**Minutes of Meeting of Cavan County Council held on 13 June 2016 in the Council Chamber**

Councillor P. Smith, Cathaoirleach Presiding

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

F. Curtin, J.P. Feeley, E. Greenan, C. Kelly, P. McDonald, P. McVitty, P. O’Reilly,

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

In Attendance: T. Ryan, Chief Executive

 D. Maguire, Head of Finance

 J. McLoughlin, Director of Service

 G. Finn, Director of Service

 E. Doyle, Director of Service

 E. McGinn, Meetings Administrator

Councillor P. Smith welcomed Ms. Patricia Brady and Mr. Emmett Smith to the meeting.

**1. To confirm Minutes of Monthly Meeting of Cavan County Council held on 9 May 2016. Miontuairisci cruinnithe 9 Bealtaine a dhearbhu.**

It was:

Proposed by Councillor S. Smith

 Seconded by Councillor P. McVitty

 And

 Resolved:

“that minutes of monthly meeting of Cavan County Council held on 9 May 2016 be hereby approved”.

**2. To note Minutes of Corporate Policy Group meeting held on 5 May 2016.**

Noted.

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

Noted.

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

Noted.

**5. To note Financial Report for quarter ending 31 March 2016.**

Noted

**6. To approve the disposal of dwelling at Drumgola, Cavan to Mr. Raymond Fay, Derryheen, Butlersbridge, Co. Cavan and Mr. Nigel Pratt, Drumconnick, Cavan for the sum of €52,000, pursuant to Section 183 of the Local Government Act 2001 and Section 90 of the Housing Act 1966 and Section 26 of the Housing (Miscellaneous Provisions) Act 1992, and notices circulated.**

It was:

Proposed by Councillor J.P. Feeley

 Seconded by Councillor W. Bennett

 And

 Resolved:

 “that the disposal of dwelling at Drumgola, Cavan to Mr. Raymond Fay, Derryheen, Butlersbridge, Co. Cavan and Mr. Nigel Pratt, Drumconnick, Cavan for the sum of €52,000, pursuant to Section 183 of the Local Government Act 2001 and Section 90 of the Housing Act 1966 and Section 26 of the Housing (Miscellaneous Provisions) Act 1992 be hereby approved”.

**7. Approval of replacement nominee from Department of Social Protection, Ms. Carmel Denning, to Cavan Local Community and Development Committee under Section 128C(3)(b) of the Local Government Reform Act 2014.**

 It was:

Proposed by Councillor S.P. O’Reilly

 Seconded by Councillor W. Bennett

 And

 Resolved:

 “that the replacement nominee from Department of Social Protection, Ms. Carmel Denning, to Cavan Local Community and Development Committee under Section 128C(3)(b) of the Local Government Reform Act 2014 be hereby approved”.

**8(a). To approve attendance of members at AILG Training Day to be held in the Lakeside Manor Hotel, Virginia, Co. Cavan on 23rd June, 2016.**

It was:

Proposed by Councillor J.P. Feeley

 Seconded by Councillor P. Brady

 And

 Resolved:

“that the attendance of Councillors P. O’Reilly, P. McVitty, V. Smith, C. Brady, W. Bennett, M. Argue, P. Smith, J.P. Feeley, C. Kelly, S.P. O’Reilly, P. Brady, F. Curtin, N. Connell and P. McDonald at AILG Training Day to be held in Lakeside Manor Hotel, Virginia, Co. Cavan on 23rd June, 2016 be hereby approved”.

**8(b) To approve attendance of members at Celtic Conferences “Housing Grants & Schemes” to be held in Clonakilty, Co. Cork from 24-26 June, 2016.**

It was:

Proposed by Councillor C. Brady

 Seconded by Councillor S.P. O’Reilly

 And

 Resolved:

“that the attendance of Councillors P. O’Reilly, C. Brady, W. Bennett, M. Argue and P. Smith at Celtic Conferences “Housing Grants & Schemes” to be held in Clonakilty Co. Cork from 24-26 June 2016 be hereby approved”.

**9(a). To note reply from Uisce Eireann regarding the upgrade of Kingscourt Water Scheme and Reservoir.**

Noted.

 **(b). To note reply from the Central Bank of Ireland relating to the impact of fraudulent motor insurance claims on the cost of insurance cover.**

Noted.

  **(c). To note reply from the General Manager of Cavan & Monaghan Hospital regarding nursing resources in Cavan General Hospital.**

Noted.

**10. Extension of existing Development Contribution Scheme to 31 December 2016, or in the event of a new Scheme being adopted prior to that date, an alternative date being agreed.**

It was:

Proposed by Councillor W. Bennett

 Seconded by Councillor J.P. Feeley

 And

 Resolved:

 “that the extension of existing Development Contribution Scheme to 31 December 2016, or in the event of a new Scheme being adopted prior to that date, an alternative date being agreed be hereby approved”.

Councillor S.P. O’Reilly expressed his disappointment that the new Development Contribution Scheme would not be ready by 31 December 2016.Councillor S.P. O’Reilly stated that the financial rise in development contributions is targeting rural developers.

Councillor J.P. Feeley stated that development contributions are an undue burden on people building their own homes particularly as Local Property Tax has not been removed.

Mr. G. Finn, Director of Services stated that it is hoped to have a draft scheme in place in the next six to eight weeks.

 **Votes of Congratulations:**

Councillor S. P. O’Reilly proposed that a letter be sent to Fr. John Kerin, St. Killian’s Church, Lauragh in the Parish of Tousist, Co. Kerry congratulating them on the celebration of 150 years of the building of the Church on Friday 24th June, 2016.

Councillor P. McVitty congratulated all those involved in organizing the recent truck show in the Equestrian Centre.

 **Other correspondence:**

Councillor C. Kelly proposed that a letter be sent to the new Minister for Roads, Shane Ross and Minister Humphreys asking that they meet with a delegation from Cavan County Council to discuss road funding and re-instate the Local Improvement Scheme.

Councillor D. Brady proposed that the Council send good wishes to Colin Burke son of Noel Burke, Chief Fire Officer who had a serious accident in Germany. This proposal was seconded by Councillor W. Bennett.

 **Members’ Items - June**

1. **Digital Hub for Cavan and the ongoing delays in the Rural Broadband Scheme.**

Councillor J. P. Feeley stated that Cavan County Council and Cavan Local Enterprise Office have already started working on developing a digital strategy which will highlight the digital potential of the county and encompass a range of measures that will support and nurture existing and developing technology based start-ups and digital entrepreneurs. Councillor Feeley complimented Ms. Caroline Brady on a successful “Get connected networking event” held recently in the Radisson Blu, Farnham Estate. Councillor Feeley called on the Council to endorse the work that is ongoing in relation to a digital hub for Cavan. Councillor Feeley stated that rural broadband affects all parts of the County and those currently struggling for basic broadband connections will face an even longer wait for high speed broadband after the proposed deadline for 2020 has now been moved back to 2022. Councillor J.P. Feeley proposed that the Council write to Minister Denis Naughten, Minister for Communications, Climate Change and Natural Resources asking for no further delays in the roll out of high speed broadband.

Councillor M. Argue supported the motion and asked that enquiries be made to see if broadband will be rolled out in Butlersbridge by the end of June 2016 as previously suggested.

Councillor E. Greenan supported the motion. Councillor Greenan stated that support is needed from the IDA to supply a building purposely built as a digital hub. He stated that businesses cannot set up unless the location is there. Councillor Greenan complimented the Council on setting up a Committee to facilitate the roll out of broadband in the County.

Councillors W. Bennett and P. Smith supported the motion.

Mr. E. Doyle, Director of Services complimented the members for their support in relation to the digital hub. He stated that there will be further events like “Get Connected” for communities in County Cavan in the coming months.

1. **Future of Corrard House, Dowra owned by Cavan Monaghan ETB.**

Councillor J.P. Feeley stated that Corrard House is a fine building situated outside Dowra which was purchased by the former Cavan VEC in the early 1980s and now remains under the ownership of Cavan Monaghan Education Training Board. Councillor Feeley stated that the building has huge potential for the tourism industry as it is situated at the head of the Shannon navigation and is part of the UNESCO Marble Arch Global Geopark. Councillor Feeley stated that planning permission had been granted by the Council back in 2009 for the major refurbishment and extension at the house to include indoor facilities as well as outdoor facilities and areas for activities. He noted that applications were submitted for funding for the project through Peace III and Fáilte Ireland but had never materialised. He stated that while over the years various local groups used the premises it has now fallen into disrepair. He stated that he brought minor issues such as loose tiles to the attention of the executive of the ETB and to date they had not been acted upon. Councillor Feeley stated that Cavan Monaghan ETB should consider handing over ownership of the building to Cavan County Council so that it could be redeveloped and put back into community use.

Councillor C. Kelly informed the meeting that Cavan Monaghan ETB do not have a substantial amount of discretionary funding and if it were to develop Corrard House it would diminish the spend on schools elsewhere in the region.

Councillor P. McVitty was of the opinion that the region seemed to be the last in the queue when it came to receiving funding and he hoped that the Council members on the ETB Committee would raise the issue at the next meeting.

It was agreed that all Councillors who had an interest in Corrard House would inform Elaine McGinn, Meetings Administrator and a meeting would be arranged with them, Mr. O’Brien, Chief Executive Cavan Monaghan ETB and executive members Cavan County Council in relation to the issue.

1. **School Transport**

Councillor J.P. Feeley proposed that the Council renew their request to the Minister for Education Minister R. Bruton regarding changes to school transport rules brought in two years ago which are only now becoming apparent to Parents and Schools. He stated that these changes are causing serious difficulties for families. Councillor Feeley stated that as a result of the revised transport scheme parents are faced with an impossible situation whereby they may already have children enrolled in a secondary school but have now discovered that younger siblings who wish to enrol in this school will not be entitled to subsidised transport as it is not their nearest school.

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

1. **Cutbacks in capitation funding for our schools**

Councillor P. McDonald stated that school capitation grants which are intended to be spent on the day to day running of a school have been reduced by 11% over the last five years. He stated that currently schools are running the risk of not being able to pay their insurance, heat or light. He stated that most schools could not continue to operate if it was not for the fundraising done by the Parents’ Association Committee. He noted that 28 school building programmes may have to be held back due to lack of funding.

Councillor M. Argue informed the members that capitation funding will be increased in the forthcoming budget. She noted that since Fine Gael came into Government capital budgets in County Cavan were at a record high.

Councillor E. Greenan supported the motion noting that schools are struggling terribly in the present time.

Councillors J.P. Feeley, C. Kelly, P. O’Reilly and P. Smith supported the motion.

Councillor P. McDonald was delighted to hear that funding was coming on stream in the forthcoming budget.

1. **That Cavan County Council calls upon the Minister for Local Government to remove the PAYE income condition on the eligibility criteria for tenants to avail of the new Tenant Purchase Scheme.**

Councillor E. Greenan welcomed the Tenant Purchase Scheme introduced in 2016 which offers significant discount to tenants on the market value of their house. He stated that one of the stipulations attached to the scheme is that a tenant must be earning a minimum annual income of €15,000 which therefore prohibits retired couples and pensioners from purchasing their houses. He stated that these people have no way of purchasing their homes after living in them and paying rent over the years. He also noted that a single parent with a part time job could not earn €15,000 per annum. Councillor Greenan proposed that the Council write to the Minister for Local Government asking the Government to remove the PAYE income condition on the eligibility criteria for tenants to avail of the new Tenant Purchase Scheme.

Councillor P. McDonald seconded Councillor Greenan’s proposal.

Councillors P. O’Reilly queried the virtues of the scheme when the country is already facing an ongoing housing crisis and asked how it could continue when there is already such a property shortage. Councillor P. O’Reilly proposed that the proceeds for every house sold by the local authority be ring fenced to the Local Authority for the purposes of building more social housing.

Councillor P. Smith supported the motion.

1. **That this Council calls upon the Government to legislate for a moratorium on home repossessions until adequate measures to deal with mortgage distress are enacted.**

Councillor E. Greenan stated that the number of family homes being repossessed has doubled since late 2014. He stated that according to the financial regulator there are currently 88,000 family homes in arrears with 36,000 of these more than two years in arrears which would leave them in a dangerous repossession situation. Councillor Greenan proposed that the Council call on the Government to legislate for a moratorium on home repossessions until adequate measures to deal with mortgage distress are enacted.

Councillor J.P. Feeley stated that the County Registrar in Cavan is more than fair in allowing anyone making a financial contribution to come to an agreement with the bank in order to protect their family home.

Councillor P. Smith supported the motion.

1. **That this Council calls upon the Government to provide for a rural development fund, which would be administered by Minister Humphrey’s department, to help fund Counties who are reliant on the LPT equalisation fund.**

Councillor E. Greenan stated that a rural development fund should be established for Local Authorities to help with front line services. He stated that this is his second year as a member of Cavan County Council and the funding has remained the same under the government equalisation fund. He stated that local property tax was introduced to provide an alternative and sustainable funding base for local authorities but the general public do not understand that this is not additional funding for local authorities. He stated that the local property tax only benefits local authorities whose areas are economically better off. He noted that Cavan County Council is one of the nineteen local authorities which depend on the government equalisation fund. Councillor Greenan proposed that the Council call on the Government to provide for a rural development fund, which would be administered by Minister Heather Humphrey’s department, to help fund Counties who are reliant on the local property tax equalisation fund thus enabling them to develop a local buoyant source of income.

Councillor P. O’Reilly supported the motion. He stated that the Leader Programme under the remit of Minister Heather Humphreys will have the sum of €215,000 coming available shortly and he hoped that Cavan would benefit greatly from this. He stated that a case should be made for extra funding for County Cavan as it is one of three counties that have no rail structure and it is not a maritime county.

Councillor J.P. Feeley stated that Leader Funding is meant to be additional funding to deal with historic lack of investment but instead it is being used to replace funds. He stated that County Cavan needs measures that will provide additional funding.

Councillor Greenan thanked the members for their support and stated that it was great to see Leader and Peace funding on the rise.

1. **Owing to the recent chaotic traffic congestion as a result of roadworks in Virginia, that all future Transport Infrastructure Ireland/Cavan County Council projects be first approved by the membership of Cavan County Council.**

Councillor P. O’Reilly stated that while the works currently taking place in Virginia are necessary and long overdue, more thought should have been put into the contract when it was being drawn up as the town has seen a lot of damage done to businesses. He stated that there are lights on the N3 advising motorists that there is a one hour delay in Virginia even during the night when there are no works taking place. He stated that bridge work is complex work and this should not be taking place when children are on their way to school. Councillor O’Reilly proposed that owing to the recent chaotic traffic congestion as a result of road works in Virginia, that all future Transport Infrastructure Ireland/Cavan County Council projects be first approved by the membership of Cavan County Council.

Councillor S.P. O’Reilly supported the motion.

Councillor V. Smith stated that trucks are getting lost due to signs telling them to take a detour even during the night when no works are ongoing.

Councillor P. McVitty asked who is responsible for adjusting the flashing signs.

Mr. Joe McLoughlin, Director of Services stated that there will always be problems when retro fitting a town to meet modern demands. He stated that for visibility reasons it was easier to carry out the works during the day instead of night time. He stated that on 27th May a consultation took place with the traders in Virginia, members of Cavan County Council and the executive and it was agreed to instruct the contractor to cease one way shuttle work during the day and complete during the night. He stated that twenty four hour work created problems among the residents in the area. He stated that the Council would endeavour to minimise disruptions. He stated that the contractor is responsible for traffic management and he will get his engineering personnel to have the matter examined.

Mr. Tommy Ryan, Chief Executive informed the members that when delivering a project the Local Authority has to work with many stakeholders. He stated that the Local Authority must deliver the project in accordance with public expenditure code and value for money. He stated that there are a number of day to day housekeeping issues around traffic management that will be looked at by the Council in order to alleviate further problems. He stated that the contract is scheduled until the end of October 2016 and cannot be changed now.

Councillor P. O’Reilly complimented Paul Mulligan, Senior Executive Engineer on handling a difficult meeting with the stakeholders.

1. **That this Council provides plans for the N3 from Lisgrey to Virginia.**

Councillor P. O’Reilly asked that the Council provide a plan for the N3 from Lisgrey to Virginia. He stated that this is a very dangerous stretch of road and noted that a recent change in lining arrangement at Lisgrey Lake to the north of Virginia could lead to more accidents at this location. Councillor P. O’Reilly stated that there had already been seven fatalities on this particular stretch of road. Councillor O’Reilly stated that he asked previously for speed limit signs to be moved north of Murmod crossroads and was told this could not be done. He stated that he is ten years waiting for an extension of the island at Lisgrey Crossroads to Lisgrey House and there is still no sign of it happening. Councillor P. O’Reilly proposed that the Council write to Transport Infrastructure Ireland inviting them to attend a meeting of Cavan County Council. Councillor O’Reilly suggested that if they turn this invitation down like in previous occasions then the Council should ask their law agent to act on their behalf.

Councillor F. Curtin seconded Councillor P. O’Reilly’s proposal. He stated that the same problem occurs at the stretch of road at Apple Green in Poles. He stated that it has been highlighted by the Municipal District to Transport Infrastructure Ireland who have informed them that unless there is a large number of fatalities on the road no funding is available for it.

Councillors N. Connell, S.P. O’Reilly, C. Kelly and P. Smith supported the motion.

Mr. Joe McLoughlin, Director of Service stated that the Council did make application to Transport Infrastructure Ireland in 2014 for improvement works to be carried out on the stretch of road but to date no funding has been received. He stated that the scheme is included in the minor works programme. He stated that Cavan County Council do not have the authority to move speed limit signs as this is a matter for Transport Infrastructure Ireland.

Councillor P. O’Reilly proposed that the Council write to Transport Infrastructure Ireland asking that the speed limit signs be moved north of Murmod crossroads.

Items 10 and 11 were deferred.

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

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