**Minutes of Meeting of Cavan County Council held in The Council Chamber, Courthouse, Cavan on Monday 12th June 2023 at 2.00p.m.**

Councillor P. Walsh, Leas Cathaoirleach, presiding

Present; Councillors M. Argue, W. Bennett, P. Brady, B. Fay, A. Fitzpatrick, C. Kelly, C. Lovett, P. McDonald, P. McVitty, S. O’Reilly, S.P. O’Reilly, T.P. O’Reilly, Á. Smith, T. Smith, V. Smith.

In Attendance; T. Ryan, Chief Executive

B. Jennings, Director of Service

P. Connaughton, Director of Service

E. Doyle, Director of Service

M. McNally, A/Head of Finance

L. McGavigan, Senior Administrative Officer

E. McGinn, Senior Staff Office

Apologies were received from Councillors C. Brady and J.P. Feeley.

Councillor P. Walsh welcomed all to the meeting.

1. **To confirm Minutes of Monthly Meeting held on 8th May 2023.**

**Miontuaririsci cruinnithe 8 Bealtaine 2023 a dhearbhú.**

It was

Proposed by Councillor P. McVitty

Seconded by Councillor M. Argue

And

Resolved;

“that minutes of monthly meeting of Cavan County Council held on 8th May 2023 be hereby approved”

Councillor P. Walsh noted that each Councillor had been given a copy of the book “Bealach na Bó Finne” and acknowledged the work of the Arts Office. Councillor Á Smith congratulated the Arts Office and all the people involved for the great publication.

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

Noted**.**

1. **To note Minutes of Corporate Policy Group meeting held on 6th April 2023**

Noted.

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 the Office of the Tánaiste and Minister for Foreign Affairs**

**regarding the establishment of an All-Ireland Citizen’s Assembly to debate on**

**Irish Unity.**

Noted.

**(b) To note reply from the Office of the Minister for Health regarding**

**endometriosis.**

Noted. Councillor Á Smith welcomed the reply.

**(c) To note reply from the Office of the Minister for Justice regarding the General**

**Scheme of the Sale of Alcohol Bill 2022.**

Noted.

**(d) To note reply from the Minister of Housing, Local Government and Heritage**

**regarding the extension of the eviction moratorium to the end of the year.**

Noted.

**(e) To note reply from Office of the Minister of State at the Department of Justice**

**regarding the Firearms Expert Committee.**

Noted.

**(f) To note reply from the Office of the Minister for Further and Higher Education,**

**Research, Innovation and Science regarding the number of places available on**

**programmes leading to a qualification in health therapy disciplines.**

Noted.

**(g) To note reply from the Minister for Justice regarding Garda Entry Pay.**

Noted.

**(h) To note reply from the Office of the Tanáiste and Minister for Defence**

**regarding the awarding of Distinguished Service Medals to the soldiers who**

**fought in the Siege of Jadotville.**

Noted.

**(i) To note reply from the Road Safety Authority regarding waiting times for**

**driving tests.**

Noted.

**(j) To note reply from the Office of the Minister of State at the Department of**

**Transport regarding a review of the Driving Licence Theory Test.**

Noted.

**(k) To note reply from the HSE and the Office of the Minister of State at the**

**Department of Health regarding the setting up of a special unit in Cavan**

**General Hospital and in all public hospitals for anything pertaining to mental**

**health.**

Noted.

**(l) To note reply from RTÉ regarding the broadcast of reflective films and audio**

**in the daily “Angelus” slots.**

Noted.

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

**(a) AILG Training to be held in the Mullingar Park Hotel on 15th June 2023.**

It was

Proposed by Councillor S.P. O’Reilly

Seconded by Councillor W. Bennett

And

Resolved;

“that the attendance of Councillors W. Bennett, P. McVitty, T. Smith, V. Smith, T.P. O’Reilly, P. Brady, Á Smith and S.P. O’Reilly at the AILG training to be held in the Mullingar Park Hotel on 15th June 2023 be hereby approved”.

**(b) Seán MacDiarmada Summer School 2023 held in Kiltyclogher, Co. Leitrim on 9th**

**and 10th June 2023 (retrospective approval).**

It was

Proposed by Councillor S.P. O’Reilly

Seconded by Councillor W. Bennett

And

Resolved;

“that the attendance of Councillor T.P. O’Reilly at the Seán MacDiarmada Summer School. 2023 held in Kiltyclogher, Co. Leitrim on 9th and 10th June 2023 be hereby approved”.

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

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

Noted.

**8. To approve disposal of plot of land containing 0.65 hectares at Drumhirk, Cootehill, Co. Cavan to Anne and James Clerkin, Drumhirk, Cootehill, Co. Cavan for the sum of €1,500, pursuant to Section 183 of the Local Government Act 2001 and Section 211 of the Local Government (Planning & Development) Act 2000, and notices circulated.**

It was

Proposed by Councillor A. Fitzpatrick

Seconded by Councillor T.P. O’Reilly

And

Resolved;

“that disposal of plot of land containing 0.65 hectares at Drumhirk, Cootehill, Co. Cavan to Anne and James Clerkin, Drumhirk, Cootehill, Co. Cavan for the sum of €1,500, pursuant to Section 183 of the Local Government Act 2001 and Section 211 of the Local Government (Planning & Development) Act 2000 be hereby approved”.

**9. In accordance with Section 221, Local Government Act 2001 as amended, adoption of the 2022 Annual Report.**

It was

Proposed by Councillor M. Argue

Seconded by Councillor B. Fay

And

Resolved;

“that in accordance with Section 211, Local Government Act 2001 as amended the 2022 Annual Report be hereby approved”.

**Holy Family School:**

It was proposed by Councillor P. McVitty and seconded by Councillor T.P. O’Reilly that a further letter be sent to Minister Anne Rabbitte T.D., in relation to the Holy Family School, Cootehill.

**Breffni Blues**

Councillor P. McVitty wished Breffni Blues and their coaches the best of luck as they represent Ireland in the Special Olympics in Berlin.

Councillor P. McVitty asked that going forward more notice needs to be given to elected members when a Minister is visiting the County and going on tour. He stated that it is disrespectful to the members when certain events happen in the County and they are not informed particularly when it is happening in their Municipal District Area.

Mr. Brendan Jennings, Director of Service accepted that notice was short and noted that the members were informed as soon as the executive knew.

**Vote of Sympathy:**

* The Coghlan Family, Kerry on the death of former Senator Paul Coghlan.

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

**10.1 To discuss concerns over the new Bill on hate speech and hate crime.**

Councillor S. O’Reilly noted that the Government is set to introduce the Criminal Justice (Incitement to Violence or Hatred and Hate Offences) Bill 2022 which is coming before the Seanad shortly. Councillor O’Reilly stated that while she is opposed to all forms of discrimination and incitement to violence, everyone who lives in this country and who is a citizen of this country must have equal rights. She stated that one of the main defects of the bill is its lack of clear definitions. Councillor O’Reilly believed the Bill is not ready to be legislated and must be examined more closely. She stated that the Minister for Justice has said that hatred is the key reason for this Bill, yet it is not defined anywhere in the Bill. Councillor O’Reilly stated that she opposes hatred and would say that calling for violence against people is hatred and this should be illegal. However, she noted that others would define hatred as saying that a woman is a female adult. She stated that the right not to be offended is not a fundamental human right and there is also the question as to who decided what “hate” speech is? She wondered if the idea of saying something as a joke could be considered a criminal offence. She stated that to deprive Irish citizens of our right to free speech, under the threat of criminalisation, is not a feature of a democratic or open society. Councillor O’Reilly stated that the Bill is very vague.

Councillor S.P. O’Reilly supported the motion and stated that we soon will not be able to have an opinion on anything. He stated that people should have the right to articulate difference of opinion and asked that a plea be made to the legislators to put the bill on the back burner.

Councillor T.P. O’Reilly felt that the bill would deal with extremists in our society.

Councillor P. Brady noted that the bill is complicated, and more information is required.

Councillor B. Fay supported the motion.

**MEMBERS’ ITEMS – JUNE MEETING**

**10.2 That Cavan County Council provide an update on the North South Interconnector.**

Councillor C. Kelly asked the executive of Cavan County Council if there had been any

recent updates on the North South Interconnector.

Mr. Brendan Jennings, Director of Service informed the members that there had been no

meetings with Eirgrid or ESB Networks since the last Council Meeting.

Councillor C. Kelly stated that he was shocked after the last Council meeting when he

read Eirgrid’s statement in the Anglo Celt stating that it did not align with what took place

at the meeting. He proposed that the Council write to Eirgrid asking them to provide a

true account of what took place and not what they think took place. This proposal was

seconded by Councillor S. O’Reilly.

Mr. Eoin Doyle, Director of Service stated that Councillor Kelly would need to be more

specific and identify what discrepancies there are between both accounts. He stated

that once these are identified they would be forwarded to Eirgrid and a response sought.

**10.3 To request the Minister for Health to immediately set out regulations for the sale, use and supply of vaping units/vapes.**

Councillor S.P. O’Reilly proposed that Cavan County Council write to the Minister for Health to immediately set out regulations for the sale, use and supply of vaping units/vapes. Councillor O’Reilly stated that the number of teenagers vaping is a genuine worry. He stated that teenagers are buying vapes online which are different flavours, and nobody knows what is used to enhance the flavours in them. Councillor S.P. O’Reilly congratulated the Government on bringing in legislation stating that you must be eighteen years old to purchase vapes.

Councillor Á. Smith supported the motion and noted that vaping is a major issue in secondary schools. Councillor Smith stated that in 2022 one hundred and seven countries were banned from vaping and e-cigarettes and Ireland needs to do the same. Councillor Smith stated that children need to be educated on the dangers of using vapes.

Councillor C. Kelly supported the motion and noted that doctors are saying that young people will have serious organ failure because of vaping.

Councillor T.P. O’Reilly supported the motion and noted that young people are now taking liquid cannabis through vapes.

Councillor B. Fay supported the motion and stated that vaping should also be banned from inside premises.

Councillor P. Walsh supported the motion and appealed to the youth to think before they taste.

Councillors W. Bennett, P. McDonald, P. McVitty, P. Brady and T. Smith supported the motion.

**10.4 That the Minister and Department of Transport initiate a new grading of road conditions in line with what is expected of motorists.**

Councillor S.P. O’Reilly proposed that Cavan County Council write to the Minister of Transport asking that he initiate a new grading of road conditions in line with what is expected of motorists. Councillor O’Reilly stated that emphasis needs to be put on regional and secondary roads. He stated that the local area offices need to grade the roads in the County to see what works need to be done on them. He stated that motorists must do an NCT to make sure their car is road worthy and therefore the Government should have a system in place to ensure roads are car worthy and provide funding for these roads to be done.

Councillor S. O’Reilly supported the motion and noted that the problem with our roads comes down to a funding issue.

Councillor T.P. O’Reilly agreed it is a funding issue and we can do all the surveys we want but if we don’t have the funding works cannot be carried out.

Councillor C. Kelly stated that roads must be car worthy and this needs to be pointed out to the Government. Councillor Kelly asked if Cavan County Council have a system where the bitumen and tarmac is tested.

Councillor A. Fitzpatrick supported the motion.

Mr. Paddy Connaughton, Director of Service stated that any initiative that will secure extra funding in relation to roads is welcomed. He stated that the Department of Transport currently rate the condition of roads in the country. Mr. Connaughton stated that Cavan County Council can look at more bitumen and tarmac testing in the County.

**10.5 That Cavan County Council formally support St. Kilian’s Heritage Trust, Mullagh, in their efforts to have the relics of St. Kilian, St. Colonat and St. Totnan released by the Cathedral Chapter of the Diocese of Wurzburg to make a historic visit back to their homeland.**

Councillor S.P. O’Reilly requested that Cavan County Council formally support St. Kilian’s Heritage Trust, Mullagh on their efforts to have the relics of St. Kilian, St. Colonat and St. Totnan released by the Cathedral Chapter of the Diocese of Wurzburg to make a historic visit back to their homeland. Councillor S.P. O’Reilly stated that the members and executive from Cavan County Council first visited Wurzburg in 2014 and ever since their friendship has been growing. Councillor S.P. O’Reilly noted that next month a delegation from Cavan County Council will travel to Germany to attend the Killani-Volksfest in Wurzburg, commemorating and celebrating one of Cavan’s most influential sons, St. Kilian and also meet with the Bishop and his immediate advisors. Councillor S.P. O’Reilly stated that from a religious point of view it was a case of pushing an open door and therefore it would be important to have the Council’s backing when putting a proposal forward. He stated that the proposal of St. Kilian’s Heritage Trust is to bring the relics to Mullagh and then on to the Cathedral in Cavan before returning to Germany. Councillor S.P. O’Reilly noted that Cavan County Council already has a friendship pact with Kurnach, near Wurzburg where one of the local Councillors is Ms. Collette Hermann nee Duggan from Ballyhaise.

Councillor T.P. O’Reilly supported the motion and stated that it is important to acknowledge the bond and friendship that has developed between the two regions.

Councillors P. McDonald, S. O’Reilly, M. Argue, P. Walsh, B. Fay and W. Bennett supported the motion.

Mr. Tommy Ryan, Chief Executive Officer noted that the two areas had strengthened ties over the years and that the foundation upon which the proposal was built included three strands, Church, Civic and Community.

**10.6 To discuss issues with manhole covers throughout the County.**

Councillor P. McVitty stated that he had received numerous complaints from motorists in relation to manhole covers that are not properly re-instated after works are carried out. He stated that there are quite a number of manhole covers in Cavan town in bad condition and asked who is responsible for manhole covers in our County.

Councillor C. Kelly supported the motion and noted that companies such as Uisce Eireann and the ESB should be responsible for the maintenance of covers under their remit and the repair works should not be a burden on the Council.

Councillor M. Argue supported the motion.

Councillor T.P. O’Reilly noted that this issue was previously discussed at a Ballyjamesduff Municipal District meeting and stated that a programme of examining damaged manholes needs to be put in place.

Councillors. B. Fay, S.P. O’Reilly and P. Walsh supported the motion.

Mr. Paddy Connaughton, Director of Service stated that the responsibility of repair of manhole covers and also three hundred millimetres around the lid lies with the licence holder and if the Council were to interfere it may leave them open to legal proceedings.

Councillor P. McVitty proposed that the Council write to the utility providers outlining their concerns. This proposal was seconded by Councillor T.P. O’Reilly.

**10.7 Childcare provision and rates.**

Councillor Á Smith proposed that Cavan County Council write to the Housing and Valuation Office asking for commercial rates to be abolished across the entire early learning years sector. Councillor Smith noted that private providers are paying high rates which leaves less money to invest in quality provision for young children also meaning parents have additional costs to meet. Councillor Smith stated that early childhood learning in an integral part of our overall education system. Councillor Smith stated that both provider types offer the universal government funded ECCE scheme which requires evidence of the provision of an education curriculum and programme.

Councillor P. Brady seconded Councillor Á. Smith’s proposal.

Councillor S.P. O’Reilly supported the motion and noted that all educational facilities should be exempt from paying rates.

The motion was supported unanimously.

**10.8 Learning and promotion of the Irish Language.**

Councillor Áine Smith stated that the life of the language is to speak it and requested that more be done at local and national level to promote the use of the Irish language. She stated that the Irish language is accorded special status in Ireland and is protected by various pieces of legislation in particular Article 8 of the Constitution. She stated that in recognising the linguistic, social and cultural importance of Irish and English in Ireland, both languages are included as core subjects in the national curricula at primary and secondary school level and this has been the case since the foundation of the State. Councillor Smith stated that a new approach is needed to teach the Irish language and asked why after eight years in primary school and five to six years in secondary school studying Irish, we do not have more fluent Irish speakers. She stated that she believed the Irish language should be taught as a language not as a subject and noted that children are best able to learn languages in their early years. Councillor Smith noted that pupils in secondary school are expected to understand poetry and prose in Irish without ever understanding the language itself. Councillor Smith proposed that Cavan County Council write to Minister Norma Foley, Minister for Education asking her to overhaul the approach to teaching Irish in our primary and secondary schools.

Councillor C. Kelly seconded Councillor Smith’s proposal.

Councillor P. McDonald supported the motion and expressed his disappointment with the last census results showing Cavan as one of the lowest Irish speaking Counties in Ireland.

Councillor P. Brady supported the motion and noted that children love attending the Gaeltacht to learn Irish.

Councillors M. Argue and S. O’Reilly supported the motion.

**10.11 To call for a pause on mandatory retirement of retained fire fighters at 60 years of age owing to the crisis in recruitment.**

Councillor T. Smith proposed that Cavan County Council write to the Minister for Housing, Local Government and Heritage asking that a pause be placed on mandatory retirement of retained fire fighters at 60 years of age owing to the crisis in recruitment. Councillor Smith noted that retained fire fighters are a valuable part of communities and stated that it is a very pressurised job being on call twenty-four hours a day, seven days a week. He noted that fire fighters must always be in the vicinity of the fire station.

Councillor P. McDonald supported the motion and noted that a review was being carried out with no results published to date.

**10.15 That County Councillors support the Retained Fire and Rescue Service and call on the Minister for Local Government and the Minister for Public Expenditure to provide the resources to sustain and enhance the service now and for future generations.**

Councillor B. Fay asked that Cavan County Council support the retained fire and rescue service and proposed that a letter be sent to the Minister for Housing, Local Government and Heritage and the Minister for Public Expenditure asking them to provide the resources to sustain and enhance the service now and for future generations. Councillor Fay noted that fire fighters that are on call must stay within 2.5km of the fire station they are assigned to which often leaves them missing out on family events. He stated that while most have other jobs to supplement their income, they are also seriously limited in their other career options and potential earnings.

Councillor T.P. O’Reilly supported the motion and stated that the Department need to engage with them.

The motion was supported unanimously.

Councillor T.P. O’Reilly noted that new housing projects were recently opened throughout the County and he complimented local Cavan contractors for their workmanship on the projects.

**Item Nos. 10.9, 10.10, 10.12, 10.13, 10.14 and 10.16 were deferred.**

The meeting ended at 4.00p.m.