**Minutes of Meeting of Cavan County Council held on Monday 8th April, 2019 in the Council Chamber at 2 p.m.**

Councillor M. Argue, Cathaoirleach presiding

Present; Councillors W. Bennett, C. Brady, D. Brady, P. Brady, N. Connell,

D. Downey, J. P. Feeley, C. Kelly, P. McDonald, P. McVitty,

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

In Attendance; T. Ryan, Chief Executive

E. Doyle, Director of Service

P. Connaughton, Director of Service

B. Jennings, Director of Service

M. Mohan McNally, Financial Accountant

L. McGavigan, Senior Executive Officer

E. McGinn, Senior Staff Officer

Councillor M. Argue welcomed all to the meeting including Transition Year Young Social Innovative Students, Amy, Aisling, Nadine, Tara and Bart from St. Bricin’s College, Belturbet along with their Principal Ms. Mary Sheridan and teacher Ms. Frances Finnegan. The students in turn made a presentation to the members on their project entitled “End Period Poverty”. The students noted that their project goal is to break the taboo around the subject of periods and encourage females to speak up and avoid the feelings of embarrassment/shame/guilt that some females experience. They stated that they want to help improve facilities and access to sanitary protection in their own school community and wider. They stated that as a group, they aim to support local and national interest groups that work to help people affected by this issue, such as 'The Homeless Period Ireland'. They stated that they hope to come up with an economically friendly product to help with side-effects of the period. They stated that they want to raise awareness among the teenagers of their school- male and female, about the difficulties that some females face on a monthly basis. The students noted that their “Menstruation Station” will be in the reception area of their school during young social innovators week 8-12 April 2019. The students stated that they have set up a drop off point in their school, as well as in Kingscourt to collect products which they can donate to charity services. The students were invited by the Green Party to Leinster House and they asked for the support of the members of Cavan County Council at local level.

Councillor S. Smith welcomed the students and teachers to the Council with their presentation.

Councillor J.P. Feeley thanked the students for their presentation and proposed that the Council write to the Minister for Health and Minister for Education asking that the roll out the proposals made by the students.

This proposal was seconded by Councillor S. Smith.

Councillors D. Brady, C. Brady and C. Kelly supported the motion.

Ms. Mary Sheridan, Principal of St. Bricin’s College thanked the members for their support.

1. **To confirm Minutes of Meeting held on 8th March2019. Miontuaririsci cruinnithe 8 Marta a dhearbhu.**

It was;

Proposed by Councillor S. Smith,

Seconded by Cllr. P. McVitty

And

Resolved;

“that minutes of meeting of Cavan County Council held on 8th March 2019 be hereby approved”

1. **Disclosures of Interests (Section 177 Local Government Act, 2001)**

Noted.

**Note Minutes of Committee Meetings**

1. **To note Minutes of Corporate Policy Group meeting held on 11 February 2019.**

Noted

**Note Members’ Reports from Conferences / Training events**

1. **To note members’ reports from conferences and training events *(Section 142 and Section 143 of the Local Government Act 2001; Local Government (Expenses of Local Authority Members) Regulations 2014 Part V Section 5 (1)).***

Noted

**Correspondence**

**5(a) To note reply from Department of Housing, Planning and Local Government regarding “viewing fees”.**

Noted. Councillor D. Downey asked that a further letter be sent in relation to same.

**(b) To note reply from Minister for Transport, Tourism and Sport regarding allocations for road works.**

Noted.

**(c) To note reply from Department of Housing, Planning and Local Government regarding housing grant allocations.**

Noted.

Councillor S. Smith asked that a further letter be sent to An Post in relation to holiday chalets having to purchase yearly television licences.

**6. To approve attendance of members at the following:**

**Celtic Conferences “Ireland and Plastic Waste” in Carlingford, Co. Louth from 12-14 April 2019.**

It was

Proposed by Councillor J.P. Feeley

Seconded by Councillor C. Brady

And

Resolved

“that the attendance of Councillors P. Smith, P. O’Reilly and S. O’Reilly at Celtic Conferences “Ireland and Plastic Waste” in Carlingford, Co, Louth from 12-14 April 2019 be hereby approved.

**Business prescribed by Statute, Standing Orders or Resolutions of the Council**

1. **To note Chief Executive’s monthly report *(Section 51 Local Government* Reform Act 2014).**

Noted.

1. **That Cavan County Council resolve to issue polling cards in respect of Local Elections 2019 as per Article 55(3) Local Election Regulations 1995 and Section 22 of the Local Government Act 1994.**

It was

Proposed by Councillor J.P. Feeley

Seconded by Councillor S. Smith

And

Resolved

“that Cavan County Council resolve to issue polling cards in respect of Local Elections 2019 as per Article 55(3) Local Election Regulations 1995 and Section 22 of the Local Government Act 1994 be hereby approved.

Councillor P. McVitty asked that the number of passes given to agents for the count be increased.

Mr. Eoin Doyle, Local Returning Officer stated he would investigate same.

1. **To approve loan of €10,000,000 from Housing Finance Agency for purposes authorised under the Housing Acts.**

It was

Proposed by Councillor C. Kelly

Seconded by Councillor W. Bennett

And

Resolved

“that a loan of €10,000,000 from Housing Finance Agency for purposes authorized under the Housing Acts be hereby approved.

**Business and reports submitted by the Chief Executive.**

1. **Update on Litter Management Plan.**

Mr. Colm O’Callaghan, Acting Senior Engineer gave the members a detailed update on Cavan County Council’s Litter Management Plan, stating that the main objectives of the plan are education and awareness, enforcement and prevention and partnership with communities and business. Mr. O’Callaghan stated that work will commence on the new Litter Management Plan 2020-2022 in June 2019. He stated that draft copies of the plan will be available for public consultation and a final draft will be presented at the November Council meeting for adoption. Mr. O’Callaghan noted that social media will be used to promote this plan, as well as subsequent Cavan County Council anti-litter programmes and initiatives.

Councillor D. Brady thanked all involved in compiling the litter management plan noting that litter is becoming a huge problem within the County.

Councillors W. Bennett, J.P. Feeley, C. Brady and C. Clifford complimented Colm and his staff for the excellent work they are doing in keeping our County clean.

1. **That Cavan County Council discuss illegal dumping strategies.**

Councillor S. O’Reilly complimented the staff of Cavan County Council on the great work being done in relation to illegal dumping. Councillor S. O’Reilly stated that there are a minority of people destroying our countryside and Cavan County Council needs to take a more radical approach towards these people. Councillor S. O’Reilly called for tougher penalties for those involved in illegal dumping in the County and also called for bogus waste collectors to be jailed and higher fines for those caught illegally dumping. Councillor S. O’Reilly stated that Council tenants should be asked to produce receipts in relation to their waste disposal. Councillor S. O’Reilly asked if the Council drone is currently in operation.

Mr. Colm O’Callaghan, Acting Senior Engineer informed the meeting that repeat offenders will only be caught once as they take away their names and address the next time round and often put on fake addresses so legally they cannot be chased. He stated that under new bye-laws people will be required to keep their receipts as proof of their waste disposal. He stated that the Council will be bringing its drone into use this year as up to now it could not be used due to GDPR.

1. **To discuss Cavan County Council’s environmental policies and actioning low-cost initiatives.**

Councillor S. O’Reilly stated that there are a number of people who show disrespect for our environment and as a result of same 60% of our wildlife has been killed. She stated that as a Council we must encourage small cost safety measures such as the introduction of low cost energy saving bulbs in all buildings and right pressure tyres on Council vehicles. She stated that more cycling lanes need to be installed in the County. Councillor S. O’Reilly suggested that the Council install water fountains at public stations and asked that a cash incentive scheme be introduced which would increase the recycling of plastic bottles at a possible 5cent per bottle.

Mr. Colm O’Callaghan, Acting Senior Engineer informed the members that there are free refill points throughout the town and the Council is currently working with local businesses to provide water points at shops in the town. He stated that the Energy Officer, Cavan County Council is currently looking at low energy bulbs in office buildings.

Mr. Paddy Connaughton, Director of Service stated that the tree planting will take place throughout the County during National Tree Planting. Mr. Connaughton stated that the Council are currently looking at creating cycle lanes throughout the County.

**MEMBERS’ ITEMS – DEFERRED FROM MARCH MEETING**

**17. New proposed Valuation Rates for each town in the County.**

Councillor C. Kelly stated that a number of businesses have raised concerns at potential increases in rates as a result of the revaluation programme currently underway. Councillor C. Kelly proposed that Cavan County Council put a discretionary revaluation support scheme in place. Councillor Kelly asked that the Council Executive invite back a member of the valuation office to a meeting. Councillor Kelly questioned the rationale being used for the new rates stating that while rates are being reduced in one sector others are being penalised with unaffordable increases. Councillor Kelly stated that failing the implementation of a discretionary scheme businesses should appeal the proposals directly to the valuation office which will in turn allow them to escalate the complaint to the valuations tribunal if they are unhappy with the decision of their rates valuation. Councillor Kelly asked that staff from the rates section of the Council revisit businesses in our communities and advise people regarding their rights to appeal.

Councillor W. Bennett noted that the figures given alarmed business owners as the multiplier was not done.

Councillor S. Smith stated that when the presentation was made to them by a member of the valuation office they were told that businesses that had deteriorated would be taken into account but this does not seem to be the case. Councillor S. Smith seconded Councillor C. Kelly’s proposal.

Councillors J.P. Feeley, S. O’Reilly, N. Connell, P. O’Reilly and P. McDonald supported the motion.

Ms. Margaret Mohan McNally stated that the members views would be taken on board and agreed to seek clarification from the valuation office.

It was proposed by Councillor P. O’Reilly and seconded by Councillor D. Downey that

the meeting go In-Committee.

On resumption of the meeting votes of sympathy were passed with the following:-

* Councillor Damien Brady and the Brady Family on the death of their brother John Joe Brady.
* Kevin Sexton, Cavan County Council employee on the death of his mother Mrs. Camilla Sexton.

A minute silence was held in memory of the deceased.

**Votes of Congratulations:**

* Lakeland Dairies Co-operative Society Limited and LacPatrick Co-Operative Society on completing the merger of the two societies. Councillor W. Bennett proposed that Mr. Michael Hanley, CEO of the newly formed co-operative be invited to the next meeting of Cavan County Council.
* The Royal School, Senior Boys team on winning the Ulster A Cup for the first time in the school’s history.
* Royal School Cavan’s Third Year Student Rogan Cunningham on winning the National Indoor Archery Championship.
* Leona Maguire on claiming her first-ever professional victory at the Symetra Tour’s Windsor Golf Classic in California. It was agreed that Leona Maguire should be honoured in the future by the Council.
* Cavan St. Patrick’s Day Committee on an excellent parade.
* Brothers Bobby and Erin Coote and film maker David Perry on the film The Man who wanted to Fly.

**2. That this Council provide an update on ready to go lands/facilities for additional development in County Cavan.**

Councillor P. O’Reilly asked for an update on ready to go lands/facilities for additional development in County Cavan. He stated that he has been supporting and encouraging the Council to open a site of approximately 90 acres south of Virginia for investment but there are ongoing issued with TII in relation to same. He stated that it will be difficult to see any business come to the County if TII stop sites opening onto the main road. Councillor O’Reilly noted that Kells Business Park is expanding all the time and yet nothing can be done with lands in Virginia.

` Councillors W. Bennett, P. Brady, P. McDonald, P. Smith and D. Downey supported the motion.

Mr. Brendan Jennings, Director of Service stated that with regards to the land in Killygarry there are two firms looking at the site. He stated that the Council is aware of the interest, and the local authority is actively considering its own options concerning a further seven acres of owned lands adjoining the IDA site. He stated that Cavan County Council hope to achieve a similar boom of industrial development as was the case in Cootehill where significant capital investment has been attained. He stated that the Council are not in a position to simply build industrial units. He stated that the site in Killygarry belongs to the IDA and the Council is working with them trying to fill the available space that is there and at the same time maximise what that means for County Cavan.

1. **That Cavan County Council support the right of CE Supervisors for this government to provide them with a pension scheme in line with the 2008 Labour Court ruling.**
2. **That Cavan County Council support CE supervisors in their pursuit of a proper pension scheme.**

Councillor S. O’Reilly proposed that Cavan County Council to support the right of Community Employment Supervisors and that they call on the Government to provide them with a pension scheme in line with the 2008 Labour Court ruling. Councillor S. O’Reilly paid tribute to the work Community Employment Supervisors do in the provision of much needed community services such as creches, meals on wheels, upkeep of community halls, GAA and soccer pitches. Councillor S. O’Reilly complimented them on the work they do around Castle Lake and Town Lake in Bailieborough.

Councillor P. McDonald noted that the Community Employment Scheme and its supervisors progress people into full time employment. Councillor P. McDonald stated that since the recommendation in 2008, unions say that 250 supervisors have retired with no occupational pension. Councillor P. McDonald stated that he was asking all members to get behind our community employment supervisors and assistants and call for this injustice to be put right.

Councillor J.P. Feeley supported the motion.

1. **Ratification of the UN Convention against Torture and other Cruel, Inhuman or Degrading Treatments Optional Protocol (OPCAT).**

Councillor D. Downey stated that abuse comes in many forms and this State is no stranger to institutional abuse and questionable uses of power in institutions, such as have occurred in certain religious institutions in the 20th Century. He stated that people can be placed at risk when detained at the mercy of institutions, prisons, nursing homes, secure children’s care homes and others where there are no legislative protections in place. He stated that OPCAT obliges Ireland to improve protections for detained persons but the provision for inspections protocol has yet to be ratified despite OPCAT being signed in 2007. Councillor D. Downey proposed that the Council write to the Minister for Justice asking for ratification of the UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment Optional Protocol (OPCAT).

Councillor N. Connell seconded the proposal.

1. **That Cavan County Council declare a stance against any deposit of radioactive waste on the Island of Ireland.**

Councillor D. Downey stated that it is vital that people of our Island regardless of borders or communities stand together against the injection of nuclear waste into our clean, green and beautiful country. Councillor Downey noted that the UK Government has assessed five potential sites in the North of Ireland as nuclear waste facilities. He stated that Newry, Mourne and Down district Council unanimously called for the blocking of any such facility in their area. Councillor Downey proposed that the Council write to the Minister for Foreign Affairs asking that this Government declare a stance against any deposit of radioactive waste on the Island of Ireland.

Councillor P. McDonald supported the motion.

1. **Cavan County Council calls on the Government to urgently recalibrate the Book of Quantum to reflect international norms, immediately establish a distinct Insurance Fraud Unit within an Garda Siochána and quantify the benefits to policyholders of the reforms currently being implemented.**

Councillor S. O’Reilly proposed that Cavan County Council write to Minister Michael D’Arcy asking that the Government urgently recalibrate the Book of Quantum to reflect international norms, immediately establish a distinct Insurance Fraud Unit within An Garda Siochána and quantify the benefits to policyholders of the reforms currently being implemented. Councillor S. O’Reilly stated that the Government need to tackle insurance fraud as they are failing to provide protection to the consumers. Councillor S. O’Reilly stated that personal injury claims were four times higher in Ireland than in the UK. Councillor S. O’Reilly stated that a more urgent approach to insurance reform is needed before rural Ireland closes its doors.

Councillor C. Kelly seconded Councillor S. O’Reilly’s proposal.

Councillor C. Brady supported the motion. Councillor Brady stated that we all need to be self-aware of people whom we know that are making these claims as it is costing us all money by not reporting them.

Councillors J.P. Feeley, P. McDonald and P. Smith supported the motion.

It was proposed by Councillor P. O’Reilly and seconded by Councillor P. Smith that the meeting continue to 5.30p.m.

1. **That this Council give favourable consideration to the construction of an Anaerobic Digester.**

Councillor P. O’Reilly called on Cavan County Council to give favourable consideration to the construction of an Anaerobic Digester. Councillor P. O’Reilly gave animal stats that included a pig population in County Cavan of 350,000 generating 2.1 million litres of effluent, as well as 4,770 herds of cattle, 2.1 million birds kept between free range egg or broiler sites. He stated that these figures did not include waste from mushroom, duck and turkey processing. Councillor P. O’Reilly noted that it would be an advantage to have such facilities located in County Cavan. He stated that given the large number of farms and agri-businesses in the region, Cavan would be well positioned to benefit from deriving green gas by turning waste such as pig slurry into energy. He stated that currently there are fewer than a dozen anaerobic digesters in Ireland. He stated that it was almost the norm in the North to have such facilities and the Republic are lagging far behind.

Councillor W. Bennett supported the motion and stated that it would be an additional potential income for farmers.

Councillor P. McDonald supported the motion.

Councillor S. O’Reilly stated that she was ahead of the curve when exploring the potential to develop an anaerobic digester in Cavan some years back spending up to €30,000 on consultancy fees. She stated that at that time there was little knowledge of anaerobic digesters either within the Council or the ESB to connect into the national grid.

Mr. P. Connaughton, Director of Service accepted that the Republic of Ireland had been identified within the EU as a country that would most benefit from investment in an anaerobic digester. He stated that the Council are currently looking on with interest at a pilot project titled “Project Graze” in Mallow, Co. Cork and the vison is that if all aligned, Cavan would have up to 15 anaerobic digesters eventually.

1. **Speed limits on our local and national roads.**

Councillor P. O’Reilly stated that the TII are proposing to raise the speed limits at Lavey and Lisduff from 50km to 60km or 70km. He stated that he is opposing this proposal as the current 50km speed limit is working well. Councillor O’Reilly stated that a submission was made to the TII asking that the speed limit the Cavan side of Murmod Cross be reduced from 100km to 60km and it seems that it will only be reduced to 80km. He stated that this is a very busy stretch of road and the volume of traffic is very high. He stated that he hoped when the roadworks at Lisgrey are complete, markings will be put on it as currently this stretch of road is a death trap.

Mr. P. Connaughton, Director of Service stated that the Council have written to the TII to have the speed limits maintained. He stated that it is intended to put a safety scheme in place at Murmod Cross with safety signage and keep it monitored. Mr. Connaughton noted that the 80km speed would go from Murmod Cross to the Council Depot at Cornaslieve.

Councillor M. Argue stated that she had received a message from the German students in St. Pat’s College and Loreto College sending their good wishes to the German Ambassador.

Items 1, 12, 13, 14, 15 and 16 were deferred.

The meeting concluded at 5.30p.m.

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

Cathaoirleach: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_