**Minutes of Meeting of Cavan County Council held on Monday 12th November 2018 in the Council Chamber at 2.00p.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.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 Administrative Officer

E. McGinn, Meetings Administrator

An apology was received from Councillor Sarah O’Reilly.

1. **To confirm Minutes of Meeting held on 8 October, 2018. Miontuairiscí cruinnithe 8 Deireadh Fomhair 2018 a dhearbhu.**

It was:

Proposed by Councillor P. McVitty

Seconded by Councillor V. Smith

And

Resolved:

“that minutes of meetings of Cavan County Council held on 8th October, 2018 be hereby approved”.

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

Noted.

**Note Minutes of Committee Meetings**

**3. To note Minutes of Corporate Policy Group meeting held on 6 September 2018**

Noted.

**To 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(a). To note reply from Denis Naughten, T.D., former Minister for Commuications, Climate, Action & Environment regarding the provision of high speed broadband in County Cavan.**

Noted.

**(b). To note reply from Niamh Smyth, T.D., regarding CCTV Scheme.**

Noted.

**(c) To note reply from Niamh Smyth T.D. regarding Post Office closures.**

Noted.

**6. To approve attendance of members at:**

**(a) Celtic Conferences “Entitlement to Health Services” Conference to be held in Clonakilty, Co. Cork from 23-25 November 2018.**

No Attendees.

**(b) AILG Training – “GDPR and the Elected Member” to be held in Hotel Kilmore on 22 November 2018.**

It was:

Proposed by Councillor P. McVitty

Seconded by Councillor W. Bennett

And

Resolved:

“that the attendance of Councillors W. Bennett, P. McVitty, P. O’Reilly, V. Smith, M. Argue, F. Curtin, J.P. Feeley, S.P. O’Reilly, S. O.Reilly, S. Smith and C. Kelly at the AILG Training – “GDPR and the Elected Member” be hereby approved”.

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

**7. Fixing Date, Time and location of Monthly meeting for December 2018 *(Section 2(3) Schedule 10 of the Local Government Act 2001, as amended).***

It was:

Proposed by Councillor W. Bennett

Seconded by Councillor S. Smith

And

Resolved:

“that Friday 14th December 2018 at 2.00p.m in the Council Chamber for Cavan County Council’s December Meeting be hereby approved”.

**8. To approve overdraft accommodation in the sum of €9,000,000 for year ending 31 December 2019.**

It was:

Proposed by Councillor S.P. O’Reilly

Seconded by Councillor C. Brady

And

Resolved:

“that overdraft accommodation in the sum of €9,000,000 for year ending 31 December 2019 be hereby approved.”

**9. To note Chief Executive’s Orders (Section 151 (4) Local Government Act 2001)**

Noted.

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

Noted.

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

**11. To note National Oversight and Audit Commission (NOAC): Report on Performance Indicators 2017.**

Mr. Eoin Doyle, Director of Service informed the members that the National Oversight and Audit Committee (NOAC) is an independent oversight body, set up under Section 126(c) of the Local Government Reform Act 2014. He stated that one of its functions is to scrutinize the performance of local government bodies against a range of indicators (KPI’s) that the Commission consider appropriate. He stated that NOAC produces a report on performance of the Local Government sector annually and recommends that individual targets be established by management locally in relation to each indicator. Mr. Doyle stated that targets and indicator outcomes are presented to the Senior Management Team, Elected Members and the Audit Committee. The NOAC report on performance indicators 2017 was considered and noted.

**Votes of Sympathy**

* The Crawford Family, Drunkeen, Aghabog, Co. Monaghan on the death of former T.D. Seymour Crawford.
* The McDermott Family, Shercock on the the death of Mrs. Mai McDermott mother of former Councillor Francis McDermott.

A minute silence was held in memory of the deceased. The meeting was adjourned for five minutes as a mark of respect to the deceased.

**Votes of Congratulations:**

* Lakeland Dairies on their recent merge with LacPatrick Dairies.
* Ann Marie Ward, Heritage Officer and her staff on organising the Historic Graveyard Network Seminar in the Hotel Kilmore on 9/11/2018.
* Mullahoran GFC and Councillor Philip Brady on winning the Intermediate County Football Final.
* Mr. Michael D. Higgins on being elected to a second term as President of Ireland.
* Crosserlough Junior Camogie team on winning the Ulster Final for a second year in a row.
* Castlerahan Senior Football Team on winning the County Final.
* Tom Sullivan and Cavan County Library Service’s Peace IV funded oral history project, “Voices of the Troubles” which featured on RTE Radio One’s “Morning Ireland”.

Councillor S.P. O’Reilly welcomed the idea of hosting the German Ambassador to

Ireland, Deike Potzel to a Council meeting in February. This visit follows successful exchange visits between members of the community in Mullagh and Kurnach in the Bavarian region in recognition of the legacy of St. Kilian.

**MEMBER’S ITEMS – DEFERRED FROM OCTOBER MEETING**

1. **That Cavan County Council call on the Minister for Communications to implement a National Broadband Scheme to provide “fibre to the home” without further delay.**

Councillor J.P. Feeley stated that the National Broadband Plan to provide fibre to the home started back in 2012 and it is astounding to think, even after allowing for normal delays that we are still waiting for the Government to commence the roll out and we are now in 2018. Councillor J.P. Feeley noted that at best it will be 2022 before the roll out will happen. Councillor J.P. Feeley noted that the lack of proper broadband is stifling investment in rural areas and an impediment to families in terms of access to educational, entertainment, banking and other services and in particular to farmers and other rural based businesses. Councillor Feeley stated that business cannot exist without the most basic of service and fibre-broadband is only available in the most limited of area in some towns and this will have to change. Councillor Feeley proposed that the Council write to Minister Richard Bruton, Minister for Communications to implement a National Broadband Scheme to provide “fibre to the home” without further delay.

**4. Broadband & mobile phone coverage in rural areas.**

Councillor F. Curtin seconded Councillor Feeley’s proposal. Councillor F. Curtin criticized the slow response times by EIR to fixing faults, outlining how an elderly couple were left without a phone line for two weeks which is often the only point of daily contact for some people and resulting from this their panic alarms were unusable. Councillor Curtin proposed that the Council write to EIR asking why it took so long to fix the phone line when EIR themselves state that it will be fixed within three days.

Councillor D. Downey supported the motion stating that broadband is the electricity of the 21st Century. Councillor Downey stated that the Government should not be closing post offices without replacing them with a reliable alternative.

Councillor P. O’Reilly supported the motion.

Councillor S.P. O’Reilly proposed that the Council write to EIR asking that a representative attend a meeting of Cavan County Council.

Councillor S. Smith seconded Councillor S.P. O’Reilly’s proposal.

1. **To request Cavan County Council to seek additional funding from Department of Housing, Planning & Local Government for Housing Repair Grants.**

Councillor S. Smith thanked Cavan County Council and the staff of it’s Housing Section for the good work done over the years in relation to housing grants. Councillor S. Smith noted that applicants are now waiting months to receive the grants and may have a builder lined up to do the work. Councillor S. Smith asked the executive what the position was for these applicants. Councillor S. Smith proposed that the Council write to the Minister for Housing, Planning & Local Government seeking additional funding for Housing repair grants.

Councillor F. Curtin supported the motion and asked on average how many grants were granted in a year.

Councillor P. McVitty supported the motion and queried why all work that needed to be done on a house could not be carried out on one contract.

Councillor P. O’Reilly was of the opinion that the Strategic Policy Committee should draw up a policy in relation to the whole value for money aspect of the scheme. Councillor P. O’Reilly felt that there should be a claw back mechanism for the benefactor of the house where the house was only lived in for a short while by the grant recipient.

Councillor S.P. O’Reilly disagreed with Councillor P. O’Reilly and felt that if the need is there and if we can help where there is a situation where a person is facing the end of their life then it is money well spent.

Councillor J.P. Feeley proposed that the Council write to the Department to ask them to reconsider the 20% match funding stipulation for local authorities such as Cavan who are reliant on the Local Property Tax equalistion fund.

Mr. Eoin Doyle, Director of Service stated that the Council had to date in 2018 spent close to €1.7m on housing repair grants which included an additional €160,000. Mr. Doyle stated that 119 applications were approved in 2018, works on 36 of which are currently in progress. Mr. Doyle admitted that there is a significant demand across the various housing repair schemes in 2019 and stated that a sum of at least €2m would be needed to keep the situation afloat.

1. **To seek additional funding for Roadworks.**

Councillor S. Smith stated that pressure needs to be put on the Minister for Transport in relation to granting extra funding for roadworks in County Cavan. Councillor S. Smith noted that Minister Shane Ross recently visited Cavan and hoped that he could see for himself the extra funding required to maintain our roads. Councillor S. Smith proposed that the Council write to Minister Ross seeking additional funding for roadworks in County Cavan.

Councillor P. McVitty seconded Councillor Smith’s proposal. Councillor McVitty welcomed the €342,000 made available for the Local Improvement Scheme.

Councillor J.P. Feeley supported the motion and stated that it is important that additional funding is sought for the Local Improvement Scheme.

Councillor P. Smith asked if Cavan County Council has its full quota of outdoor staff currently employed.

Councillors F. Curtin, D. Downey, P. O’Reilly, V. Smith and W. Bennett supported the motion. The members in turn wished Joe McLoughlin former Director of Service all the best in his retirement and welcomed Mr. Paddy Connaughton to his new role as Director of Service.

Mr. P. Connaughton, Director of Service thanked the members for their kind words.

He stated that the issue in relation to the Local Improvement Scheme will be brought to the next SPC meeting. Mr. Connaughton stated that he will contact Councillor P. Smith in relation to staffing numbers as he did not have the information to hand at the meeting.

**8. Need for Sports Hall at St. Mogue’s College, Bawnboy.**

Councillor S. Smith noted that the motion had already been discussed at the Cavan Belturbet Municipal District meeting. Councillor S. Smith stated that the former Minister for Education Richard Bruton said that all schools should have sports hall to facilitate Sports being put on the curriculum for the Leaving Certificate. Councillor S. Smith proposed that the Councillor write to Minister Joe McHugh asking him to consider St. Mogue’s College in Bawnboy for a Sports Hall and allied facilities as part of the evolution of the curriculum to include Sports on the Leaving Certificate.

Councillor P. McVitty seconded Councillor S. Smith’s proposal.

The motion was supported by Councillors D. Brady and J.P. Feeley.

1. **To ask the number of social houses Cavan County Council has available for letting in the County and each Municipal District area and the number of applicants awaiting social housing in each Municipal District Area.**

**9. That Cavan County Council provides a full listing of all property under ownership of the local authority in County Cavan to the Council members, including recently purchased sites and identify which sites may provide potential public housing projects to tackle the numbers on the Housing List. In addition, provide data to members on the numbers of people in the County under RAS, HAP and Council housing.**

**16. To ask Cavan County Council how many vacant houses there are in Cavan Town.**

Councillor N. Connell called on Cavan County Council to carry out an audit on all repossessed houses by the banks in the County with particular reference to the Ballyjamesduff Municipal District area with a view to purchasing them in order to alleviate the social housing shortage.

Councillor D. Downey asked that the executive of Cavan County Council provide a full list of all property under the ownership of the Local Authority, including recently purchased sites and identify which sites may provide potential public housing projects to tackle the numbers on the Housing List and also provide data to members on the numbers of people in the County under RAS, HAP and Council housing.

Councillor P. McVitty expressed his concern in relation to the number of vacant houses in Cavan Town noting that some of these houses are vacant for years. Councillor McVitty stated that such properties had compounded problems in some areas, including a rise in anti-social behaviour and fly-tipping.

Mr. Eoin Doyle, Director of Service informed the members that there are 27 houses vacant in the Cavan town area, 10 of which are currently under repair and 9 more with a view to being let imminently. Mr. Doyle informed the members that 676 applicants had been approved for social housing support in the County, 365 Cavan Belturbet Municipal District, 160 Ballyjamesduff Municipal District and 151 Bailieborough Cootehill Municipal District. Mr. Doyle noted that the Council is providing Housing Assistant Payment to 265 persons. Mr. Doyle stated that investments in the County at present include 8 new units in Mullagh costing approximately €1.2m with 22 more properties acquired and 25 others at Stage 2 of planning. Mr. Doyle stated that recently the Council developed four, three-bedroom terraced houses at Kilnaglare, Butlersbridge and a further four, three bed semi-detached at Woodlands, Ballyhaise. Mr. Doyle stated that a feasibility study is being carried out on the redevelopment of one of Cavan Town’s oldest estates namely St. Brigid’s Terrace. Mr. Doyle stated that the local authority owns 13 houses in total in St. Brigid’s Terrace and is in the process of attempting to purchase one other. Mr. Doyle also informed the members that the Council is looking for other turnkey proposals which they could acquire and add to its housing stock.

**10. That Cavan County Council organize an appropriate commemoration of the centenary of sitting of the First Dáil in January 2019.**

Councillor J.P. Feeley proposed that Cavan County Council organize an appropriate commemoration of the centenary of the sitting of the First Dáil in January 2019. Councillor Feeley noted that the 1918 General Election led to the establishment of the First Dáil where women over the age of 35 were given the right to vote. Councillor Feeley stated that Arthur Griffith was the representative for Cavan East while Paul Galligan represented Cavan West.

Councillors P. McDonald, S. Smith and F. Curtin supported the motion.

Mr. Eoin Doyle, Director of Service informed the members that it was agreed at the CPG meeting to bring an academic to speak to the members on the importance of the occasion in the New Year.

**11. Maintenance of hedges and verges in the County.**

**14. To request Cavan County Council to ensure that hedges and trees are cut on all roads in the County.**

Councillor P. McVitty acknowledged and complimented the good work being done in the Cavan Belturbet Municipal District by the Senior Engineer in relation to ensuring that hedges and trees are cut on County roads. Councillor McVitty noted that there are still some roads in the county which have become almost impassable without damage being caused to a vehicle. Councillor McVitty noted that EIR are repairing wires where trees are growing through them and proposed that the Council write to the ESB and EIR asking that they cut these trees.

Councillor W. Bennett supported the motion proposing that the Council go so far as to ensure that hedges and trees are cut on all roads in the County.

Councillor S. Smith stated that he Council and the Government need to do something new to incentivize farmers to cutback hedgerows.

Councillors D. Brady, P. Smith, P. O’Reilly and F. Curtin supported the motion.

Councillor C. Brady stated that currently the Oireachtas is considering extending the hedge cutting season from 1st August to 1st March as a pilot scheme for two years.

Mr. Paddy Connaughton, Director of Service informed the meeting that since September 166 notices had been served on landowners to date, giving them 21 days to meet compliance. A second notice was served on 9 landowners giving them 14 days to meet compliance. Mr. Connaughton stated that failing compliance with the second notice the Council carry out the works and bill the landowner. Mr. Connaughton stated that the onus is on the landowner to make sure that hedges and dangerous trees are cut.

**13. Cavan County Council calls for support for the suckling herds.**

Councillor F. Curtin stated that it has been highlighted once again by the IFA the need to support the suckler sector. Councillor Curtin stated that it is crucial the Government supports the suckler sector as it underpins Ireland’s €1.2billion beef exports. Councillor Curtin stated that more that 70,000 farm families are involved in the suckler cow sector and depend on it for their income. Councillor Curtin noted that for every €1 invested in the suckler cow beef sector there is a €4 return to the local economy in which the farm families play a crucial role. Councillor Curtin proposed that the Council write to the Minister for Agriculture, Mr. Michael Creed asking that the Government support the suckler sector.

Councillor W. Bennett supported the motion. Councillor Bennett noted that the suckler sector is very important to County Cavan as the farms are not suited to dairy farming.

Councillor J.P. Feeley seconded Councillor Curtin’s proposal. Councillor J.P. Feeley stated that the Government’s policy seems to be for more forestry which in turn will damage rural communities.

Councillor S. Smith supported the motion.

**MEMBER’S ITEMS – NOVEMBER MEETING**

**15. To call on the Department of Housing, Planning & Local Government and the Residential Landlords’ Association to adopt a stance and issue a statement against the charging of “viewing fees” recently adopted by certain agents in this state.**

Councillor D. Downey proposed that Cavan County Council write to the Minister of Housing, Planning & Local Government and the Residential Landlords’ Association asking them to adopt a stance and issue a statement against the charging of “viewing fees” recently adopted by certain agents in this state. Councillor Downey stated that upfront sums of money are a barrier to prospective tenants and changes in the law are required to prevent requests for upfront fees and high deposits.

Councillor P. McDonald seconded Councillor Downey’s proposal.

**19. The Percy French Hotel in Ballyjamesduff.**

Councillor P. Smith stated that the Percy French Hotel in Ballyjamesduff has been left in a derelict stated for the past ten years and has become an eyesore within the town. Councillor P. Smith noted that 20,000 people visit the Museum each year and it would be nice to have a hotel in the town. Councillor P. Smith suggested that if it was unfit for market then it should be demolished. Councillor P. Smith called on Cavan County Council to intervene and try and do something with the hotel.

Councillor N. Connell supported the motion. Councillor N. Connell stated that if it could not be reopened as a hotel it should be utilized for additional social housing for the area.

Councillors F. Curtin and P. O’Reilly supported the motion.

Mr. Brendan Jennings, Director of Service informed the members that the hotel would be examined under the derelict sites register and any confusion over the owner of the hotel would be cleared up. Mr. Jennings stated that from a Council perspective the Percy French Hotel is included in their plans for the town renewal scheme in Ballyjamesduff.

Councillor P. Smith thanked Mr. Jennings for the encouraging news.

**20. An update on the Area of Natural Constraints (ANC) payments for 2018.**

Councillor P. Smith proposed that Cavan County Council write to the Minister for Agriculture asking for an update on the Area of Natural Constraints (ANC) payments for 2018.

Councillor W. Bennett seconded the proposal.

Councillor M. Argue reminded the members that an Ecumenical Service will take place on Sunday 25th November in Cavan County Museum to commemorate the end of the First World War.

Mr. Tommy Ryan, Chief Executive wished Mr. Joe McLoughlin well on his retirement after 36 years of service with Cavan County Council.

Mr. Eoin Doyle reminded the members that they had received a copy of Circular LG 04/2018 which outlined revised overnight rate in respect of elected members’ expenses. Mr. Doyle informed the members that attached is a copy of Terms of Reference of a forthcoming review of the role of elected members, their renumeration and supports provided to elected members. He stated that the review is being conducted by an official to be appointed by the Department of Housing, Planning & Local Government which will be undertaken in consultation with AILG, LAMA and the CCMA. He stated that the Department have advised that surveys of elected members and local authorities will begin shortly and in the meantime background research material is being compiled to inform the review.

The members noted same.

**Items 6,7,17 and 18 were deferred. Item 12 was deferred to Municipal District**

**meeting.**

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

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