**Minutes of Meeting of Cavan County Council held on Monday 9th November 2020 in Hotel Kilmore, Cavan at 2.00p.m.**

Councillor S. O’Reilly, Cathaoirleach presiding

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

A. Fitzpatrick, J. P. Feeley, P. McDonald, P. McVitty, S.P. O’Reilly,

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

In Attendance; T. Ryan, Chief Executive

E. Doyle, Director of Service

P. Connaughton, Director of Service

B. Jennings, Director of Service

M. McNally, A/Head of Finance

L. McGavigan, Senior Executive Officer

E. McGinn, Senior Staff Officer

An apology was received from Councillor C. Kelly

1. **To confirm Minutes of Monthly Meeting held on 12 October 2020.**

**Miontuaririsci cruinnithe 12 Deireadh Fomhair 2020 a dhearbhu.**

It was

Proposed by Councillor P. McVitty

Seconded by Councillor S.P. O’Reilly

And

Resolved;

“that minutes of meeting of Cavan County Council held on 12 October 2020 be hereby approved”

**Tenant Purchase Scheme**

Councillor S. Smith noted that he had a very important motion on the tenant purchase scheme on the agenda for the last meeting and asked that the Council send a submission to the Minister setting out the situation as it currently is and asking that it be changed to allow retired people to buy out their houses.

Councillors J.P. Feeley, P. McVitty and M. Argue supported Councillor S. Smith’s motion.

Mr. Eoin Doyle, Director of Services informed Councillor Smith that the Council, as a result of the motion being on the Agenda for the October meeting, had written to the Minister for Housing, Local Government and Heritage expressing the members’ concerns.

1. **Disclosures of Interests (Section 177 Local Government Act 2001)**

Noted.

**Note Minutes of Committee Meetings**

1. **To note Minutes of Corporate Policy Group meetings held on 9 July 2020.**

Noted

**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 the Office of the Minister for Public Expenditure and Reform regarding the procurement procedures of local authorities.**

Noted. Councillor S. O’Reilly welcomed the response but stated that it did not answer the question asked. It was proposed by Councillor S.P. O’Reilly to write again to the Minister.

**(b) To note reply from Office of the Minister for Health regarding Living with COVID-19.**

Noted.

**6. MEMBER’S QUESTIONS – Councillor John Paul Feeley**

**Cavan County Council is a notice party in applications made to the Forestry Section of the Department of Agriculture, Food & the Marine.**

1. **How many applications were made in each of the past three years and the categories of each?**
2. **the number of acres of afforestation approved in such applications;**
3. **the number of applications per DED and the acreage of such approvals;**
4. **the number of applications where Cavan County Council made observations and the result of such observations.**

An answer to the question posed by Councillor J.P. Feeley was circulated to him prior to the meeting.

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

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

Noted.

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

**December 2021**

It was

Proposed by Councillor J.P. Feeley

Seconded by Councillor W. Bennett

And

Resolved;

“that overdraft accommodation in the sum of €9,000,000 for year ending 31 December 2021 be hereby approved”.

**Votes of Sympathy**

* Councillor Colette Herrmann, Kurnach, Germany on the death of her father Mr. Ted Duggan, Ballyhaise.
* Councillor Philip Brady and the Brady Family on the death of his uncle Mr. Pat Lynch.
* The Reilly Family, Tierworker on the death of retired publican Mr. Brendan Reilly
* The Donohoe Family Kilnaleck on the death of May Ann Donohoe, former employee of Cavan County Council.
* The Donohoe Family, Kilnaleck on the death of their uncle Mr. James McCabe.

**Vote of Congratulations**

* Ms. Emma Clancy, County Librarian and the Library staff on organising Science Week this year online from 7th to 18th November and also for the service the library provides in delivering books to those cocooning during lockdown.
* Tullyvin Musical Society on winning the 2020 EPIC Award for Voluntary Arts People’s Choice Award and an AIMS award.
* The Firefighters of Virginia, Ballyjamesduff and Bailieborough who are raising money and awareness of men’s health this month for Movember.

Councillor S. O’Reilly thanked Cavan County Council for their help and support with Bailieboro Leisure Centre. She noted that the Centre has secured finance to re-open early next year.

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

**2. I am calling on Cavan County Council to put a bye law in place regarding the placement of street furniture on our footpaths.**

Councillor P. McDonald stated that under the 2016 Census 13.5% of people in Ireland have been identified with a disability which is an increase on the 2011 Census. Councillor P. McDonald noted that people with disabilities face many challenges not least the lack of accessibility, which can threaten their independence when using public footpaths and thoroughfares. Councillor P. McDonald called on Cavan County Council to enforce existing legislation and place a greater public awareness around the obstacles faced by persons with disabilities so that the challenges they face are better understood. Councillor P. McDonald stated he was not getting at traders but felt if everybody pulls together then everybody can be accommodated.

Councillor B. Fay concurred with Councillor McDonald and noted that a lot of businesses rely on putting display boards outside their premises to advertise and promote their business. Councillor Fay agreed with Councillor McDonald that we must all work together to make it happen.

Councillor S.P. O’Reilly supported the motion. He stated that obstacles on footpaths can cause serious issues for those in wheelchairs or parents with buggies. Councillor O’Reilly stated that dog foul is also an issue on our footpaths. He stated that a happy medium has to be found particularly during this period of Covid where people are urged to dine al fresco. Councillor O’Reilly stated that we need to support businesses but also support those that need help. Councillor O’Reilly suggested that the motion be referred to the Strategic Policy Committee.

Councillor C. Brady supported the motion and noted that Cootehill accessibility group carried out a walkability study in the town which can be viewed on Cavan County Council’s website. She stated that every municipal district should use the bye-laws as they see fit.

Councillor S. O’Reilly supported the motion.

Mr. Brendan Jennings, Director of Services stated that there were valid points raised in relation to accessibility. He stated that Cavan County Council did a lot over the years in this area and there may be a need for greater enforcement. He stated that there are a broad range of areas to be looked at across different sections of the Local Authority and stated that the motion can be placed before the SPC.

1. **That Cavan County Council ask the Central Area Committee to call on the Office of Public Works to recover the remains of Joseph Brady, Daniel Curley, Michael Fagan, Thomas Caffrey and Tim Kelly at what is commonly called the invincibles yard in Kilmainham Gaol. The bodies of these five members of the Irish National Invincibles lie beneath the paving slabs of the yard where they were executed in 1883 for their part in the Phoenix Park assassinations. The families of the five men are represented by the National Graves Association, it is their wish that their remains be exhumed from Kilmainham Gaol and re-interred in Glasnevin Cemetery.**

Councillor A. Fitzpatrick gave a comprehensive report on the history of the five men who were known as the invincibles and buried in the invincibles yard in Kilmainham Gaol. Councillor Fitzpatrick noted that Joseph Brady was from Laragh and as the 130th Anniversary of their death is approaching he called on Cavan County Council to ask the Central Area Committee to call on the Office of Public Works to recover the remains of Joseph Brady, Daniel Curley, Michael Fagan, Thomas Caffrey and Tim Kelly at what is commonly called the invincibles yard in Kilmainham Gaol. He stated that the bodies of these five men of the National Invincibles lie beneath the paving slabs of the yard where they were executed in 1883 for their part in the Phoenix Park assassinations. Councillor Fitzpatrick stated that the families of the five men are represented by the National Graves Association and it is their wish that their remains be exhumed from Kilmainham Gaol and re-interred in Glasnevin Cemetery.

Councillor J.P. Feeley seconded the motion and stated that Glasnevin Cemetery would welcome the reinternment of the bodies to a dignified and consecrated ground.

Councillor P. McDonald supported the motion calling on Cavan County Council to support the reinternment of these five men to Glasnevin Cemetery.

Councillor S.P. O’Reilly supported the motion and stated that it is important to recognise the work of the National Graves Association.

Councillor S. O’Reilly supported the motion.

**MEMBERS’ ITEMS – NOVEMBER MEETING**

1. **To ask the Minister for Children to consider amendments to the Mother and Baby Home Act passed, in light of considerable public and survivor organisations’ concerns regarding same.**

Councillor S.P. O’Reilly stated that there was a considerable amount of mis-information on all sides in relation to the amendments to the Mother and Baby Home Act passed. He stated that it led to considerable public annoyance. He stated that the amendments were not considered and the legislation was rushed through the Dáil. Councillor S.P. O’Reilly stated that legislation as it stands does not help survivors. Councillor O’Reilly stated that he believed Minister O’Gorman was pushed into this by those with a certain interest. Councillor S.P. O’Reilly called on Cavan County Council to write to Minister Roderic O’Gorman T.D., Minister for Children and ask him to re-consider and allow the amendments to the Mother and Baby Home Act pass, in light of considerable public and survivor organisations’ concerns regarding same.

Councillor S. O’Reilly seconded the motion noting that the legislation to seal the records of Mother and Baby Homes had been rushed through both the Dáil and Seanad in under three weeks. Councillor S. O’Reilly stated that the Government’s whole approach to the delicate and emotive stories of those in Mother and Baby Homes was undemocratic and authoritarian. Councillor O’Reilly stated that it was put across that the reason for the Bill was to comply with GDPR requirements. However, the Office of the Data Protection Commission has stated that the legislation to seal the records for 30 years is in breach of both Irish Law and European Law. She stated that turning the records over to TUSLA is not the answer given the present difficulties in getting information from TUSLA.

Councillor P. McDonald supported the motion stating that sealing records for 30 years is disgraceful as most of the survivors won’t be about in 30 years.

Councillor J.P. Feeley stated that the controversary over the Mother and Baby Homes over the last few weeks in very unfortunate. He stated that we have to acknowledge the work done by Justice Murphy in preparing the detailed report. Councillor Feeley stated that he hoped legislation in due course can be dealt with on a more agreeable basis.

Councillors B. Fay and T.P. O’Reilly supported the motion.

1. **Replacement Doctor of Swanlinbar Health Centre.**

Councillor S. Smith wished Doctors Kevin Deering and Jacqueline Ellis Deering well in their future as they retired from serving the community of Swanlinbar over the last 28 years as doctors. Councillor S. Smith was delighted to see that a locum has now been put in place in Swanlinbar Health Centre. Councillor S. Smith proposed that Cavan County Council write to the HSE asking that they put a permanent doctor in place to serve the community of Swanlinbar and surrounding areas.

Councillor J.P. Feeley supported the motion and seconded Councillor S. Smith’s proposal. Councillor J.P. Feeley congratulated the previous doctors on their retirements. Councillor J.P. Feeley thanked the HSE for putting a locum in place. Councillor J.P. Feeley stated that the area needs a permanent appointment as adjoining practices are already at full capacity and under pressure.

Councillor P. McVitty supported the motion. He stated that the previous doctors provided a great service to the area. Councillor P. McVitty asked that the members of Cavan County Council that sit on the HSE forum raise it at the next meeting.

Councillor B. Fay supported the motion.

1. **To ask Cavan County Council how many appeals for the Restart Grant were received and how many were successful.**

Councillor A. Fitzpatrick noted that the restart grant was launched in May of this year for rate paying companies that were affected by Covid 19 and he asked Cavan County Council how many appeals for the Restart Grant had been received and how many were successful.

Ms. Margaret McNally, A/Head of Finance confirmed that 77 appeals totalling €222,000 to date had been lodged by those who felt they should have received the support. Ms. McNally noted that funding is being secured for those who missed out and these will be dealt with after all the current eligible grant applications are paid out.

Councillors S.P. O’Reilly and B. Fay supported the motion.

1. **That Cavan County Council call on the HSE and the Minister for Health to put in place a national screening programme for haemochromatosis. Furthermore, that as a chronic condition with simple treatment that the sufferers of haemochromatosis be offered free treatment and supervision for life.**

Councillor M. Argue outlined in detail what haemochromatosis is, noting that over time it leads to a build up of iron in the blood, bones and organs like the liver and the heart. She stated that people with haemochromatosis have a faulty gene which causes the normal system of iron absorption in the body to break down. She stated that Ireland has the highest prevalence of the disease in the world. Councillor M. Argue proposed that Cavan County Council call on the HSE and the Minister for Health to put in place a national screening programme for haemochromatosis. Furthermore, she asked that as a chronic condition with simple treatment, that the sufferers of haemochromatosis should be offered free treatment and supervision for life.

Councillors P. McVitty, W. Bennett, S. Smith and S. O’Reilly supported the motion.

1. **That Cavan County Council call on the Minister for Finance to intervene to ensure that there is a third substantial bank and that every effort is made to keep the network of Ulster Bank branches open in the region.**

Councillor J.P. Feeley stated that there is speculation regarding the future of Ulster Bank and noted that there is a fear that Ulster Bank’s parent, NatWest known recently as Royal Bank of Scotland, may pull the plug on its Irish operation. Councillor J.P. Feeley proposed that Cavan County Council write to the Minister for Finance asking him to intervene to ensure that there is a third substantial bank and that every effort is made to keep the network of Ulster Bank branches open in the region. Councillor Feeley stated that the matter has already been raised by Deputy Brendan Smith in the Dáil. Councillor Feeley stated that it would be less than desirable to see a situation arise where AIB and BOI would dominate the market in Ireland should Ulster Bank pull out. He stated that it is a worrying time for towns where Ulster Banks remain, noting that a loss of a branch can have a detrimental impact on footfall in an area.

Councillor P. McVitty supported the motion and seconded Councillor Feeley’s proposal.

Councillors T.P. O’Reilly, P. McDonald, B. Fay and S. Smith supported the motion.

1. **That Cavan County Council in conjunction with local communities and other potential partners, seek to develop remote working hubs across the County.**

Councillor J.P. Feeley called on Cavan County Council in conjunction with local communities and other potential partners to seek to develop remote working hubs across the County. He stated that he raised the need for decentralisation for many years and now more than ever due to Covid restrictions, remote working hubs are needed within the County. Councillor Feeley complimented Cavan Digital Hub in facilitating remote working and he highlighted other remote hub networks that are being developed elsewhere, like Laois, Clare and West Waterford, in great effect. He stated that remote working will provide an opportunity to sustain rural communities and services.

Councillor V. Smith supported the motion and praised the Council’s commitment to the Digital Hub project and hoped it could be developed further in the future.

Councillors A. Fitzpatrick and S. O’Reilly supported the motion.

Mr. Brendan Jennings, Director of Service stated that the Council are very aware of the need for remote working centres. Mr. Jennings stated that the hub in Bailieborough is working well and the idea is to replicate this success elsewhere. Mr. Jennings noted that there are several key tenants currently using the Digital Hub in Cavan and stated that while Covid had stalled growth for a period, that had since returned. He stated that there is a high demand for temporary spaces currently on the books.

1. **That Cavan County Council consider how best to acknowledge the Cavan roots of Fr. Michael McGivney given his recent beatification.**

Councillor J.P. Feeley called on Cavan County Council to explore how best to acknowledge the Cavan roots of Fr. Michael McGivney, founder of the Knights of Columbus who was recently beatified. Councillor J.P. Feeley stated that Fr. McGivney’s late father came from Drumkilly and his late mother came from Castlerahan. Councillor Feeley noted that Fr. McGivney was beatified during a special Mass on October 31 at the Cathedral of St. Joseph in Hartford, Connecticut. Councillor J.P. Feeley stated that the beatification was a significant event and noted that the Council should find some way to commemorate same and maybe next March if the Cathaoirleach gets to travel to America she could visit Connecticut.

Councillors T. Smith, B. Fay and S. O’Reilly supported the motion.

1. **To request Cavan County Council to support a motion to extend the pheasant shooting season.**

Councillor T.P. O’Reilly called on Cavan County Council to support his motion to extend the pheasant shooting season. Councillor T.P. O’Reilly stated that the responsible shooting community are being unfairly penalised under the Covid 19 restrictions. Councillor T.P. O’Reilly stated that you would have to question the Government’s decision to prohibit shooting game birds under Level 5 health restrictions even if the person is hunting alone and within five kilometres of their home. He stated that November 1 marked the beginning of the game shooting season and for many it is the biggest day in the calendar.

Councillor P. McDonald supported the motion.

Councillor A. Fitzpatrick stated that he could not support the motion and noted that he never missed a shooting season opening date. He stated that he conducted a survey among members of his own gun club who overwhelmingly voted against extending the season as it would potentially impact the breeding season.

**Item numbers 1 and 12 were deferred to the next meeting.**

**The Meeting concluded at 3.55p.m.**

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

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