state agencies.**

Councillor J.P. Feeley stated that decentralisation of government sections and state agencies should be welcomed and encouraged. He noted that in the past decentralisation of government sections worked well with the Department of Agriculture based in Cavan as an example. Councillor Feeley stated that having offices in rural areas would make government departments understand more fully the impact that decisions have on rural communities. He stated that there are many people who would only be too delighted to move to regional areas. Councillor Feeley proposed that the Council write to the Minister for Finance and the Minister for Public Expenditure to bring forward a plan for a programme of decentralisation of sections of government departments and state agencies.

**9.(b) That the Minster for Finance and the Revenue Commissioners look at the tax**

**arrangements in place for self employed living in this jurisdiction but working in the**

**North of Ireland.**

Councillor J.P. Feeley proposed that the Council write to the Minister for Finance and the Revenue Commissioners asking them to help self employed cross border workers who are subject to double taxation in this jurisdiction. Councillor Feeley noted that workers resident in this jurisdiction who operate business north of the border are subject to additional assessment by the Revenue Commissioners. He stated that some people who have their business north of the border have moved north to live to avoid double taxation and this in turn is a huge loss to depopulated and disadvantaged communities along the border. He stated that there may only be a small number of people affected but nevertheless their plight should not be forgotten by the Government. He stated that Minister Noonan should act to put self employed workers on a par with employees working north of the border but living in this jurisdiction.

**9.(c) That in future plans, given that many of our smaller Villages are not provided for under the Rural Town and Village Renewal Scheme that the Council make provision for the additional work in the Tier Six, small villages listed in our County Development Plan.**

Councillor J.P. Feely welcomed the funding to County Cavan in respect of the Town and Village Renewal Scheme. He stated that there are Tier Six villages listed in our County Development Plan, namely Bawnboy, Mountnugent, Stradone, Crosskeys, Crossdoney, Redhills, Kilcogy and Dowra who will not benefit from funding under the scheme.He stated that these villages cannot be left behind and the Council need to recognise the work being done in these villages by volunteers. Councillor Feeley proposed that in future plans, given that many of our smaller villages are not provided for under the Rural Town and Village Renewal Scheme that the Council make provision for the additional work in the Tier Six, small villages listed in our County Development Plan.

Councillor S. Smith seconded the proposal.

Councillor P. McVitty stated that these villages need to be looked at closely.

**10. “ That this council notes that:**

* **A majority of voters in the North of Ireland voted to remain in the European Union in the Brexit referendum which took place on the 23rd June.**
* **The uncertainty caused by the Brexit referendum result is already damaging trade and investment and causing currency fluctuations which are impacting on cross-Border business.**
* **A new EU frontier stretching from Dundalk to Derry would create real hardship for people in this region particularly those who cross the border on a daily basis who would face potential customs checkpoints, traffic delays and the closure of local border roads.**
* **That the current economic uncertainty will be overshadowed by the situation that would arise should a hard border result in the imposition of tariffs and the restriction of the free movement of goods, services and people on this island.**
* **The end of EU economic support for peace building and border communities will hit many vital community projects who have over the past decade received over £1 billion in EU support.**
* **With the end of EU subsidies farmers in the North will suffer a dramatic loss of income as CAP accounts for approximately 80% of farm incomes in the north and that this will be a severe blow to the local economy in rural areas north and south of the border.**
* **Noting the advances that have been made in the Peace Process, opening border roads, and integrating communities separated from their natural hinterlands during the years of conflict, the imposition of new barriers and a hard border would be an enormous backward step.**

**Accordingly the council**

* **“welcomes the initiative of  those from the business sector, the community sector, farmers and individuals who have come together to form Border Communities Against Brexit to demand that the Irish and British Governments respect the North’s remain vote.**
* **recognises that it makes absolutely no sense to have one part of Ireland operating within the EU and another outside , this council will actively support the campaign by Border Communities Against Brexit for the North’s remain vote to be respected”**

Councillor J.P. Feeley stated that a group of individuals north of the border are organising a campaign and are asking Cavan County Council to support their motion. It was agreed unanimously that the motion be supported.

Items No. 1 and 5 were deferred.

Councillor F. Curtin informed the meeting that a Cathaoirleach’s reception will take place at 4.45p.m for Ms. Emma Feeney, Ringside Boxing World Champion.

The meeting concluded at 4.40p.m.

Chairman: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Certified Correct: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_