**Minutes of Meeting of Cavan County Council held on 14 November 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, E. Greenan, 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

J. McLoughlin, Director of Service

G. Finn, Director of Service

E. McGinn, Meetings Administrator

1. **To confirm Minutes of Meetings & In-Committee Meeting of Cavan County Council held on 10th October 2016. Miontuairiscĺ cruinnithe 10 Deirreadh Fomhair 2016 a dhearbhu.**

It was:

Proposed by Councillor S.P. O’Reilly

Seconded by Councillor C. Kelly

And

Resolved:

“that minutes of monthly meeting & in-committee meeting of Cavan County Council held on 10 October 2016 be hereby approved”.

**2. To note minutes of Strategic Policy Committee meeting on Housing, Community, Social & Cultural Development held on 19 April 2016.**

Noted.

**3. To note Minutes of Corporate Policy Group meetings held on 6 & 17 October 2016.**

Noted.

**Vote of Sympathy**

Councillor C. Kelly proposed a vote of sympathy to Councillor John Paul Feeley, Philip Feeley employee of Cavan County Council and the Feeley family on the death of their father former Cathaoirleach and Councillor Eddie Feeley. This proposal was seconded by Councillor P. O’Reilly. Councillor C. Kelly outlined the achievements of the late Councillor Feeley stating that he was a devoted West Cavan man. The members noted that the late Councillor Feeley had a great track record of attending meetings and even though there were often arguments in the Chamber they were forgotten about once the meeting concluded. The members noted that the late Eddie Feeley also worked as an outdoor staff member with Cavan County Council.

Mr. Tommy Ryan, Chief Executive offered his condolences to the Feeley family on behalf of the executive.

Councillor J.P. Feeley son of the late Councillor Eddie Feeley thanked the members for their kind words. He acknowledged the support of all Council staff both past and present since his father’s passing. Councillor Feeley on behalf of the Feeley family thanked the members for their friendship.

A minutes silence was held in memory of the deceased and the meeting was adjourned until 3.45p.m. as a mark of respect to the late Councillor Eddie Feeley.

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

Noted.

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

Noted.

**7. To approve overdraft accommodation for €9,000,000 for the year ending 31/12/2017.**

It was:

Proposed by Councillor S. Smith

Seconded by Councillor P. Brady

And

Resolved:

“that overdraft accommodation for €9,000,000 for the year ending 31/12/2017 be hereby approved”.

**8. Report on the Progress achieved in securing the objectives of the Cavan County Development Plan 2014-2020 and the Cavan Town & Environs Development Plan 2014-2020.**

Noted.

**9. Manager’s Report on the submissions received in relation to the draft Development Contribution Scheme 2017-2020 and consideration of the draft scheme.**

Mr. Ger Finn, Director of Services stated that the draft development contribution scheme 2017-2020 went on public display in September and was open for submissions until the 27th October.

Mr. Nicholas O’Kane, Senior Planner informed the members that two submissions had been received, one from the Department of Housing, Planning, Community & Local Government and the other from Irish Wind Energy Association. The Chief Executive replied to both submissions. Mr. O’Kane stated that amendments received by Chief Executive on foot of elected members’ submissions were as follows:

**Under Section 5.1 Payment of Contributions insert:**

A 10% reduction shall apply where development contributions are paid in full within 6 months of lodgement of commencement notice. Retention Permissions shall not avail of this discount.

**Under Section 3.0 Agricultural Structures replace:**

€3.60 per square metre (in excess of 800m² of the aggregate area of farm complex).

With:€5.00 per square metre (0m² - 300m² exempt). 300m² exemption shall only be availed of once.

**Under Section 4.1(a) Exemptions and Reductions revise:**

Change of use to residential or any new build residential development in town core zonings as per the adopted Development Plans for the County and Cavan Town.

As follows:

Change of use to residential or any new build residential development **up to a maximum of 5 residential units** in core zonings as per the adopted Development Plans for the County and Cavan Town.

Mr. O’Kane informed the members that they shall make the Scheme unless it decides by resolution to vary or modify the Scheme otherwise that as recommended in the Chief Executive’s Report or otherwise decided not to make the Scheme.

Councillor J.P. Feeley proposed that Section 4.1(a) after much discussion within his group be deleted in its entirety. This was seconded by Councillor S. Smith.

The proposal under Section 3.0 Agricultural Structures was unanimously agreed by members.

Councillor J. P. Feeley stated that due to EPA guidelines and criteria elaborate site tests and treatment works have to be carried out by many applicants when applying to build their own home on family lands. Councillor J.P. Feeley proposed that areas where soil tests require the provision of elaborate treatment works costing in excess of €6,000 (2 detailed quotes required) and the works proposed are required by the Environment Section of Cavan County Council, the Council, on completion of the works by the applicant rebate 75% of the Development Levy paid on the Development. This was seconded by Councillor S. Smith.

Mr. Ger Finn, Director of Service stated that the development contribution scheme is a necessary part of the whole budgetary provision. He stated that the development contribution scheme is vital for the delivery of infrastructure from car parks to footpaths. He stated that a rebate scheme would be difficult to administer.

It was agreed by all members that Councillor Feeley’s proposal in relation to a 75% rebate due to costly treatment works would be dealt with separately after all items are agreed at the Budget meeting on Friday 25th November. Mr. Ger Finn, Director of Services stated that all matters relating to the draft development contribution scheme were agreed and only Councillor Feeley’s proposal be dealt with at the Budget Meeting.

**6. To hear presentation from representatives of Bord na Mona.**

Councillor F. Curtin welcomed Mr. Paul Riordan, Mr. Enda McDonagh and Mr. Gerry Ryan from Bord na Mona to the meeting.

Mr. Paul Riordan stated that he was delighted to get the opportunity to talk to the members of Cavan County Council. He stated that Bord na Mona are committed to being a part of the solution to the flooding problems that devastated many homes in the Midlands of Ireland last year. He stated that Bord na Mona operates in nine inland counties and employ 1200 people in the peat industry. He stated that Bord na Mona operate within 2% of the Shannon Catchment area and their boglands are pumping less than 1% of its water to the river Shannon. He stated that they operate under EPA licenses and are tightly monitored and inspected by the EPA.

Councillor P. Smith welcomed the members of Bord na Mona. Councillor Smith noted that there are islands and mud bars appearing in the River Shannon and queried if this is as a result of high silt levels.

Mr. Riordan stated that Bord na Mona removed a significant amount of the silt and that they are 98% compliant with EPA licenses.

Councillor P. O’Reilly stated that it appears no group is responsible for the flooding and was of the opinion that joined up thinking is required by all groups to address the flooding problem.

Mr. Enda McDonagh, Bord na Mona noted that there are 500 silt ponds in the Shannon catchment area and these are inspected every fortnight and cleaned twice a year. He stated that Bord na Mona is fully engaged in the CFRAM study to reduce and manage flood risk in Ireland.

**10. To note Cavan County Council’s Annual Report for 2015 (to be circulated at meeting).**

It was agreed to place on the agenda for December meeting to give members an opportunity to read the report.

**11. Fixing of time, date and location of December meeting.**

Mr. Eoin Doyle, Director of Service informed the meeting that it was agreed at the Corporate Policy Group meeting that the December meeting will take place on Friday 9th December, 2016 at 3.30p.m. in Aughnadreena National School and afterwards to the Lavey Inn.

**Kevin Bell Repatriation Trust**

Councillor P. Brady proposed that on the 18th December 2016 the Christmas tree lights at the Courthouse be turned on in conjunction with a tractor run for the Kevin Bell Repatriation Fund and Vincent Magee. He proposed that anyone who has availed of the Kevin Bell trust be given the opportunity to hang a decoration on the tree in memory of their loved ones.

Councillor P. Smith seconded the proposal. He asked that parking spaces be kept free at the Courthouse for the tractors to park. He stated that the Kevin Bell Repatriation Fund does tremendous work and is now a recognised charity in 84 Countries.

Councillor S.P. O’Reilly offered his support and stated that currently our Oireachtas Members are looking for state recognition of the Kevin Bell Repatriation Trust. Councillor S.P. O’Reilly proposed that a letter be sent to Minister Michael Noonan asking that he re-instate the bereavement grant to families. This was seconded by Councillor S. Smith.

Councillors P.O’Reilly and F. Curtin supported the cause. Councillor Curtin asked that Councillors P. Brady, P. Smith, S.P. O’Reilly and P. O’Reilly liaise with Mr. Eoin Doyle, Director of Service in relation to same.

**12(a) To note reply from Department of Housing, Planning, Community & Local Government regarding the Tenant (Incremental) Purchase Scheme 2016.**

Noted.

**(b) To note replies from Deputy Eamon Scanlon, Deputy Niamh Smyth & the Department of Communications, Climate Action & Environment regarding the proposed acquisition by Independent News and Media plc (INM) of CNML Limited, including the Anglo Celt.**

Noted.

**(c) To note reply from Minister Shane Ross T.D., regarding request for Meeting.**

Councillor C. Kelly proposed that the Council write to Minister Heather Humphreys T.D. asking that a meeting be sought with the Minister and Cavan County Council to discuss funding for roads.

**(d) To note reply from Department of Health regarding waiting lists in the Cavan Region**

Councillor N. Connell expressed his disappointment with the reply from the Department of Health in relation to waiting lists in the Cavan Region. Councillor Connell proposed that the Council write back to the Minister for Health asking him how much of the €14m was put into services in County Cavan and also how many of the additional 275 therapy staff were assigned to County Cavan. This proposal was seconded by Councillor S.P. O’Reilly.

**(e) To note reply from Department of Arts, Heritage and the Gaeltacht regarding the Erne navigation.**

Councillor S. Smith proposed that a letter be sent to Waterways Ireland seeking a meeting with representatives from Cavan County Council.

**(f) To note reply from Department of Public Expenditure and Reform regarding decentralization of government departments.**

Noted.

**(g) To note reply from Central Bank of Ireland regarding mortgage assessment applications.**

Noted.

**(h) To note ICBAN update – October 2016.**

Noted.

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

* **AILG “In Service” Members’ Training – “Regional Assemblies & their role with local authorities & the Housing (Miscellaneous Provisions) Bill 2016” to be held in the Shearwater Hotel, Ballinasloe, Co. Galway on 24th November 2016.**

It was:

Proposed by Councillor V. Smith

Seconded by Councillor P. Smith

And

Resolved:

* “that the attendance of Councillors J.P. Feeley, P. Brady, S.P. O’Reilly, S. Smith, C. Kelly, F. Curtin, M. Argue, C. Brady, W. Bennett, P. Smith, P. O’Reilly, P. McVitty and V. Smith at AILG “In Service” Members’ Training – “Regional Assemblies & their role with local authorities & the Housing (Miscellaneous Provisions) Bill 2016” to be held in the Shearwater Hotel, Ballinasloe, Co. Galway on 24th November 2016 be hereby approved”.

**Vote of Congratulations:**

* Ramor United Senior Football Team on winning the County Final.

**MEMBERS’ ITEMS – NOVEMBER MEETING**

**5. That Cavan County Council facilitates the establishment of a “Mental Health Forum” for the County similar to that of the Drugs & Alcohol Forum.**

Councillor E. Greenan stated that he attended a suicide consultation evening run by the HSE in the Council Chamber and realised that a lot of individuals are not aware of each others’ roles. He stated that the community is in need of a forum focusing on mental health, similar to that of the Drugs and Alcohol Forum. He stated that mental health is an issue that needs to be given more priority locally. Councillor Greenan noted that the suicide rate in County Cavan is double the national average. He stated that he spoke with the Chairperson of the Drugs & Alcohol Forum to expand the remit of the forum and he proposed that the Council proceed with this.

Mr. Eoin Doyle, Director of Service stated that the Council would write to the HSE asking to have metal health included as an aspect within the Drugs and Alcohol Forum.

**6. To inform the Minister for Housing, Planning, Community and Local Government that the Help to Buy Incentive does little to help first time buyers in Co. Cavan.**

Councillor E. Greenen proposed that the Council write to Minister Simon Coveney, Minister for Housing, Planning, Community and Local Government informing him that the Help to Buy incentive announced in the last budget does little to help the first time buyer in County Cavan and legislation needs to be amended in relation to same. He stated that the fact it is solely targeted at new houses or self builds shows the Department’s knowledge of the situation in many counties in Ireland where the supply of new houses to the market is negligible.

Councillor Paddy O’Reilly supported the motion stating that it reflected the situation for many young home buyers in the County.

**8. This Council calls on the Minister for Health to ensure that cross border co-operation is maintained in the area of health post Brexit to ensure border communities are not disadvantaged in access to health care.**

Councillor N. Connell stated that the result of the British referendum is worrying for the future of cross border health services particularly for parents as they are anxious to see the continuation of these services. Councillor Connell proposed that the Council write to Minister Simon Harris T.D. asking him to ensure that cross border co-operation is maintained in the area of health post Brexit to ensure border communities are not disadvantaged in access to health care. Councillor E. Greenan seconded Councillor Connell’s proposal.

It was agreed that the report on the progress achieved in securing the objectives of the Cavan County Development Plan 2014-2020 and the Cavan Town & Environs Development Plan 2014-2020 be placed on the December Agenda.

Items Nos. 1, 2, 3, 4, and 7 were deferred.

The meeting concluded at 5.45p.m.

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

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