

# WICKLOW COUNTY COUNCIL



**Wicklow County Council**  
COMHAIRLE CHONTAE CHILL MHANTAIN

## **Transcript of the County Council Meeting Held on 6 October 2014 In the County Council Chamber, Wicklow**



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6  
7 Wicklow County Council meeting, 6th of October 2014:

8  
9 CATHAOIRLEACH: Good afternoon members. We have some votes of sympathy.

10 MS GALLAGHER: Vote of sympathy for Darren Murphy, our former colleague and friend.  
11 For Ellen Forestall, mother of Sharon Forestall and William Synnott, partner of Ann O'Leary,  
12 whose daughter is Mary Tuite and also cousin of Cllr John Brady.

13 CATHAOIRLEACH: Any further votes of sympathy?

14 Cllr Tommy CULLEN: Jimmy Fenlon of Barnstown Grangecon, very good horse trainer for  
15 many years in the area, buried this morning, so sympathy to Ann and his family there in  
16 Grangecon. Thank you.

17 CATHAOIRLEACH: Anyone else? Okay we'll stand for a moment.

18  
19 (Minute's silence)

20  
21 CATHAOIRLEACH: Cllr Vance?

22 Cllr VANCE: Chairman I've been waiting a long time for this now, a note of congratulations to  
23 Bray Emmets on winning the county championship first time in 64 years Chairman, I'm sure it's  
24 going to be the first of many as well, so I have been down here a long time and have had to listen  
25 to everybody, particularly Jimmy Shaughnessy do this every time, so I've been looking forward  
26 to this for a while, so I want to propose a vote of congratulations to Bray Emmets. I thought it  
27 might have been the footballers that done it, but it's the hurlers, and congratulate them.

28 CATHAOIRLEACH: Did you enjoy the match, you did?

29 Cllr VANCE: I did indeed, yes.

30 CATHAOIRLEACH: I thought you were going to come in on the premiership there or  
31 something like that. Cllr Brady?

32 Cllr BRADY: Just on that note as well, I also extend congratulations there to the junior team  
33 who won the junior A championship there as well and commiserations to Glenealy who missed  
34 out on five in a row and also to Carnew junior team that lost out as well, but it's an exceptional

1 achievement for Bray, I think 1962 was the last time they won the championship there, so it's a  
2 tremendous result for the county, I think it has to be a very good day for the game, particularly in  
3 the northern end of the county as well. So thanks Cathaoirleach.

4 CATHAOIRLEACH: Thanks councillor. Cllr Snell?

5 Cllr SNELL: Thanks Cathaoirleach, again I'd like to attribute some words to that victory  
6 yesterday for Bray Emmets, in particular to people like Jackie Napier who we all know, who  
7 soldiered long and hard in the northern end of the county. But where there's winners obviously  
8 there has to be losers, I would sincerely like to send my congratulations to Glenealy, who  
9 although they were, they came up a little bit short yesterday, to be going for five in a row, we  
10 have to acknowledge here in the chamber that it's unprecedented. It's hugely significant for a  
11 little club like Glenealy, and what they contribute to the county, and to hurling in general,  
12 although they didn't make it yesterday, I know that only a fool would suggest that they're gone,  
13 they will be back and I'm sure the people of Glenealy are looking forward to coming back and  
14 tussling with the new county champions Bray Emmets, thanks Cathaoirleach.

15 CATHAOIRLEACH: Thank you. Cllr Fortune?

16 Cllr FORTUNE: Thanks Cathaoirleach. I'd like to be associated with those remarks, I think it's  
17 a hell of an achievement. I played against them myself over the years many times they have  
18 really progressed. Also the last time they won it was actually 1952, my father-in-law who died  
19 four weeks ago was actually on the team, so it's a fairly big occasion in our household as well,  
20 I'm delighted for them and congratulations to all the people been associated with them, people  
21 like Jackie Napier.

22 CATHAOIRLEACH: Thanks Cllr Thornhill.

23 Cllr THORNHILL: Cathaoirleach (congratulations in Irish).

24  
25 But the day was tinged with sadness due to the tragic death a few weeks ago of Declan Molloy  
26 who also had been involved with the team and the county over the years. But I'm sure Bray will  
27 come again.

28  
29 It was a great day, everyone enjoyed it. Thank you.

30 CATHAOIRLEACH: Thank you. Cllr Fitzgerald?

31 Cllr FITZGERALD: I want to congratulate the Aughrim intermediate footballers on winning the  
32 intermediate football championship on Saturday, we beat Ballymanus, it was the third time to be  
33 in the final over the last few years, they lost to Eire Óg some years ago who went on to win the  
34 Leinster championships, it was a great match, and I was there! Right?

1 CATHAOIRLEACH: Delighted to hear that. It's always sweet to beat the Billies, Cllr O'Neill?

2 Cllr O'NEILL: I'd like to congratulate the team on Saturday. (Inaudible) I'd like to congratulate  
3 them.

4 CATHAOIRLEACH: Thanks councillor, a true Bray Emmets fan, I know he is Eire Óg now,  
5 Cllr Walsh.

6 Cllr WALSH: I'd like to remember Declan Molloy, I know I should have remembered hem in  
7 the votes of sympathy Declan was involved in getting the hurling up and running in Bray that  
8 time, and it was a poignant moment yesterday when the cup was present to Ronan O'Brien,  
9 Declan's two sons were there on the pitch as part of the panel, it was a particularly sad moment,  
10 I'm sure he would have been overjoyed to be part of that.

11 CATHAOIRLEACH: Yeah, absolutely thanks councillor. Okay. We'll move on. Item number  
12 one. To confirm and sign the minutes of the Ordinary Meeting of Wicklow County Council held  
13 on the 8th of September. Can I have a proposer? Cllr Bourke, seconded Cllr Snell. The  
14 manager wants to say something.

15 COUNTY MANAGER: Chairman, at the last meeting Cllr Fortune made some claims about a  
16 discussion which I had on the telephone with the tourism development officer of Wicklow  
17 county tourism. I want together say I reject totally the claims made by Cllr Fortune they  
18 received publicity in the local media as a result of that I asked Mr Verdier to give me a note  
19 detailing our conversation and a copy of that has been circulate to all the members, and in case  
20 members haven't had a chance to read it, I'll read it into the record.

21  
22 "Please see below confirmation of our conversation on Friday 5th of September. On the  
23 afternoon of Friday 5th of September I received a phone call from you, as you hadn't been able  
24 to attend a meeting earlier that day, you were wondering what had happened that morning at our  
25 board meeting. I explained that Cllr Tom Fortune had resigned from his position as Chairman,  
26 you expressed your surprise and then asked me if Cllr Fortune had told me about his decision to  
27 step down before the meeting. I answered that I had no idea and I believed that no-one from the  
28 board knew about it either. We then had a short discussion about the new executive board.

29  
30 At the end of our conversation as you usually do around that time of year, you updated me on  
31 funding for the next season. You said that you had received news from central government and  
32 that funding for the County Council was better than expected. You then said that it was good  
33 news for Wicklow tourism since the Council wouldn't have to further cut funding to our  
34 organisation and potentially get better funding.

1  
2 I expressed my delighted and that concluded our conversation. Eddie I would like to take this  
3 opportunity to thank you and the County Council for your continued support, best regards Fred  
4 Verdier, tourism development officer."

5  
6 Mr Verdier told me he reported on our conversation to one female member of Wicklow county  
7 tourism but that he didn't have a conversation with Cllr Fortune in relation to it.

8  
9 For the record, that is what happened at our discussion on the 5th of September, not what has  
10 been reported in the local media and elsewhere. And attributed to Cllr Fortune, thanks  
11 Chairman.

12 CATHAOIRLEACH: Okay. Thank you. Cllr Fortune?

13 Cllr FORTUNE: Thank you Cathaoirleach, I'm absolutely flabbergasted with this particular  
14 piece of correspondence. Interestingly enough when I brought this up in the chamber, a number  
15 of weeks ago the manager didn't deny it when I said it. This correspondence that I'm reading  
16 before me here today is absolutely not my understanding of what happened. My understanding  
17 also is that Mr Verdier came over, was brought over here to this building some day last week, so  
18 I suppose what I'm saying Chairman is this is written in a particular way, I don't believe, and I'm  
19 saying this here in the chamber, I don't believe this reflects the conversation at all. I had reason  
20 to make contact with Wicklow tourism this week, to ask the tourism officer a simple question,  
21 because he had said to me after the AGM that he'd like to meet up, he was away and he  
22 absolutely couldn't speak to me, he was like as if he was under fierce pressure, I just said to him  
23 what's the problem? I said you sound like you're under pressure, he said I am, I'm under massive  
24 pressure. I don't know what's driving that, but something's driving that. But what I am saying is  
25 I would contest what's in this particular document and I will be prepared to have a public debate  
26 with Mr Sheehy any time he wants it.

27 CATHAOIRLEACH: Okay.

28 COUNTY MANAGER: Chairman for the record let me say Mr Verdier was not sent for to  
29 come to this building last week. The Chairman of Wicklow tourism, Cllr Noel Keyes and  
30 Mr Verdier both asked to meet me last week and I agreed to meet them. Again what the  
31 councillor is saying and the innuendo and spin being put on it by him is totally untrue Chairman.

32 Cllr FORTUNE: Chairman I have to respond to that also. That's a version, I hear what  
33 Mr Sheehy is saying I will personally check that out, I know the two people in question, I'll ask  
34 them face-to-face what the background to that is. I'm not spinning anything. If anything this is

1 the greatest piece of spin I've seen in a long time.

2 CATHAOIRLEACH: Okay we'll leave it at that. Mr Verdier has put it in writing.

3 Cllr FORTUNE: I've also ...

4 CATHAOIRLEACH: He felt the need to clarify something.

5 Cllr FORTUNE: Also Chairman, that's recorded there, also someone contacted knee say that the  
6 what we have in the chamber, that you and I agreed and had support in the chamber to have that  
7 put up for public display, I don't think the last meeting is up yet, I stand corrected if it is, but I've  
8 been told that it may not be.

9 CATHAOIRLEACH: Which, sorry?

10 Cllr FORTUNE: The recording of the meeting.

11 CATHAOIRLEACH: The archive?

12 Cllr FORTUNE: Yeah.

13 CATHAOIRLEACH: My understanding is the archive is up and running

14 Cllr FORTUNE: Can we confirm the last two meeting is.

15 MS GALLAGHER: Cathaoirleach the transcript is received and forwarded onto the IT  
16 department to put up onto the web, I don't check it myself I'm assuming it's on the web.

17 Cllr FORTUNE: Maybe by the end of the meeting someone might check that and let me know,  
18 please.

19 CATHAOIRLEACH: Okay. We'll move on. Item number 2. To consider the chief executive's  
20 report on submissions to the proposed material alterations to variation of the County  
21 Development Plan, the Ashford town plan and make, not make, the Ashford town plan. Cllr  
22 Casey?

23 Cllr CASEY: Thank you Chairman, I would be willing to propose the report as before us today  
24 with one amendment to the material alteration number 3, and people would have gotten the  
25 document a number of weeks ago and it was discussed at the municipal meeting, so the change  
26 was "for the purpose of this plan the minimum setback of all new developments (other than  
27 employment development from the N11 shall be 50 metres) ... the developers shall be  
28 responsible for designing providing and maintaining suitable noise and noise pollution  
29 mitigation measures. Add to that the design of noise and light pollution measures shall comply  
30 with NRA best practice guidance." (Quoted).

31

32 That's the only proposed variation to the changes put on public display.

33 CATHAOIRLEACH: Have I a seconder?

34 Cllr SNELL: I'll second that. Again as Cllr Casey outlined it did come in front of our new

1 Wicklow Municipal District Council. And we did debate it at length. There has been  
2 considerable work has gone into this plan, not dissimilar to the Wicklow Rathnew environs plan,  
3 we didn't have as much time, but we have been proactive on this plan. We have been in contact  
4 with the officials at every turn, and this is the only material alteration and I will be seconding  
5 that

6 CATHAOIRLEACH: Okay thank you councillor. Cllr Matthews?

7 Cllr MATTHEWS: Thanks Chairman, do we normally specify a developer would be  
8 responsible for maintaining mitigation measures like that?

9 DIRECTOR O'BRIEN: Thank you Cathaoirleach. Mitigation measures would be some,  
10 presumably physical interventions and when the estate is taken in charge then presumably, either  
11 the residents will be responsible for the Council.

12 CATHAOIRLEACH: Okay. Can I have a proposer then to adopt the plan with the amendment?  
13 Cllr Casey, seconded by Cllr Snell. Take a roll call?

14  
15 (Vote taken)

16  
17 MS GALLAGHER: 3 abstaining, 3 not present, 26 for.

18 CATHAOIRLEACH: Okay. Item number 3 to fix the date and time for the Annual Budget  
19 Meeting of Wicklow County Council, it's proposed for Monday the 24th of November 2014  
20 commencing at 11am. Is that agreed?

21  
22 Okay item number 4, -- sorry Cllr Ryan?

23 Cllr RYAN: No, no.

24 CATHAOIRLEACH: Item number 4 to note monthly management report of Wicklow County  
25 Council. Copy circulated.

26 MS GALLAGHER: Cathaoirleach the elected members have been circulated with reports from  
27 Thomas Murphy Director of Services and outlined that the monthly Manager's Reporting are to  
28 assist the elected members to discharge their governments responsibility and oversee the  
29 executive in the delivery of the policies that the elected members have decided on. In this regard  
30 the following reports are circulated.

31  
32 Wicklow County Council analysis of debtors, 1st of January 2014 to 30th of June 2014,  
33 Wicklow County Council capital account income expenditure summary, service division, year to  
34 date, quarter end 4, 2014. Wicklow County Council revenue income expenditure summary

1 division. And local community development committee update local enterprise Wicklow. And  
2 also that Wicklow County Council manages its cash flow requirements on a daily basis those  
3 days in overdraft experienced during in 2014 -- however Wicklow was in overdraft one day  
4 during the period due to timing difference.

5  
6 Director of service would like to confirm this matter will be listed as an item on the agenda for  
7 the forthcoming immediate all scheduled 6th October and monthly thereafter.

8 CATHAOIRLEACH: Okay Cllr Kavanagh?

9 Cllr KAVANAGH: Thanks Cathaoirleach, I just wonder, I was looking at the LEO report there,  
10 I wonder is it possible to get from the LEO office national statistics for industry and economic  
11 development to compare how County Wicklow is performing nationally with other County  
12 Councils? Would that be possible?

13 CATHAOIRLEACH: I'll let in the manager.

14 COUNTY MANAGER: Yes I'll ask the head of LEO if that is possible, I don't know whether  
15 the national statistics are made available to each LEO office or not but I'll certainly ask the head  
16 of LEO if she is able to get access to that information.

17 Cllr KAVANAGH: Thanks manager, is it possible, if she can get it maybe from the IDA, maybe  
18 going back for the past three years?

19 COUNTY MANAGER: I'll certainly pass on the request to her, it wouldn't be IDA it would be  
20 Enterprise Ireland who are the centre of excellence dealing with the local employment offices,  
21 but I'll certainly ask her, pass on the query to her.

22 Cllr KAVANAGH: Thank you.

23 CATHAOIRLEACH: Cllr Ryan?

24 Cllr RYAN: Thanks Cathaoirleach. I think it's the first of these management reports we're  
25 going to get number one I welcome the fact we're getting management reports and some  
26 information flowing through but I think it's up to us to shape the type of information that we  
27 need to fulfil our role in terms of ensuring that this Council is working to the best of its ability.

28  
29 I suppose the piece for me, while there is some just financial amount and some other information  
30 with regard to LEO and the like, I think what's missing here is an overall encompassing plan,  
31 some sort of a corporate plan with a sense of a vision of where we want to go to as a local  
32 authority, and what we actually want to deliver. I think it's kind of incumbent upon us as the  
33 members of this Council to do the hard graph and hard work in terms of trying to prioritise what  
34 are the issues that we actually really want to deliver on as a local authority over the next --



1 because we tend, for the last ten years that I have been here, we tend to be very good at reacting  
2 to issues, but we're not too good at being proactive in terms of setting down a sense of a plan of  
3 what we actually want to do and clearly prioritising what are the things we want to do and also  
4 matching a budget to that, so what would be really useful here is if that plan was in place, this  
5 management information then would let us know whether or not we're bang on the plan, behind  
6 the plan or ahead of the plan. So that level of comparison is the piece that to me is missing,  
7 because this is in isolation, it's very difficult to know whether this is good, bad or indifferent, so I  
8 don't know how we actually go about that, I think I heard there are some requirement for the  
9 Council to provide and develop a corporate plan, and I'd certainly welcome that, I think it's really  
10 important that this body and all the members here are really part of the development of that plan  
11 and that we get very, very good at being very clear about what we do want to do and things we  
12 don't want to do, because that's just as important to say what we are not going to be in the  
13 business of doing, and to prioritise and be clear about our ambitions and this hopefully will  
14 develop into a report we'll get that comparison on a monthly basis.

15 CATHAOIRLEACH: Thank you. Councillor, I know we are waiting from clarification from  
16 the department in relation to issues around the building of a corporate plan. Okay Cllr Cullen?

17 Cllr Tommy CULLEN: Thanks Chairman. Can the manager inform the Council what's the  
18 status of the structural fund from the Department of the Environment regarding this Council?  
19 And has there been any -- what has been the correspondence with the department and this  
20 Council regarding structural funding expenditure of this Council and has there been any  
21 difficulties regarding the department and the auditing of the Structural Funds with regard to this  
22 Council.

23 CATHAOIRLEACH: Okay I'll take other speakers first then I'll let the manager in. Cllr  
24 Timmins?

25 Cllr TIMMINS: Just briefly Chairman, I welcome this monthly management report, but  
26 following on from what Cllr Ryan is saying, I'd like to see this report being extended and being  
27 maybe a little more relevant to what interests us councillors. A while back I made a proposal  
28 about various KPIs and metrics that this Council could be producing on a monthly basis, I'd like  
29 the Council, and also metrics to be split out by the municipal district areas, so while I welcome  
30 the monthly management report, I think we have to flesh it out a little bit and I certainly have  
31 further proposals to make about how that could be extended, give us as councillors relevant  
32 information, let us track how information is working, how progress or lack of progress is being  
33 made in various area.

1 Housing is one for instance a couple of years ago I proposed that we split out vacant houses  
2 there are, keep a record of that and I'm happy to say that is working quite well and since that we  
3 have was put in place three years ago, the number of housing vacancies are down. Figures like  
4 that that we can track rather than seeing one off figures and not understanding what the context  
5 of those figures are, so I'd like to see us develop a system of reporting that would be in the  
6 interests of all councillors and particularly on a municipal district area forum thank you.

7 CATHAOIRLEACH: Thank you councillor, certainly what you proposed a few years ago was  
8 very beneficial and something that could be built on. Cllr Blake?

9 Cllr BLAKE: Thank you Chairman I too would welcome this monthly report from the  
10 management, it was mentioned already with regards to the LEO, I would like to see information  
11 coming down the line as well in regards to local community development committee, they are  
12 what we believe to be an overarching committee that will either rubber stamp or whatever else in  
13 relation to a lot of spending from the leader programme that has been in existence in the county  
14 for quite some time. So it will be interesting to see what participation or what level of  
15 participation the local community development committee will have in the future, so I'd like to  
16 see maybe a more comprehensive report from that committee into the future.

17  
18 Equally so in this report as well, I just wonder is there any overlapping or will there be any  
19 overlapping of the manager's orders in this, will we get any information in this report on monthly  
20 basis about the manager's orders as well? Thank you Chairman.

21 CATHAOIRLEACH: Okay thank you councillor, I'll let in the manager.

22 COUNTY MANAGER: Chairman firstly this is a first stab I suppose at the management  
23 reports, the new one or the recent act, we're working through them as the months go by I expect  
24 they will improve and development and we'll try and zone in on information that would be  
25 worthwhile and meaningful to the elected members.

26  
27 And in relation to the manager's orders, the manager's orders made each month are available for  
28 inspection, I know some of the members certainly inspect manager's orders from time to time.  
29 But they are certainly available for inspection and any member who wants to inspect all of the  
30 orders made during a particular month is free to do that.

31  
32 In relation to structural funds, expenditure and so on, it's not part of the management report, I'm  
33 not quite clear what Cllr Cullen is asking me, but if he identifies the particular expenditure he is  
34 talking about, I'll ask the relevant director to see if he can answer the query.

1 Cllr Tommy CULLEN: Chairman, I'll just ask the manager, it's a simple enough question, has  
2 there been any difficulties with the Department of the Environment with regard to payments of  
3 Structural Funds for this county? It's a simple enough question, it's not rocket science. There is  
4 many major projects, it's EU funding for this county, I'm just asking the question, I don't want to  
5 ask about what individual project, but I just want to know from the manager, have you had any  
6 correspondence from the Department of the Environment with regard to Structural Funds and  
7 their auditing.

8  
9 For instance has the Department for instance stopped structural fund investment, stopped  
10 sanction of any Structural Funds over all the issues?

11 COUNTY MANAGER: Chairman, I don't know the answer off the top of my head, but now that  
12 you've asked the question.

13 Cllr Tommy CULLEN: It's an important issue that you don't know the answer it to a question  
14 like that if it didn't happen it didn't happen.

15 COUNTY MANAGER: I don't know off the top of my head, but I'm happy to ask the directors  
16 and we'll drop a note to Cllr Cullen in relation to it. If he wants to clarify what his query is about  
17 it will simplify my task of identifying which director, directorate he may be interested in, but if  
18 he is not willing to do that I will ask all directors.

19 Cllr Tommy CULLEN: I'm not trying to be difficult I'm asking the manager, we are talking  
20 about a Manager's Report for a month, it's an issue that's very important, because it affects  
21 infrastructural funding, I see Lorraine Lynch is here, maybe she'll be able to help as well, have  
22 the Department of the Environment been in communications with this Council regarding  
23 Structural Funds and was there any stop or any discussions or concerns by the department with  
24 regards to issue of Structural Funds with regard to this Council? Maybe Ms Lynch might offer  
25 us an answer.

26 DIRECTOR LYNCH: I'm not aware of any stop on Structural Funds or any issues.

27 Cllr Tommy CULLEN: Are we still in receipt of Structural Funds? From the Department of the  
28 Environment sanctioned by the Department of the Environment.

29 DIRECTOR LYNCH: For what purpose?

30 Cllr Tommy CULLEN: Structural Funds, expenditure in the county.

31 Cllr MITCHELL: Structural building or what?

32 CATHAOIRLEACH: What specific area?

33 Cllr Tommy CULLEN: General Structural Funds from the Department of the Environment?  
34 Has there been any difficulty with the structural fund payments to this Council from the

1 department, it's a hugely important issue because a lot depends on Structural Funds. Was there  
2 any difficulty with the auditing of Structural Funds for this Council with the Department of the  
3 Environment?

4 DIRECTOR LYNCH: I'm not aware of any difficulty or any withhold.

5 Cllr Tommy CULLEN: Maybe the transport director might be able to - I'm surprised the  
6 manager can't give us a categoric assurance that there's not.

7 COUNTY MANAGER: Well Chairman, I don't see the transport director there.

8 Cllr Tommy CULLEN: Could you give it to me manager in writing the situation with regards to  
9 the EU Structural Funds, the Structural Funds from the department of Environment.

10 DIRECTOR LYNCH: Sorry just to clarify are you saying it's, the question I suppose I'm  
11 coming in, in the middle of this now but the question is if there is difficulty in the payment of  
12 Structural Funds?

13 Cllr Tommy CULLEN: If there has been any difficulties in Structural Funds around funding of  
14 this County Council from the Department of the Environment with regarding EU funding.  
15 Structural Funds.

16 DIRECTOR LYNCH: You mentioned transport, just to clarify.

17 Cllr Tommy CULLEN: In general, Structural Funds covers sewerage works like the sewerage  
18 plant in Arklow, sewerage works and water works, various towns roads etcetera, it's a huge area  
19 where this Council depends, or the public depends on structural funding. So it's, if you're telling  
20 me that there was no difficulty with the department, on the record here, is that what you're telling  
21 me? That you have no correspondence from them? If you're telling me that tell me.

22 DIRECTOR LYNCH: I'll check with the directors.

23 Cllr Tommy CULLEN: Can I have it in writing?

24 Cllr MITCHELL: This is a huge question it effects almost every area of the Council's activities  
25 structural funding.

26 CATHAOIRLEACH: Okay we'll get that clarified.

27 Cllr Tommy CULLEN: As a matter of urgency.

28 CATHAOIRLEACH: Cllr Whitmore?

29 Cllr WHITMORE: I would like to agree with the previous speakers about the idea of having a  
30 value statement, mission statement for the Council, I think we have been likened to a board of  
31 directors and really the most important function of a board is setting the strategic direction of a  
32 company or the organisation. So there has been some really good suggestions put forward I  
33 think what would be good is if we actually put an action to it and that we set something in stone  
34 that we can actually progress that. So I don't know whether a workshop or -- would be useful

1 maybe after the process is finished I'm not sure about what discussions about corporate plan are  
2 in place, what direction we're going to take from the Department, but if we can say that we'll  
3 actually have a workshop in November, or December some stage, to really flesh this out, because  
4 it will really set how we operate together as a Council.

5 CATHAOIRLEACH: Okay. When we get direction from the department we'll definitely come  
6 back to the corporate plan okay. Thank you councillor. Okay? We just have to note that don't  
7 we?

8  
9 Item number 5, to ratify nominations to the SPCs of Wicklow County Council. Copy was  
10 enclosed.

11 MS GALLAGHER: Cathaoirleach just to say that the members were circulated with the lists of  
12 nominations with the agenda but since then the environment has submitted their nominations so  
13 they have been added to the strategic -- now we are awaiting nominations from agriculture and  
14 farming and also the community and voluntary sector which are having their meeting on the 13th  
15 of October, so if the elected members would ratify what's in front of them I'd be very grateful.

16 CATHAOIRLEACH: Cllr Casey?

17 Cllr CASEY: Thank you Chairman, just in relation to the economic development and enterprise  
18 SPC, it has been noted that there's no representation from west Wicklow on that SPC at all. And  
19 after due consideration a person by the name of Killian McCreolan who served on the economic  
20 think tank last year, also brought primary care unit to Blessington, done a significant amount of  
21 work on the forum over in Blessington, if I could get the permission of the chamber here, I  
22 would be proposing that he serves on the economic SPC, so there's representation from west  
23 Wicklow on the SPC.

24 Cllr RYAN: I second that.

25 CATHAOIRLEACH: Okay seconded by Cllr Ryan, is that agreed?

26 Cllr KAVANAGH: No. I'm not sure how...

27 CATHAOIRLEACH: I'll let in Cllr Kavanagh.

28 Cllr KAVANAGH: I'm not sure how it works but as I understood it there was a set of number of  
29 people to go on it, that was set already by the department, maybe that could be clarified before  
30 we agree anything?

31 CATHAOIRLEACH: Yeah that's correct. I know it said in the legislation that a geographic  
32 spread was desirable as well. And it did so happen that the economic SPC didn't have anybody  
33 from west Wicklow which was unfortunate.

34 Cllr KAVANAGH: Was it not limited to numbers though?

1 CATHAOIRLEACH: Well I know on the last SPC, some councillors sat on two SPCs to  
2 address the balance. Now I'm open minded on that, if there was a member from the west that  
3 wanted to sit on two SPCs or indeed Cllr Mitchell's SPC has nobody from Bray, if the Bray  
4 municipal district wanted to nominate a member to sit on two SPCs as well? That's an option.  
5 But we can get that clarified councillor. Cllr Mitchell?

6 Cllr MITCHELL: Thank you Cathaoirleach, yes I'm chair of the transport water environmental  
7 services committee, the first part of the time. And there is nobody from the Bray area on it, I  
8 think it would be well worthwhile to have a councillor from Bray area there. It's my generalised  
9 understanding that standing orders state that we should only be five councillors on it, if that is  
10 the case I would like those amended so there could be six, which would allow for somebody  
11 from the Bray area to go on it. Otherwise, apart from that I believe we should get on with these  
12 committees I certainly think we should get the first meeting set and if we don't have all the  
13 people nominated I think we should still go ahead with the meeting on the basis that other people  
14 are yet to be selected and think we shouldn't wait anymore for it, it's already a considerable  
15 number of months since the election and I think we should get going.

16 CATHAOIRLEACH: Okay thank you. Just in relation to Cllr Kavanagh's point it just states  
17 that each SPC should have a minimum of a total membership of nine, so it talks about minimum  
18 memberships, not maximum.

19 Cllr MITCHELL: Thank you.

20 CATHAOIRLEACH: And it says one third of the membership must be drawn from sectoral  
21 interests. Okay Cllr Fortune.

22 Cllr FORTUNE: I want to make an observation chair, I just have a concern that we again seem  
23 to be making this up as we go along, I just want to record that that's all.

24 CATHAOIRLEACH: Okay. Look if you don't want to address the geographical issues that's  
25 fair enough. Okay Cllr Kavanagh?

26 Cllr KAVANAGH: Just as regards the nomination to the SPCs, all the different sectors have the  
27 opportunity to nominate people, there may be an opportunity to nominate somebody from the  
28 west from within one of the pillars, that that's a possibility. I just am concerned about other  
29 nominations that aren't coming from a body as such, not from the Council -- or an established  
30 reckoned body, so I would have concerns about -- I don't know the gentleman concerned, I don't  
31 know anything about him and I have no objection to him per se, but I think the method of  
32 nomination needs to be considered. So it's not just a random...

33 CATHAOIRLEACH: That's a valid point. Thank you. Cllr Lawless.

34 Cllr LAWLESS: Thank you chair I'm wondering for transport and water would -- I'd like to

1 nominate Cllr John Brady, to cover the Bray area if I'm allowed nominate now? To get it out of  
2 the way.

3 CATHAOIRLEACH: What I was going to suggest is that the municipal district in Bray do, if  
4 Cllr Brady put his name forward, at that meeting that would be agreeable?

5 Cllr LAWLESS: Thanks chair.

6 CATHAOIRLEACH: Thanks councillor. Cllr Snell?

7 Cllr SNELL: Thanks Cathaoirleach we spent a lot of time on this in previous months gone by.  
8 It is what it is at this moment in time. I think it's highly important that we get on with having our  
9 SPC meetings, the election was in May, we're new in October. I think people -- there's an onus  
10 on us to get on with the work that's there for us on these SPCs. In regards to the geographical  
11 spread, I believe that should come down to each municipal district and I think it should be an  
12 item on the agenda for the next municipal district all over this county, and they can debate it  
13 there, have this list and they can all have a look and see if they are happy with the geographical  
14 spread, but I think irrespective of that Chairman, that a report from every SPC should be  
15 forwarded to every member of this chamber anyway, as the body of works is tackled and brought  
16 on stream, because we'll debate this for another couple of months, and whether it's ethical to  
17 come in and propose or second people now when we didn't allow such debate a couple of months  
18 ago. So I think it's important that we get on with it, we have the PPN waiting to put members on  
19 as well, they are going to come on stream after their AGM, so I think it's something to tackle  
20 down the line, but it shouldn't hold up the work needed here now.

21 CATHAOIRLEACH: Okay. Thank you councillor. Cllr Casey.

22 Cllr CASEY: Thank you Chairman, just in reply to a few of the observations made. Just in  
23 relation to Public Participation Network and the economic and enterprise SPC, the only PPN we  
24 have is the environmental pillar and they have already made their nomination through Judy  
25 Osborne on that pillar so the PPN process is not available and has already been taken up. I just  
26 felt it was for geographical reason the west Wicklow is often talked in these chambers about  
27 being forgotten about, I think it does need representation on it. This man came highly  
28 recommended from the economic think tank and the Blessington forum, to bring a balanced view  
29 to the economic and enterprise SPC Chairman, that's all.

30 CATHAOIRLEACH: Okay. Cllr Whitmore?

31 Cllr WHITMORE: I'd like to point out, I just had a look through this isn't any representation  
32 from Greystones district on planning and development or housing and corporate estate policy  
33 groups, and whether that should go to the municipal district for nomination?

34 CATHAOIRLEACH: Okay. Cllr Ryan?

1 Cllr RYAN: Just I was going to second the nomination, just to say while I take Cllr Kavanagh's  
2 points on board about bodies, at this point in time I just having worked with him in the County  
3 Wicklow economic think tank for the past year, his input has been fantastic. He is a real hard  
4 worker, just fantastically strategic and gave great input, so therefore I think he would fit  
5 perfectly in the SPC, and he turned up for all our meetings. I know that might sound funny, but I  
6 have been on SPCs for the last ten years and people from bodies haven't been turning up, just  
7 because you are from a body doesn't mean you are actually going to deliver on that, sometimes  
8 it's ticking a box, personally I would be much more interested in having people there, because  
9 they'll contribute and deliver rather than just making sure that there is a box ticked from a  
10 particular body, I don't mean that disrespectfully to Cllr Kavanagh's point, thank you.

11 CATHAOIRLEACH: Cllr O'Neill?

12 Cllr O'NEILL: Just on the economic development, I know Killian well and I definitely support  
13 Killian's presence on the committee. But I do notice there too as you pointed out, the housing  
14 and corporate estate there is no councillor from west Wicklow on that and also transport, so  
15 maybe it should be looked at again, it's important. Especially the housing there. We don't have  
16 any councillor from west Wicklow on that SPC.

17 CATHAOIRLEACH: Thank councillor. Cllr Vance.

18 Cllr VANCE: Chairman we're getting into a state when councillors were asked for the number  
19 one priority in regard to SPCs and they gave the number one priority and in most cases it was  
20 agreement that we got the SPC of their choice, my experience on it is that it's not that necessary,  
21 it's a policy issue, you recommend a policy, and it's the members around here that decide  
22 whether that policy goes through or not. It's not that necessary to have a person from each  
23 municipal authority on each SPC to my knowledge. We're getting into a situation now that  
24 you'll have a flood with councillors on it and my experience also is that certain councillors don't  
25 attend or attend very little or leave very early and various things like that and there's no real  
26 commitment. Some councillors do it, whereas other councillors attend diligently, never miss  
27 one. So my attitude to this is we have before us here councillor's number one choices and we  
28 should run with that and leave it as it is. And go and add the people from the outside if possible,  
29 I think that's the best situation we have at the moment. If not, like what Cllr Snell is saying, we  
30 have a situation that we could become at Christmas and we wouldn't have meetings of a full  
31 SPC, we need to get down and work, and particularly Cllr Snell's SPC is vital, I think that's the  
32 vital SPC in regard to what's needed in the county at the moment. We need people and we need  
33 that SPC working at the moment. So I think myself that we should go with what's here at the  
34 moment and not get into a situation of going back and doing the rounds yet again. Because this



1 is all been agreed.

2 CATHAOIRLEACH: I think most members are anxious to have the first meeting so we'll  
3 propose that we'll go with what we have in front of us? And there will be additions to it, there  
4 are some pillars that haven't nominated yet. So we'll have a look at it. So proposed by Cllr  
5 Vance proceed with what's on the list, seconded by Cllr Snell.

6 MS GALLAGHER: Just to offer some clarification just in terms of the SPC participants it says  
7 that particular care should be taken to avoid excessively large or unwieldy committees and this  
8 may need special consideration in the case of very large authorities but nonetheless some  
9 flexibility in the level of membership should be considered if particular local circumstances  
10 indicate the need for greater membership.

11 CATHAOIRLEACH: Okay thanks. Cllr Casey?

12 Cllr CASEY: Just in relation to what Cllr Vance -- Cllr Vance proposed in relation to public  
13 representatives doesn't change not outside bodies, in the economic and enterprise SPC between  
14 councillors or external factors there is nobody from west Wicklow from either side, so there is  
15 no representation at all, either political or external factors so I would be anxious that we have  
16 representation on the economic and enterprise SPC and I have proposed Killian and I have a  
17 seconder for that, and I'm willing to go with that, I have no problem with the councillor side that  
18 Cllr Vance suggested.

19 CATHAOIRLEACH: Are the members happy with Cllr Casey's proposal?

20 Cllr VANCE: Have a vote on it.

21 Cllr KAVANAGH: Could I just ask that we would get clarification from the department about  
22 that type of nomination first before it, and if the department says it's okay to nominate people  
23 that way I would be happy to support it.

24 CATHAOIRLEACH: It's a matter for the elected members. So we'll have a roll call on the  
25 proposal.

26

27 (Vote taken)

28

29 MS GALLAGHER: 27 for, 1 against, 3 not present and one abstaining.

30 CATHAOIRLEACH: Okay we'll move on. Item number 6 to agree to Wicklow County  
31 Council becoming a signatory to the Dublin declaration of age-friendly cities and communities,  
32 you all received supporting documentation. Cllr Winters first?

33 Cllr WINTERS: Thanks Cathaoirleach, just in relation to this, I'm just wondering which  
34 Director of Services is responsible for this if we adopt it? And in presenting it to the members

1 for support, what does he think will be the impact on our Council?

2  
3 There's many aspects of the pledge that we have absolutely no authority over, such as health  
4 services, secondary acute hospital, compassionate end of life care, will that impact the decision  
5 we make on the hospice? And I'm also wondering what the programme of implementation does  
6 the director see the Council following and will it require a budget and is this just a rubber  
7 stamping job or are we actually signing up for something meaningful that we actually intend to  
8 do something with?

9 CATHAOIRLEACH: Okay. Joe? Cllr Fortune.

10 Cllr FORTUNE: I think this is constructive and positive, and I propose that we adopt it.

11 CATHAOIRLEACH: We're going to - it's going to be under Joe's brief but he has only just got  
12 the documentation, this actually came to me, and I passed it on, so we can defer it until Joe has  
13 had a chance to go through the detail?

14 Cllr WINTERS: When you read it's a brilliant document, but if we're in the going to do anything  
15 with it, is it just -- like are we only pretending? If we are going to do this and I think we should,  
16 I want to know how are we going to do it, how are we going to implement it and what steps are  
17 we going to have to have a planned implementation so it means something and we are not just  
18 paying lip service.

19 CATHAOIRLEACH: To be fair to Joe I haven't given him much of an opportunity.

20 Cllr WINTERS: I'm sure another couple of weeks won't matter.

21 MS GALLAGHER: Just it's a matter for the elected members but there was a letter that came  
22 with it, it says, "To date 24 of the 31 local authorities across Ireland signed the declaration  
23 underlying their commitment to take action to improve the quality of life for older people in the  
24 city and county, and the majority of these local authorities are also actively participating in  
25 Ireland's national age-friendly cities and counties programmes. So signing the Dublin  
26 declaration signals the local authority's ambition to work towards becoming an age friendly city  
27 or county, and the signing ceremony would be held on the 27th of November and there is  
28 something like 7 of the local authorities Wicklow, Wexford, Cork, Kerry, Roscommon, Sligo  
29 and Donegal.

30 Cllr WINTERS: I'm very happy to sign it if I think we're going to do something with it, but I'd  
31 like to know when members are agreed to what the Council plans to do, how we are going to  
32 implement it and that we are not just saying it's a nice idea and just putting it on a shelf let's have  
33 a plan.

34 MS GALLAGHER: It's to promote and always keep it in mind, the age active, to promote it in

1 the plans.

2 Cllr WINTERS: Yeah well, the commitments are, on page 3 it says that we'll, in order -- we'll  
3 work to foster maximum adherence possible to it's values, principles and premises in terms of  
4 plans, programmes and resources in order to implement commitments in the declaration.

5

6 Now in fairness the chair hand has said he hasn't given the director of much of a chance, so we  
7 implement it today, we're just saying yes let's go with it we don't know what the plan is. I'm  
8 saying tell us what the plan is.

9 CATHAOIRLEACH: That's fair enough. I'll let in other councillors. Cllr Murphy?

10 Cllr MURPHY: I would just like to agree with Cllr Winters, when I read it I said yeah brilliant,  
11 but I also have a fear of the same thing that happened so many years ago when Wicklow County  
12 Council signed up to the Barcelona agreement, and that's for people with disabilities and local  
13 authorities and whatever. And that has been very much slow process and being honest it has  
14 went for many years on the back burner until recently, until I have been involved with the  
15 Wicklow local access group, under the umbrella here, and we find it hard to be part of it as well,  
16 but we're getting there. And I agree with Cllr Winters.

17

18 What it says in the information we got is promoting people with disabilities who are elderly as  
19 well, and I think the two groups could be incorporated to each other, but I don't and I would not  
20 want it to be another lip service, because just to be signed up to tick a box, and I think again it  
21 should be, we have a vital link there with the County Wicklow network of older people, which I  
22 think will promote it and I think we need to work with it and we probably should be promoting  
23 them on to an SPC as well to promote this and with people with disabilities, and I think the two  
24 of them are under the one umbrella group and they should be really and truly put on the agenda  
25 at all times of services, that Wicklow County Council are providing, in the environmental, in  
26 housing, in access to services and whatever area.

27

28 But I agree, it shouldn't be just signed today and not know what we're signing up to and that all  
29 councillors here just forget about it. We all have to realise we'll all be elderly soon and that we  
30 need to be part of this -- sorry to bring that to all your attention but it's fact! So we're looking for,  
31 we're planning for our future with signing up to this and I think we need to be made aware of  
32 that.

33 CATHAOIRLEACH: Thank you councillor. Cllr McLoughlin?

34 Cllr McLOUGHLIN: I would agree with both of my colleagues, I think this is something we

1 should bring to the LCDC and should become part of our local community plan. I think when  
2 we've got that pinned down we should bring it back to the Council here for ratification, it remind  
3 me of outlook all those years, the fantastic aspirations we had about everything and many of  
4 them didn't happen because of money or whatever. But I do think it is something that we  
5 should look at a bit more carefully, it is a very important issue, old age is something not just  
6 that's going to happen to us, but it will happen to the majority of people in this county going  
7 forward, where the majority of the population will be over 60 and whatever, so can I just say that  
8 I think we should look at seriously rather than giving it lip service, we should read it, see what  
9 the policies within the document we can implement properly and not just something we can say  
10 okay today and it goes on a shelf never to be heard of again. It's too important for that, let's  
11 postpone, bring to the LCDC, maybe the community and cultural affairs SPC, discuss it, decide  
12 how we'll do it and agree around the table we know exactly what we're signing up to, thank you.

13 CATHAOIRLEACH: Thank you councillor, the only thing is it has to come back by...

14 MS GALLAGHER: Signing on the 27th of November.

15 CATHAOIRLEACH: What I suggest that we go, let Joe have a look at it first rather than go  
16 through SPC or LCDC, let Joe have a look at the document and come back to us at the next  
17 meeting.

18 Cllr WINTERS: With how we're going to implement.

19 CATHAOIRLEACH: Is that agreed? Cllr Brady do you want to say something?

20 Cllr BRADY: That's a fair enough proposal, just to more or less say what a number of people  
21 have said, we just can't allow it to be a rubber stamping exercise, we need to engage the likes of  
22 age action Ireland, I know they have people here in Wicklow as well, if we have a look through  
23 the supporting page, a lot of it is promoting different things, but there is an action there where it  
24 says we have to adopt measures to develop public places and that's a key area of work for  
25 ourselves, so I would have thought this would have been a project to go straight through SPC,  
26 but we are tied by time we have to sign by a certain date. Look I think bring it back to the next  
27 meeting, but I think it needs to go back into that SPC, and even if there is room from the  
28 voluntary sector to get people in on that, maybe it would be a job, maybe someone from age  
29 action Ireland or something to try and fill one of those spaces there from the voluntary side, to  
30 try to develop that whole area for us.

31 CATHAOIRLEACH: Okay Cllr Fortune.

32 Cllr FORTUNE: Chairman I propose that, I'll propose that we have this, I'll stick with that. I've  
33 read this, I have done some research on it, I just can't understand why as an authority we just  
34 wouldn't agree, we can bring anyone we want into it at a later stage, as we have been talking

- 1 about SPCs earlier on. I think this is fantastic. I don't go with the notion that just because we  
2 agree it that nothing will happen with it, that's up to us as an authority it make sure something  
3 does happen. I stick with my proposal that we adopt it.
- 4 CATHAOIRLEACH: Okay, it's up to the members. We can defer it to let Joe's office have a  
5 look at it or we can go ahead and ratify it.
- 6 Cllr WINTERS: I'd defer it.
- 7 CATHAOIRLEACH: Proposal to defer it.
- 8 Cllr McLOUGHLIN: I'll second that.
- 9 Cllr CASEY: Take a vote.
- 10 CATHAOIRLEACH: Cllr Fortune proposed to go ahead and ratify it, can I have a seconder for  
11 that? Cllr Behan. Okay a roll call so.
- 12 Cllr BRADY: Sorry Cathaoirleach, defer it with a view of having it ratified once its looked at,  
13 it's not saying -- I think it's putting it to a vote now, you are either for sign this or against it, if it  
14 comes back before the Council...
- 15 CATHAOIRLEACH: I have proposals both ways I know.
- 16 Cllr WINTERS: You're not voting against it, you are voting to defer it to come up with a plan.
- 17 Cllr BRADY: I agree.
- 18 Cllr BEHAN: You have a chance now.
- 19 Cllr WALSH: In principle we are all agreeing to go and adopt this so what's the problem?
- 20 Cllr ANNESLEY: Can I just add I am going to be the first to vote for this! I would like to adopt  
21 this very quickly, but how long are you proposing to defer it for?
- 22 CATHAOIRLEACH: Come back to the next meeting.
- 23 Cllr Tommy CULLEN: I think we should just go ahead and adopt it, because everybody is in  
24 agreement with it here, I think it should just be done, because who wants -- if you come and  
25 vote, you are voting against it technically, I don't think it's fair, no councillor wants to do that so  
26 I think Chairman we should just go ahead and adopt it, maybe get a report, an explanation report  
27 from Mr Lane subsequently.
- 28 Cllr TIMMINS: Could we just be told what the vote is for, is this vote to defer it or to vote to  
29 adopt it?
- 30 CATHAOIRLEACH: There is a proposal to defer it to see what the implications to ratify are,  
31 and a proposal just to ratify it.
- 32 Cllr WINTERS: It's not the implications it's how we're going to implement it.
- 33 Cllr DORAN: That's the next stage.
- 34 CATHAOIRLEACH: Okay we're going with a roll call on Cllr Fortune's proposal to go ahead

1 and adopt it.

2 MS GALLAGHER: Just for the record the proposal is from Cllr Tom Fortune seconded by Joe  
3 Behan to adopt it and the counter proposal was proposed by Cllr Winters seconded by Cllr  
4 McLoughlin to defer it for a month.

5 Cllr RYAN: But is the deferral not really an amendment of the original proposal? I think that  
6 should go first.

7 CATHAOIRLEACH: We're going on Cllr Fortune's...

8 Cllr FORTUNE: Don't play that game.

9

10 (Vote taken)

11

12 MS GALLAGHER: 24 for, 6 against and two not present.

13 CATHAOIRLEACH: I suggest that Joe would still look at the ways how we can implement the  
14 measures within the document, I think that's agreeable. Okay.

15

16 Item number 7 consider revised standing orders of Wicklow County Council, this has been  
17 deferred for the last two meetings.

18 MS GALLAGHER: Just we've gone through the document and made changes that are relevant  
19 in terms of changes that happened, changing the terminology, the insertion of municipal districts,  
20 taking out the area committees, making changes relevant to the SPCs, and I suppose one of the  
21 other changes then was on page 9 Notice of Motion, which was discussed at the Protocol  
22 Committee meeting last month and was left to the Cathaoirleach to make an insertion in relation  
23 to that being realistic and pragmatic. So what's inserted is: Notice of Motions dated and signed  
24 by all members of five municipal districts can be forwarded to the meeting administrator by  
25 e-mail by the municipal district administrator and will be included on the agenda for the next  
26 meeting of the Wicklow County Council and the provision of receipt of notices of motion one  
27 calendar month before the date of such meeting set out at B above shall not apply.

28 CATHAOIRLEACH: Okay. So the Protocol Committee agreed that the municipal, motion  
29 from the municipal districts would not have to wait the month, that they would be able to fast  
30 track and that they would be at the discretion of the Cathaoirleach to take them at the beginning  
31 of a Notice of Motions, even if there was other Notice of Motions ahead of it. Given that some  
32 of those motions might be quite urgent. So have I a proposer? Cllr Winters?

33 Cllr WINTERS: No sorry I hit that accidentally.

34 Cllr RYAN: There is just a couple of things, page 3 section E, I think it says the first thing to be

1 done at the annual general meeting is the election of the Leas Cathaoirleach, that's incorrect, it's  
2 the election of the Cathaoirleach. On page 11 section 19 A the last word has been scratched out  
3 but nothing put in its place, I think that's probably again should be Cathaoirleach, maybe.

4 MS GALLAGHER: Change from chair to Cathaoirleach, yeah.

5 Cllr RYAN: With regard to Special Meetings, I think -- yeah, the Special Meetings currently, or  
6 previously were five people could call it out of 24, I know in the document it's pro rata-ed up to  
7 the full compliment of councillors around the table now. I personally think that should go to  
8 25%, so in other words I think it should benign people and not 7 that should be required to call a  
9 Special Meeting, I think it's reasonable is 25% of the people around the table believe there is an  
10 issue that requires us all to come here, I think that's fair enough.

11  
12 And one thing I would say, previously we did something which I think was quite useful, was that  
13 on the basis that not everybody here is a full-time politician, that sometimes people have to  
14 schedule in the calendar to be asked to turn found a meeting within three days can be a bit tough  
15 on people, so while I know Cllr Behan had said we should have meetings in the evening in  
16 general, but particularly I think for a Special Meeting, when it's short notice, three days, I think  
17 it's only fair that that meeting should take place at maybe 6 o'clock in the evening, if that was  
18 possible.

19 CATHAOIRLEACH: Have I a seconder for those proposals?

20 Cllr WINTERS: I'll second them.

21 CATHAOIRLEACH: Are those agreed?

22 Cllr BRADY: No.

23 Cllr SNELL: Sorry Cathaoirleach, before you would proceed with that, we'd have to have  
24 clarification from management that a Special Meeting, obviously it's being called because of its  
25 importance, therefore if it's outside of working hours for people who are employed by Wicklow  
26 County Council we would have to know that they are going to be available to us, so it's not the  
27 fact of just calling a Special Meeting and we'll have it at 6 o'clock in the evening or 7 o'clock,  
28 there's not much point in calling a meeting if the officials we need to speak with at these  
29 meetings are not available to us, so we need clarification on that.

30 CATHAOIRLEACH: Okay. Cllr Ruttle?

31 Cllr RUTTLE: Yes Cathaoirleach, just one on order of debate, "D, the chair shall ascertain that  
32 a motion is seconded before the proposer is permitted to speak to it", does this not allow for the  
33 power of persuasion at all? Any of us, we have all brought in motions here in our own name and  
34 after a debate you will pick up a proposer or somebody who feels the same about it, but to have

1 one before you speak, it doesn't allow for the normality of power of persuasion in a debate. I  
2 feel that.

3 CATHAOIRLEACH: It was always in it councillor. But I can see your point.

4 Cllr WINTERS: Chairman, surely if somebody feels that strongly about it, they would have  
5 convinced somebody prior to the meeting to actually support their thing and you would have  
6 your seconder coming into the meeting.

7 Cllr RUTTLE: I'm not sure we should have it in black and white that way though. An  
8 individual councillor has a right to bring in a motion and it's like in parliamentary terms, the  
9 power of persuasion or otherwise to have a seconder, I don't think we should be forced before  
10 everyone has a chance to see what you are saying.

11 CATHAOIRLEACH: Are you proposing to amend that?

12 Cllr RUTTLE: I don't think it should be there at all. I don't feel it needs to be there.

13 CATHAOIRLEACH: So you're proposing to remove it. Have I a seconder for that? Cllr  
14 Behan. Is that agreed? That amendment?

15 Cllr MITCHELL: Just read out the amendment?

16 Cllr RUTTLE: Sorry you want me to read it out? "That D in order of debate, the chair shall  
17 ascertain that a motion is seconded before the proposer is permitted to speak to it", my view is  
18 you shouldn't have to have a seconder at that point of the debate.

19 Cllr VANCE: Chairman, I think irrespective of that, the chairpersons that have been up there  
20 have always allowed that, I've never known a situation you get a proposer and seconder straight  
21 away. A proposer comes in, but generally speaking there is a discussion before it's put to the  
22 floor with a proposer and seconder. I think what Cllr Ruttle is saying is reasonable enough, it's  
23 what's been there, probably not in practice in regard to standing orders, I know they haven't  
24 changed, but it has been there in practice for as long as I can remember it. It gives a certain  
25 flexibility anyway.

26 CATHAOIRLEACH: Okay Cllr Fortune.

27 Cllr FORTUNE: Thank you Cathaoirleach. I support what Cllr Ruttle is saying, I think that's  
28 fair. I don't support what Cllr Ryan put forward about the nine, I think 7 is the correct number.  
29 And as regards Special Meetings, I've said this way, way back. We wouldn't need so many  
30 Special Meetings if we had a second council meeting in the month, and I actually think we  
31 should have, in light of the fact that we're basically a different authority, with a lot more  
32 responsibilities coming in and I don't think there is time to cover most items on the agenda, the  
33 agenda of the day normally is covering statutory things that have been covered, so I think  
34 Special Meetings are very important, you can't sometimes plan a Special Meeting two weeks in



1 advance so I think that facility will have to be there, my attitude to this is it seems to me that if  
2 we're to have a sense that we're trying to micro manage, I don't support that at all, we live in a  
3 democracy, there is a lot of power taken off councillors over the years, at least we should have  
4 the power to come into the chamber and have a constructive discussion on any topic that is  
5 deemed appropriate by the members.

6 CATHAOIRLEACH: Okay thank you. Cllr Cullen?

7 Cllr Tommy CULLEN: I'll support Cllr Ruttle there that what's been proposed in the draft  
8 document is, in effect, an attack on independents and non-party people. People are here, every  
9 councillor as an individual puts forward a motion, it could happen, mainly independents because  
10 parties will have structures, but independents come in here -- independents make up nearly 35%  
11 of the elected councillors on this Council, we represent over 40, nearly 43% of the electorate  
12 who voted in the county, and therefore for an independent to come in here and just on the age  
13 thing, there's two independents Fortune and Behan who got this over the line because they  
14 weren't involved in party bickering -- so it's very important I think that if a councillor wants to  
15 come into the chamber and put forward a resolution and if his argument can't get support, well  
16 and good, but at least they have the democratic right to speak on the motion, and this would  
17 remove the right of the councillor to speak on the resolution, and I think there is a time limit to  
18 speak on the resolution, I think it's three minutes, so if an elected member is not allowed three  
19 minutes to argue something that he feels, or she feels is very important, that would be anti  
20 democratic, so I think leaving that section in it would be both anti democratic and anti  
21 independent.

22  
23 I also agree that I don't know any board that would have 25% of a figure to call a Special  
24 Meeting. The normal rule is, normal thing in any state board is, would be 7, like the  
25 proportionality of it, I think 7 is quite a reasonable figure to get. Then this thing about having  
26 the meetings at 6 o'clock in the evening, the staffing issue is quite right as Cllr Snell pointed out,  
27 that would mean staff would have to be paid over time, that would mean that officials would  
28 have to be held back because people would leave here at 5 o'clock in the evening so there could  
29 be an argument from officials we have no staff to service the meetings and that would put a huge  
30 cost on holding the meeting. I would think maybe if Special Meetings were held at maybe 10.30  
31 or 11 in the morning, that would be a better perhaps job, at least people could be -- but at the end  
32 of the day councillors are being paid to be here, whether you are here at 10 in the morning,  
33 people went before the electorate to look for this job as councillor and they are drawing salaries  
34 to be here, so if it's uncomfortable so be it. But people are paid to be here. If there is a Council

1 meeting, if there is a Special Meeting then -- for instance it's Special Meetings on the last  
2 Council that were called here that prevented a lot of the pylons in this county, the councillors -- a  
3 lot of Special Meetings were held in this Council saved this county, they actually saved the  
4 people of this county from dangers, so I think Special Meetings are something that are urgently  
5 required, because if you remove the right of councillors to have a Special Meeting and put a  
6 barrier of nine councillors that's very undemocratic and I think people of Wicklow would lose as  
7 a result because when emergency issues come up with it might be hard to get 9 councillors, if  
8 you look at the history, Special Meetings have saved this county from a lot of difficulties and a  
9 lot of trouble.

10 CATHAOIRLEACH: Okay thank you. Cllr Vance.

11 Cllr VANCE: Chairman, Special Meetings haven't saved this county, Special Meetings have  
12 been called for some ridiculous things to discuss, and they have also been called for some  
13 emergencies and certainly I can remember for something is an emergency out there councillors  
14 never needed to have to go and sign a petition for a Special Meeting because the Cathaoirleach  
15 of the day always called it himself and that option is still there in regard to the Cathaoirleach of  
16 the day if there is an emergency that he has the right to go in and call an emergency meeting and  
17 I would expect that any reasonable Cathaoirleach, in an emergency situation, that he would do  
18 so, I'd have every confidence irrespective of whose coming down the line.

19  
20 In regard to this, I think nine is reasonable enough out of 32 people. And we want a situation  
21 that if a Special Meeting is called that there's a very good reason for it and not all Special  
22 Meetings that have been called have been for very good reasons and have been in an emergency  
23 situation, because Special Meetings should be about what an emergency situation is.

24  
25 And also, if there is something specific that's not an emergency, but that it is of deep concern to  
26 all the members, that can be brought up at this Council meeting and can be agreed by the  
27 members here to have a meeting the following week or the week after that, in regard to that once  
28 you get it, I think it's never been the case that somebody brought up irrespective of what party or  
29 what independents that they were, that they voted for a reasonable proposition that to my  
30 knowledge it's never been thrown out if it's reasonable that people will want to discuss it,  
31 because irrespective, if you are an independent or party member you know what the problems  
32 are out there in the constituency, and everyone -- we're all delegated to come here and sort out  
33 any particular problems that may exist, so there is a realisation among all the members of the  
34 Council that where there is a need, and I would expect that all the members will cater for that

1 particular need. So I think nine is a reasonable amount and anything else then people can bring  
2 it before this meeting and get the approval of the members as well for a Special Meeting at any  
3 particular time. To my knowledge it's never been a situation where there has been that particular  
4 problem.

5 CATHAOIRLEACH: Okay. Thank you. Cllr Behan?

6 Cllr BEHAN: Chairman I was going to ask if you could take each of those proposals separately.  
7 I agree with one part of what Cllr Ryan suggested, but I don't agree with the other. I think the  
8 number of members should stay at 7 for calling a Special Meeting, but I also believe that there  
9 should be the opportunity to have meetings in the evening. And we went through all that on the  
10 very first day and I know the argument was lost on that occasion, I don't expect it is going to be  
11 any different, but I do think Cllr Ryan makes a very valid point.

12 CATHAOIRLEACH: I'll just let in the manager to clarify whether staff will be available at 6  
13 o'clock.

14 COUNTY MANAGER: Well Chairman if there is a request for a Special Meeting and if the  
15 Cathaoirleach considers that the meeting should take place at 6 o'clock we'll do everything  
16 possible to facilitate that, if it happens.

17 CATHAOIRLEACH: Okay. Thank you. We're going to take the amendments, proposed  
18 amendments separately. So Cllr Ryan on the 6 o'clock for Special Meetings.

19 MS GALLAGHER: We can't revisit that, because we visited that not six months ago, we can't  
20 actually revisit that.

21 Cllr RYAN: That was for a general meetings.

22 MS GALLAGHER: No it was Special Meetings, I haven't got the notes.

23 Cllr RYAN: No it would have been outside six months.

24 CATHAOIRLEACH: It was in June.

25 MS GALLAGHER: We did all that. I can stand corrected, but I don't think we can deal with  
26 that.

27 CATHAOIRLEACH: It's still within the six months on that. Okay. Okay, on the number of  
28 members for the Special Meeting. Proposal is to increase it.

29 MS GALLAGHER: The agreement at the...

30 Cllr WINTERS: At the annual meeting did we not say when all of this was coming up for  
31 discussion that we'd look at it under standing orders, now to say we discussed it at the annual...

32 CATHAOIRLEACH: No it was pushed to a vote, it was proposed. It was proposed to look at it  
33 under standing orders and it was pushed to a vote.

34 Cllr RYAN: I don't think it was for the Special Meeting, but for Ordinary Meetings it was.

1 CATHAOIRLEACH: Because I wanted to look at it by committee.

2 MS GALLAGHER: Just in relation to standing orders, they were circulated in colour so  
3 everything in red is a change, everything in black is not a change, just in relation to page 12D  
4 that isn't something that executive put in, that's been there since 2001, just for clarification at the  
5 end of the day it's up to yourselves. But the meetings schedule was agreed at the AGM, the  
6 change was the agreement was strategic meetings or Special Meetings may be held from time to  
7 time as decided by Council.

8 CATHAOIRLEACH: It does also say that the hour of the meeting can be fixed by resolution.

9 MS GALLAGHER: As you did the Budget Meeting, 11 o'clock, this morning, so you fixed it,  
10 so you can. Discretion is there to fix it.

11 CATHAOIRLEACH: Just on the number of members required to request a Special Meeting, the  
12 proposal is to up that to nine councillor? Have I a seconder for that? Cllr Winters. I take it  
13 that's not agreed.

14 Cllr SNELL: I'll propose 7 Cathaoirleach.

15 Cllr BRADY: I'll second that.

16 CATHAOIRLEACH: Okay we'll have a roll call on Cllr Ryan's proposal that it would be  
17 increased to nine members.

18 Cllr SNELL: Should mine not be taken first Cathaoirleach?

19 CATHAOIRLEACH: Yours is in the document.

20 MS GALLAGHER: Proposed by Cllr Ryan and seconded by Cllr Winters that the number of  
21 members to call a Special Meeting be increased to nine.

22

23 (Vote taken)

24

25 MS GALLAGHER: 20 for and 12 against.

26 CATHAOIRLEACH: The other proposals on the typos, is that agreed? That Cllr Ryan  
27 identified a few typing errors, like the Leas Cathaoirleach being elected first, is that agreed?  
28 Okay Cllr Ruttle's proposal.

29 Cllr RUTTLE: Yes, 12D isn't it?

30 JUDGE: You are proposing to remove that, delete that. That the chair doesn't have to establish  
31 the seconder before the other person is permitted to speak.

32 CATHAOIRLEACH: So anyone who submits a motion is entitled to speak on it without a  
33 seconder. Is that agreed? No dissent, agreed. So can we agree the standing orders with the  
34 amendments?

1 Cllr Tommy CULLEN: Chairman there's issues on the standing orders.

2 CATHAOIRLEACH: Hold on, Cllr Fortune is in first.

3 Cllr FORTUNE: I want to make it clear I'm abstaining on the vote of standing orders because of  
4 the way we gerrymandered when it suits the vote in here in the chamber, I'm not supporting them  
5 until I see more fairness when it comes to votes.

6 CATHAOIRLEACH: It's a democratic vote councillor, I don't know how you can describe it as  
7 gerrymandering.

8 Cllr FORTUNE: Chairman I'm telling you why I'm abstaining on approving standing orders,  
9 your opinion is your opinion and you can quote that. I'm telling what you my view is and for  
10 that reason I'm not supporting standing orders.

11 CATHAOIRLEACH: Well I take issue with a democratic majority being described as  
12 gerrymandering.

13 Cllr RYAN: Hear hear.

14 Cllr FORTUNE: You can take issue all you want.

15 CATHAOIRLEACH: I will take issue with it. Cllr Cullen?

16 Cllr Tommy CULLEN: I don't agree with powers being given to the Chairman, as regards other  
17 councillors the Chairman is only one councillor same as everybody else, that's open to  
18 wide-scale abuse by chairmen and I don't think that should be happen, I don't think no-one  
19 should be given so much dictatorial powers, to stop transparent debate in this Council. And I  
20 will not vote for these, nothing personal or anything, but just on a matter of -- I'm hearing the  
21 manager's very best friend.

22 Cllr VANCE: That's right, chickens are coming home to roost. You have questions to answer  
23 now.

24 Cllr Tommy CULLEN: God, they are yeah.

25 CATHAOIRLEACH: Is that it? Okay can I have a proposer for standing orders with the  
26 amendments. Proposer for standing orders with amendments Cllr Ryan, seconded by Cllr Ruttle.  
27 Okay. We'll take a roll call on it.

28

29 (Vote taken)

30

31 MS GALLAGHER: 30 for and two against.

32 CATHAOIRLEACH: Okay item number 8 correspondence?

33 MS GALLAGHER: Cathaoirleach there's a letter from Cllr Vincent Blake, "As one of four  
34 members selected to represent Wicklow County Council from the Baltinglass district to the

1 Regional Health Forum, Dublin, Mid Leinster, I wish to tender my resignation from this board in  
2 order that Wicklow County Council can have better county wide balance of representation in the  
3 future. I want to take this opportunity to thank the members of Wicklow County Council for  
4 nominating me to this board and wish my replacement every success". So we put that on the  
5 agenda for the 4th of November.

6 CATHAOIRLEACH: Thank you councillor. Before we get into -- is there more?

7 MS GALLAGHER: Yes, a letter from the Meath foundation; I think I sent it around with the  
8 agenda, just if you note that and their thanks to the County Council and its members for their  
9 support over the years.

10  
11 And then if I can get a proposer and seconder for the protocol minutes of September?

12 CATHAOIRLEACH: Proposed Cllr Casey, seconded Cllr Ruttle.

13 MS GALLAGHER: Members will also note the circulation of motions passed by other local  
14 authorities.

15 CATHAOIRLEACH: Okay thank you. Before we get on to the Notice of Motions, at the  
16 meeting on the 22nd of September, it was proposed and agreed that we would set up a  
17 subcommittee to look at the draft budget, and identify issues within the budget that may be of  
18 interest to the members. It was discussed at the Corporate Policy Group meeting this morning,  
19 and it was felt that it could be, the committee could be made up, a number of different ways, that  
20 either there could be a member from each municipal district areas or we could go with a member  
21 from each of the political groupings, so it's open to the chamber, to the members, to propose how  
22 we make up this committee and how many members should be on it. So have I any proposals?  
23 Obviously there are members with certain financial expertise that would be of benefit, but it  
24 doesn't necessarily mean that those are the ones that have to be agreed. Cllr Cullen?

25 Cllr Tommy CULLEN: Chairman I thought we had an agreement here at the last meeting, or a  
26 couple of meetings ago that we were to set up a committee regarding the resources of County  
27 Wicklow with regards to the two reservoirs and extraction of water from Wicklow by Irish  
28 Water, there was a committee to be set up to have a review, and come back with some proposal  
29 here Chairman, I haven't heard about that can you tell me what's happening? I notice on the  
30 paper all the retired managers sitting and drawing big salaries and pensions on this cleaning out  
31 subsidised by Wicklow, water. And I just want to see what's happening about that committee?

32 CATHAOIRLEACH: I think that was to be set up within a period of three months wasn't it?

33 Cllr Tommy CULLEN: No it was not, we were to have a report for the budget.

34 CATHAOIRLEACH: Okay. Well I will look into that okay.

1 Cllr Tommy CULLEN: Yeah it's very important for this county, Chairman, I seen the figures  
2 here recently in Irish Water, they are just frightening the amount of water that's been taken out of  
3 this county, the revenues -- I know there is no officials want to go against Irish Water perhaps a  
4 lot of officials are looking for retirement homes, kind of working for them, drawing big pensions  
5 all county managers seem to go in there I seen it on the papers, 200,000 plus the manager's  
6 retired pensions.

7 CATHAOIRLEACH: Do you want this committee to do the same, do both?

8 Cllr Tommy CULLEN: Chairman I want a committee to set up and fight for Wicklow. Because  
9 it seems to me -- I'm from an electoral area in Baltinglass area where we're now going to be  
10 supplied over 33% of all Irish Water supply...

11 CATHAOIRLEACH: We've heard this argument.

12 Cllr Tommy CULLEN: I know that Chairman, but I'm surprised you're up there from  
13 Roundwood where hundreds of millions is taken as well, I know Cllr Casey is against this idea.

14 CATHAOIRLEACH: They took Roundwood away from me!

15 Cllr Tommy CULLEN: I would have thought as a Roundwood man yourself...

16 CATHAOIRLEACH: They took it off me.

17 Cllr Tommy CULLEN: That you would be also on board, because this is affecting our  
18 constituents, I think before the budget we should have some kind of a proposal to put forward...

19 CATHAOIRLEACH: Well I'm happy enough for this committee to look into that.

20 Cllr Tommy CULLEN: We'll set up a committee Chairman, I'd be willing to serve to try and  
21 come up with some kind of report or submission to make for Irish Water, try and get a few  
22 pound in for this county.

23 Cllr VANCE: I thought it was 2 billion Cllr Cullen was looking for. That would make it very  
24 significant.

25 CATHAOIRLEACH: Okay. Councillor -- councillor? I'm informed Mr Brian Doyle is in the  
26 process of setting up a committee okay?

27 Cllr Tommy CULLEN: Yes.

28 CATHAOIRLEACH: Okay Cllr Ryan?

29 Cllr RYAN: Just to say this came out obviously of the, when we were looking at the property  
30 tax the implications and just from talking to many different councillors around, there's the  
31 financial of the Council are a little bit of a black hole, this is an effort to try and bring  
32 transparency to it, so the question you were asking is whether or not it should be a member from  
33 each electoral district or whether or not we should do it through five groupings of the Council,  
34 just my own personal opinion, I probably think if it's to work correctly the way it was meant, it

1 makes more sense it's political groupings and the reason I say that is because political groupings  
2 can come together and find out what issues they have with regard to looking at finances and  
3 whoever from their group they want to put forward, that person can go and dig out those figures  
4 along with the rest of the committee and go back and report, so they are prepared going into the  
5 estimates process, so I'm just putting it forward that would be the most efficient way to work the  
6 process, but it's really important that we have people in there who -- I don't think people will be  
7 jumping up and down to get on this committee, because this is a lot of hard work I know it's  
8 financial data so it's probably best that we put people on it who have some sense of being able to  
9 read figures and the like, from that point of view so they can get drilled into it, so it's not a matter  
10 -- sorry I find it difficult to talk -- just when you have -- there you go, I've lost my train of  
11 thought. What was I saying?

12  
13 So plain and simply I think it's really important when we are going through the budgetary  
14 process it's not just on the day trying to make sense of the figures that we're doing it well in  
15 advance so we actually will be able to put better finances in place for the Council to deliver for  
16 the people of Wicklow.

17 Cllr WHITMORE: In instances like this my preference would be the first port of call would be  
18 to find out how many people are actually interested in being on the committee rather than going  
19 down voting or groupings because really if people are interested they will add more value rather  
20 than just being on because of geographic spread so if it's a case that there is too many people  
21 then we have to start limiting it, but I think the first option should be who is interested and if  
22 there is only 7 or 8 then there is no problem.

23 CATHAOIRLEACH: Okay. Thank you councillor. Cllr Ruttle?

24 Cllr RUTTLE: I also support weather Whitmore's suggestion to ascertain who would be  
25 interested in going forward to pursue this, certainly in our own area in the Baltinglass electoral  
26 area we are looking to have Cllr Timmins an accountant, very good at matters financial so I have  
27 no problem proposing him to work on the committee because he knows what he is talking about.

28 CATHAOIRLEACH: Thank you councillor. Cllr Winters.

29 Cllr WINTERS: Thanks Cathaoirleach, I agree that it should be people who are interested and I  
30 suppose with a spread between all of the political parties to make sure that nobody feels that they  
31 are excluded and that everybody has access to the information prior to any full meetings. And  
32 then just one other matter, at one of the last meetings I suppose it relates to finance, we had  
33 discussed Irish Water and the out of hours service agreement and at the municipal district  
34 meeting the engineer had said that the -- when I asked was the fault on the Council side or Irish



1 Water's side he said that the delay was on the Council's side rather than Irish Water. So I'm just  
2 wondering has that been addressed and do we have yet an out of hours service agreement with  
3 Irish Water? We had the floods last night, with more heavy rain anticipated this week, and we  
4 have been subject to flooding in various parts of the county, I just want to know if it has an  
5 implication for water supply, are we going to be covered this weekend or is it just wait till  
6 Monday?

7 CATHAOIRLEACH: I'll try and get you an answer on that. Cllr Casey?

8 Cllr CASEY: I would be in agreement with Cllr Ryan, I think from a reporting point of view  
9 and getting information back to the groupings, I think the political groupings might work best in  
10 relation to this and hopefully get people interested from each grouping to serve on the  
11 committee, you don't want a committee that's too big either, otherwise it will be too onerous to  
12 work with.

13 CATHAOIRLEACH: Okay thank you. Cllr Fortune.

14 Cllr FORTUNE: Thanks Cathaoirleach I think there is merit in what Cllr Ryan is saying, but we  
15 shouldn't fall into the trap that people on the group should necessarily be financial, sometimes  
16 experts don't have all the answers, as we know from past experiences, but there will also be  
17 political influences and also policies are important, so there need to be a broader brush approach,  
18 not because someone is an accountant for example should just be on the committee, I have no  
19 problem, but it shouldn't be because they are an accountant. I would suggest that any councillor  
20 in this chamber is capable of going into a grouping and listening to what is being told by the  
21 financial expertise in the local authority and making rational decisions, because some of the  
22 decisions will be driven by politics, that will be driven by policy and various things like that.

23  
24 I think the whole approach should be one that is fair across all the county, I think groupings  
25 would be a good way of approaching it and I think Cllr Whitmore in our group, if she's interested  
26 in sitting I'd be prepared to support her if that's what she wants to do.

27 Cllr BEHAN: I'll second what Chairman.

28 Cllr SNELL: Like this morning's discussion at Corporate Policy Group, I believe that perhaps  
29 the fairest way to incorporate everybody's feelings would be one from each technical group.  
30 There was five technical groups that's what's in the chambers and to get feedback into that I think  
31 it's important that each group is represented on this subcommittee. From a point of view of  
32 going forward I think that if there is somebody else extra there that has the expertise, for  
33 example there is two accountants in the Fine Gael group, I wouldn't see any issue with an extra  
34 person on it if they so wished, because ultimately they don't have the powers to make any real

1 impact, they need to come back to the members here to feed into us to see what's happening, so I  
2 wouldn't have an issue if it went over five members, but I think believe that at least five from,  
3 one representative from each grouping should be on the subcommittee.

4 CATHAOIRLEACH: Okay. Thank you. Cllr Vance?

5 Cllr VANCE: I agree with that, I think it's reasonable, it gives a broad spread of people as well  
6 in regard to it, I agree with Cllr Fortune in the sense that you don't have to have financial degree  
7 to go on this, a little bit of common sense now and again plays a big part, but certainly it would  
8 give a broad spread of membership and then people would feel that they were included, they  
9 hadn't been left out. So I would go along with that one member from each of the five groups I  
10 think would be satisfactory.

11 CATHAOIRLEACH: Do the members wish to - Cllr Timmins?

12 Cllr TIMMINS: Just briefly on the discussion, I don't think we should necessarily restrict it to  
13 five either, I don't have no issue with it going to six or seven, I don't think that's a problem.

14 CATHAOIRLEACH: I don't want it to go too big though. Okay do the members want to  
15 consider it for a while or nominate it now? Nominate members now?

16 Cllr VANCE: Next meeting.

17 CATHAOIRLEACH: Consider it?

18 Cllr FORTUNE: Just an observation Chair, by the next meeting because there is time pressure  
19 on all the municipal districts to agree budgets if there is a committee meeting to look -- what I'm  
20 saying is deadline is next Friday.

21 CATHAOIRLEACH: Do you want to forward names by Friday to Lorraine?

22 Cllr WHITMORE: Do you want to see who is interested?

23 Cllr FORTUNE: From our group I don't think there is any abstainers, we're proposing Cllr  
24 Whitmore.

25 Cllr SNELL: From Sinn Fein group we'd like to propose Cllr Lawless please.

26 CATHAOIRLEACH: Okay.

27 Cllr VANCE: We propose Cllr Casey.

28 CATHAOIRLEACH: And Cllr Ruttle?

29 Cllr RUTTLE: Are you ex officio yourself Chairman?

30 CATHAOIRLEACH: It's up to the members.

31 Cllr CASEY: I think the Chairman...

32 Cllr VANCE: I think the Chairman has to be on it, sorry about that Chairman.

33 CATHAOIRLEACH: Well Cllr Ruttle has indicated he is happy to propose Cllr Timmins.

34 Cllr McLOUGHLIN: I'd like to propose Eddie Timmins.

- 1 Cllr RUTTLE: You're on it? We'll support you 100%.
- 2 CATHAOIRLEACH: Cllr McLoughlin?
- 3 Cllr McLOUGHLIN: I'd like to propose Cllr Timmins.
- 4 CATHAOIRLEACH: Okay that's five.
- 5 Cllr WINTERS: If there is room for more and seeing as it was my proposal.
- 6 Cllr ANNESLEY: Chairman I'd like to propose Cllr Tommy Cullen because he is very  
7 influential speaking at the meetings, I think he has major input into the committee.
- 8 Cllr FITZGERALD: I'll second that.
- 9 Cllr Tommy CULLEN: I'm very flattered with the confidence. Chairman with respect to Cllr  
10 Annesley I like speaking in the open where I'm transparent, I don't like back smoke filled rooms,  
11 you don't know what goes on there. I'm sure Fianna Fail will be good at that. I like to speak in  
12 open and transparent out in the open. I don't like any ... but I'm sure if Cllr Annesley wants to go  
13 on it.
- 14 Cllr RYAN: You want a committee on water don't you?
- 15 Cllr FITZGERALD: We don't want it too lopsided.
- 16 Cllr DORAN: I'll second the proposal for Cllr Annesley, if he looks after our money the way he  
17 looks after his own!
- 18 CATHAOIRLEACH: Cllr McLoughlin?
- 19 Cllr McLOUGHLIN: No.
- 20 CATHAOIRLEACH: Cllr Whitmore
- 21 Cllr WHITMORE: I'm not sure the numbers we're up to -- can I propose Cllr Winters, it was  
22 Cllr Winters that proposed the committee.
- 23 Cllr McLOUGHLIN: I'll second that.
- 24 CATHAOIRLEACH: Are we happy with those, that's six.
- 25 MS GALLAGHER: Cathaoirleach, Cllr Whitmore, Cllr Lawless, Cllr Casey, Cllr Timmins and  
26 Cllr Winters.
- 27 Cllr Tommy CULLEN: There was a proposal for Cllr Annesley. You're declining it?
- 28 Cllr ANNESLEY: I'm declining it? You declined as well, what's good for the goose is good for  
29 the gander.
- 30 Cllr Tommy CULLEN: If you can't take it don't give it.
- 31 Cllr ANNESLEY: I can take it, don't worry.
- 32 CATHAOIRLEACH: Okay. Thank you members. We'll ...
- 33 Cllr RYAN: Could I just ask one thing for that, really it's really important that they look at  
34 everything broadly, because we had, the NPPR the penalties and fines and all that bringing 2

1 million into the coffers of this Council, my understanding is that that money needs to be spent,  
2 and I think we have an opportunity to actually spend money in this period of 2014, and they  
3 should look at that too.

4 CATHAOIRLEACH: I'm not sure it needs to be spent, I think we've spent a lot! Cllr Mitchell.

5 Cllr MITCHELL: I made a suggestion at the Corporate Policy Group this morning that the  
6 NPPR money of 2 million could go towards a deficit of the Council in the past. But the 20%  
7 should go towards specific projects in each area, which would represent some success with this  
8 money which had come in, and if my understanding from the accounting staff that we have to  
9 spend it this year, it's an item for this year's accounts and therefore this, it's quite a tight schedule  
10 to actually sort out something on that basis, and I would like to see that done, so I think it's  
11 important that we show that there is some benefit for what's happened.

12 CATHAOIRLEACH: I know a lot of it has been earmarked for our deficit. Cllr Behan?

13 Cllr BEHAN: Chairman that's a very interesting bit of news now, that we have 2 million euro to  
14 spend and the officials are deciding how it's going to be spent. And a Chairman of a committee  
15 is making a suggestion how 20% of it could be spent, could we get clarification about that?  
16 That's not a decision for officials. That has to be a reserve function of the members here and it  
17 most definitely should be discussed by the full Council.

18 CATHAOIRLEACH: Okay it did come up at the last meeting. I'll ask Lorraine to come up  
19 maybe and we'll get clarification on it. Cllr Fortune?

20 Cllr FORTUNE: I was going to say the same thing as Cllr Behan, it's one to discuss this at  
21 corporate policy meetings...

22 CATHAOIRLEACH: This was discussed here.

23 Cllr FORTUNE: Can I finish my point please. It's one thing to do that, but I think we should be  
24 all circulated with what that discussion was all about. What the breakdowns of it are so we can  
25 make an informed decision, like Cllr Behan it should come back in here to be decided by the  
26 membership.

27 CATHAOIRLEACH: Okay Cllr Whitmore?

28 Cllr WHITMORE: Regarding the NPPR I have major concerns about how that policy was  
29 played out, I dealt with a lot of people who were forced out of their homes because they could no  
30 longer afford their mortgage, back living in their home place and had to pay NPPR and were hit  
31 with huge penalties some it was 7 or 8,000 euro, because it was, you had to self account for it,  
32 you weren't getting letters reminding you, so it came as a big shock for a lot of people. And I  
33 think if there is an opportunity for some of that 2 million to actually go back as a Council we say  
34 that policy isn't fair and it's not right that those people should be penalised when they can't afford

1 to live in their own homes anymore, I think we should look at giving them an exemption perhaps  
2 for giving some of that back to them, so before we get talking about how we'll distribute it, I  
3 think we should look at that policy and see whether or not there was any fairness in it.

4 CATHAOIRLEACH: Absolutely agree, it was absolute total extortion. And the amount of  
5 people that got caught up in bills of four or four and a half thousand was in my opinion wrong.  
6 Cllr Cullen?

7 Cllr Tommy CULLEN: Yes Chairman, I believe funding should go to provide to deal with  
8 4,000 families on the waiting list in this county, because it was collected from houses and  
9 therefore it should be put back into housing in the county, to deal with the many homeless  
10 families, 2 million would take a lot of families off the waiting list in this county, that's where we  
11 should look. I think we should refer it to Cllr Snell and his committee to see what plans they  
12 come up with to deal with it, that's what I would support Chairman.

13 Cllr VANCE: If you can build 4,000 houses for 2 million you'll be doing well.

14 Cllr SNELL: I'd just like to say that the housing SPC would welcome that money sincerely,  
15 considering that we were given a run down if we didn't support the 15%, if we kept a local  
16 property tax at the 100% that this Council was proposing putting in central heating into 200  
17 houses over the next four years, 200 per annum and it was coming in at 700,000, so if we got  
18 700,000 we could put that central heating into 200 houses which is an obligation on this Council,  
19 because as landlords of them properties it should be already done. That was coming in at 7,800  
20 per unit, which I think is quite high, if you're going into do such considerable amount of numbers  
21 so we could do a lot with that money, if that money is available, our financial officer will let us  
22 know in two minutes, but if it's there we'll certainly spend it for you, make no bones about that.

23 CATHAOIRLEACH: Cllr Mitchell.

24 Cllr MITCHELL: My suggestion was it should be allocated to municipal committees whatever  
25 percentage, say the 20, and they should decide on certain projects for all people in the area which  
26 would benefit from it.

27 Cllr BOURKE: I'll just like to support Cllr Whitmore's assertion there that a lot of this money  
28 was taken off people by way of severe penalty and we've taken it off the backs of a lot of people  
29 who can't afford it and there's a lot of anger and bitterness out there amongst many genuine cases  
30 that were forced and coerced into paying this, through no fault of their own ended up in the  
31 position they ended up in, and I think that to be triumphalist about how we're going to spend the  
32 money is wrong. We should think about the people who now have heftier mortgages, they had  
33 to go and borrow off relatives, friend and the Credit Union to hand this money over to the  
34 County Council a few weeks ago and spare a thought for those people first before we rush off

1 with our hands in glee as to how we'll spend the money, it's a lot of money that people couldn't  
2 afford. There may have been a few people out there who purposely hadn't paid and could afford  
3 it and it wasn't a big issue, but the vast majority of those that were caught out were severely  
4 financially distressed over having to pay this money. Thank you.

5 CATHAOIRLEACH: Agreed. Right Lorraine?

6 DIRECTOR LYNCH: Thank you. It would be very nice to look at that 2 million in isolation so  
7 we have an extra 2 million to spend this year, the reality is we have an incoming deficit at the  
8 start of the year of nearly 3.5 million and that has to be met first and foremost, at the end of June  
9 we had a deficit up to nearly 4 million, 3.9 million, that has to be met first and foremost. Under  
10 the regulation of the Department the general government balance, we are obliged to keep the  
11 revenue accounts in balance, we haven't done that for the last two years because of various  
12 different reasons and we have to address that, it's something raised by our local government  
13 auditor and something that's questioned by the Department, so the first call on any additional,  
14 that we may have this year, over what we budgeted will have to be that deficit.

15  
16 The overall income from all sources be it income that we have received over and above what we  
17 budgeted income we hadn't received we had budgeted for, together with expenditure, all of that  
18 is considered as part of overall 2014 accounts and the need for us to address the deficit that we  
19 have, to start at least if we can address the deficit we can start releasing the deficit provision that  
20 we have in the draft budget back into the budget to provide for services on an ongoing basis, but  
21 under the circulars of, 3 of 2009 and 2010 we have to address our revenue deficit and keep that  
22 in balance.

23 CATHAOIRLEACH: Okay Cllr Ryan.

24 Cllr RYAN: I was really surprised when I heard at that meeting where we were looking at the  
25 property tax and what to do that we had this bonus into our accounts; when we were doing the  
26 estimates the year before that was not taken into consideration, we didn't know that we were  
27 going to get this 2 million in there, while do I agree that yeah there is an opportunity to reduce  
28 the deficit which can't go on forever, I do think this Council has an opportunity to actually put  
29 some money back into the economy in Wicklow and that's really important to do right now  
30 because the economy needs a bit of a boost and we need to do everything we can to do that. As I  
31 said at the time I was shocked by the approach that was used to take the penalties, people had to  
32 suffer, but my colleague Cllr Bourke is absolutely right, we should really be very focused on  
33 what we do with that money and I do believe that there is some money there that can actually be  
34 invested back into the committee in Wicklow and should be.

1 CATHAOIRLEACH: Okay Cllr Winters?

2 Cllr WINTERS: Thanks Cathaoirleach, I agree with Cllr Whitmore I think we should look at  
3 that money and some of the penalty that is were imposed on some people who genuinely didn't  
4 believe that, because of the circumstances that they only actually had one house, they didn't  
5 happen to be living in it and they didn't appreciate that not living in the one house that you can't  
6 afford leaves you in a position where you actually have to pay an additional tax, and I do think  
7 that we should look at that and maybe some of those people shouldn't have to pay and that we  
8 can actually look at refunding some of those people. And every time Lorraine talks we hear how  
9 bad things are, and I'm not saying that they are not, I believe her, but then you see the letter that  
10 we were given at the beginning of the meeting and by all intents and purposes the chief  
11 executive was talking to Fred Verdier and telling him things are good so how come the story is  
12 so different?

13 Cllr BEHAN: Chairman I have the height of respect for Lorraine and the work she does, but she  
14 quoted two circulars that are a number of years old, deficits have been run by this Council for the  
15 last number of years, so quoting a circular that's a few years old doesn't change the argument.  
16 My main argument is and lots of people have put different suggestions, my main argument is  
17 expenditure of this money is a reserved function of the elected members of this Council. And  
18 we get to decide, not the officials, how that money is going to be spent. All I'm saying is that no  
19 assumption should be made that whatever percentage is going to go off a deficit, that should be a  
20 decision we make. Whether it's at the estimates or in advance. If there is some pressure that we  
21 have to suddenly spend it by the end of the year we most definitely have to have another meeting  
22 and have to have it very soon to sort out what we are going to do and we could do a combination  
23 of things. But I actually don't think that any government circular is taking away the reserved  
24 functions of the members of this local authority. And I don't think that's what Lorraine is  
25 suggesting, I think the power remains with us as public representatives and we should ensure  
26 that we make these decisions not have them handed down to us.

27 Cllr CASEY: I will be brief, just in relation to the process that took place itself, that it's my  
28 belief that when the original letter went out the letter of exemptions didn't go with it or wasn't  
29 included with it, it was the fear factor that was put into people, if you didn't pay this by Friday at  
30 5 o'clock it doubled by Monday morning which is extortion, even money lending wouldn't be  
31 anywhere close to that, as a government it's total disrespect for people. But I'm just wondering  
32 how many people paid up the money in fear of being charged the interest within the 24 hour  
33 period? And weren't aware that the exemptions were there for them to claim? There could be a  
34 certain amount of that 2 million that people could get back, it's my belief they didn't get the

1 exemptions letter to let them know what exemptions they could claim under when the letter went  
2 out, it was just a letter went itself warning that if they didn't pay it by Friday at 5 o'clock it  
3 doubled by Monday morning.

4 Cllr FORTUNE: I would absolutely total support Cllr Whitmore, she makes a very fair point,  
5 and the fear that was put out on this kind of sport notice of was, you wouldn't see it anywhere, it  
6 was unbelievable the approach that was taken, we all got calls on it. It's driven by a factor, in  
7 lots of the system there's no empathy, nobody puts themselves in a position of a person  
8 struggling out there, sitting in a comfort zone of a operation like this it's easy to do those things,  
9 but there was reference to spinning, Cllr Winters mentioned it, in the meeting we got a heap of  
10 spin, now we have a different spin when it suits later on in the meeting, so we're told when it  
11 suits that we are a board, now we've had these discussions before, and most of us here, every one  
12 of us here in the chamber knows what a board is, so I think it has to come back to the board for  
13 proper discussion and if you have been putting it off for two or three years put it off another two  
14 or three years let this funding as Cllr Behan says be used constructively for the people of  
15 Wicklow and keep telling us you have to balance the books and do this or that, fine. But here's  
16 money we weren't told about up to recently, it was got off people with a threat and fear if you  
17 don't do this it will double in 7 days, think about it, extortion, let's be fair to the people of  
18 Wicklow.

19 CATHAOIRLEACH: Okay Cllr Fitzgerald?

20 Cllr FITZGERALD: Just on -- this tax was one of the most outrageous tax that was ever  
21 inflicted on anyone to be honest about it, that 2 million equates to possibly 400 or 500 families  
22 that paid up the 4,000 or whatever it is, I'm sure many more payments to come there are disputed  
23 in there looking for exemptions, people having made arrangements to pay the money over so  
24 many years, and I think people would be quite offended, people that paid that money would be  
25 offended that we're now saying, I was at the corporate policy meeting this morning I heard it  
26 being said, that the 2 million is going down to reduce our balance, our revenue balance at the end  
27 of the year. The fact is that we hadn't got it we would be coming in with a revenue deficit of I  
28 think Lorraine said 4 million, but I think there would be an expectation among the public, some  
29 of whom were actually cajoled or whatever to pay this money, many borrowed, I know of many  
30 who borrowed from a Credit Union, people in negative equity we second homes, because you  
31 have a second home doesn't mean that you're rich. It means you invested in the good times and  
32 were persuaded by banks or whatever to borrow to purchase a second home. I take the view Cllr  
33 Mitchell mentioned this morning that there was an 80-20 split, that 20% should be spent by the  
34 end of the year and it should be allocated -- allocated to the municipal districts it might be the



1 right option I'm not sure, but certainly some needs to come back to the community, the stress it  
2 caused many people over the last couple of months it wasn't caused by Wicklow County  
3 Council, I think the Department took a line, it didn't go into the public domain until fairly late in  
4 the day, but people were panicking on the last few days, I presume there is more money to come  
5 from that other than 2 million, maybe Lorraine could mention them figures because there seems  
6 to be a lot of applications still to be dealt with, people got extensions or made arrangement to  
7 pay in the next couple of years, which if that's the case 4,220 is being paid piecemeal. I'd like to  
8 know what arrangements have been made. So there has to be other monies coming into the  
9 Council next year, where will that money go into the budget okay?

10 CATHAOIRLEACH: I don't want to get into a full budget discussion. Cllr Whitmore?

11 Cllr WHITMORE: Maybe I shouldn't continue with my question then. I just have a question for  
12 Lorraine, with the budget deficit was it 3 point something?

13 DIRECTOR LYNCH: At the start of the year, 3.4 million.

14 Cllr WHITMORE: Does that mean the local property tax, the excess that we were discussing a  
15 month ago that really wasn't available to us that was going to pay the deficit anyway and then I  
16 suppose just as a second point, I'd like to formally propose that the budgetary subcommittee  
17 review the NPPR, and the payments particularly with an eye people who only own a single home  
18 being taxed.

19 CATHAOIRLEACH: Have I a seconder for that?

20 Cllr FORTUNE: I'll second that.

21 CATHAOIRLEACH: Is that agreed then?

22 CATHAOIRLEACH: Okay. I'll let in Cllr O'Neill.

23 Cllr O'NEILL: Just on the case of if there is any sort of money hanging around, I'd like to  
24 highlight the situation in Glending and the newly refurbished housing and the calamity of the  
25 weekend where half a roof was blown off and gutters and whatever, which left a lady homeless.  
26 So I deal with this, going up to Glending again, it's a disaster, hardly a day goes by where my  
27 phone doesn't ring and there was problems with Glending. I know a lot of effort was put in, but I  
28 question the wisdom of spending predicted 8 million on that estate up to the year 2018 instead of  
29 -- it is on a flood plain, and it's continuous problem in the Blessington area, I think fellow  
30 councillors here from the west will vouch for me on that, it's a huge problem and I don't know  
31 whether it will ever be solved by spending this 8 million to the year 2018. I honest to God  
32 believe something really has to be done. I urge the housing section here with John to have it as  
33 top priority on the issue of Glending.

34 CATHAOIRLEACH: Thank you councillor.

1 Cllr WALSH: The perception is NPPR applied to people with a second home, but as we know  
2 now it was people caught in the net that had to move out of the primary homes, move in with  
3 relatives or rent their homes or downsize, they were caught in the net and without any prior  
4 warning found themselves with exorbitant bills.

5 CATHAOIRLEACH: That's correct, so it's agreed this subcommittee will look at the NPPR and  
6 the 2 million.

7 Cllr Tommy CULLEN: As Cllr Fitzgerald rightly pointed out, and further revenues that are  
8 expected to come in, because there seems to be a string of revenue for the next two years from  
9 that, that has to be taken into account as well.

10 CATHAOIRLEACH: I know this is revenue that's already come in as opposed to potential  
11 revenue. Okay.

12 Cllr BEHAN: I take it anyway that the management agree that it is actually the decision of the  
13 members where this money, how this money is spent, can we assume from the lack of objection  
14 by the officials that we are correct, in our assumption it's our decision not the management, is  
15 that right manager?

16 COUNTY MANAGER: Chairman you can't assume anything I suppose. What has been agreed  
17 is the committee will look at it, will examine it and report back to committee, strictly speaking  
18 it's not a reserve function in fact the reserve function of the elected members in relation to  
19 financial matters are to adopt the budget and then approve the financial accounts, having said  
20 that we'll try obviously to support the elected members in doing what they want to do, so we'll  
21 need to look at what the constraints on that are, and as Ms Lynch said, there are circulars which  
22 said that we must keep our revenue account an capital account in balance, these circulars are  
23 from the department, they are government decisions and they are government decisions basically  
24 which were imposed by the Troika, so we don't have the option of going outside that.

25  
26 From an overall financial situation at the moment we have an accumulated deficit of at least 3  
27 and a half million, we'll review the figures at the end of September very shortly and we'll have a  
28 better position by the time we have the first meeting of the committee to discuss the matter with  
29 the members. I know what the aspiration of the members is, equally the suggestion of giving  
30 refunds and so on, legally unless people are entitled to a refund we can't give a refund, this tax  
31 was designed by the government, and any steps we've taken were driven by government  
32 decisions as to what penalty would be and so on, but again we'll tease that out with the  
33 committee and we have lots of empathy for the points being made in relation to families who  
34 found it difficult to make repayments and so on.

1  
2 Undoubtedly there are a small number of families who perhaps as a result of error didn't make  
3 the payment of the initial tax, but a lot of people simply ignored it, buried their heads in the sand  
4 and there was a campaign to not pay and sop on. So there's arguments for and against and each  
5 individual case was looked at and if people were entitled to an exemption they were given it, if  
6 people are entitled to exemptions still they will get it, we have no desire to penal eyes anybody  
7 unfairly and equally we have an obligation to bring in any monies or taxes due to the Council.  
8

9 Having said that, we need to look at the size of the deficit, how it has changed over the last three  
10 months, what constraints there are as to what we can do with this and I think we need to talk to  
11 the department and the local government auditor about how we'll handle the deficit going  
12 forward. So what I am say something we're reserving our position and the councillors, I equally  
13 understand the point made by elected members in relation to it. Insofar as we can facilitate  
14 moving some way to where the members want us to, we'll work with the members and with the  
15 committee on it.

16 CATHAOIRLEACH: Okay thank you. Okay Notice of Motions.

17 Cllr WINTERS: Sorry Chairman, my question in relation to Irish Water and the out-of-hours  
18 service?

19 CATHAOIRLEACH: We'll try and get an answer from Brian okay. We'll take the Notice of  
20 Motions first in the name of Cllr Pat Kavanagh. That Wicklow County Council establishes a  
21 new animal welfare committee to advise SPCs and the Council as a whole on animal welfare  
22 issues. Cllr Kavanagh?

23 Cllr KAVANAGH: Thanks Cathaoirleach, I'm not sure actually if it is within the remit of this  
24 Council to establish such a committee, but I hope it is, and thanks for the opportunity to discuss  
25 it. As you are all aware it is a Council function under the Control of Dogs and Control of Horses  
26 Acts to deal with stray dogs and horses, both functions come under different departments the  
27 environmental section deals with dogs and housing section deals with horses. There's also other  
28 legislation which applies to animals including wild animals, circus animals, birds and habitats,  
29 and we all need to be cognisant of these acts and directives when we're making decisions.  
30

31 The Animal Welfare Act also recognises animals as sentient creatures who can feel pain and  
32 stress, and this Council also has obligations under the Animal Welfare Act to ensure that animals  
33 that are being looked after for whatever duration by the Council are humanely treated during  
34 seizures and while they are in custody of the Council.

1  
2 I just want to give some examples, recent examples of where things have gone wrong, not only  
3 with this Council but other Councils across the country. Just to illustrate the need for such a  
4 committee that would look into animal welfare in Wicklow. Last year we had a seizure of 63  
5 horses from Ballyguile at 4 o'clock in the morning.

6  
7 This resulted in mares in foal being chased around in the dark to, while they were being seized  
8 which caused huge distress to those animals, and the mares were also separated from their foals  
9 during the seizure which again caused enormous distress to the horses.

10  
11 We have a Council employee here who has administered, by her own admission, intra cardiac  
12 lethal injection to euthanase a dog at Wicklow pound and that is not an acceptable practice  
13 anymore in any animal welfare legislation. Throughout the country, we had Roscommon pound  
14 for instance who didn't feed or give their dogs water over a hot weekend during the summer, and  
15 in Waterford we had a situation where Waterford County Council was called upon to fill tanks  
16 for seals who were part of a circus and the tanks were filled with fresh, chemically treated fresh  
17 water, which is not the type of water seals should be kept in, they are sea creatures and need to  
18 be kept in sea water because chemically treated fresh water is damaging to their skin.

19  
20 These are just some examples of where things can go wrong without Councils getting proper  
21 advice on what should happen when actions need to be taken, and I would like to see a  
22 committee set up within this Council to advise the Council on best practices, when they are  
23 carrying out their functions and I just hope the members will support this motion. Thank you.

24 CATHAOIRLEACH: Okay thank you. Cllr Fortune?

25 Cllr FORTUNE: I second the motion chair.

26 CATHAOIRLEACH: Okay. Cllr Matthews.

27 Cllr MATTHEWS: Cllr Kavanagh has a lot of experience in this area, she is a long time  
28 campaigner in animal rights and welfare, I trust her judgment in this and I support this motion  
29 also.

30 Cllr SNELL: As someone who supported the Chance Group for many years since their  
31 foundation and I myself have brought up motions through this chamber, which brought the  
32 destruction rate of dogs in the county pound from 43% down to single figures in less than two  
33 short years, I think it's all about being active and taking an interest in the issues. I thank Cllr  
34 Kavanagh for bringing this motion before the Council.

1  
2 I would hope that the SPC would be able to take on a lot of the body of works that's entailed in  
3 the motion, I'm not sure whether the Council stand on establishing a new animal welfare  
4 committee within the confines of the Council, but I certainly do support the concept of it and I  
5 would have faith in the SPC with the members just looking at the names there, to actually take a  
6 very proactive stance on animal welfare.

7 CATHAOIRLEACH: Thank you.

8 Cllr Tommy CULLEN: I also agree that there should be some form of a committee whether or  
9 not it's going to be a subcommittee of environmental SPC or something like that, maybe that's a  
10 way around it, that it would be a subcommittee formed from the SPC, but Chairman I think it's  
11 appalling that people would be cruel to animals, to dog lover like myself, I hate to see animals  
12 being treated cruelly, it's an issue I brought up a number of years ago and campaigned against  
13 the exportation of live dogs and animals from Ireland to laboratories in England for testing drugs  
14 and that, it's a horrific practice.

15  
16 But Chairman I think Cllr Kavanagh is very good in what she did here today in bringing the  
17 welfare of these animals, just coming in the road to the Council meeting I met two horses  
18 running on traps coming in to face me across both sides of the lines, just this side of the bridge at  
19 Rathnew how nobody was killed today I don't know how, that's a practice that needs to be done  
20 with.

21  
22 Chairman, dog owners nowadays are responsible, they know the dangers dogs can have to sheep  
23 and lambs at this time of year and also there is an issue of dangerous dogs, people getting dogs  
24 that are not suited to be had in, to be housed in residential areas particularly where there is young  
25 children. These pit bulls and that, it's cruel to have these dogs in situations where it's not really  
26 suited for them, I think the nature of dog ownership has gone away, a lot of people keep dogs  
27 now as pets, I think something should be done about these breeds that are quite vicious and nasty  
28 and I don't think some of these dogs should be allowed, you should have a special licence like in  
29 the UK. For instance in the UK you can't have a pit bull, Alsatian or any dog that might cause  
30 injury to humans in residential areas without a special licence and you have to go before the  
31 local police and Council committee to justify and they have to come out and examine your  
32 security measures in your house or garden, where you're going to keep the animals, but here you  
33 see some of them roaming around housing estates on the greens you have a lot of young children  
34 playing, I think all the time you are seeing these young children being mauled, but I would think

1 we should perhaps maybe formally ask the environment SPC to form an animal welfare  
2 subcommittee.

3 CATHAOIRLEACH: Okay I propose that we get Cllr Mitchell, as Chairman of the  
4 environmental SPC, to take a look at the issue, it's a policy matter and if a subcommittee has to  
5 be formed, that the councillor does have the power, the SPC has the power to form a  
6 subcommittee.

7 Cllr KAVANAGH: Just in relation to subcommittees, I would have no problem with it being a  
8 subcommittee, but for instance the Control of Dogs Act comes under the environmental SPC but  
9 the control of horses comes under the housing SPC, so there you might have a bit of an anomaly  
10 where they don't all come under the environmental SPC.

11 CATHAOIRLEACH: Okay.

12 Cllr KAVANAGH: So I thought maybe something that might cross over, into all departments  
13 for instance like in planning you have the birds and habitats directive and that affects the  
14 planning decisions as well, so it is -- it does cross over all SPCs. That's why I thought maybe a  
15 separate committee that would liaise with all SPCs.

16 CATHAOIRLEACH: Okay well then we'll have to get the two chairmen of the two relevant  
17 SPCs to liaise.

18 Cllr MITCHELL: We'll speak about it and maybe we can think about whether to bring a  
19 separate one which would involve people from different groups.

20 CATHAOIRLEACH: Okay thanks councillor. We'll move on.

21 Cllr RYAN: Cllr Bourke just asked to defer the next Notice of Motion.

22 CATHAOIRLEACH: Okay deferred. Motion number 3 in the name of the municipal members  
23 of Greystones to ask Irish Water to produce a written report on the investment and timeframe  
24 needed to eliminate water shortages which have occurred during the annual spring algae season.  
25 To identify how future shortages will be spread across the entire water region.

26 MS GALLAGHER: Cathaoirleach during discussion on the resolution, the members asked for a  
27 guided tour of Vartry water works be arranged to give better understanding of the issues that  
28 arise and please let us know if this can be arranged with Irish Water.

29 CATHAOIRLEACH: Okay. Cllr Mitchell?

30 Cllr MITCHELL: Thank you. About six months ago the first thing that happened was water in  
31 the higher areas of Delgany and Kilmac and I think Enniskerry also, just disappeared, with no  
32 warning at all there was a great mystery and a lot of phone calls to the Council offices as to what  
33 happened. They didn't know what happened either, and somebody, somehow it seems the  
34 pressure dropped coming out of the Vartry water works, to me a major engineering plant like

1 that should have gauges of output pressure and somebody should watch what's happening, and  
2 should report, and warn those who could be affected by low pressure to do it. Now either it  
3 doesn't have such equipment which is very antiquated indeed or else nobody was watching or  
4 more likely nobody bothered who were running the plant in notifying anybody that this was  
5 happening.

6  
7 And this was the second time this happened, it happened the previous year in the spring as well.  
8 The next thing that happened was the water started not to get through to the reservoir which  
9 supplies the town of Greystones, a large town and the water was cut off at night from about 6  
10 o'clock, there was a good few restaurants and other businesses in Greystones paying water rates  
11 who need water at night, and I think that it's disgraceful this happened. It seemed to all happen  
12 remotely, and there was nobody in charge whatsoever.

13  
14 I think it's quite serious that this happened. We have had a few verbal explanations since, I think  
15 Cllr Casey last year when this happened was told it was too cold I think the previous year, that's  
16 why there were algae, this year it was too warm. So this was the sort of thing we were told. It  
17 was as if somebody had a book of excuses, running a very major plant for water, and this is from  
18 a county which supplies well over half Dublin's water.

19  
20 Now I also know deputy Andrew Doyle in the Dáil at the hearings for the establishment of Irish  
21 Water asked the chief executive what contingency plans he had to stop this happening after year  
22 one, I don't know what he was told but it seems nobody was listening and again this took them  
23 totally by surprise. We've had lots of controversy about Irish Water, usually about installing  
24 water metres and the cost, but this is about the management of a very major resource, and I think  
25 they are managing it incompetently if they don't know the pressure is dropping and they don't tell  
26 anybody. And I would like a report on all these matters in Irish Water, in writing, not just a  
27 book of excuses that they pick out it's too hot, too cold or a mixture.

28  
29 I also think it shouldn't have taken six months to get it discussed by this Council either. The  
30 collapse of the water system for the second largest town in the county. So I would like to us ask  
31 all of those questions.

32 Cllr FORTUNE: Thank you, I would agree with everything that Cllr Mitchell said. Also we  
33 need this report, the actual motion itself is quite self explanatory, explain what is we are looking  
34 for and we should have got this by now. The question I have in addition to what's said already

1 who is the link, who is the official senior link from Wicklow County Council into Irish Water?  
2 And also the situation that has arose in the last number of months in Kilpedder and in parts of  
3 Greystones, we need to be told that's resolved, but as we speak here this afternoon, there's a  
4 housing area in Kilcoole that has a trickle of water to no water. Now it maybe caused by  
5 pressure or whatever, Irish Water have been contacted but it's still going on. So that's why I'm  
6 asking who is the actual senior link from the authority here to Irish Water?

7  
8 I don't think it's good enough that people will be left like that, we've all read the various  
9 editorials in the media in regards to what Irish Water are going to do and are not going to do and  
10 everything else. The focus on that at the moment, so we really need to take action and make sure  
11 that people have the basic need of water, and there's no excuse at this stage for anyone to not  
12 have water as we speak this afternoon. Am I not being listened to?

13 CATHAOIRLEACH: I'm just getting clarification for you. Keep going.

14 Cllr FORTUNE: So I would like -- I think we should get a response to what's in the motion very  
15 rapidly, if that takes Mr Sheehy to get onto the CEO of Irish Water if that's what it takes I'd ask  
16 him to do that if not this afternoon, first thing in the morning. I'd like to have that area in  
17 Kilcoole, their water properly re connected, to proper supply, immediately.

18 CATHAOIRLEACH: Okay. Thank you. Cllr Matthews?

19 Cllr MATTHEWS: Thanks Chairman. I would support this motion for Greystones district. I'm  
20 just wondering would it give more value if there was something else included in it? You've  
21 asked Irish Water to produce a report on the investment and timeframe needed, but it may also  
22 add value if you ask them to make provision to implement the findings that report in order to  
23 stop the water shortages, and also we do need a report on why it's happening, it's an annually  
24 vent now, generally -- I'm not sure is the Algae bloom that's causing the mechanisms to block up  
25 or is it that they can't supply the water when there is the bloom, so I'd like clarification on that, I  
26 think it's well documented what causes algae blooms, so that stretches far beyond the remit of  
27 Irish Water, but I think we need some clarity on it thanks Chairman.

28 CATHAOIRLEACH: Thank you. Cllr Walsh.

29 Cllr WALSH: Just to point out what's coming across, the areas Delgany, Kilpedder Greystones  
30 and Kilcoole, what added insult to injury, supplies in South Dublin remain uninterrupted we got  
31 loud and clear at the time of the canvas on the door.

32 CATHAOIRLEACH: That's -- councillor, that's a valid point.

33 Cllr WHITMORE: I would like to agree with my colleagues, I think this is something we need  
34 to get done very quickly. The last algae bloom was in May and in order to prevent that



1 happening again work would need to be really underway at the moment, I understand the EPA  
2 have a project proposal out there, funding a project looking into the cause of this to see if they  
3 can model this bloom. But I think that call went out six months ago, they still haven't actually  
4 awarded that funding to anybody, so I also understand the EPA and Irish Water are not  
5 necessarily talking to each other regarding managing this system, so you have EPA doing a  
6 biological assessment and Irish Water could just do more mechanical ways of dealing with it, so  
7 I would ask that we get it done as soon as possible in order to assess it and hopefully prevent it  
8 for next April or May time.

9 CATHAOIRLEACH: Thank you.

10 Cllr BEHAN: Chairman, sorry could I just add my support to, for the actual detail of what is  
11 being suggested and what is being proposed but also we're all going to have to deal with Irish  
12 Water and problems that will arise in our own areas in the future, to me this is a very big test  
13 case of the response of Irish Water to a major problem in one part of our county, I think it's very  
14 important that we get behind the proposers of the motion and that we really follow this up very,  
15 very carefully, and monitor exactly how Irish Water perform now in this their first big test here  
16 in this county.

17 CATHAOIRLEACH: Thanks. Cllr Nolan.

18 Cllr NOLAN: Thanks Cathaoirleach, it was just brought to our attention a few months ago that  
19 Wicklow is one of the few counties that does not have an out-of-hours helpline or service, is that  
20 still the case? Because I remember Cllr Fitzgerald and Cllr Murphy and various other Arklow  
21 councillors had a very distressing situation where they had to, only through contacts they had  
22 through the Council to get the engineers out on a Sunday, is it still the case that this county still  
23 has no out of hours services from Irish Water? Say something that just doesn't operate 9 to 5  
24 Monday to Friday or has that been rectified yet?

25 CATHAOIRLEACH: We'll get that clarified. So that's all the speakers. We're going to send,  
26 propose to send on this written motion looking for a written report on the issues raised, as Cllr  
27 Behan has said it will be very interesting to see what the reaction and response is. Again the  
28 Kilcoole problem will have to be sent directly to Irish Water. The intermediary here, I know the  
29 chief -- or the executive, chief executive what's your new title County Manager? Has had some  
30 discussions with the senior management in Irish Water, do you want to elaborate on that?

31 COUNTY MANAGER: Well I brought the problem to the attention of Irish Water and Dublin  
32 City Council and I'll also bring this motion to their attention and ask them for a written report on  
33 it and I'll come back to the members in relation to that. We're in the process at the moment of I  
34 suppose negotiating the budget for 2015 with Irish Water, by budget I mean the amount that they

1 will pay us in respect of the service level agreement where we carry out certain works for them  
2 and the budget including staff costs and management charge, we're in the midst of those  
3 negotiations at the moment and again we'll report further as part of the budget process on that.  
4

5 Obviously the capacity to do things will depend to a large extent on the budget that's available.

6 Cllr WINTERS: Just if you're in the process of negotiating 2015 does that mean that there will  
7 be no out of service contract with Irish Water for the remainder of 2014? As we have no -- we  
8 are one of four counties that doesn't have an out of hours service agreement with Irish Water,  
9 and if you are actually talking to them about 2015, is there anybody talking to them about 2014.

10 COUNTY MANAGER: Mr Doyle has been in discussions with them, I don't see him here at the  
11 moment, so I'll need to talk to him.

12 CATHAOIRLEACH: Okay Cllr Matthews?

13 Cllr MATTHEWS: If I ask the chief executive through the chair, is there any penalty clauses for  
14 non-provision of services attached to the agreements with Irish Water?

15 COUNTY MANAGER: Penalties in what sense councillor?

16 Cllr MATTHEWS: If they fail to provide what they have been contracted to provide, in other  
17 words if they can't provide the pressure for providing water services for the people that are  
18 affected by it, is there penalties involved?

19 COUNTY MANAGER: No, the contract with Irish Water, the service level agreement is about  
20 the numbers of staff that we'll have working on maintenance of water service, infrastructure in  
21 the county, the number of people, grades and so on. And if vacancies arise each and every  
22 vacancy has to be filled has to be approved by both Irish Water and the Department of the  
23 Environment so service level agreement is in relation to that. Not in relation to supply of water,  
24 to particular properties or residences, that whole area of the response of Irish Water and how  
25 much, how they provide that's really a matter for the regulator and for example there are  
26 provisions where water isn't of drinking water quality and has to be boiled, where the charges  
27 provide for discounts in relation to that. But our contract is simply about providing staff to be  
28 paid for by Irish Water, for carrying out works on the maintenance of both the water provision  
29 infrastructure and water treatment infrastructure in the county which were previously the  
30 responsibility of this Council, but which now have been transferred to Irish Water under the  
31 legislation, and the expectation is obviously that the budget for these things will continue to be  
32 reduced, as a result obviously of pressure on Irish Water to reduce and contain their costs and  
33 these things will be determined at the end of the day when Irish Water can charge for water to  
34 both residential and commercial customers will be determined by the regulator and Irish Water

1 obviously have to make the case of what they need to do it to a particular standard, but  
2 ultimately the regulator determines this and has issued some decisions on this recently.

3 CATHAOIRLEACH: Okay. Cllr Fitzgerald?

4 Cllr FITZGERALD: Just on a point we have water mains rehabilitation programme commenced  
5 1st January in Arklow just finishing up, one of the objectives is to limit the water that's lost  
6 through burst pipes and whatever, and I had an incident recently just the most recent one I  
7 e-mailed Irish Water on a Friday and the work was done the previous week, so you're losing  
8 thousands of gallons and we're spending a fortune putting in new pipes, it's slightly  
9 contradictory, one of their objectives is to reduce the number -- and only for the intervention of  
10 Council, not an official but a Council workers who used his savvy and got out and done the  
11 work. If we had waited until Monday or Tuesday, thousands and thousands of gallons would  
12 have been lost. So it doesn't make sense not to have an a weekend service or nighttime service,  
13 where someone isn't called, because the point being is thousands of gallons are lost. If you have  
14 a burst main pipe you are going to lose thousands an thousands, so common sense has to come  
15 into it at some stage there and when I recently phoned the girl said Tipperary has a service now, I  
16 said I'm in Wicklow. She was delighted Tipperary had an after hours service, so we need to get  
17 our act together. Because as Cllr Winters said, there is three months of the year, we are coming  
18 into a bad time of the year for burst pipes and whatever, and that's why I welcome very much the  
19 work that has been undertaken in Arklow, we had a lot of water leakage there, but the fact is if  
20 we have a burst pipe the loss from that counteracts the good been done by replacing the pipes, so  
21 this is spoken about for the last three meetings and nothing has happened. I take the point that  
22 Brian Doyle is now proceeding to bring a change in that situation, but it needs common sense  
23 and common sense prevails during the week with Wicklow County Council but where a decision  
24 is given and relay to Irish Water later but it needs to happen on weekends or whatever.

25 CATHAOIRLEACH: Thank you councillor, we'll send it on and see what response we get, we'll  
26 get Brian Doyle to clarify a few matters. Okay motion number 4 in my own name, that the  
27 government would officially recognise Irish Sign Language as promoted by the Irish Deaf  
28 Society.

29  
30 I met with the Wicklow branch of the Irish Deaf Society and they conveyed to me their  
31 disappointment with Irish Sign Language not being recognised by the government, it has huge  
32 implications for their members, in particular in relation to education. In Ireland, Ireland has its  
33 own sign language in Ireland the sign language is not formally recognised which means access to  
34 everyday information is not available to them, English would be considered a deaf person's

1 second language, and up to 80% of deaf adults would have an English reading level of an 8 to 9  
2 year old. So I am proposing that we would send a resolution or agree a resolution that Wicklow  
3 County Council calls on the government to give official recognition status to Irish Sign  
4 Language, especially to article 21 that states recognising and promoting the use of sign language  
5 most likely requiring implementing legislation that would facilitate the learning of sign language  
6 and the were motion of the linguistic identity of the deaf community.

7  
8 I would hope that the members would support me on it.

9 Cllr SNELL: I'll second the motion.

10 CATHAOIRLEACH: Thank you. Cllr Fortune.

11 Cllr FORTUNE: I'll second that, I'm happy for Cllr Snell to second it.

12 CATHAOIRLEACH: Okay. Cllr Murphy?

13 Cllr MURPHY: Yeah can I certainly agree with the motion, but I also would just like to point  
14 out that I hope that this will be reckoned that with any event that Wicklow County Council is  
15 hosting that maybe with prior arrangement, if it is necessary, for to have a sign interpreter, that  
16 that will be provided, it doesn't matter what the cost is, I know that's very hard to do, but if  
17 people are aware that people who are deaf and attending such a function, that they can come to  
18 Wicklow County Council and make contact and that an interpreter would be provided.

19 CATHAOIRLEACH: Thank you councillor.

20 Cllr McLOUGHLIN: Yes I would totally agree with this proposal, can I suggest this proposal is  
21 sent to all the other Councils around the country.

22 CATHAOIRLEACH: I know a number of them have already agreed a similar motion. Thanks  
23 councillor. Cllr Kavanagh.

24 Cllr KAVANAGH: I certainly support the motion as well and I also support Cllr Murphy's  
25 proposal, that this Council would practice what it preaches really, we don't need to wait for  
26 legislation to happen before we make the changes ourselves and that provision is made for sign  
27 language interpreter as well, to be available for functions, for public functions.

28 CATHAOIRLEACH: Okay thank you. Is that agreed then? We have a couple of questions in.

29 MS GALLAGHER: I have a question in from Cllr Matthews in relation to part 5, are you  
30 liaising -- so you're okay with that, okay thank you.

31  
32 A question in from Cllr Tom Fortune, "I would like to have the following question answered at  
33 Monday's meeting on the 6th of October. Mr Sheehy stated at our Council meeting on the 8th of  
34 September that he also hired private investigators in 2013; who was he investigating and how

1 much did it all cost? He states that 2001 investigation cost of..." (Quoted). The response is:  
2 "Mr Sheehy did not state..." (Quoted).

3 Cllr FORTUNE: Thanks Cathaoirleach I'm not sure about that response, can I ask a question  
4 maybe to yourself, you as Chairman have had a look at the files, so you are aware of who was  
5 investigated in 2013, you are also aware of the name of the investigators, so can you give that  
6 information to the members, because to be fair, when you became chair you did say you would  
7 keep us all informed and be open and transparent, so I think that information should be known to  
8 us as members, the minutes of the meeting of the 8th of September reflect that it was stated that  
9 there was two investigations, one in 2001 and one in 2013, we just need to know the detail of  
10 2013.

11 Cllr WINTERS: Just the -- neither the question nor the answer ever comes up in the transcript as  
12 quoted, so if we could be given a copy of both the question and answer please to all members.

13 CATHAOIRLEACH: Okay, what I would -- Cllr Vance?

14 Cllr VANCE: Chairman, Cllr Cullen made this report of me and Cllr Casey and Lorraine  
15 Gallagher to the ethics officer in a simple question I asked in regard to opening of two files I  
16 wanted to have a look and to open them up to any member of the Council as well and that  
17 particularly happened, unanimously. There is a lot of new members on the Council now who  
18 may not be aware of that, as far as I'm concerned one of the people complained about by Cllr  
19 Cullen in doing, as far as I'm concerned my public duty in making files available to members if  
20 they so wished, I do feel that new members particularly, that these files should be made available  
21 to them, and also I'm prepared -- any other relevant information in regard to the ethics complaint  
22 that was contained at that time and the investigation by the manager as well, should be given to  
23 all the members of the Council so they can peruse it in the privacy of their homes and have a  
24 good idea exactly what the complaint was and exactly what the issues were that were contained  
25 in those particular two files.

26  
27 I would ask any of the new members that haven't already seen them to go ahead and see them.  
28 But I think any relevant information in regard to that should be made available to every single  
29 member of this Council.

30 CATHAOIRLEACH: Thank you councillor.

31 Cllr Tommy CULLEN: I did make ethics complaints against Cllr Casey, Cllr Vance and Ms  
32 Lorraine Gallagher, I stand over those complaints, this emanated from the resolution of Cllr  
33 Vance forwarded in the form of a question and as we all know a question is not allowed to be  
34 turned into a motion, but at the time Cllr Casey allowed Cllr Vance, under the auspices of a

1 question to put something into a motion, which was contrary to standing orders.

2  
3 I was proved correct in that. And Cllr Vance has subsequently to -- to come back to the Council  
4 with a motion which I have no objection to, I've nothing to be afraid of any resolution for. But  
5 what I complained about was the Chairman's abuse of standing orders, Cllr Vance's abuse of  
6 standing orders, they didn't follow the proper procedures. And I'm correct in that.

7  
8 This in my view emanates from me raising an issue about the sale of three acres of land to  
9 Ballymore Homes in 1996 to Sean Mulryan. Why I'm concerned about that, I spoke to  
10 somebody only yesterday morning and they informed me that they were approached in 2013 and  
11 2014 on at least 7 occasions by a private detective who walked the Three Trout Streams lands,  
12 done a full investigation into it at Greystones and seemed to be wanting to get a lot of  
13 information from it.

14  
15 Now if members check the records here of the minutes of the last meeting, sorry the 6th of  
16 September, you look at the last paragraph and I'll read it, "Cllr Pat Vance ..." (Quoted). So Cllr  
17 Vance linked the question of the private detective to that court case, so Cllr Vance must have had  
18 some information about why, what these private investigators were up to.

19  
20 I'm very concerned about this, I'm very concerned that there was an attempt to besmirch my  
21 character, I believe Cllr Vance said a person from west Wicklow made an allegation, I asked the  
22 manager to get Cllr Vance to identify the person, the manager fail to do that, never  
23 communicated with me.

24  
25 I appreciate, I objected to the Council, the manager, the way it was conducted, that investigation,  
26 I understand he is a very close personal friend of Cllr Vance and Ms Gallagher's, but I think I  
27 was entitled to fair procedures and practice.

28  
29 Cllr Vance can snigger and laugh all he likes in this chamber, but if Cllr Vance wants to talk  
30 about my private business, well every councillor here looked at those files and they found  
31 absolutely everything was in order. So if Cllr Vance is assuming anything wasn't in order I  
32 would soon be hearing about it, but Cllr Vance I want to tell you one thing, the days of the  
33 planning and zoning decisions being done in Dobbins restaurant and Ramada hotel and other  
34 places in Wicklow, I would ask you again Cllr Vance to say were you in Dobbins restaurant with

1 Sean Mulryan, Sean Dunne and Gabriel Dooley as Mr Dooley has alleged.

2 Cllr VANCE: Did you amend contracts to the Ramada?

3 Cllr Tommy CULLEN: This issue of private investigators; I am satisfied the manager made it  
4 quite clear that he hired a private investigator in 2013 and if there is any cleaning up to go on  
5 behind the scenes -- sorry you, Chairman, know the identity of these private investigators; Cllr  
6 Fortune did say that when you were elected you did make a big speech here, you would be  
7 transparent and give full information, now I think as members of this Council if we have paid  
8 out 160,000 to private investigators, we're entitled to know what and who were they  
9 investigating and I think the manager, if a guard goes and interviews somebody the guard has to  
10 give his name, that's a reasonable thing. Now there is something as I said, there's a data  
11 protection issue here, I believe my data protection rights are my own personal private business  
12 were interfered with and I'll take action accordingly with that.

13  
14 But Chairman I think you have a duty to the Council, you have the name and addresses of the  
15 private investigators and there is -- I think you should be transparent with the Council here today  
16 and give the councillors that information.

17 CATHAOIRLEACH: Okay Cllr Murphy?

18 Cllr MURPHY: I would just like to support what Cllr Vance had said, we the 16 or 17 new  
19 councillors have been elected since May, and we have never been informed, and we are sitting  
20 here in the chamber as one, and these allegations or whatever -- when it's in the media we are all  
21 part of it, but I would like to say that I'm not part of it, because I don't know with the system or I  
22 don't know the situation.

23  
24 And I think it's been very wrong on the executive to not to have informed the new members of  
25 the Council of procedure, or any other procedure that's going on behind the scenes as well.

26 CATHAOIRLEACH: Okay thank you councillor. Cllr O'Neill?

27 Cllr O'NEILL: Yeah Cathaoirleach, I'd support Cllr Murphy and Cllr Vance there in getting this  
28 information, whatever it is to every new councillor, because it seems, there is a lot of innuendo  
29 since I came into the chamber, there is stuff going on that I didn't really, you half hear or  
30 whatever the case may be. I never buy that English tabloid, what do you call the Irish Mail on  
31 Sunday, it's an English tabloid newspaper, of articles about Wicklow again, and I don't know  
32 there's a reporter there Frank Connolly I think he wrote most of them, but to me or the ordinary  
33 person, it was brought to my attention -- and it strikes me as a lot of innuendo there.

1 But to get all this clear, I'd absolutely support what Cllr Vance says all new members should go  
2 through whatever is going on here. There is stuff here, I've learned here, from Cllr Cullen's  
3 request there an acre of land in Baltinglass which was sold, as a buffer zone -- now I don't know  
4 what the story would be there about that, but I can't understand how an acre of land could be a  
5 buffer zone. A buffer zone throughout my knowledge of bits and pieces of land is maybe a  
6 corner taken off a bad bend or whatever it might be, but an acre of land -- I'd like to know who,  
7 or when that happened, that was in 1996, who was Chairman of Wicklow County Council at that  
8 time? I'd like to know who the members of the County Council were.

9  
10 There's a lot of stuff, innuendo, one side or the other, whatever the case may be, but I'd like to  
11 see it all out, all new councillors there is stuff going back here a long time. There is very few  
12 councillors in this room here at the moment that were around at the time, but we are hearing  
13 about the stuff. Maybe once and for all we clear this up, fair is fair you know, I would love to  
14 see the end of this innuendo, especially English tabloids scribbling about Wicklow, if there's  
15 something wrong somewhere, surely be to God it can be done and dusted once and for all, but to  
16 see a tabloid like that making another laughing stock of the county, I think it's just pitiful.

17 CATHAOIRLEACH: Thanks councillor. Cllr Shay Cullen?

18 Cllr Shay CULLEN: Thanks Chairman I'd like concur with Cllr Murphy and her sentiments, I'm  
19 sitting here since the end of May and listening to all sorts of questions bandied about that I know  
20 nothing about, I'm looking at allegations of corruption in papers on a weekly basis about  
21 Wicklow County Council and I know nothing about what the articles are about. So I would urge  
22 the Council officials to at least give the new councillors and new members complete access to  
23 whatever these files are, so that we can at least know what is going on when so-called questions  
24 are asked about private investigators or allegations of corruption and one thing and another. I  
25 think it's only fair that we get full access to whatever information is there going back for  
26 whatever period of time it's regarded to, and at least we can make our own decisions on this then.

27 Cllr CASEY: Chairman as one of the councillors which Cllr Cullen lodged the complaint  
28 against. I would like to take it a step further and I would like this Council to publish on our  
29 website all the correspondence in relation to the complaints Cllr Cullen made against Cllr Vance,  
30 Ms Gallagher and myself, I have no problem with the public having full view of the  
31 correspondence in relation to that complaint, all I did on that day was deal with an urgent  
32 question.

33 CATHAOIRLEACH: Thank you.

34 Cllr Tommy CULLEN: Chairman just to respond briefly to Cllr Casey, Cllr Casey did more



1 than respond to an urgent question, he allowed the question to be turned into a resolution and  
2 passed, which was contrary to standing orders and when I objected to that Ms Gallagher then  
3 informed, as far as I understand, Mr Casey that he had been wrong as Chairman to allow that  
4 question turn in -- and I made a complaint, that was my ethics complaint. That my ethics  
5 complaint was that the Chairman had allowed a question to be turned into a motion, that was not  
6 properly on the agenda and that was upheld.

7 CATHAOIRLEACH: Okay.

8 Cllr Tommy CULLEN: So that is not in dispute -- there is an attempt of a smoke screen here  
9 today to divert from allegations out there, whether it's an English paper or Irish paper, whoever  
10 publishes it, if it's the truth it's the truth. If it's false there's the courts. But we have had and I  
11 would urge councillors, we have all had last March or April, a number of correspondence from  
12 an individual about a number of individuals in this Council and I would urge Mr O'Neill maybe  
13 he would go and read them, but I would also urge Mr O'Neill to go and read the transcripts of the  
14 High Court case of Wicklow County Council versus Brownfield and you will get very, very  
15 interesting reading there.

16 CATHAOIRLEACH: Okay, Cllr Casey.

17 Cllr VANCE: Just finally...

18 Cllr CASEY: Can I just ask that these be published and let the people make a decision on the  
19 reports rather than Cllr Cullen interpreting everything in his way.

20 Cllr VANCE: Could I ask Chairman if there is a transcript of the recent court case in which Cllr  
21 Cullen and Cllr Nevin lost very badly in the District Court in Bray in which I attended, if that's  
22 available, I think that should be made available to members as well, because it's very  
23 enlightening, I attended five half days and I couldn't believe what I heard in that particular court,  
24 remember the judge found very much in favour of what the manager stated in regard to the Three  
25 Trout Streams and I know that that has been appealed now and it may be sub judice and various  
26 things like that I don't know if it can be made available, but if the transcript could be made  
27 available I think it would be very, very enlightening to a lot of members around the chamber.

28 Cllr WINTERS: I'd just like to support that, what Cllr Vance has said. I think -- rather than  
29 publish it on a website, I think it's terrible that we spend so much time talking about what  
30 happened in 1996, 1998 and 2001 and I know it's relevant and we have to deal with things that  
31 happened in the past, but we have all of the residents of this county expecting us to do something  
32 about now, to provide services now, we shouldn't be sitting here having what to a large extent  
33 are precursors to court cases in the Council Chamber every month. This is not the proper place  
34 for it. I wish we didn't have to go through this every month. But I do think that if people are

1 happy to have the stuff published, just get it out and let everybody read it and open up the files,  
2 let everybody come in and read them and make up their own mind.

3  
4 And also I'm just very disappointed that Director Doyle didn't come down to answer the  
5 questions in relation to out-of-hours services for Irish Water.

6 Cllr Tommy CULLEN: Once again may I ask Cllr Vance was Cllr Vance in Dobbins restaurant  
7 with Sean Dunne, Sean Mulryan and Gabriel Dooley?

8 CATHAOIRLEACH: We're just out of time.

9 Cllr Tommy CULLEN: That's the fifth time I've asked the question and I can get nothing.

10 CATHAOIRLEACH: Cllr O'Neill last word.

11 Cllr O'NEILL: Yeah, I support Cllr Winters, just to get this over and done with once and for all,  
12 whatever it is, we're talking about history here in some aspects, whether it be accusations about  
13 one councillor or the other. I'd love to see time being spent on real issues in the Council  
14 Chamber.

15 Cllr Tommy CULLEN: Well councillor if you don't think these allegations of corruption are not  
16 real issues...

17 Cllr O'NEILL: Well I do.

18 Cllr Tommy CULLEN: I do too.

19 CATHAOIRLEACH: Cllr Walsh?

20 Cllr WALSH: As one of the new members of the county...

21 Cllr O'NEILL: I'm here three months you are talking about something that happened 16 years  
22 ago.

23 Cllr Tommy CULLEN: You were the one who supported, who said there was no illegal dumps  
24 in Blessington and...

25 CATHAOIRLEACH: Cllr Walsh...

26 Cllr WALSH: As one of the newer members I'd like to voice my frustration, we're going around  
27 in circles, this is the third or fourth meeting since last June and we're not getting through the  
28 business we were elected to get through and this is, it's time it was sorted out and put to bed once  
29 and for all.

30 Cllr MURPHY: Just going off the total matter, is there any report back on the meeting with  
31 Simon Harris and other TDs on the housing issue?

32 CATHAOIRLEACH: We haven't heard back yet.

33 Cllr MURPHY: Could that be done as soon as possible?

34 CATHAOIRLEACH: Okay. I'm going to let the manager in.

1 COUNTY MANAGER: Well Chairman I suppose if Cllr Cullen is in agreement with these files  
2 being made available to other councillors I have no problem with it. He did refer to data  
3 protection issues and obviously I have to be conscious of that, on the other hand he is quoted in  
4 the local media as saying nothing but a full and transparent explanation will suffice to restore  
5 confidence in the administration, so one has to, on the one hand balance his calls for a full and  
6 transparent explanation with his references to his data protection rights and so on.

7  
8 If Cllr Cullen is agreeable to the files being made available and Cllr Vance and Cllr Casey, and  
9 Ms Gallagher, then they can be released, alternatively if the members of the Council pass a  
10 motion that the files should be made available, as they did back in 2013 during the previous  
11 Council, then under the local government legislation I must make them available regardless of  
12 data protection issues.

13  
14 In relation to the various allegations of corruption that Cllr Cullen and one or two other people  
15 have been making...

16 Cllr Tommy CULLEN: I never made -- you excuse yourself. Other people have made them,  
17 every councillor in this chamber got a letter outlining those allegations back in April, March and  
18 April, not from me, but from a member of the public. All I have asked you was to account for  
19 that. There is six months ago now since these allegations came in to every member of this  
20 Council got a letter and can I ask you this are you aware -- has any defamation proceedings been  
21 taken against the person who made those allegations six months ago? Can you answer that  
22 manager if you know?

23 CATHAOIRLEACH: Let the manager finish okay. Stop interrupting and let him finish.

24 COUNTY MANAGER: Typical bully boy tactics from Cllr Cullen.

25 CATHAOIRLEACH: Let him finish.

26 COUNTY MANAGER: I'd like the protection of the Chair. When I'm finished if Cllr Cullen  
27 wants to respond I'm sure you'll give him the opportunity if I say something he is not happy  
28 with.

29  
30 In relation to the various allegations of corruption that have been made I totally reject those  
31 allegations, I don't believe there is any substance to them, they are being created by a number of  
32 people. In relation to the Three Trouts allegations, a number of councillors made allegations to  
33 the Ministers, to the Public Accounts Committees, at the end of the day the Minister with the  
34 advice of the Attorney General appointed a senior counsel to carry out a review of how the Three

1 Trouts CPO was handled by both Wicklow County Council and the Department of the  
2 Environment.

3  
4 The senior counsel investigated the files, spoke to the councillors who made complaints and  
5 spoke to the officials involved and at the end of the day issued two reports which essentially said  
6 there was no substance to the complaints made by the councillors. I issued a short press release  
7 after that and councillors Cullen and Nevin sued me in the Circuit Court earlier this year in Bray.

8  
9 At the end of the day the judge held that the statements I had made were true. The costs of that,  
10 those proceedings were awarded to Wicklow County Council and to the County Manager and  
11 the request by councillors Cullen and Nevin to put a stay on those costs was refused by the  
12 judge.

13  
14 Bills for those costs in excess of 100,000 euro have been issued to Cllr Cullen and to former Cllr  
15 Barry Nevin and not a cent has been paid in relation to those costs. Again I saw in yesterday's  
16 paper some further references to Three Trouts, the Minister accepted the report, the Council here  
17 voted to accept the report, the only people that I'm aware of who don't accept the report is Cllr  
18 Cullen and Cllr Nevin. If they have some new evidence I'm sure the Minister would be  
19 delighted to examine it and consider what implications it has. I've seen no new evidence.

20  
21 Back in March, April of this year we had complaints from Mr Gabriel Dooley, now the essence  
22 of Mr Dooley's correspondence appears to be that he is owed a sum of money by a property  
23 developer, the Council has no knowledge or interest in Mr Dooley's personal financial affairs  
24 neither it or the officers or members were a party to the contract, it's a matter for him if he feels  
25 he has a grievance with a property developer to pursue through the court in the appropriate  
26 manner, what he has chosen to do is throw a certain amount of mud. When I got his letter I  
27 wrote immediately to the Standards in Public Office Commission asking them to look at the  
28 matter and on the 24th of April I wrote again to the Standards in Public Office Commission and  
29 formally asked them to carry out an investigation of Mr Dooley's complaints, and I assured the  
30 Standards in Public Office Commission that the County Council would co-operate fully, would  
31 make all files and other documentation available and I have received an acknowledgement from  
32 the Standards in Public Office Commission.

33  
34 I don't believe there's any substance to Mr Dooley's complaints, I think they are self serving, I

1 think they were designed to cause damage to a number of individuals because of the fact he was  
2 disappointed that he hadn't been paid certain monies by a property developer.

3  
4 However it's a matter for the Standards in Public Office Commission and the Minister and others  
5 to decide whether they will carry out investigations into them. And can I say from my own  
6 personal point of view, I welcome any investigation which is initiated by either the Minister, by  
7 either the Public Accounts Committee or the Standards in Public Office Commission and I will  
8 co-operate fully with it, and I would expect to demonstrate, as we did in relation to the Three  
9 Trouts Stream that all matters in relation to the development in Charlesland were carried out  
10 properly and above board and so on.

11  
12 And I haven't seen any evidence produced by Mr Dooley or anyone else which shows the  
13 contrary. Chairman, I reject the allegations and I must say I'm appalled at the behaviour of  
14 certain people who are propounding them and supporting them and so on.

15 CATHAOIRLEACH: Okay, look, we're over time there's a number of councillors that want to  
16 speak.

17 Cllr Tommy CULLEN: I'm entitled to respond.

18 Cllr MITCHELL: I want to see the files public.

19 Cllr Tommy CULLEN: Chairman I want to say...

20 CATHAOIRLEACH: Let me speak.

21 Cllr Tommy CULLEN: The manager made certain allegations...

22 CATHAOIRLEACH: Through the chair. Hold on.

23 Cllr RYAN: Respect for the chair.

24 CATHAOIRLEACH: Hold on councillor, let me speak. Let me speak.

25 Cllr Tommy CULLEN: The manager made serious things, I want to respond...

26 CATHAOIRLEACH: You are not speaking until I respond. There is a number of new  
27 councillors in here, 14 new councillors, so what I propose to do is circulate the report into the  
28 complaint that was made, the ethics complaint, there was a report issued to you and the people  
29 that it was alleged against. That was conducted by Mr Sheehy. I will circulate that to all the  
30 members.

31 Cllr Tommy CULLEN: That's your decision.

32 CATHAOIRLEACH: The files that Cllr Vance, when he was Chairman, I think he opened files  
33 going back to 2001 and before, we can let the members view those files as well, if that's  
34 agreeable?

1 COUNTY MANAGER: Well Chairman, as I said if Cllr Cullen is agreeable to the files being  
2 made available for inspection by the councillors I will make them available. If he is not willing  
3 to agree to them being made available then it will require a resolution of the elected members  
4 having regard to data protection and requirements, on the other hand having regard to the powers  
5 in the Local Government Act to make material available to the Council.

6 CATHAOIRLEACH: Are you agreeable councillor?

7 Cllr Tommy CULLEN: Let me answer your question.

8 CATHAOIRLEACH: The right to respond, make it.

9 Cllr Tommy CULLEN: Thank you. First and foremost let's be clear I do not owe this Council  
10 or does Cllr Nevin 100,000, we have got no legally costed invoice from you, so you making that  
11 statement it's quite untrue and you know that to be the case.

12  
13 Manager, did you have a meeting in your office and come back from holidays to a meeting with  
14 Gabriel Dooley, Sean Mulryan and Paddy Cooper?

15 CATHAOIRLEACH: No more questions.

16 Cllr MITCHELL: I propose we make the files available.

17 CATHAOIRLEACH: Do you agree to the files?

18 Cllr Tommy CULLEN: No Chairman, will the manager provide us with the names of the private  
19 investigators? At the end of the day the question before you was will the manager...

20 Cllr MITCHELL: Can we see the files, yes or no?

21 Cllr Tommy CULLEN: If the manager decides to give files that's his decision, if the Chairman  
22 decides yes or no, but I have my rights and I'll defend my rights.

23 Cllr MITCHELL: You are not allowing us see the files.

24 CATHAOIRLEACH: No more questions.

25 Cllr Tommy CULLEN: Hold on the question was will the manager give the files -- will you  
26 give the names of the private investigators manager?

27 CATHAOIRLEACH: Are you happy for the files to be opened?

28 Cllr Tommy CULLEN: You have the name of the private investigators.

29 CATHAOIRLEACH: We are over time, no more questions. Are you happy for the files to be  
30 opened?

31 Cllr Tommy CULLEN: You don't want the question...

32 Cllr CASEY: Let the truth out for once.

33 Cllr RYAN: That's a no Chairman.

34 Cllr Tommy CULLEN: Go on back to Mr Mulryan and Sean Dunne.

1 Cllr RYAN: That's a big fat no.

2 Cllr CASEY: Bring it out then under data protection.

3

4 Meeting concluded at 5.15pm

5

6





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