**Minutes of Meeting of Cavan County Council held on Monday 14th January 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, F.Curtin, D. Downey, 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

 D. Maguire, Head of Finance

 E. Doyle, Director of Service

 P. Connaughton, Director of Service

 B. Jennings, Director of Service

 L. McGavigan, Senior Executive Officer

 K. Reilly, A/Meetings Administrator

Votes of sympathy were passed to the following;

The Kelly family, Killeshandra, on the sudden death of their son Donal Kelly

The family of Peter Kelly, former T.D. for Longford-Westmeath.

The family of Mark Killelea, former T.D., [Member of the European Parliament](https://en.wikipedia.org/wiki/Member_of_the_European_Parliament) and Senator.

The McMahon family, Mullagh on the death of John McMahon.

The McCaffrey family, Tullacmongan on the death of Peter McCaffrey.

The Nallen family, Cullies on the death of John Nallen

The Chief Executive expressed his sympathy to the families of the deceased. He noted that Donal Kelly was a valued member of Cavan County Council’s Fire Service based in the Killeshandra Fire Station.

A minutes silence was observed.

1. **To confirm Minutes of Meeting held on 14th December, 2018. Miontuaririsci cruinnithe 14 Nollaig 2018 a dhearbhu.**

It was;

Proposed by Councillor P. McVitty,

Seconded by Cllr. S. Smith

And

Resolved;

“that minutes of meeting of Cavan County Council held on 14th December, 2018 be hereby approved”

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

Mr. Eoin Doyle, Director of Service informed the members that the deadline for reporting of political donations by elected members is January 31st. This is a requirement under section 19(E) of the Local Elections (Disclosure of Donations and Expenditure) Act 1999. that all members furnish a donation statement indicating whether, during the preceding calendar year, the member received from the same person, a donation exceeding €600 in value.

**Note Minutes of Committee Meetings**

1. **To note Minutes of Corporate Policy Group meeting held on 7 November 2018.**

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

**(a)AILG briefing morning for Draft Regional Spatial and Economic Strategies to be held in the Hodson Bay Hotel on 17 January.**

It was

Proposed by Cllr. W. Bennett,

Seconded by Cllr. P. Brady,

And

Resolved;

“that the attendance of Councillors C. Brady, W. Bennett, P. McVitty, P.

O’Reilly, V. Smith, P. Smith and M. Argue, J. P. Feeley, P. Brady, F. Curtin, S. P. O’Reilly, S. Smith, C, Kelly and S. Reilly, at AILG training be hereby approved.

**(b) Celtic Conferences “Understanding the Asylum Process in Ireland”**

**in Clonakilty from 18 to 20 January 2019.**

It was

Proposed by Cllr. W. Bennett

Seconded by Cllr. P. Brady

And

Resolved

“that the attendance of Cllr. Patrick O’Reilly at Celtic Conferences “Understanding the Asylum Process in Ireland” to be held in Clonakilty from 18 to 20 January, 2019 be hereby approved.

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

1. **To note statutory requirement to complete Annual Declaration in accordance with Section 5 of the Local Government Act 2001 – Part 15, Section 171 (Ethics Register)**

Noted.

Mr. Eoin Doyle, Director of Service informed members that the Annual Declaration of Interest forms must be completed and returned to Ms. Caroline Brady, Ethics Registrar, by 28 February 2019. He also informed members that Annual Declaration of Interests forms must be made available to the public for inspection (Ethics Register) by 28 February 2019.

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

Noted.

Cllr. P. O’Reilly complimented the local engineer on the works already done at Dunancory Bridge. He asked that cognisance of the flooding at this bridge be taken into consideration when making a submission to Department of Transport and that the members be given opportunity to comment. Mr. Paddy Connaughton, Director of Service confirmed that the issue will be discussed at a Municipal District Meeting prior to making a submission.

Cllr. P. O’Reilly noted the implications for development in Virginia as a result of the lack of spare capacity in Virginia Wastewater Treatment Scheme. Mr. Paddy Connaughton, Director of Service informed the meeting that Irish Water plan to increase the mains contract by 2021. He stated that it is proposed to carry out interim works to increase capacity in the short term.

Cllr. Paddy O’Reilly requested that the Chief Executive’s Report be also circulated to the Municipal Districts.

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

1. **To note Flood Risk Management Plans.**

Noted

1. **To hear presentation from Mr. David Minton, Director, NWRA regarding draft Regional Spatial and Economic Strategy.**

Mr. B. Jennings, Director of Service welcomed Mr. David Minton and Mr. Dennis Kelly from the North Western Regional Assembly to the meeting to give a presentation to the members on the draft Regional Spatial and Economic Strategy. Mr. Minton gave a detailed presentation on the role of Cavan in the Spatial Strategy. He stated that the North Western Regional Assembly has prepared a Draft Regional Spatial and Economic Strategy, following significant engagement and consultations over the previous 12 months. This included a formal pre-draft regional spatial and economic strategy consultation that took place between November 2017 and February 2018. He stated that 124written submissions were received during that consultation process and were considered in the Director’s Report to the Assembly Meeting in April, 2018. These consultations have helped shape the preparation of the draft regional spatial and economic strategy. Mr. Minton noted that the objective of the strategy is to support the implementation of the National Planning Framework – Ireland 2040 (NPF) and the economic policies and objectives of the government by providing a long-term planning and economic framework consistent with the national planning framework and the economic policies or objectives of the Government. He stated that written submissions or observations with respect to the draft Strategy and the accompanying reports must be submitted on or before 5pm on 8 February 2019.Mr. Minton noted that Cavan is considered a key town under the strategy. He stated that Cavan town performs a regional function being the largest town within the Cavan Monaghan/Leitrim sub-region and being the town that has experienced the largest growth in population over the past 10 years. It has strategic facilities such as a hospital, Cavan Institute, Local Authority Headquarters, Agricultural College, Cathedrals and Sports Stadium.

He noted the Key future priorities as:

 Project Ireland 2040 RSES NWRA

* Build upon its excellent Jobs to Resident Workers ratio of 1.388, clearly demonstrating the important regional function that Cavan Town performs.
* Promote Cavan Town as an attractive investment location for the County, utilising Cavan County Economic Forum and building upon the town’s proven track record as an excellent investment location, which is aided by the IDA business park in the town.
* Promote the delivery of third level education in the Cavan/Monaghan sub-region, building on the foundations and success of the Cavan Institute.
* Promote the development of the Abbeylands Cultural Quarter to regenerate this important town centre site with vibrant town centres uses, new pedestrian street and public spaces.
* Develop a regional standard multi sports facility to service the current and future needs of the town and wider county.
* Support the development of Cavan General Hospital as the regional centre for this sub-region
* Build on the development of Cavan Town as a tourism destination capitalising on its location as a link between Ireland’s Ancient East and Ireland’s Hidden Heartlands
* Support the delivery of Cavan Town Digital Hub that aims to attract and safeguard investment in the digital and technology related sectors, create jobs through entrepreneurship, stimulate digital start-ups and innovative enterprise and develop a ‘Digital Cluster’ ecosystem.
* Support the implementation of the Cavan Town Transportation Plan to ensure infrastructure enables the organic growth of the town
* Support the delivery of additional economic development lands in Cavan Town recognising the lack of suitably zoned lands.
* Support the actions set out in the Cavan Town Revitalisation Plan including the prioritization of projects having regard to Cavan being listed as an Urban Priority Region by the EPA 3.

All members, while welcoming the strategy, expressed reservations regarding the proposal to only allow 20% rural housing on brownfield sites. This would bring rural Ireland into our towns. They also made references to land being afforestated which is having a detrimental effect on rural communities.

Mr B. Jennings. Director of Service reiterated the closing date for submissions (8 February 2019). Cllr P. O’Reilly requested that the Council make a submission. Mr B. Jennings, Director of Service advised that the matter could be discussed at the Planning & Economic Development SPC.

Cathaoirleach, Cllr. M. Argue asked that members attend the lecture on the topic of the inaugural meeting of Dail Eireann which will be given by Dr. Darragh Gannon of Queens University Belfast in the Library Events Space following the meeting.

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

The Cathaoirleach agreed to Cllr. S.P. O’Reilly's request to move an emergency motion relating to the Meningitis Vaccination Programme.

Cllr. O’Reilly outlined the seriousness of the recent outbreak of Meningitis and the need for the vaccination B to be made available to all children as a matter of urgency. This vaccine is currently only available to children born after October 2016.

It was proposed by Cllr. S.P. O’Reilly and seconded by Cllr. P. Brady that the Council request the Department of Health & Children to make the Meningitis B Vaccination available to children up to the age of eighteen and born before October 2016.

1. **To ask Cavan County Council what is causing delays with processing and payment of the different Housing Grant Aid Schemes**.

Cllr. S. O’Reilly said this matter had been dealt with.

Following some discussion, it was agreed that the issue of combining the various housing grants in order that necessary works can be carried out as singular projects be considered by the SPC for Housing, Social and Cultural.

Mr. E. Doyle, Director of Service confirmed that the 2019 allocations for housing grants had not yet been received by the Council from the Department.

1. **To request an update from the Minister for Education & Skills, Joe McHugh T.D. on the provision of the new ASD Behavioural unit at St. Clare’s National School, Ballyjamesduff.**

The motion was withdrawn at the request of Cllr. S.P. O’Reilly.

1. **Need for changes in the Public Procurement Process / eTenders.**

Councillor F. Curtin raised inequities in procurement for public works contracts under the current tendering process which is resulting in many contracts being awarded to contractors outside the Republic of Ireland.

D. Maguire, Head of Finance informed members that Cavan County Council is obliged to operate within the national procurement framework. The members agreed that the Council write to Heather Humphreys, T.D, Minister for Business, Enterprise & Innovation and Tom Parlon, Chief Executive, CIF, to clarify how procurement procedures will be affected post Brexit.

1. **To call on Cavan County Council to recognise and honour the actions and bravery of Maurice McCabe**

Councillor N. Connell proposed that a civic reception be held to honour retired Garda Sergeant, Maurice McCabe for his courage in highlighting concerns about policing in Cavan and Monaghan.

In supporting the motion, Councillor J.P. Feeley stated that consideration should also be given to honouring other Gardai from Cavan who lost their lives in the course of public duty to the State such as Sergeant Patrick Morrissey and Garda Adrian Donohue.

1. **Safety measures at Killinkere National School**

Councillor V. Smith stated that despite the fact that warning signs and flashing lights have been erected in the vicinity of Killinkere NS, the road at this location is still dangerous. Cllr F. Curtin & Cllr P. McDonald also supported the motion. It was requested that the introduction of speed limits at this location be examined.

Councillor F. Curtin also requested that traffic management at Aghadreena N.S.

be reviewed. Mr. P. Connaughton, Director of Service noted the concerns of the

members. However there had been detailed and comprehensive correspondence

from the District Manager to the School acknowledging the core issues and a

number of possible solutions. He further noted that Cavan County Council had to

comply with the Department of Transport, Tourism and Sport guidelines for setting

and managing speed limits in Ireland. The School location has been

submitted as part of a low cost safety scheme to the Department of Transport on a

number of occasions but failed to attract Department funding. He stated that

Cavan County Council has committed to the erection of the 3 additional warning

signs and flashing beacons at this location and hopefully this will solve the

issues.

1. **That Cavan County Council support the Local Government (Water Pollution) Amendment Bill 2018.**

Councillor D. Brady proposed that Cavan County Council express it’s support for an amendment to the Local Government (Water Pollution) Act, 1977, which might assist applicants in obtaining planning permission for one-off rural houses. Councillor D Brady noted that there have been problems getting planning permission for single houses in rural areas where the soil is heavy and fails the percolation test (or T-test).  This is a consequence of Environmental Protection Agency guidelines, as part of measures to prevent ground water pollution from septic tanks.  He noted that these regulations were resulting in de-population of rural areas in Cavan. P. Connaughton noted the concern of the members but asked that cognisance be given to the following issues;

* Cost of monitoring
* Change of ownership
* Distance from watercourse

He advised the members that the EPA are currently reviewing their Code of Practice 2009 in relation to domestic wastewater water treatment and submissions must be made in relation to same by 22 March, 2019.

1. **That the State no longer bear any legal costs of former Garda Commissioner Martin Callinan in light of the findings of the Disclosures Tribunal.**

Councillor Paddy McDonald proposed that the Council write to the Government asking that it bears no legal costs of former Garda Commissioner Martin Callinan arising from the Disclosures Tribunal. It was agreed that Cavan County Council write to Charlie Flanagan, T.D. Minister for Justice and Equality to advise him of the motion.

1. **That Cavan County Council call on the Commissioner of An Garda Siochana to provide resources to the Cavan/Monaghan Division to create a Canine Unit to assist in the detection of illegal drugs.**

Cllr. John Paul Feeley stated that this matter was also discussed at Joint Policing Committee Meeting. Canine Units are 50 years in existence and have been very effective in dealing with crowd control, recovery of bodies and drug detection. There is a national unit within the Garda, however it would be advantageous to have regional units. It was agreed that both the Garda Commissioner and Department of Justice be written to in light of same.

1. **That Cavan County Council call on the Minister for Health to urgently improve funding for the provision of Home Help Hours / Home Support Packages.**

Councillor John Paul Feeley called on the Department of Health to put additional resources in place to provide funding for the provision of Home Help Hours/Home Support Packages. He cited numerous examples of how HSE have patients in hospital beds who are medically fit for discharge but have no home support packages in place for them to return to their homes. The members in turn supported the motion. It was agreed that the Council write to Mr. Simon Harris, T.D., Minister for Health.

It was proposed by Councillor J.P Feeley, seconded by Councillor M. Argue that Standing Orders be suspended in order to complete the agenda.

**10. That Cavan County Council, noting the recent Cervical Check Scandal call on the Minster for Health to progress introducing legislation to require mandatory disclosure of medical error.**

Councillor S. O’Reilly referred to the Civil Liability Bill 2018 where errors in practice were admitted by HSE. The amendment made by Government changed the legislation to state that rather than “Health Service Provider shall make a disclosure” it reads “Health Service Provider may make a disclosure”. Cllr. Reilly stated that open disclosure should be mandatory.

Cllr. Feeley asked that the Minister for Health be requested to have a policy of open disclosure and to ensure that compensation for medical negligence be made without delay. It was agreed that the Council write to Mr. Simon Harris, T.D., Minister for Health.

**MEMBERS’ ITEMS – JANUARY 2019**

**11 That Cavan County Council call on the Government to implement a programme of decentralisation of government departments and agencies from the greater Dublin area.**

This item was deferred to the February Meeting.

At the conclusion of the meeting Cllr. S.P. O’Reilly proposed that as agreed by the Fianna Fail Party at AGM the role of Vice Chair be divided between Cllr. Clifford Kelly and Cllr. Philip Brady. This matter was noted.

Meeting concluded at 5.24 p.m.

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

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