**Minutes of Meeting of Cavan County Council held on 13th November, 2017 in Ballyhaise Agricultural College at 2.00p.m.**

Councillor P. McDonald, Cathaoirleach Presiding

Present: Councillors M. Argue, W. Bennett, D. Brady, N. Connell,

 F. Curtin, D. Downey, J.P. Feeley, C. Kelly, P. McVitty, P. O’Reilly,

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

In Attendance: T. Ryan, Chief Executive

 E. Doyle, Director of Service

 D. Maguire, Head of Finance

 J. McLoughlin, Director of Service

 P. Connaughton, A/Director of Service

 E. McGinn, Meetings Administrator

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

The monthly meeting followed a brief presentation by Mr. John Kelly, Principal Ballyhaise Agricultural College on the workings of the College, a tour of the college and lunch.

It was proposed by Councillor W. Bennett and seconded by Councillor P. McDonald that a letter be sent to the Department of Agriculture seeking extra funding for the upkeep and maintenance of Ballyhaise Agricultural College.

Councillor P. McDonald thanked Mr. Kelly for inviting the members to the College to host their monthly meeting.

Councillor P. McDonald welcomed student Ms. Yvonne Dolan as an observer to the meeting.

1. **To confirm Minutes of Meetings held on 9th October 2017. Miontuairiscí cruinnithe 9 Deireadh Fomhair 2017 a dhearbhu.**

 It was:

 Proposed by Councillor S. P. O’Reilly

 Seconded by Councillor P. McVitty

 And

 Resolved:

“that minutes of monthly meeting of Cavan County Council held on 9th October 2017 be hereby approved”.

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

 Noted.

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

Noted.

Councillor S. O’Reilly welcomed the Bounce Back Youth Service pilot project for Bailieborough.

1. **To hear presentation from Mr. Thomas Cooney, IFA re. Greenways.**

Councillor P. McDonald welcomed IFA members Mr. Thomas Cooney, Mr. James Spears and Mr. Brendan Kiernan to the meeting.

Mr. Thomas Cooney presented the members with a copy of the IFA’s submission to the Department of Housing, Planning and Local Government on the Draft National Planning Framework consultation Ireland 2040 Our Plan. Mr. Cooney stated that the IFA recognises that recreational routes such as Greenways and Blueways referred to in the draft plan have an important role to play in promoting agri-tourism and economic development in rural areas. Mr. Cooney stated that these recreational routes can also have a significant impact on farming activity and rural communities and noted that naming of Greenways should be reconsidered, as they almost imply an entitlement to go off route and fragment farm holdings in pursuit of the development of recreational routes. He stated that these routes should be confined to state-owned lands and then only developed by agreement on private land, along farm boundaries and be a combination of off and on public roads, similar to the development of recreational routes in other countries. Mr. Cooney stated that all funding for the development of recreational routes should be withheld by the Department of Transport, Tourism and Sport until a national framework is developed, with respects of rights and entitlements of landowners and sets out the professional procedure that development agencies must follow when developing greenways. He stated that landowners are the most important stakeholder in the development process as they are expected to host a greenway, endure disturbance during construction and have the on-going impact of it on their holdings. Mr. Cooney stated that there is an obligation on the lead agency (Department of Transport, Tourism and Sport) to develop a standardised approach of engagement with landowners that all local authorities must follow. Mr. Cooney asked for the members support in writing to the Department of Transport asking that a code of practice be put in place to deal with landowners and greenways.

Councillor S. Smith proposed that the Council write to the Department of Transport, Tourism and Sport supporting the IFA and this was seconded by Councillor P. McVitty.

It was proposed by Councillor S.P.O’Reilly and seconded by Councillor W. Bennett that a letter be sent to the Department of Transport, Tourism and Sport condemning NCT’s for tractors which is due to come into force in 2018.

All members supported the motion and it was agreed to invite the IFA to meet with the members at a later stage to discuss other farming issues within the County.

Mr. Jim Spears, Chairman Cavan IFA thanked the members for giving them the opportunity to speak and agreed to meet with the members at a later date.

It was proposed by Councillor W. Bennett and seconded by Councillor S.P. O’Reilly that the meeting go In-Committee to hear presentation from Mr. Des Maguire, Head of Finance in relation to budget.

 The meeting resumed at 3.45p.m.

1. **To approve the disposal of lands at Tonyfoyle, Bailieborough, Co. Cavan containing 0.21 acres (0.085 hectares) to Mr. Paddy O’Reilly, Greaghcrottagh, Bailieborough, Co. Cavan 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 S. O’Reilly

 Seconded by Councillor F. Curtin

 And

 Resolved:

“that the disposal of lands at Tonyfoyle, Bailieborough, Co. Cavan containing 0.21 acres (0.085 hectares) to Mr. Paddy O’Reilly, Greaghcrottagh, Bailieborough, Co. Cavan pursuant to Section 183 of the Local Government Act 2001 and Section 211 of the Local Government (Planning & Development) Act 2000 be hereby approved”.

1. **To approve Overdraft accommodation for €9,000,000 for the year ending 31/12/2018.**

It was:

 Proposed by Councillor C. Kelly

 Seconded by Councillor W. Bennett

 And

 Resolved:

“that Overdraft accommodation for €9,000,000 for the year ending 31/12/2018 be hereby approved”.

**7(a) To note correspondence from Senator Keith Swanick, Senator Robbie Gallagher, Minister Heather Humphreys and Deputy Brendan Smith regarding support offered to the Life Saving Equipment Bill 2017.**

Noted. .

 **(b) To note reply from An Garda Siochána regarding allocation of Garda Resources to West Cavan.**

Noted.

 **(c) To note reply from Department of Housing, Planning and Local Government regarding the disability employment quota.**

Noted.

 **(d) To note reply from Mr. James Casey, Complaints Investigator, Bank of Ireland in relation to BOI services changes in Bailieborough.**

Noted. Councillor S. O’Reilly stated her disappointment with the reply in relation to BOI services changes and proposed that the Council refer this case to the Financial Services Ombudsman as stated in Mr. Casey’s letter. This proposal was seconded by Councillor S.P. O’Reilly.

**(e) To note reply from HSE regarding Killeshandra Primary Care Centre.**

Noted. Councillor S. Smith proposed that the Council write again to the HSE asking for a monthly report on progress being made regarding Killeshandra Primary Care Centre. This proposal was seconded by Councillor P. McDonald and he noted that the matter was raised by Councillor P. Brady at the HSE forum meeting.

 Councillor M. Argue proposed that a further letter be sent to Bus Eireann in relation to the 109 bus route that leaves Cavan for Dublin. This proposal was seconded by Councillor W. Bennett.

**8.(a) To approve attendance of members at the AILG Training Seminar to be held on the 23rd November 2017 in The Shirley Arms Hotel, Carrickmacross, Co.**

 **Monaghan.**

 It was:

 Proposed by Councillor S.P. O’Reilly

 Seconded by Councillor F. Curtin

 And

 Resolved:

“that the attendance of Councillors W. Bennett, M. Argue, P. Smith, V. Smith, P. McVitty, C. Brady, J.P. Feeley, F. Curtin, C. Kelly, S. Smith, S.P. O’Reilly and S. O’Reilly at AILG Training Seminar to be held in the Shirley Arms Hotel, Carrickmacross, Co. Monaghan on 23rd November be hereby approved”.

 **(b) To approve attendance of members at Celtic Conferences on “The Fair Deal Scheme” to be held on 17th to 19th November in the Clonakilty Hotel, Clonakilty.**

No attendees.

**(c) To approve attendance of members at Celtic Conferences on “Invasive Exotic Species of Wildlife in Irish Rivers, Canals & Lakes” to be held from 24-26 November in the Clonakilty Hotel, Clonakilty.**

 It was:

 Proposed by Councillor S.P. O’Reilly

 Seconded by Councillor F. Curtin

 And

 Resolved:

“that the attendance of Councillors W. Bennett, P. Brady, C. Brady, M. Argue and P. O’Reilly at AILG Training Seminar to be held in Clonakilty on 24-26 November be hereby approved.”

**9. To fix date, time and location for December monthly meeting.**

 It was:

 Proposed by Councillor S. O’Reilly

 Seconded by Councillor W. Bennett

 And

 Resolved:

 “that Friday 8th December 2017 at 3.00p.m in Bailieborough Library for Cavan County Council’s December Meeting be hereby approved”.

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

**1. Social Housing**

Councillor C. Kelly stated that twelve months ago Minister Damien English met the members in relation to housing and the members put a strong case to him in relation to Social Housing. Councillor Kelly stated that income limits must be looked at when applying for a Council loan. Councillor Kelly noted that the income limits are too low which leaves people in a position that they cannot get a Council loan because their income is too high and yet it is not high enough to get a bank loan. He stated that the issue needs to be addressed or they homeless situation will increase further. Councillor Kelly proposed that the Council write to the Minister for Housing asking that he meet with a delegation from Cavan County Council to discuss the matter.

 Councillor J.P. Feeley seconded the proposal.

**2. Water quality in Kingscourt**

Councillor C. Kelly stated that currently there appears to be an increase in the numbers of problems caused by lime in the Kingscourt Water Supply. Councillor Kelly stated that the problem of lime is affecting heating systems and household appliances such as dishwashers, kettles and washing machines. He stated that the problem is increasing and it is costing the consumers to replace damaged goods. Councillor Kelly proposed that the Council write to Irish Water asking them to meet with the members in relation to these matters. The proposal was seconded by Councillor S. Smith.

**3. Dún na Rí Forest Park.**

 Councillor C. Kelly stated that Dun na Ri Forest Park has always been a major tourist attraction particularly at weekends when many buses visited the Park. Councillor Kelly stated that currently the Park is run down and it is a disgrace to see trees falling into the paddling pools. Councillor Kelly noted that the Park was maintained annually and this is no longer happening and Coillte will not spend money maintaining the Park. Councillor Kelly proposed that the Cathaoirleach and Director of Service would arrange a meeting with a delegation from Cavan County Council to meet with Coillte in relation to Dun na Ri Forest Park.

Councillor S.P. O’Reilly seconded the proposal.

Councillors P. McDonald and D. Downey supported the motion.

Mr. Eoin Doyle, Director of Service stated that the Council has made contact with Coillte and made known their concerns in relation to Dun na Ri Forest Park. Mr. Doyle noted that in 2018 Coillte are reviewing major Parks and Dun na Ri Forest Park will be included in the review.

**MEMBERS’ ITEMS – NOVEMBER MEETING**

**4. Requesting the Department of Public Expenditure and Reform to provide continuation of Cohesion Funding post 2020 and in addition that Cohesion Funding continues to be managed regionally. It is also recommended that structural funds post 2020 be aligned with priorities identified in National Planning Framework and Regional and Spatial Economic Strategies.**

Councillor S. Smith stated that as a member of the Northern and Western Assembly all members were asked to put this motion forward and ask for the support of the elected members in relation to same. He proposed that the Council write to the Department of Public Expenditure and Reform asking them to provide continuation of Cohesion Funding post 2020 and in addition that Cohesion Funding continues to be managed regionally. Councillor Smith stated that it is also recommended that structural funds post 2020 be aligned with priorities identified in the National Planning Framework and Regional and Spatial Economic Strategies.

Councillor W. Bennett seconded the proposal.

**5. To request both Eir and Electric Ireland to cut down trees and hedges along roads to eliminate the risk of accidents for motorists and pedestrians.**

 Councillor P. McVitty proposed that the Council write to Eir and Electric Ireland asking these companies take action where wires have been knocked down as a result of storms. Councillor McVitty asked that Eir and Electric Ireland cut down trees and hedges along the roadside to eliminate the risk of accidents for motorists and pedestrians.

Councillor C. Kelly seconded the proposal.

Councillor D. Downey supported the motion stating that Coillte should also be written to asking them to enforce a policy stopping people planting trees close to the verge of the road.

Councillor F. Curtin supported the motion and asked the executive if a warning is issued two years in a row to a farmer who doesn’t carry out the works, can the Council cut the hedges and then send the bill to the owner of the land?

Councillors D. Brady, J.P. Feeley and C. Kelly supported the motion.

Mr. Joe McLoughlin, Director of Service stated the onus is on the land owner to cut the hedges. He stated that Eir and Electric Ireland are not responsible for trees interfering with the network but that in some instances it is in their interest to deal with it. Mr. McLoughlin noted that the majority of people do cut their hedges but occasionally there are issues where ownership comes into question. Mr. McLoughlin stated that if people do not comply with warning notices the next step is to take them to the District Court but the Council prefer to encourage people to comply rather than prosecute.

**6. Update on Digital Hub for Cavan.**

Councillor V. Smith noted that the issue of finding a site for the Digital Hub for Cavan is now ongoing for approximately nine months and was of the opinion that if a site was not soon agreed on, Cavan could lose out to investment. He stated that there are two sites currently being looked at, the CITC building at the back of the Kilmore and the Tower Building beside the Ford Garage on the N3. He stated that one of these buildings are ready to go and the other will not be ready for a number of years. Councillor Smith asked who makes the decision on the site, the executive or the members? He stated that currently the Council is waiting on Enterprise Ireland to make a decision in relation to funding for same. Councillor Smith asked for the views of the other members.

 Councillor M. Argue supported Councillor Smith noting that the announcement came over 18 months ago and funding was received and still no decision has been made on a site. Councillor Argue stated that this is a huge opportunity to bring business to Cavan Town.

 Councillor S.P. O’Reilly stated that the opportunity to bring business to Cavan town cannot be missed and a decision needs to be made regarding which site will be used.

 Councillor D. Brady stated that the site which is ready to go should be chosen, as County Cavan cannot afford to wait 2 to 3 years to have a building ready and lose the opportunity of business to the town.

 Councillor J.P. Feeley stated that the issue being discussed is very important and he welcomed the funding being provided. He stated that the Council need to wait the further announcement of funding from Enterprise Ireland towards the end of the month before choosing a site. Councillor Feeley stated that the members need all facts presented to them before a decision can be made.

 Mr. Eoin Doyle, Director of Service informed the members that a decision will be made by Enterprise Ireland by the end of November in relation to funding but whatever decision is made it will have a significant impact on the business case for either proposal.

**7. That Cavan County Council joins with other elected bodies and representative organizations such as the Disability Federation of Ireland and Cavan Disability Network in requesting that the Irish Government ratify the United Nations Convention on the Rights of Persons with Disabilities and without further delay; that we, as a County Authority, must strive at every turn to create an equal and fair society, a society where people with disabilities can play a fully participatory role in all aspects of life.**

 Councillor D. Downey called on Cavan County Council to join with other elected bodies and representative organizations such as the Disability Federation of Ireland and Cavan Disability Network in requesting that the Irish Government ratify the United Nations Convention on the Rights of Persons with Disabilities and without further delay; that we, as a County Authority, must strive at every turn to create an equal and fair society, a society where people with disabilities can play a fully participatory role in all aspects of life.

 Councillor N. Connell seconded Councillor Downey’s proposal.

 Councillor J.P. Feeley supported the motion and he complimented the Public Partnership Network (PPN) for the good work they do.

 **Items 8,9,10 and 11 were deferred.**

**The meeting concluded at 5.20p.m.**