**Minutes of Virtual Meeting of Cavan County Council held on Microsoft Teams on Monday 11th January 2021 at 2.00p.m.**

Councillor S. O’Reilly, Cathaoirleach presiding

Present; Councillors M. Argue, C. Brady, P. Brady, B. Fay, A. Fitzpatrick,

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

T.P. O’Reilly, T. Smith, V. Smith, P. Walsh.

In Attendance; T. Ryan, Chief Executive

E. Doyle, Director of Service

P. Connaughton, Director of Service

B. Jennings, Director of Service

M. McNally, A/Head of Finance

L. McGavigan, Senior Executive Officer

E. McGinn, Senior Staff Officer

Apologies were received from Councillors W. Bennett and S. Smith.

Cathaoirleach S. O’Reilly welcomed all to the first official remote meeting of Cavan County Council. She stated that circumstances dictate a small piece of history as she chairs the first online plenary meeting of Cavan County Council.

1. **To confirm Minutes of Monthly Meeting held on 14 December 2020.**

**Miontuaririsci cruinnithe 14 Mí na Nollaig 2020 a dhearbhu.**

It was

Proposed by Councillor P. McVitty

Seconded by Councillor W. Bennett

And

Resolved;

“that minutes of meeting of Cavan County Council held on 14 December 2020 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 5 November and 16 November 2020.**

Noted.

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

**4. 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(i) To note reply from the Office of the Minister for Children, Equality, Disability, Integration and Youth regarding the Commission of Investigation (Mother and Baby Homes and certain related matters) Records, and another Matter, Act 2020.**

Noted. Councillor S. O’Reilly noted that the report into the investigation of the Mother and Baby Homes had been leaked to the Sunday papers. She stated that this is unacceptable and will cause more trauma and distress to the survivors.

**(ii) To note reply from Dublin City Council regarding the recovery of the remains of Joseph Brady, Daniel Curley, Michael Fagan, Thomas Caffrey and Tim Kelly at the invincibles yard in Kilmainham Gaol for re-internment in Glasnevin Cemetery.**

Noted. Councillor J.P. Feeley asked that the letter received from Dublin City Council be sent to Minister P. O’Donovan, Minister of State for the Office of Public Works for his information.

**(iii) To note reply from the office of the Minister for Health regarding Haemochromatosis screening and treatment.**

It was agreed to defer this until the February meeting.

**(iv) To note reply from the Office of the Minister for Environment, Climate and Communications in relation to illegal dumping.**

Noted.

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

**6. To approve disposal of derelict demountable at Gowlan, Blacklion to Mr. Eamon Fallon for the sum of €800, pursuant to Section 183 of the Local Government Act, 2000, Section 90 of the Housing Act, 1966 and Section 26 of the Housing (Miscellaneous Provisions) Act, 1992 and notices circulated.**

Deferred.

**7.**  **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)**

**by 28 February 2021.**

Noted.

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

Noted.

**Votes of Sympathy**

* The Morris Family, Virginia on the death of Owen Morris former employee of Cavan County Council.
* Bridie McBrearty, Housing Section on the death of her uncle Mr. John Doherty, Donegal.
* The Harten Family, Kilnaleck on the death of Seamus Harten former member of Cavan County Council.
* The Cole Family, Maghera on the death of their mother Mrs. Bridie Cole.
* Michael O’Brien, Cootehill employee of Cavan County Council on the death of his mother Mrs. Teresa O’Brien.
* The McGovern Family, Mullaghduff, Ballyconnell on the death of Julia McGovern. Julia was wife of the late Tom McGovern who owned Star Plastics in Ballyconnell.

**Vote of Congratulations**

* The students from Dún na Ri College on winning two awards at the BT Young Scientist Virtual Exhibition and also the students from all other schools within the County who participated.
* All frontline staff throughout County Cavan for all their good work they are doing during this Covid 19 pandemic.
* Cavan Lyons Club on providing two hundred €50 vouchers to people throughout the County
* The outdoor staff of Cavan County Council for their great work in gritting the roads over the past number of weeks.
* Mr. Enda Tiernan, IT Department on his recent marriage to Ms. Sheila Murtagh.
* Ms. Una McBarron, 102 years old from Ballyconnell on becoming the first member of the general population in County Cavan to receive the COVID-19 Vaccine.
* Minister Heather Humphreys, Minister for Rural and Community Development on her recent announcement of over €700,000 in funding for seven Cavan rural towns and villages under the Town and Village Renewal Scheme.

The members in turn welcomed funding. Councillor V. Smith stated that there are areas in the County such as Maghera and Lavey that are not recognised towns and wondered how they could apply for this funding. It was also noted by Councillors S.P. O’Reilly and T.P. O’Reilly that Munterconnaught is in the same position.

Mr. Brendan Jennings, Director of Service informed the members that no town is excluded from applying for funding. He stated that there are numerous schemes and they change each year. He stated that it is important to fit the area in question into the proper funding category for them. He stated that if the members bring community ideas to the Council they will help fit it into the proper funding scheme.

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

1. **North South Interconnector**

Councillor C. Kelly asked the Director of Service, Mr. Brendan Jennings if there had been any communication or discussions between Cavan County Council and Eirgrid or ESB in relation to the North South Interconnector.

Mr. Brendan Jennings, Director of Service informed the members that since the last Council meeting there had been no correspondence from anyone in relation to the North South Interconnector.

It was agreed to place the motion circulated by Monaghan County Council on the Council Agenda for the February Meeting.

1. **To seek support from Cavan County Council for pension entitlements for Community Employment Scheme supervisors.**

Councillor T.P. O’Reilly called for support from the members of Cavan County Council for pension entitlements for Community Employment Scheme Supervisors. He stated that with the service these supervisors provide to our communities they deserve a secure retirement. He stated that it is unacceptable that these people are denied this basic entitlement.

Councillor C. Kelly supported the motion noting that this is going on for a few years and is being constantly kicked down the road. He stated that it is time an agreement is reached.

Councillor P. McDonald supported the motion and stated that he had this motion on the agenda two years ago. He noted that the amount of work done by this people throughout communities is unmeasurable. He stated that he is Chairperson of the Community Scheme in Bailieboro for the last ten years and there are 34 people working on the scheme. He stated that in 2008 the Labour Court recommended access to a pension scheme for these vital community workers. He stated that this recommendation has yet to me implemented and is calling on the Government to implement them now.

1. **That Cavan County Council write to the Minister for Housing, Local Government and Heritage requesting that consideration be given to a stipulation that objectors to planning approvals who reside outside the district of the subject application be required to submit a deposit of €2,000. This deposit not to be refunded in the event of the objection being overruled.**

Deferred.

1. **Requesting that Cavan County Council write to the Ministers for Justice, Finance and Public Expenditure to make provisions where monies confiscated under the Proceeds of Crime Legislation be redirected from central funds back into local addiction services, youth organisations and community initiatives to combat the effect of addiction on our communities, and that the necessary legislation be changed as a matter of urgency to allow this vital funding support to happen.**

Councillor S.P. O’Reilly stated that changes need to be made in legislation so that money confiscated from criminal gangs can help fund local addiction services and other initiatives. He stated that drug detection and confiscation is huge in Cavan Garda Division. Councillor S.P. O’Reilly proposed that Cavan County Council write to the Ministers for Justice, Finance and Public Expenditure to make provisions where monies confiscated under the Proceeds of Crime Legislation be redirected from central funds back into local addiction services, youth organisations and community initiatives to combat the effect of addiction on our communities, and that the necessary legislation be changed as a matter of urgency to allow this vital funding support to happen.

Councillor B. Fay seconded the proposal.

Councillor T.P. O’Reilly supported the motion.

1. **To call on Cavan County Council to conduct a full audit of signage and road markings in the County as discussed by Ballyjamesduff Municipal District Members.**

Councillor S.P. O’Reilly stated that at a recent Ballyjamesduff Municipal District the members discussed the need to clean signs throughout our County. Councillor S.P. O’Reilly stated that he was aware this will cost extra funding. Councillor S.P. O’Reilly proposed that Cavan County Council carry out an audit of signage and road markings throughout the County. He stated that there are signs throughout the County that are hard to read and some even broken. He stated that the Council need to tackle this problem throughout 2021.

Councillor S. O’Reilly supported the motion stating that some signs are over 20 years old and are falling apart. Councillor S. O’Reilly also noted that signs are still in place even though businesses and premises have closed their doors permanently.

Councillor B. Fay supported the motion and suggested that if businesses are closed long term then their signs should be removed.

Councillor C. Brady supported the motion. Councillor C. Brady stated that this motion was on the Bailieborough Cootehill Municipal District agenda over eighteen months ago and she worked with the Council and got the major signs cleaned up. She stated that all Councillors should do the same in their own local areas.

Councillor A. Fitzpatrick supported the motion and suggested that people currently receiving PUP payments should be employed by Cavan County Council to carry out this work on signs.

Councillor P. McVitty noted that the new green signs put up along the roads have a glare off them particularly at night time when driving. He also asked how long a temporary sign can be left up before being taken down and who removes these signs.

Councillor C. Lovett stated that any time he had to place a temporary sign on the side of the road the Council were more than helpful in accommodating him.

Councillors T.P. O’Reilly, C. Kelly and P. McDonald supported the motion.

Mr. Paddy Connaughton, Director of Service informed the members that the Council would look into the glare on the green signs. He stated that placing signs on roadside areas come under two areas, Planning and the Roads acts. He stated that this is a timely motion and can be taken on board in the roadworks programme for the coming year. He stated that the Council can place emphasis on cleaning signs and get each local area to identify where the signs are as local knowledge is best.

1. **That Cavan County Council calls on the Department of Health and NMBI to immediately rescind the paying of retention fees by nurses and medical professionals in light of their selfless service and contribution to the fight against Covid-19.**

Councillor S.P. O’Reilly proposed that Cavan County Council call on the Department of Health and the Nursing and Midwifery Board of Ireland (NMBI), as a gesture of goodwill and solidary with our Health Care workers, to immediately rescind the paying of retention fees by nurses and medical professionals in light of their selfless service and contribution to the fight against Covid-19. Councillor S.P. O’Reilly stated that he placed the motion on the agenda as a result of an email he received from a local nurse with regards the payment of €100 to renew her membership every year. Councillor S.P O’Reilly stated that these fees should be waived in light of the commitment nursing staff have shown during the pandemic. He stated that a round of applause was all the nurses in this country was worth. Councillor S.P. O’Reilly noted that the Department of Psychiatry was also under pressure at this moment in time due to a rise with mental health issues and people unfortunately taking their own lives.

Councillor S. O’Reilly seconded the proposal. Councillor S. O’Reilly stated that in the UK, nurses received five hundred pounds tax credit in recognition for their work but nothing similar has been introduced in Ireland.

Councillors B. Fay and T.P. O’Reilly supported the motion.

1. **That Cavan County Council call on the OPW to retain ownership of lands in Cavan Town for the purposes of decentralisation and ask the Government to advance a programme of decentralisation without delay.**

Councillor J.P. Feeley proposed that Cavan County Council write to the Office of Public Works asking them to retain ownership of lands in Cavan Town for the purpose of decentralisation and ask the Government to advance a programme of decentralisation without delay. Councillor J.P. Feeley stated that the Office of Public Works own a 5.3 hectare site on Farnham Road, Cavan town and has potential for both Cavan County Council and Cavan General Hospital due to its proximity to the sites and stated that this land must be retained and see a programme for decentralisation implemented. He stated that there is huge potential in decentralisation for rural Ireland particularly now with all those working remotely due to Covid 19. He stated that this would also be advantageous to Dublin as it would take some of the population out of Dublin and ease traffic congestion. He noted that there would be a different attitude towards the allocation of funding if Government Departments were decentralised.

Councillor S.P. O’Reilly concurred with the motion and stated that this land in Cavan must be kept in state ownership. He stated that he felt the ship had sailed with regards to implementing a decentralisation programme.

Councillors T.P. O’Reilly and S. O’Reilly supported the motion.

1. **That Cavan County Council ask the Minister of State for Planning & Local Government and the EPA to resolve the issues surrounding percolation tests so as to allow local authorities grant planning permission on the basis of engineered treatment solutions available and accepted in other jurisdictions.**

Councillor J.P. Feeley noted that this motion had been discussed before and to date nothing has changed. He stated that EPA guidelines on domestic sites had made it almost impossible to secure planning. He stated that currently the EPA are reviewing the regulations, but he is of the opinion that the proposals will make no difference. He stated that a sensible solution needs to be implemented that people will get planning where they want to live. He stated that the EPA cannot be allowed to socially engineer people. He stated that we need to keep the population in rural communities to keep our schools open and local shops in business. Councillor J.P. Feeley proposed that Cavan County Council ask the Minister of State for Planning & Local Government and the EPA to resolve the issues surrounding percolation tests so as to allow local authorities grant planning permission on the basis of engineered treatment solutions available and accepted in other jurisdictions.

Councillor C. Kelly seconded Councillor J.P. Feeley’s proposal. He stated that we cannot go down the road of stopping people building on their own lands.

Councillor T.P. O’Reilly supported the motion. He stated that people who own their own sites need to be allowed build on them. He stated that with upgraded technology and new sewerage systems there should be no reason why this cannot happen.

Councillor S.P. O’Reilly supported the motion. He stated that a huge amount of money has been spent on rural schools over the years and we do not want to see them close because people are being pushed into living in towns and villages. He stated that he will not support any development plan that has further restrictions on building rural houses in County Cavan. He stated that we need to take a stand like other counties have done.

Councillor P. McVitty supported the motion. He stated that Cavan County Council are more than helpful when dealing with planning permissions. Councillor McVitty stated that people objecting who are not living in the area should be requested to pay large fees for their objection.

Councillor B. Fay supported the motion.

Mr. Paddy Connaughton, Director of Service stated that the Environment SPC made a submission to the EPA in relation to the revised guidelines and currently these guidelines are with the Minister for signing. He stated that the main change seems to be to speed up the method to carry out the test and this will not improve percolation results in West Cavan.

Mr. Brendan Jennings stated that the push is being made on a national level with regards to living in town centres and he agreed that this should not be to the detriment of rural areas. He stated that he does not want to see rural areas dying but Cavan County Council are obliged to adhere to the National Planning Framework. He stated that in relation to objectors the fee is set under national legislation and we as a Council cannot change it. He stated currently as the law stands anyone can object to a planning application.

Councillor J.P. Feeley thanked everyone for their support and stated that the Minister needs to intervene in a meaningful manner to protect communities.

1. **That Cavan County Council ask the HSE and Local Link to withdraw proposals to charge clients using services for people with a disability.**

Councillor J.P. Feeley stated that he had received queries from parents of people with a disability regarding having to pay for transport. Councillor Feeley stated that the amount was not the problem it was the principle of the thing, once a fee has to be paid it will only be increased as time goes on. He stated that travel pass is not accepted on these private services and this needs to be changed. He stated that the majority of users are in receipt of weekly allowances such as disability allowance where paying for transport represents a significant amount of money out of their weekly budget. He stated that parents and guardians of these people are not getting any younger and they need the break everyday while these people are attending day centres. He stated that this fee needs to be withdrawn and not appear again. Councillor Feeley asked that the Council members on the HSE forum raise the issue at the next meeting.

Councillor P. McVitty supported the motion agreeing that it was not the amount of money but the principle of the thing. He stated that people are presently being charged and they cannot even use their free pass. Councillor McVitty seconded Councillor Feeley’s proposal.

Councillors S. O’Reilly, S.P. O’Reilly, C. Kelly, A. Fitzpatrick and B. Fay supported the motion.

1. **That Cavan County Council supports the right to Personal Assistance Service (PAS) for disabled people to have freedom, choice and control over all aspects of their lives to enable them to fully participate in an inclusive society as equals. That this Local Authority would call on the Government and the Minister with responsibility for Disabilities Mary Butler TD, to enact legislation to standardise and fund additional PA costs.**

Councillor A. Fitzpatrick stated that this motion had been passed by the members of Monaghan County Council last month and he was calling on his colleagues to support the motion in giving the right to Personal Assistance Service (PAS) for disabled people to have freedom, choice and control over all aspects of their lives and to enable them to fully participate in an inclusive society as equals. He called on Cavan County Council to write to the Minister with responsibility for disabilities to enact legislation to standardise and fund additional PA costs.

Councillor J.P. Feeley stated that people with a disability are better able to participate in society with a personal assistant and therefore be on the same level as everybody else. He stated that it is not care that is required for this people, just somebody to support them.

Councillor P. McDonald supported the motion and noted that the current Minister for Disabilities is Anne Rabbite, T.D. Councillor P. McDonald noted that there is currently no standardised procedure in Ireland for administrating personal assistance hours. He stated that in 2017 84% of those in receipt of personal assistance service received less than three hours a day and 42% of these people were in receipt of between one and five hours a week an average if 42 minutes a day despite disability being a 24 hour affair. Councillor P. McDonald stated that to address the unmet need that exists for such services an additional 1.5million hours needs to be provided.

**MEMBERS’ ITEMS – JANUARY MEETING**

1. **That Cavan County Council support proposals to erect a statue of John Joe O’Reilly.**

Councillor J.P. Feeley stated that as we are approaching the 75th Anniversary of Cavan winning the All-Ireland in the Polo Grounds, New York and the 70th anniversary of the death of the gallant John Joe O’Reilly it would be fitting for Cavan County Council to support proposals to erect a statue of John Joe O’Reilly. He stated that John Joe O’Reilly was an immense individual both on and off the pitch. He stated that his career as an army officer, as well as his part in the social history of the County marked him as an individual worthy of commemoration. He stated that Cavan County Council could help with the location, design, planning and placement of the memorial.

Councillor M. Argue supported the motion stating that it was a very apt time to recognise the contribution of John Joe O’Reilly to County Cavan. Councillor Argue complimented Mr. George Cartwright former County Board Chairman on his book “The Gallant John Joe- Cavan’s Millennium Man”. Councillor Argue stated that a plaque paid for by the people of Cavan town, recognising Willie Doonan, member of1947 team had been erected at the entrance to Breffni Park and this has since been removed. Councillor Argue requested that another plaque be erected.

Councillor S.P. O’Reilly seconded Councillor J.P. Feeley’s proposal. He stated that when you read George Cartwright’s book on John Joe it would certainly give you pride in your County. He stated that the fact the Millennium Man died so young also added to the story. Councillor S.P. O’Reilly stated that public art works can also add to the tourism attraction of an area and recounted a specific initiative in Sydney Australia.

Councillor P. McDonald supported the motion and suggested that there is also a need to erect a statue of the great Jim Smith from Killinkere as he was the first captain to bring an All-Ireland to Cavan. He stated now that Cavan GAA are creating the new polo ground in Breffni it might be an idea to honour captains and the 1947 team.

Councillor A. Fitzpatrick supported the motion noting that Charlie Gallagher, Cootehill was another great Cavan footballer who should be honoured.

Councillors C. Kelly, B. Fay, P. Walsh supported the motion.

1. **That Cavan County Council call on the Government of Ireland to establish a full independent inquiry into the Belturbet Bombing of 28th December 1972 and related events and ask the support of the Stormont Executive for such an inquiry and also seek a meeting with the British Ambassador, Robin Barnett to demand that all documents and evidence including classified files be provided to such an inquiry.**

Councillor J.P. Feeley stated that his motion follows RTE’s excellent programme aired in December. He stated that the contributions from all locals were touching in their simple honesty and everyone who participated deserve our appreciation. He stated that Deputy Brendan Smith is making ongoing efforts to try and establish an independent enquiry into the bombing but it seems to be falling on deaf ears especially in our neighbouring constituency. He stated that the events of that evening left an indelible mark on Belturbet where two teenagers Geraldine O’Reilly and Patrick Stanley were murdered, many more injured and huge damage done to the town. Councillor J.P. Feeley stated that the initial garda investigation proceeded properly but was hampered by lack of cross border co-operation. He stated that it remains an open investigation and it is important that anything done now would not prevent those involved being brought to justice. He stated that the Gardai cannot open their files but they can as they have done in the past co-operate with a public inquiry. He stated that an All-Island approach to the investigation is necessary. He stated that he had already written to First Minister Arlene Foster asking for her support for a full public inquiry into the Belturbet bombing and related events and that she use her influence with the British Government to co-operate in such an inquiry. Councillor J.P. Feeley proposed that Cavan County Council call on the Government of Ireland to establish a full independent inquiry into the Belturbet Bombing of 28th December 1972 and related events and ask the support of the Stormont Executive for such an inquiry and also seek a meeting with the British Ambassador, Robin Barnett to demand that all documents and evidence including classified files be provided to such an inquiry.

Councillor B. Fay seconded Councillor Feeley’s proposal. He stated that the people of Belturbet have not forgotten this atrocity and it is still a topic of conversation among local people. Councillor B. Fay stated that it was time that those responsible were brought to justice. He stated that he was a very good friend of the O’Reilly family and spoke of their desolation of the loss of Geraldine. He stated that the Stanley Family would also like to see a closure brought to this case.

Councillor P. McDonald supported the motion. He stated that this is a very sensitive issue for the families who lost loved ones and the people involved in this bombing need to be brought to justice.

Councillor P. McVitty supported the motion stating that there are a lot of questions not answered and reiterated the need for justice for the families of the victims.

Councillor J.P. Feeley thanked the members for their support stating that it is never too late to do the right thing.

**The meeting concluded at 16.50.**

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

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