**Minutes of Meeting of Cavan County Council held on Wednesday 11 September, 2019 in the Council Chamber at 2 p.m.**

Councillor S.P. O’Reilly, Cathaoirleach presiding

Present; Councillors M. Argue, W. Bennett, C. Brady, P. Brady, B. Fay,

A. Fitzpatrick, J. P. Feeley, C. Lovett, P. McDonald, P. McVitty,

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

In Attendance; E. Doyle, Acting Chief Executive

P. Connaughton, Director of Service

B. Jennings, Director of Service

L. McGavigan, A/Director of Service

M. Mohan McNally, A/Head of Finance

E. McGinn, Senior Staff Officer

1. **To confirm Minutes of Meeting held on 22 July 2019. Miontuaririsci cruinnithe 22 Iúil 2019 a dhearbhu.**

It was;

Proposed by Councillor P. McVitty

Seconded by Councillor P. Walsh

And

Resolved;

“that minutes of meeting of Cavan County Council held on 22 July 2019 be hereby approved”

**Note Minutes of Committee Meetings**

**2. To note Minutes of Corporate Policy Group meeting held on 13 May 2019.**

Noted

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

**3. 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**

**4(a) To note reply from Department of Education and Skills regarding the Transition Year Young Social Innovative Students from St. Bricin’s College, Belturbet and their project entitled “End Period Poverty”.**

Noted.

**(b) To note reply from Department of Agriculture, Food & Marine in relation to National Deer Herd.**

Noted.

**(c) To note reply from Department of Agriculture, Food & Marine regarding the GLAS Scheme.**

Noted.

**(d) To note reply from Minister with Responsibility for Defence regarding Defence Forces Pay.**

Noted. Councillor J.P. Feeley expressed his disappointment with the reply and asked the Fine Gael members to use their influence to ensure the Defence Force members are looked after appropriately.

**(e) To note reply from Department of Transport regarding Learner Drivers.**

Noted.

**(f) To note reply from Department of Agriculture, Food & Marine regarding the EU Mercosur Political Agreement.**

Noted.Councillor J.P. Feeley expressed his disappointment with the Taoiseach’s initial position in supporting the Mercosur agreement and then suddenly changing his mind because of the Amazon International Crisis. Councillor J.P. Feeley proposed that the Council write to the Taoiseach asking that he intervene in the current beef crisis. Councillor S. O’Reilly seconded Councillor J.P. Feeley’s proposal.

**(g) To note email from Elizabeth Ormiston, Chairperson of Taste of Cavan regarding recent event in Cavan Equestrian Centre.**

Noted. Councillor W. Bennett thanked Ms. Angela Reilly, Administrative Officer, Community & Enterprise and all involved in running the Taste of Cavan and in particular the volunteers who played a big part over the two days. He asked if members had any suggestions for next year to send same to Ms. Angela Reilly, Community & Enterprise Section. Councillor Bennett thanked Kevin Smith and Paul Mulligan for going above and beyond the call of duty to help make the Taste of Cavan such a success. Councillor Bennett noted that €1,000 from the Taste of Cavan was donated to CUAN.

Councillor S.P. O’Reilly congratulated Ms. Deirdre Donnelly and Ms. Joanne Hayes for their outstanding work during the Taste of Cavan and bringing Cavan for the second year in a row to one of the top ten food destinations in Ireland.

**(h) Letter from Bob Cooper acknowledging vote of sympathy on the recent death of his brother Ivan.**

Noted.

**5. To approve attendance of members at the following:-**

**Conferences:**

* **Co-operation Ireland Cross Border Conference “Death from Nostalgic Sentiment or a New Narrative for Rural Ireland?” to be held in the Ballymacscanlan House Hotel, Dundalk on 26 September 2019.**

No attendees.

* **“Economic and Business Opportunities from Climate Change” being held in Tullamore Court Hotel, Tullamore on 9 October 2019.**

No attendees.

* **“A Practical Guide to Budget 2020” being held in Four Seasons Hotel, Carlingford from 11 to 13 October 2019.**

It was proposed by Councillor W. Bennett

Seconded by Councillor J.P. Feeley

And

Resolved

“that the attendance of Councillors C. Brady, M. Argue, and B. Fay at “A Practical Guide to Budget 2020” being held in Four Seasons Hotel, Carlingford from 11 to 13 October 2019 be hereby approved”.

**Training:**

* **LAMA Autumn Training Seminar to be held in the Falls Hotel, Ennistymon, Co. Clare from 17-19 October.**

It was proposed by Councillor W. Bennett

Seconded by Councillor J.P. Feeley

And

Resolved

“that the attendance of Councillors C. Brady, W. Bennett, T.P. O’Reilly, T. Smith, P. McVitty, M. Argue, V. Smith, S. O’Reilly, B. Fay, J.P. Feeley, P. Walsh, P. Brady, C. Lovett, A. Fitzpatrick, S.P. O’Reilly and C. Kelly at LAMA Autumn Training Seminar to be held in the Falls Hotel, Ennistymon, Co. Clare from 17-19 October 2019 be hereby approved”.

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

**6. To hear presentation from Mr. John O’Sullivan, Valuation Office in relation to**

**National Rates Process.**

Mr. Eoin Doyle, A/Chief Executive welcomed Mr. John O’Sullivan, Commissioner of Valuation to the meeting to address the members on that National Revaluation Programme. Mr. O’Sullivan gave a detailed presentation to the members outlining the role of the Valuation Office and its function with regard to the Rating System in Ireland. Mr. O’Sullivan informed the members that the Valuation Office has been responsible for Ireland’s State valuation service since 1830 and their work leads to the collection of approximately €1.5b in local authority revenue each year. Mr. O’Sullivan informed the members that revaluation is a reassessment of rateable value of all properties in a Local Authority area, leading to the redistribution of commercial rates burden between ratepayers. He stated that this exercise is revenue neutral for Cavan County Council. He stated that the reassessment will be carried out every 5 to 10 years to maintain fairness of the rating system. He stated that the outcome of this reassessment is a new valuation list containing modern valuations of all rateable properties in County Cavan. Mr. O’Sullivan stated that a sample certificate had been sent in the post to all rate payers in County Cavan. He stated that the new valuation list for County Cavan will be published on the 17th September 2019 and will become effective from the November budget onwards and will be the basis for levying rates on an annual basis. Mr. O’Sullivan stated that the ratepayer has 28 days from the 17th September 2019 to appeal to the valuation tribunal. He stated that the valuation office has arranged a walk-in clinic on Monday 23rd September at Johnston Central Library, Cavan where staff from the valuation office will be present to answer questions and clarify how particular valuations were arrived at.

Councillor S.P. O’Reilly thanked Mr. O’Sullivan for his presentation and acknowledged the work done by the rate collectors and staff of Cavan County Council.

Councillor S. O’Reilly stated that she knew of a nursing home where rates had jumped by 275% and two other businesses had gone up 300% and 600% respectively.

Councillor J.P. Feeley thanked the rate collectors for dealing with queries the public had in relation to rates. He stated that as public representatives they are only hearing from people whose rates have increased and knew of a particular business where rates had quadrupled.

Councillor B. Fay noted that in Belturbet many business people will have their rates increased and he knew of a particular individual whose rates will increase by €7,500.

Councillor P. McDonald stated that in Bailieborough some small shops have had their rates doubled under the new revaluation process.

**Proposed closure of St. Mogues and St. Bricins Secondary Schools**

Councillor J.P. Feeley asked to suspend standing orders in order to deal with the important issue of closing St. Mogues secondary school, Bawnboy and St. Bricin’s secondary school, Belturbet to facilitate the construction of a new secondary school in Ballyconnell which he said had secured consent from the Minister.

Councillor S.P. O’Reilly stated that the matter had been dealt with previously and as no permission was received at CPG it would not be going ahead for discussion.

Councillor S. Smith stated that he has it on the agenda for the October meeting and seeing that some members of CMETB were absent from the meeting he proposed that it be dealt with at the October meeting.

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

Noted.

Councillor T. Smith asked what the current position is in relation to the construction of a new fire station in Ballyjamesduff. Councillor T. Smith noted that the new fire station will cover a large area and is just as important as the new one proposed for Virginia.

Mr. Eoin Doyle, A/Chief Executive informed the members that the Council received correspondence from the Department who are dealing with the Fire Services Capital Budget asking them to revise parts of the plan downwards and potentially include a redesign element of it. Mr. Doyle stated that the Council has advised the Department that the designs submitted for Ballyjamesduff are appropriate for the town and they would provide the level of service that we would all like to see in Ballyjamesduff. Mr. Doyle stated that the Council had responded verbally to the Department and had also written back to them.

Councillor T. Smith proposed that the Council defend the downsizing of the station.

This proposal was seconded by Councillor W. Bennett.

**9. To approve** **Scheme of Priority for Affordable Purchase Arrangements under**

**Section 85 of the Housing (Miscellaneous Provisions) Act 2009 and the Housing**

**(Miscellaneous Provisions) Act 2009 (Part 5, S.I. 81 of 2019).**

It was

Proposed by Councillor J.P. Feeley

Seconded by Councillor M. Argue

And

Resolved

“that the Scheme of Priority for Affordable Purchase Arrangements under

Section 85 of the Housing (Miscellaneous Provisions) Act 2009 and the Housing (Miscellaneous Provisions) Act 2009 (Part 5, S.I. 81 of 2019) be hereby approved.

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

**10. Pursuant to the provisions of the Climate Action and Low Carbon Development**

**Act 2015 and the National Adaptation Framework (NAF) 2018, Cavan County Council resolves to approve the Cavan County Council Climate Change Adaptation Strategy 2019-2024, having considered the draft strategy, the contents of the CE report on submissions received during the period of consultation and the SEA and AA Screening Reports carried out in accordance with the requirements of the SEA Directive (DIR 2001/42/EC) and Article 6(3) of the EU Habitats Directive (Directive 92/43/EEC)**

It was

Proposed by Councillor W. Bennett

Seconded by Councillor J.P. Feeley

And

Resolved

“that pursuant to the provisions of the Climate Action and Low Carbon Development Act 2015 and the National Adaptation Framework (NAF)2018 that Cavan County Council Climate Change Adaptation Strategy 2019-2024, having considered the draft strategy, the contents of the CE report on submission received during the period of consultation and the SEA and AA Screening Reports carried out in accordance with the requirements of the SEA Directive (DIR 2001/42/EC) and Article 6(3) of the EU Habitats Directive (Directive 92/43/EEC) be hereby approved”.

Mr. Colm O’Callaghan, A/Senior Engineer made a detailed presentation to the members on Cavan County Council’s Climate Change Adaptation Strategy 2019-2024.

Mr. O’Callaghan stated that climate change is happening and will affect every part of the globe. Mr. O’Callaghan stated that the Cavan County Council Adaptation Strategy forms part of the National Adaptation Framework which was given statutory authority by the provisions of the Climate Action and Low Carbon Development Act 2015. He stated that Cavan County Council’s adaptation strategy aims to ensure a proper comprehension of climate change, to bring forward the implementation of climate resilient actions, and to ensure that climate considerations are mainstreamed and integrated into all functions of Cavan County Council. He stated that in the face of climate change this strategy will allow Cavan County Council improve effectiveness and maintain staff welfare and allow for the continuing delivery of services and functions across the administrative and geographical area of County Cavan. He stated that the most important element of the adaptation plan is the adaptation actions identified in order to enhance the capacity of Cavan County Council to adapt to climate change impacts and to address priority climate risks in the context of projected climate change. Mr. O’Callaghan stated that 5 submissions were received as a result of the public consultation process.

Mr. Paddy Connaughton informed the member that the following change was made to the draft plan:

Encourage and promote technologies (ie anaerobic digestion) that will contribute positively and grow the Circular and Bio-economy to promote sustainable rural and urban economic development as part of the overall aim of transiting to a low carbon economy with reduced green house gases.

To

***Encourage and promote technologies, for example anaerobic digestion, that will contribute positively and grow the Circular and Bio-economy to promote sustainable rural and urban economic development as part of the overall aim of transiting to a low carbon economy with reduced green house gases.***

The members in turn thanked Colm for his presentation.

**Water Supply**

Councillor J.P. Feeley noted that two Cavan water supplies namely Cavan Rural Water Supply Scheme and the Belturbet Supply were identified by the EPA as having persistent failures last year and asked the Executive for an update.

Mr. P. Connaughton, Director of Service stated that the Council are aware of the issue but the responsibility of public drinking water lies with Irish Water. He stated that the Council will ask Irish Water for a response on the matter.

**11(a). To approve the following persons to be appointed (in addition to members already**

**selected) to the Local Traveller Accommodation Consultative Committee in accordance with Circular Housing 27 of 2014 and Sections 21 and 22 of the Housing (Traveller Accommodation) Act 1998:**

**Traveller Representatives:**

1. Thomas Maughan, 29 Lakeview, Fair Green, Cavan
2. Jacqueline McDonagh, 12 Townparks, Cavan
3. Christine McDonagh, 2 The Courtyard, Twin Oaks, Bailieborough, Co. Cavan
4. Thomas Mongan, 6 Townparks, Cavan.

It was

Proposed by Councillor P. Walsh

Seconded by Councillor M. Argue

And

Resolved

“that appointment of Traveller Representatives Thomas Maughan, Jacqueline McDonagh, Christine McDonagh and Thomas Mongan (in addition to members already selected) to the Local Traveller Accommodation Consultative Committee in accordance with Circular Housing 27 of 2014 and 21 and 22 of the Housing (Traveller Accommodation) Act 1988 be hereby approved

**Council Officials:**

1. Mr. Eoin Doyle, Director of Service, Cavan County Council, Courthouse, Cavan
2. Mr. John Wilson, Senior Engineer, Cavan County Council, Courthouse, Cavan
3. Ms. Bridie McBrearty, Senior Executive Officer, Cavan County Council, Courthouse, Cavan.
4. Ms. Angela Fitzpatrick, A/Administrative Officer, Cavan County Council, Courthouse, Cavan.

It was

Proposed by Councillor C. Brady

Seconded by Councillor M. Argue

And

Resolved

“that appointment of Council Officials Mr. Eoin Doyle, Mr. John Wilson, Ms. Bridie McBrearty and Ms. Angela Fitzpatrick to the Local Traveller Accommodation Consultative Committee in accordance with Circular Housing 27 of 2014 and 21 and 22 of the Housing (Traveller Accommodation) Act 1988 be hereby approved”

**11(b) To appoint Chairperson of the Local Traveller Accommodation Consultative**

**Committee.**

It was

Proposed by Councillor P. Walsh

Seconded by Councillor T. Smith

And

Resolved

“that the appointment of Councillor J.P. Feeley as Chairperson of the Local Traveller Accommodation Consultative Committee be hereby approved”.

1. **To approve Local Property Tax adjustment for 2020.**

Mr. Eoin Doyle, A/Chief Executive gave a short briefing to the members on Local Property Tax as a good discussion was held earlier on LPT with the members. Mr. Doyle informed the members that under Section 20 of the Finance (Local Property) Tax Act 2012 as amended by Section 5 of the Finance (Local Property Tax) Act 2013 a Local Authority may as a reserved function resolve to vary the basic rate of the local property tax within its functional area by a maximum +/- 15%. He noted that the statutory deadline for passing a resolution to set a local adjustment factor is 30 September 2019. Mr. Doyle stated that the latest estimate from the Revenue Commissioners of annual income from LPT for Cavan in 2020 is €4.4m and Cavan County Council has been further advised by the Department of Local Government that it will receive a further allocation of €9.4m which is on a part with the 2019 grant. Mr. Doyle stated that a rise of 15% in LPT for 97.8% or properties/households in County Cavan would mean less than €4 per month or €1 per week. Mr. Doyle stated that in the considering the impact of a local adjustment factor the members should have regard to previously stated concerns regarding the sustainability of the Council’s annual budgetary strategy. Mr. Doyle stated that it will not be possible to present a balanced budget without either a significant increase in the Annual Rate of valuation and/or local adjustment factor or a reduction in expenditure in services. Mr. Doyle stated that the impact of a 15% increase in Local Property Tax would mean additional income of €669,661 to the Council which would significantly assist the Council in developing the matching funds needed to meet deficits in our annual budget. Mr. Doyle stated that he is recommending that the Council increase the local adjustment factor in respect of LPT by 15% for 2020.

The meeting was adjourned to allow the whips talk with their respective parties.

Following the adjournment it was proposed by Councillor P. McVitty and seconded by Councillor W. Bennett that the local adjustment factor in respect of LPT be increased by 15% for 2020.

Councillor P. McVitty stated that if the LPT was not increased, the rate payers would be hit again and he would not be supporting an increase in rates. Councillor P. McVitty noted that other counties had already raised their LPT and urged his fellow councilors to think long and hard about the implications before voting on the matter.

Councillor W. Bennett noted that this was the third time the Fine Gael party had proposed to increase the LPT and stated that he would like to see some of the money earmarked towards getting industrial sites ready in the County to accommodate new business.

Councillor C. Brady stated that the rate payer cannot keep the whole county going and when we have the opportunity to make money we should do so.

Councillor M. Argue expressed her disappointment with her fellow colleagues in the chamber who were against increasing the LPT.

Councillors V. Smith and T.P. O’Reilly supported the 15% increase.

Councillor J.P. Feeley acknowledged the good work of Mr. Eoin Doyle and Ms. Mohan McNally in preparing their presentation to the members. Councillor J.P. Feeley stated that it has always been the Fianna Fáil mandate to try and reduce the local property tax if possible. Councillor Feeley stated that it was worth noting despite additional properties coming on to the list for property tax in 2020, the Government has reduced the funding under the equalization programme for the coming year and we are being asked to ask the families of this county to step up to the mark where the Government has failed in relation to providing local authorities with the type of funding they require. Councillor J.P. Feeley further noted that of the fifteen CLAR applications in 2019 only eight were funded.

It was proposed by Councillor W. Bennett and seconded by Councillor T.P. O’Reilly that the meeting continue until 5.45p.m.

Councillor B. Fay stated that local property tax was an issue raised with him during his election campaign. Councillor Fay acknowledged the work being done by the Council within the resources available to them.

A vote by roll call was taken on Councillor P. McVitty’s proposal, seconded by Councillor W. Bennett to increase Local Property Tax by 15% for 2020. The result of the vote was **7 For, 10 Against and 1 member absent from the meeting.** The local adjustment factor for 2020 will remain unchanged.

**Votes of Congratulations:**

* Mr. Phil Hogan on being elected the new EU Commissioner for Trade
* Mr. Neven Maguire and staff of McNean House, Blacklion on celebrating 30 years of family business.
* Ms. Ann Marie Ward, Heritage Officer, Cavan County Council on a fantastic heritage week run throughout the County.
* Ms. Savina Donohoe, Curator Cavan County Museum and Ballyjamesduff Community Festival Committee on organising an outstanding weekend featuring a County Cavan Military and Historical Event.
* Crosserlough Ladies on winning the Senior County Football and Camogie Finals.
* Gowna Ladies on winning the Intermediate Football County Final
* Mountnugent Munterconnaught on winning the Junior Football County Final
* Bailieborough Ladies Intermediate Football team on reaching the Final against Gowna.
* Kilnaleck Festival Committee on organising a successful Mid-Summer Festival.

**Votes of Sympathy**

* The Family of the late Craig Lynch, Shercock who died tragically in a car accident.
* The Family of the late Jenny McNamee, Main Street, Mullagh.
* The Family of the late Benny Maguire, Fintawan, Ballyjamesduff.

A minute’s silence was held in memory of the deceased.

The meeting concluded at 17.55p.m.

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

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