

ORDINARY MEETING OF WICKLOW COUNTY COUNCIL

HELD AT WICKLOW COUNTY BUILDINGS, WICKLOW TOWN

ON MONDAY, 14TH MAY 2018 AT 2:00 P.M.

Gwen Malone Stenography
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GWEN MALONE STENOGRAPHY

1 THE HEARING COMMENCED ON MONDAY, 14TH DAY OF MAY, 2018
2 AS FOLLOWS:

3
4 CATHAOIRLEACH: Members, you're all very welcome to our
5 May meeting. Before we go into the business of the 14:06
6 meeting I'd like to ask are there any votes of
7 sympathy? I know I have one myself. Sorry,
8 Cllr. Fortune.

9 CLLR. FORTUNE: Thanks, Cathaoirleach. I'd like to
10 pass a vote of sympathy to the Melia family on the 14:06
11 death of Charlie, the sad passing of Charlie in the
12 last couple of weeks. Charlie was a --

13 CATHAOIRLEACH: Just for your information, sorry to
14 interrupt you, microphones are not working for people
15 but go ahead. 14:06

16 CLLR. FORTUNE: Charlie was a very interesting man in
17 lots of ways, very intelligent guy, very bright guy.
18 Obviously was very critical on parts of the democratic
19 process and wasn't shy in articulating that. I think
20 people like Charlie are a plus for because they make us 14:06
21 all stand up and think about things from time to time
22 and I think he done a super job on that. He was very
23 out there and a very, very bright man, ran a very
24 successful business and unfortunately got unwell,
25 driven by a lot of factors around his life and 14:07
26 unfortunately passed away. So I'd like, on behalf of
27 myself and generally speak on behalf of the group, pass
28 a vote of sympathy to his mam and sisters on his very,
29 very sad passing.

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CATHAOIRLEACH: Thank you very much. Cllr. Annesley.

CLLR. ANNESLEY: Just to pay sympathy to Cllr. Fitzgerald, his sister Catherine Fitzgerald passed away a number of weeks ago. I'd like to sympathise with Pat and his family.

14:07

CATHAOIRLEACH: I'd like to add my name to the sympathy to Pat Fitzgerald on his sister, Catherine, who had a long illness and fought it very, very bravely. Anyone else?

14:07

MS. GALLAGHER: For Cathleen Brennan, mother-in-law of our colleague, Mark Devereux; and for Maria Brennan, also mother-in-law of our colleague, Eileen Brennan.

[ONE MINUTE'S SILENCE WAS OBSERVED]

14:08

CATHAOIRLEACH: I can't see anything up here. The screen is not working as regards who is making -- I saw Cllr. Cullen's light first.

CLLR. TOMMY CULLEN: Chairman, I wonder would it be possible, we were supposed to have the graveyard issue, the graveyard policy on the agenda today and unfortunately it's not on it. Could we Suspend Standing Orders to have a brief discussion on it at 4:30?

14:09

14:09

CATHAOIRLEACH: Is that agreed?

FROM THE FLOOR: Agreed.

CATHAOIRLEACH: I'll second that proposal. Is that agreed?

1 FROM THE FLOOR: Yeah.

2 CATHAOIRLEACH: Cllr. Whitmore.

3 CLLR. WHITMORE: Thanks, Chair. I would just like to
4 pass my thanks on to the Franchise Department for all
5 the work that they have done in the registering to 14:09
6 vote. They put in huge efforts. They've been working
7 weekends and they've made it incredibly simple for
8 people to register so I would just like to pass on my
9 thanks for that.

10 CATHAOIRLEACH: Thank you. Cllr. Behan. 14:10

11 CLLR. BEHAN: Thank you, Cathaoirleach. I want to
12 propose a Suspension of Standing Orders to discuss the
13 Florentine Centre in Bray and the unilateral decision
14 taken by the to alter the terms of the building that we
15 had agreed here and that had been agreed to An Bord 14:10
16 Pleanála, without reference to the Members at all. And
17 also this question that the developer has made requests
18 to add a residential zoning or residential element to a
19 development which we had already said we were not going
20 to include in that proposal. This was done by way of a 14:10
21 verbal report at a Municipal District meeting on 1st
22 May. No advance notice, no warning, no documentation,
23 nothing, and it's about time that we asserted our
24 rights as Members of this Council for full information
25 and full consultation when these things are being done. 14:10
26 So I'm proposing that we have a Suspension of Standing
27 Orders on that today, Cathaoirleach.

28 CLLR. THORNHILL: I'd second that proposal,
29 Cathaoirleach.

1 CATHAOIRLEACH: Is that agreed, Members?
2 FROM THE FLOOR: Agreed.
3 CATHAOIRLEACH: Cllr. O'Neill.
4 CLLR. O'NEILL: I propose a suspension of Standing
5 Orders, this is regarding the N81, for Wicklow County 14:11
6 Council to write to the Minister seeking him to reverse
7 his decision on the upgrading of the road.
8 CLLR. RUTTLE: I'd second that.
9 CLLR. TOMMY CULLEN: Chairman, can I say in support of
10 Cllr. O'Neill there, I think that there's unanimity in 14:11
11 all the politicians in the political parties in Wicklow
12 to have this decision reversed and I'm wondering would
13 it be possible, Chairman, could you write to Minister
14 Shane Ross and ask him would he be prepared to come
15 down and address this Council meeting in June as to why 14:11
16 he has reversed this decision. Would that be possible,
17 Chairman?
18 CATHAOIRLEACH: I have no issue with that. I think
19 we'll agree that maybe at the suspension.
20 CLLR. LAWLESS: Cathaoirleach, just on a quick point on 14:12
21 that. I would support Cllr. O'Neill as well in his
22 request, but just to say that a meeting has been
23 arranged with the Minister Shane Ross about this.
24 John Brady has arranged it. He will be inviting all
25 the TDs and also the delegates as well from west 14:12
26 Wicklow, the community groups that have been working on
27 this as well, will be invited into that meeting as
28 well.
29 CATHAOIRLEACH: We'll have that when we discuss that

1 later.

2 CLLR. LAWLESS: Thanks.

3 CATHAOIRLEACH: Cllr. Thornhill.

4 CLLR. THORNHILL: Cathaoirleach, go raibh maith agat. 14:12

5 Cathaoirleach, I would like a suspension of Standing

6 Orders in relation to something which is very serious

7 and has come to my mind. This is in light of legal

8 advice. In the last few months I, myself, and other

9 Councillors have been trying to get legal advice in

10 relation to St. Paul's. Well now it has come to my 14:13

11 information that KWETB - and by the way there are five

12 members here from Wicklow County Council on the KWETB -

13 and legal advice was given to one member, Cllr. Ruttle.

14 And by the way, I would just like to note, and it's for

15 my own perspective as well, why advice can be given so 14:13

16 easily to a member of Wicklow County Council and the

17 administration, you put us through the rings and hoops

18 to try and get the legal advice. I think that in this

19 sense from the point of view of justice and fairness

20 and transparency to everyone, I mean, me and my people 14:13

21 that supported St. Paul's didn't get fair justice on

22 that day and I think that a statement should be made

23 from those people that are members of the KWETB. And

24 especially I would like to hear from Cllr. Ruttle in

25 relation to the whole matter. Go raibh maith agat. 14:14

26 CATHAOIRLEACH:

27 CLLR. FOX: Chairman, as you know, Cllr. Ruttle was

28 Chairperson of this KWETB and the chairman of all

29 committees and this Chamber get legal advice which is

1 specific to their role as Chairperson. It doesn't
2 necessarily have to be furnished to all the Members.
3 So I think it's a very dangerous precedent that if a
4 Chairman can't get legal advice for him or herself
5 without it having to be made public knowledge. Thank 14:14
6 you, Chairman.

7 CATHAOIRLEACH: Cllr. Thornhill.

8 CLLR. THORNHILL: Councillor, look, I mean I would
9 agree and I can see exactly where Cllr. Fox is coming
10 from but at the end of the day we must remember, this 14:15
11 is public money. There's a substantial amount of money
12 that was given to give this legal advice and we're
13 talking about taxpayers' money and at the end of the
14 day it's too --

15 CATHAOIRLEACH: I don't want to get into the discussion 14:15
16 now. This is a decision about whether we suspend
17 Standing Orders or not.

18 CLLR. BEHAN: I'll second the proposal.

19 CATHAOIRLEACH: Cllr. Vance.

20 CLLR. VANCE: Chairman, what are we doing here? Have 14:15
21 we nothing else to discuss, our own business here? The
22 KWETB, they're a board all on their own. What in God's
23 name are we discussing about them? Sure they have a
24 board that we have five members and with the other
25 counties as well. Do you know what I mean like? What 14:15
26 are we doing here? I mean we've problems all over the
27 County here and we've five or six, you know, Suspension
28 of Standing Orders. We have a housing crisis out
29 there. We have a health crisis out there, you know,

1 and all we're talking about is dealing in other
2 people's business where they have a board to handle
3 this themselves. And particularly people asking for
4 this and they're not even members of that board.
5 Madness what we're going down here.

14:16

6 CATHAOIRLEACH: Cllr. Annesley.

7 CLLR. ANNESLEY: Cathaoirleach, like yourself I sit on
8 that board and I do know that a presentation is being
9 made to the Public Accounts Committee. So for us to
10 waste time on it here in the Wicklow Chamber discussing 14:16
11 the Kildare and Wicklow Education Training Board's
12 business when you and I know, and the other Members
13 know, that this is going to be all public knowledge
14 very, very shortly and then all Cllr. Ruttle's (sic)
15 questions will be answered about legal expenses. I 14:16
16 don't think -- Cllr. Thornhill, sorry. I don't think
17 Cllr. Thornhill, I don't think he's comparing right for
18 wrong here because KWETB did get advice on this very,
19 very sensitive issue and this was confidential
20 paperwork, okay. And it couldn't be discussed in this 14:16
21 Chamber and when it was brought up in this Chamber
22 before we had to leave. I do know in the next coming
23 weeks this is going to be discussed publicly. So if
24 Cllr. Thornhill would like to wait until then because I
25 don't think this is the time for this to discussion to 14:17
26 take place. But the answers will be answered,
27 Cllr. Thornhill. Thank you.

28 CATHAOIRLEACH: Cllr. Thornhill, I'd appreciate if
29 you'd be brief.

1 about what's happening at KWETB. For example, the fact
2 that Coláiste Ráithín still hasn't opened and we still
3 don't know when it's going to open. We never hear any
4 report on that and I think we should be getting regular
5 reports about issues that affect our constituents from 14:18
6 that body. So I think when we're getting a report back
7 it should include what's happening about Coláiste
8 Ráithín particularly.

9 CATHAOIRLEACH: Okay. Thanks, Members. Item 1 on the
10 agenda proper: Confirm and sign the minutes of the 14:19
11 Ordinary Meeting of Wicklow County Council held on
12 Monday, 12th March 2018 (copy attached). Proposed by
13 Pat Fitzgerald and seconded by Nicola Lawless. Is that
14 agreed?

15 FROM THE FLOOR: Agreed. 14:19

16 CATHAOIRLEACH: Item 2: Confirm and sign the minutes
17 of the special Meeting of Wicklow County Council held
18 on Wednesday, 28th March 2018

19 MS. GALLAGHER: Cllr. Snell. Seconded by?

20 CATHAOIRLEACH: Cllr. Vance. 14:19

21 MS. GALLAGHER: Thank you.

22 CATHAOIRLEACH: Item 3: Confirm and sign the minutes
23 of the Ordinary Meeting of Wicklow County Council held
24 on Monday, 9th April, 2018.

25 MS. GALLAGHER: Proposed by Cllr. Matthews, seconded 14:19
26 Cllr. Behan. Thank you.

27 CATHAOIRLEACH: Item 4: Consider the disposal of the
28 freehold interest in the property known as 75 O'Byrne
29 Road, Bray, County Wicklow.

1 CLLR. VANCE: I propose that.
2 CATHAOIRLEACH: To wilhelmina Cox, 75 O'Byrne Road,
3 Bray.
4 CLLR. VANCE: I propose that.
5 CATHAOIRLEACH: Proposed by Cllr. Vance. 14:20
6 CLLR. FOX: Seconded.
7 CATHAOIRLEACH: Seconded by Cllr. Fox.
8 MS. GALLAGHER: Is that agreed?
9 FROM THE FLOOR: Agreed.
10 MS. GALLAGHER: Thank you. 14:20
11 CATHAOIRLEACH: Item 5: To consider the disposal of
12 property known as 4 Bath Street, Wicklow, County
13 Wicklow to Augustus Cullen as Legal Person
14 Representative of Annie Carroll, deceased (previously
15 circulated). 14:20
16 CLLR. VANCE: Proposed.
17 MS. GALLAGHER: Cathaoirleach, just before we go ahead
18 with that. Members were circulated with a Section 183
19 notice on 23rd April and it showed a map and this
20 morning Members have been circulated with an additional 14:20
21 map showing an additional portion of land highlighted
22 in green. So if the Members could just note that and
23 we're happy to proceed with the disposal with the
24 inclusion of the additional portion of the land as
25 well. 14:20
26 CLLR. DUNNE: Chairman, I'll propose that.
27 CATHAOIRLEACH: Cllr. Dunne. Do you have a seconder?
28 CLLR. SNELL: I'll second that, Cathaoirleach. Could I
29 just ask, Cathaoirleach, while we're on the disposals,

1 is the Committee still in situ here that were set up to
2 look at all disposal notices --
3 CATHAOIRLEACH: I don't know.
4 CLLR. SNELL: -- to deal with the disposal orders so
5 it's fell back on each individual representative that 14:21
6 Committee is no longer meeting?
7 MS. GALLAGHER: No. That Committee was set up,
8 Cathaoirleach, to look at the documentation and the
9 procedures, the process. It wasn't to look at each
10 individual Section 183 notice, it was simply to put a 14:21
11 process into place in terms of the provision of a map,
12 provide a valuation, if there's no valuation and an
13 explanation as to why there is no valuation.
14 CLLR. SNELL: Could we have a copy of the
15 recommendations of that Committee, just on the 14:21
16 procedure.
17 MS. GALLAGHER: Absolutely. That was circulated before
18 but we can certainly circulate it again.
19 CLLR. SNELL: It's just that I felt at the time that
20 Members raised concerns about the specifics around 14:21
21 individual disposal orders and that's why a
22 representative group of the 32 Councillors were going
23 to actually analyse individual. But I don't recall
24 getting a copy of the recommendations, look, I'm happy
25 to second that proposal, Item 5. Thanks, 14:22
26 Cathaoirleach.
27 CATHAOIRLEACH: Cllr. Fortune.
28 CLLR. FORTUNE: I just I wish to abstain because I just
29 don't know nothing about it.

1 CATHAOIRLEACH: Okay. Cllr. Shay Cullen.
2 CLLR. SHAY CULLEN: Chairman, yeah. Just before we
3 move on there, I notice the new map, obviously there's
4 an extra piece of land that is included that wasn't on
5 the original map of the Bath Street, number 4 Bath 14:22
6 Street. I suppose I'd like an explanation around why
7 there's an extra piece of land? And also, is there a
8 change in the valuation? To my mind it doesn't seem
9 like there is. So maybe I could just get someone to
10 explain the situation. 14:23
11 MS. GALLAGHER: No, there isn't a change in the
12 valuation. I suppose it emanated from the law
13 department which just advised that there's a slight
14 change to the boundary. It doesn't change the
15 specifics like the price or anything. So I don't know 14:23
16 whether it was inadvertently not included. It came
17 from the Housing Department initially, the portion, the
18 small parcel of green land, the land hatched in green.
19 Now, if Members want to defer it to consider it at the
20 June meeting with the queries in relation to that, I'd 14:23
21 be happy to bring it back?
22 CLLR. SHAY CULLEN: I suppose, Chairman, I'd just like
23 to know how big a parcel of land we're talking about
24 and I suppose I have to ask the question why is the
25 valuation remaining the same? I think it's relevant to 14:24
26 an extra piece of land being sold by the Council.
27 Maybe there's another reason for it, I don't know, but
28 I think it's important to ask that question.
29 CATHAOIRLEACH: Cllr. Dunne.

1 CLLR. DUNNE: Sorry, Chairman. Yeah, Chairman, if you
2 just look at how much it's going for, it's €31,000,
3 it's a lot of money. These go a whole lot cheaper. I
4 think the reason the freehold had expired so there's an
5 awful money to be paid for that bit of ground there. 14:24
6 Thank you. I'd like to go ahead with the proposal.
7 CATHAOIRLEACH: Okay. Members, what do we want to do
8 here? Do we want to --
9 MS. GALLAGHER: We can come back later on in the
10 meeting with the explanation. 14:24
11 CATHAOIRLEACH: We'll defer it later in the meeting or
12 if we don't get an answer today we'll put it on the
13 June Agenda. Is that okay?
14 CLLR. FORTUNE: I just wish to abstain, as I say.
15 CATHAOIRLEACH: We haven't decided yet. Cllr. Snell. 14:24
16 CLLR. SNELL: I'm happy enough to second that proposal,
17 Cathaoirleach. I think the map quite clearly defines
18 that, you know, there's a small --
19 CATHAOIRLEACH: We'll try and get an answer today then
20 to deal with it. 14:25
21
22 Item 6: To consider the disposal of 0.0515 hectares (or
23 thereabouts) of land in the townland of Glencap Commons
24 North, Glencap, County Wicklow to Mr. Michael Ronan and
25 Mrs. Maura Ronan of Symphony House, Kilmacanogue, 14:25
26 County Wicklow.
27 CLLR. FOX: Can I just ask, Chairman, I know this was
28 part of the original widening of the N11 through
29 Kilmacanogue and I know the map is from the mid

1 nineties, but the piece that we're disposing of seems
2 to be where the current N11 is. The logic to that is?
3 CATHAOIRLEACH: You think there may be a mapping issue?
4 CLLR. FOX: The map is from 1995 so it's hard to gauge
5 whether it is or it isn't on the new N11 but it looks 14:26
6 to me like it's currently on the existing N11.
7 CATHAOIRLEACH: The part for disposal?
8 CLLR. FOX: The disposal. Can that be clarified or is
9 there a rationale.
10 MR. CURRAN: There is somebody from roads here, but 14:26
11 it's really land that was surplus to requirements
12 following the CPO and the agreement was that it would
13 go back to the original landowner.
14 CLLR. FOX: It does look to be -- it seems to be smack
15 bang -- 14:26
16 CATHAOIRLEACH: On the motorway.
17 CLLR. FOX: I could be wrong.
18 CATHAOIRLEACH: Okay. We'll get that checked out then
19 before we proceed. Item 7: To consider the disposal
20 of 0.8048 hectares in the townland of Inchanappa, 14:26
21 Ashford, County Wicklow to Mr. John Fitzpatrick,
22 Inchanappa, Ashford, County Wicklow. Do I have a
23 proposer?
24 CLLR. DUNNE: I'll propose that, Chairman.
25 MS. GALLAGHER: Cllr. Dunne. 14:27
26 CATHAOIRLEACH: Do I have a seconder?
27 CLLR. SHAY CULLEN: I'll second.
28 MS. GALLAGHER: Cllr. Shay Cullen. Is that agreed?
29 FROM THE FLOOR: Agreed, yeah.

1 MS. GALLAGHER: Thank you.

2 CATHAOIRLEACH: Item 8: To receive a presentation from
3 Wicklow Local Link. Jackie Mealy and Eric Bentley are
4 here to present. You are very welcome, gentlemen.

5 MR. MEALY: Thanks very much, Cathaoirleach. 14:27

6 Jackie Mealy is my name and this is Eric Bentley. We
7 work for a company called Ring a Link which delivers
8 the rural transport/local link services in Carlow,
9 Kilkenny and Wicklow. We also deliver services in
10 South Tipperary and North Fingal. 14:27

11

12 Over the last six or eight months we have been working
13 on additional rural transport local links services and
14 weekend services for County Wicklow. So Eric will give
15 a short presentation on what we have done so far. 14:27

16 CATHAOIRLEACH: Thanks very much.

17 MR. BENTLEY: Thanks for having us today. So as Jackie
18 explained, we are part of the Ring a Link Group and
19 we're looking after Kilkenny, Carlow and Wicklow. The
20 Local Link Transport, it's the NTA's branding for what 14:28
21 used to be the Rural Transport Programme. There used
22 to be 37 groups like ourselves and the NTA amalgamated
23 down to 17 and then defined specific counties for each
24 one to look after.

25 14:28

26 The key proposal from the NTA is that new services link
27 with existing transport. So we integrate and we meet
28 up with other transport.

29

1 The trains we feel are very important and it's
2 something we've had success with in getting new
3 services. The trains are permanent, they're happening.
4 If we can get business services from rural areas to
5 them people are attracted to use them.

14:28

6
7 we looked at the existing public transport in Wicklow.
8 This is just a schematic map. As you can see, there
9 are some services, like the 133 is quite regular but
10 they generally go up and down. They don't really go
11 across.

14:29

12
13 Then we mapped the existing 25 Local Link Services in
14 Wicklow which are generally something like, say, every
15 second Wednesday to the shops or to the post office
16 from the rural area and that's what they look like when
17 you map them.

14:29

18
19 So then if we threw a bit of jam at them where would it
20 stick? That would indicate demand to us. So they're
21 the areas they stick, and within them the places they
22 want to go are Baltinglass, Arklow, Wicklow,
23 Greystones. So people don't want to go from rural area
24 to rural area as much as into the urban and back out
25 again.

14:29

26
27 So there was public consultation, stakeholder
28 presentation last October. There was various issues
29 raised, ideas thrown around. Five potential routes

1 were drafted up. Then we looked at whatever reports
2 are available for Wicklow. Luckily there's plenty of
3 information out there. One of the key things we pulled
4 out of this socioeconomic baseline report was that 44%
5 of the trips are actually within Wicklow. Yes, there's 14:29
6 a lot of people go to Dublin to outside the County but
7 there's actually a lot of people going to work within
8 this County which is good for Local Link Services.
9

10
11 There was also a bus study done for tourism back in
12 2012. We got our hands on that. It talked about
13 things like feeder services integrating with the DART
14 and the train. Wicklow attractions - it's difficult to
15 get to them. Glendalough was particularly thrown up as 14:30
16 an issue that people come to Wicklow Town, if you like,
17 on the train or the bus expecting a bus to Glendalough
18 and there isn't one. So they either have to go back to
19 Bray or Stephen's Green to come back out again. That's
20 one of the mottos of it, was that you have to stay in 14:30
21 Dublin to visit Wicklow.
22

23 Then we found the National Transport Authority have
24 made obviously various submissions on Local Area
25 Development Plans and one we pulled out was the most 14:30
26 recent one for Greystones was they support tourism and
27 they also are keen to support sustainable transport
28 within the County.
29

1 Then there was various public consultations on
2 Facebook, et cetera, and people had their views known
3 and stated where they'd like to see bus services and
4 whether they'd use them or not. why? Maybe they
5 mightn't like a particular service. There might be a 14:31
6 bus to Greystones but if you want to go to Kilcoole you
7 have to Greystones and Greystones back out and that can
8 take a long time.

9
10 So then we came up with possible routes. These are all 14:31
11 possible. A bus has tyres, it can turn any direction
12 but in order to get discussion going and get some
13 feedback we need to throw out possible routes. So the
14 first one we came up with was a figure of eight in
15 Greystones itself. Now, as I say, our origins are 14:31
16 rural transport. The Local Link is a different beast,
17 it gets people around locally. So there are sections
18 of Greystones that don't have public transport and for
19 particular passengers they can't get to bus stops, if
20 you like. So we need to try and run buses past them 14:31
21 and then Charlesland has no regular public transport
22 and it's quite a sizeable area and a bit more to come.
23 So one of them was a figure of eight around Greystones.

24
25 The next one then was Roundwood to Greystones DART via 14:31
26 Newtownmountkennedy, Kilcoole and then around
27 Greystones itself to Delgany. That was borne out of
28 multiple requests, if you like, Roundwood to more
29 public transport. That's into Newtownmountkennedy.

1 Newtownmountkennedy to Kilcoole for schools. Kilcoole
2 to North Greystones for schools. And then everybody to
3 get to the DART. So when you put them altogether we
4 come up with a viable route. What we're trying to get,
5 if you like, 7:00 o'clock in the morning to 14:32
6 7:00 o'clock in the evening and if we can an hourly
7 service. So that's what we started out with, trying to
8 look at routes.

9
10 Then of course Glendalough to Wicklow Town came up as a 14:32
11 possible route. We go from Glendalough to Annamoe,
12 into Roundwood, down into Ashford, Rathnew and then
13 Wicklow Train Station and then Wicklow Town and we
14 terminate then at the Gaol.

15 14:33
16 Then we start looking at more localised routes. So we
17 were looking at maybe Jack White's into Brittas Bay, up
18 along the coast and into Wicklow Town and again to the
19 train station. A variation of that one would be to
20 continue straight up the coast to catch Newcastle into 14:33
21 Greystones DART.

22
23 Another variation is trying to catch North Arklow. So
24 we came up with a loop and, if you like, what we're
25 trying to do is stay away from existing public 14:33
26 transport routes and then feed those routes as well.

27
28 Tullow to Arklow is another one we looked at. A bit of
29 an issue we're having at the moment there is just the

1 trip is too long. It's an hour and 15 minutes. So
2 we're looking at ideas on how we might crack that.
3 Baltinglass, again a sort of a local route loop
4 bringing people into the main services in the town.

14:33

5
6 Then I'll just go back to the existing public transport
7 services in Wicklow. The bottom left corner needs a
8 bit more thought where Baltinglass is because, et
9 cetera, there's a JD Kavanagh's service there, there's
10 a Dunne's Coaches service, there's an existing Local
11 Link from Wexford so we need a bit more thought in that
12 area and any feedback we could get would be great to
13 help us.

14:34

14
15 We have another concept called "Super Stops" and the
16 idea behind these is if you were to take the
17 Glendalough to Roundwood to Wicklow Train Station and
18 the Roundwood to Greystones DART, if we can meet them
19 meet they can actually feed each other at these, what
20 we call these super stops and the same for Arklow. So
21 the North Arklow loop would feed with the Tullow-Arklow
22 service.

14:34

14:34

23
24 There's quite a significant demand for tourism in
25 Wicklow, tourism services. So what we just tried to
26 show here was, if you like, the first graph in the top
27 left is the locals, if you like, the general commuters
28 and then people during the day. And then the blue line
29 on the next graph is generally when tourists move

14:34

1 around. So you can see when you put the two together
2 we get passengers numbers and that's what the NTA want
3 on each route. Then in the midst of all our work there
4 was a call for evening services, which I'm sure you've
5 all heard about. The initial brief was quite limited, 14:35
6 if you like, so we threw in four services for Wicklow
7 hoping we'd get one, we actually got all four. When
8 the Minister announced it then he mentioned that there
9 may be more funding. So we threw in, again, for all
10 four to become three-night a week services, plus we put 14:35
11 in the Jack White's to Wicklow Town as an evening
12 service and the Roundwood to Greystones DART as an
13 evening service, Friday, Saturday, Sunday. So they're
14 in with the National Transport Authority at the moment
15 and hopefully they'll get through. We should have them 14:35
16 in place the week beginning 18th June, through private
17 operators in the County. So that's the end of our
18 presentation. If there's any questions or feedback
19 we'd be delighted to hear it.

20 CATHAOIRLEACH: Cllr. Whitmore. 14:35

21 CLLR. WHITMORE: Thanks very much, Chair. Thanks to
22 Eric and to Jackie for coming in to give that
23 presentation. I know Eric has put a huge amount of
24 work into these proposals and alongside a big public
25 consultation that happened in October he's taken the 14:36
26 outcomes of online consultation. He's actually driven
27 these routes and timed them with buses to make sure
28 that each of the points, you know, are accessible for
29 buses and just to make sure that the timings are right.

1 So it's fantastic that we now have, I suppose, this
2 bank of a series of bus routes that would be very
3 useful to the rural wicklow and also the towns in
4 wicklow. So when any NTA funding does become
5 available, Local Link can very quickly respond to that 14:36
6 funding opportunity, such as how they did with the
7 rural transport links there last week or the week or
8 the week before, we got funding for those evening
9 buses.

10
11 The three proposals that have gone forward to the NTA 14:36
12 with the loop around Greystones and then from
13 Greystones to Newtown and Roundwood and wicklow Town to
14 Glendalough, if those routes get funded they will be
15 absolute game-changers for their communities. Eric has 14:37
16 proposed a seven-day hourly bus route and shuttle bus
17 for people and these bus services are, they're more
18 like community bus services. So if someone is on a bus
19 and they live up a laneway, say if there's an elderly
20 lady with her shopping, this bus can actually bring her 14:37
21 up into that laneway so that she can actually get home.
22 There's enough meat in the journey to enable that so
23 that they're flexible and they're very commutable. So
24 I think these are absolutely fantastic. I think the
25 difference it will make, at the moment if you look at 14:37
26 the arrows that Eric had on those maps, when people in
27 wicklow travel we tend to go out of the county so we
28 either go northwards to Dublin to westwards to Kildare
29 or southwards to wexford and really if we want our

1 small towns and villages to survive and to be viable,
2 we need to start using and visiting our own towns.
3 This service will provide us an opportunity to do that.
4 I think it's absolutely brilliant and I wholeheartedly
5 support Eric in what he has done.

14:38

6
7 These three fund proposals are the start. So the three
8 are in with the NTA at the moment. The plan is if
9 they're successful then the other bus routes can
10 actually also go towards funding from the NTA. So I
11 think there's a real onus on us as Councillors to
12 contact the NTA to tell them that we are very
13 supportive of these routes. Really until the NTA hear
14 that there is a demand for these routes they will be
15 more likely to fund it if there is a demand and that
16 people will use actually use them and they'll get bums
17 on seats.

14:38

14:38

18
19 I want to put forward a motion, a proposal today, that
20 Wicklow County Council write to the NTA in support of
21 these proposed bus routes, recognising that they will
22 provide a critical for our towns and villages and ask
23 that they provide the necessary funding for the
24 service. Thank you very much.

14:38

25 CATHAOIRLEACH: Jennifer, would you hand up that
26 proposal, please. Cllr. Ruttle.

14:39

27 CLLR. RUTTLE: Yes, Cathaoirleach, and thank you,
28 gentlemen, for your presentation. Just one item there.
29 When we look at the map and the west Wicklow area there

1 is clearly a concentration on the Baltinglass area, but
2 there's the other end as well, the northwest wicklow,
3 the Blessington area and I feel there would be huge
4 need for feeder buses to go in to the entire lake
5 district taking into Hollywood, Vallemount, 14:39
6 Ballyknocken, Lacken, Manor Kilbride into Blessington
7 and also because of the presence of all services like
8 the local hospital and the health board, the local
9 Department of Agricultural office, et cetera, in Naas,
10 there's need for a public transport link between 14:39
11 Blessington and Naas. I don't know whether there are
12 pitfalls on the basis of, you know, crossing county
13 boundary, but certainly that lower north end of west
14 wicklow would require a service that will allow people
15 to get to Blessington, where there are considerable 14:40
16 shopping facilities, or alternatively to Naas where a
17 lot people want to access, particularly the hospital
18 facilities in Naas, which has a local hospital, and
19 visit the health board in Naas, which is also there. I
20 know there's been public consultation and there must 14:40
21 have been some feedback from the public but I certainly
22 would have thought there are people, because if you
23 look at the paltry level of supply of service by Bus
24 Éireann to the lake district, the Ballyknocken bus as
25 we call it, I think there's a bus a day in the morning 14:40
26 and in the evenings and yet there are people who need
27 to go mid-morning and back mid-afternoon to their homes
28 in those areas, which would be quite isolated. There
29 is, I believe, a great need for a service in what I

1 would call the lake area. And also, if it can be done
2 on a cross-border basis, to supply a public transport
3 link to Naas. Thank you, Cathaoirleach.

4 CATHAOIRLEACH: Cllr. Cullen.

5 CLLR. SHAY CULLEN: Thanks, Chairman. Thank you for 14:41
6 your presentation. I think this is hugely significant

7 development for County Wicklow, particularly in rural
8 Wicklow. I suppose, you know, we have talked quite a

9 lot in this Chamber about tourism and what County
10 Wicklow has to offer and certainly the Local Link model 14:41

11 that we're looking at will certainly help our tourism
12 for our County. I suppose at the moment we have,

13 unfortunately we have a situation where tourism or

14 tourists visit our county, for example, you mentioned

15 Glendalough, they come on the St. Kevin's bus to 14:41

16 Glendalough from Dublin or wherever they catch the

17 St. Kevin's bus, Bray or Dublin, but unfortunately we

18 can't get the tourism and the tourists to visit other

19 parts of our county. You mentioned, you know,

20 obviously Roundwood, Laragh, Newtown, Ashford, Rathnew 14:42

21 and into Wicklow. I mean that's a massive development

22 that we can get our tourists from Glendalough to those

23 villages and towns and hopefully into Wicklow. We all

24 know what we have to offer in this County from a

25 tourism point of view and I think this is massively 14:42

26 significant.

27
28 Notwithstanding the local people of the areas that

29 we're talking about, particularly North and East

1 wicklow, these services, for example, from Roundwood to
2 Greystones to the DART, provides extra transport to get
3 to Dublin or Bray or whatever the case may be. I think
4 this is important.

5
6 I would like to second Cllr. Whitmore's proposal there
7 and I would also like to see our TDs lobbying on our
8 behalf to ensure that these funding initiatives are
9 supported. I think this is hugely, hugely significant
10 for our County and one that would develop County
11 Wicklow into the future. Thank you.

12 CATHAOIRLEACH: Cllr. Blake.

13 CLLR. BLAKE: Thanks, Cathaoirleach, and thanks to the
14 two gentlemen for the presentation as well. I think
15 it's about 12 years ago that Minister Dick Roche
16 launched the rural transport in Donard. It has been a
17 great success run by the Wicklow Partnership for quite
18 a number of years. Breda was in charge of it here in
19 Wicklow. I think she's actually still working with
20 you. I think we raised that particular point at the
21 time, it would give people an opportunity to get to the
22 doctors, get to the hospitals and make connections with
23 the public transport for the rural areas, whether it be
24 the trains, the buses or whatever else. It was a big
25 issue, particularly in South Wicklow, in my own area,
26 where there is a very limited DART and bus service and
27 it proved a great success in that regard.

28
29 Certainly going forward, the additional routes you're

1 talking about will certainly benefit the communities
2 and certainly the extra services at nighttime and I
3 know that has been referred to as the pub buses as
4 well. If it does that well and good. Whatever it can
5 do out there. I don't want to see it called that name 14:44
6 or anything of that nature. But as Cllr. Whitmore has
7 said there, it is a service that has been going up top
8 laneways, people are not being dropped off in the towns
9 or wherever else like they have in the past. A
10 wonderful service there for the people. It is the best 14:44
11 thing out there going forward as well, that whoever get
12 tenders I think it has to be -- obviously they're
13 people that are doing the services at the moment and
14 will understand what is needed of them or what people
15 will demand of them in that regard. But they will 14:44
16 probably, in most cases, be dealing with an older
17 generation even though I'm aware of the fact that
18 schools are also using your service, which is a great
19 benefit as well. So look it, going forward, and
20 whoever gets the tender, whoever does the tender for it 14:45
21 or gets the services, I think there is a need to ensure
22 that the very rural, rural areas are actually looked at
23 with regard to it. It's not just going the regional
24 roads, national roads in that regard, that it is
25 actually going north, off the beaten track and actually 14:45
26 doing what people want to do. I wish you well and
27 sincerely hope that the thing continues and develops
28 what has been a very good service, as I said, launched
29 my Minister Dick Roche about 12 years ago and with

1 yourself and Breda still with you. The best of luck.
2 CATHAOIRLEACH: Cllr. Winters.
3 CLLR. WINTERS: Thank you very much for your
4 presentation, I would like to see all of these routes
5 implemented and maybe a few more with it. I do realise 14:45
6 obviously finance. The Local Link, I mean yes it's
7 about transport, but it's about a lot more than
8 transport, it's actually about creating, I suppose, a
9 real sense of community and development if friendships
10 along the routes. For the non-drivers in our community 14:46
11 it actually gives them a certain level of independence
12 rather than always having to ask a favour or taxis are
13 too expensive for a lot of people who would be on lower
14 incomes who live in some of the rural areas. So I
15 think it's fantastic and I would love to see all of the 14:46
16 routes done and more developed. Thank you very much.
17 CATHAOIRLEACH: Cllr. Walsh.
18 CLLR. WALSH: Thanks, Cathaoirleach, and thanks, Eric,
19 for the presentation obviously a considerable amount of
20 research has been put into it. The initiative is an 14:46
21 initiative to be welcomed and supported by all Members
22 here. In vain with the previous speakers, I support
23 the previous speakers in the fact that the tourism
24 initiative there, support of the tourism initiative in
25 the likes of Glendalough, a traffic issue there which 14:47
26 has been highlighted many times. This is something
27 that would help to address that. Issues, you have
28 links to Greystones DART station, Roundwood and other
29 areas. We have parking problems there at Greystones

1 and hopefully this will help to address some of those
2 issues. I think overall the scheme provides a
3 lifeline, a flexible lifeline to people in small towns
4 and villages. Well done again and the best of luck
5 with the initiative going forward. Thank you.

14:47

6 CATHAOIRLEACH: Cathaoirleach Cllr. Lawless.

7 CLLR. LAWLESS: Thanks, Cathaoirleach. Thank you very
8 much for your presentation. I have to say it's quite
9 an exciting service as well for the County and as other
10 speakers have said, it's really going to open the
11 County up, especially around the tourism aspect of it,
12 and hopefully people will feel more encouraged to use a
13 public transport system and start alleviating the heavy
14 traffic that we have on our small roads during the
15 summer time with having good services available. And
16 also, as we've said as well, open up our rural areas
17 and rural isolation, which is a huge problem within our
18 County because the geography of our County as well,
19 it's so large. It is very, very much welcomed.

14:47

20 Especially the Newtown to Kilcoole route as well,
21 because I know we've been campaigning for Dublin Bus to
22 try a new route there, obviously to open it up because
23 that trip from Newtown to Greystones, Greystones to
24 Kilcoole is quite cumbersome and it's going to be very
25 beneficial for school kids there as well because a lot
26 of people can't do extracurricular activities because
27 there is this long route having to go around. So
28 that's very exciting as well.

14:48

14:48

14:48

1 Just in regards to, I know you're only starting off and
2 I'm not sure what way your buses are equipped as well,
3 but I'm just wondering will you be looking possibly in
4 the future with disability access for people with
5 disabilities? Because it is quite an issue at the 14:49
6 moment in or around public transport, as you probably
7 know yourself with the DART services and Bus Éireann
8 and that, we've a lot of members in our community in
9 Wicklow with disabilities that can't access the
10 services and would love to get out around our County as 14:49
11 well. So I would hope maybe it would be something that
12 you would look at in the future as well. But, yeah,
13 it's very welcomed and thank you very much for coming
14 in today for the presentation.

15 CATHAOIRLEACH: Cllr. Snell. 14:49

16 CLLR. SNELL: Thanks, Cathaoirleach. Thanks to the two
17 gentlemen for their presentation. I'd like to support
18 Cllr. Jennifer Whitmore in regard to writing to the
19 Minister and making our feelings known that we are
20 supportive of this. But I do have a query or two in 14:49
21 regards to the set up and the timetable. It has been
22 referred to that, you know, this will potentially open
23 up to an awful lot of visitors to the Glendalough area.
24 Obviously that's very welcome. That's where the vast
25 majority of the visitors to this County descend to, 14:50
26 which is around the Upper Lake or around the
27 Glendalough Hotel. But unfortunately on the timetable
28 here, the furthest that the buses seem to be going is
29 to Brockagh Resource Centre which is 1.8 kilometres

1 away from Glendalough. You can do that in three
2 minutes in a vehicle but unfortunately, according to
3 what's here in front of me, it's 24 minutes to walk
4 that. Now if you give even, to cut that down to 15
5 minutes it's still unrealistic that visitors will spend 14:50
6 15 minutes walking from Glendalough to Laragh to get on
7 a bus to take in the rest of the County. Really what
8 we want to do is we want to expand their experience of
9 County Wicklow. I'm just thinking, for the sake of
10 three minutes, Cathaoirleach, in driving from Laragh 14:51
11 should this not be expanded up to the Glendalough
12 Hotel? Certainly I think we should be exploring the
13 possibility of going to the Upper Lakes in Glendalough
14 because that's where the vast majority of tourists are.
15 I would ask the two gentlemen to maybe have a look at 14:51
16 that and see. Because I think you're going to get a
17 far more catchment area. That's just my tuppence work.
18 Thanks, Cathaoirleach.
19 CATHAOIRLEACH: Cllr. Kennedy.
20 CLLR. KENNEDY: Thank you, Cathaoirleach. I just want 14:51
21 to thank these gentlemen for their presentation. I
22 have to agree with all the other speakers, but I would
23 have one question. I'm just wondering when do they
24 hope to roll out the other possible routes there's
25 Laragh to Arklow via Rathdrum and I just wondering does 14:51
26 that depend on funding and when would you hope to apply
27 for funding for that? Am I right in saying that's not
28 included in the one at the moment? Thank you.
29 CATHAOIRLEACH: Cllr. Fitzgerald.

1 CLLR. FITZGERALD: I attended that meeting last
2 October. If I memory serves me right it was in the
3 Arklow Bay Hotel and I welcome very much the timetable
4 that is presented before us today. The new service
5 that was announced last week from Coolkenna to Arklow 14:52
6 is that part of Local Link? I don't see it. I'm not
7 penny pinching here, there might be a slight error on
8 1406 Arklow Scarnagh Cross, which is in Wexford.
9 Right. It's Scratnagh Cross, I'd say it should be.
10 Scarnagh Cross is near Inch, Gorey, Co. Wexford, just 14:52
11 so there's no confusion. I mean it is very welcome. I
12 know a lot of work and that day there was a fair few
13 people at the meeting and it's great to have
14 connectivity between villages and towns and whatever.
15 I know a lot of people that use the Aughrim to Arklow 14:52
16 route and but for the bus service being available they
17 wouldn't be able to get in because they haven't got a
18 car and they don't ride a bike and you're stuck. I
19 just welcome the work that's going on and maybe into
20 the future there could be further improvements to the 14:53
21 system. Thank you very much.
22 CATHAOIRLEACH: Okay, I have a few words briefly. You
23 said your remit is Carlow, Kilkenny and Wicklow. Could
24 I just make a point. In West Wicklow a lot of -- the
25 direction people travel in is west to County Kildare. 14:53
26 For instance, Baltinglass to Carlow train station is 25
27 minutes, Baltinglass to Athy train station is a bit
28 quicker, it's 20 minutes and you don't have to go
29 through the town to get to the train station in Athy.

1 So maybe you might consider that.

2
3 Also, just your general information, would you maybe
4 consider linking that to the Wicklow website so people
5 can get this information? Because a lot of people, 14:53
6 it's very, very complicated what's on offer. It's
7 great and I completely welcome it but just to get
8 information out there to people that people have
9 access, find out what the information is and if it can
10 be linked into the Wicklow website or whatever other 14:53
11 Council website you think appropriate.

12 MR. BENTLEY: Just to respond to a couple of those.
13 The new services we spoke about today are actually
14 additional to all the ones in the booklet there. So
15 the Glendalough one actually, will go into the actual 14:54
16 Glendalough site, use the roundabout to turn around and
17 come back in again. Or if that's closed in the
18 evenings down to the hotel. Those are all staying.
19 The 25 existing ones are staying and this is on top of
20 that. As I say, it's more the NTA's brief to be more 14:54
21 regular, punctual, timetable transport for tourists and
22 the local people to use.

23
24 The applications for the other ones will be in the
25 summer. We're putting them together at the moment. 14:54
26 Obviously the evening ones, threw a curved ball at us.
27 We have to get them together to get these in. But this
28 summer we'll get them all in. Part of what today is to
29 get feedback and find out did we miss anything.

1 Coolkenna to Arklow, that's a new evening service. The
2 Tullow to Arklow is additional. It's separately funded
3 altogether. The Coolkenna to Arklow is part of this
4 evening drink link, as has been discussed.

14:55

5
6 Then west Wicklow to Kildare. We do work closely with
7 the TCU in Kildare which is our counterpart. So we'll
8 have a look at that.

9
10 We'll definitely look into linking onto the website and
11 possibly getting into the County Council's summer
12 edition the magazine here, particularly the evening
13 services. The thing to do now is do our absolutely
14 best to make sure people use them and then we get more
15 funding for more. So bums on seats is the challenge
16 now.

14:55

14:55

17 CATHAOIRLEACH: Any other comments? Okay, than's for
18 that.

19 MR. MEALY: We have sent in that brochure into the
20 Local Authority already. I'm not sure if it's on your
21 site. Just to comment about Vallemount/Blessington,
22 I'm not sure which of ye brought it up. We have a
23 service there already. Now it's a disability service
24 but there's no reason that people from that area,
25 Vallemount and that area that mention, can't use that
26 bus service as it is. So if you want to give us a
27 telephone call or an e-mail we can look at that.

14:55

14:56

28
29 So if you have any comments I suppose on the back of

1 the brochure, the front page I think of the brochure we
2 have ckw@locallink.ie. If you want to e-mail any of
3 the comments to us we'd be delighted. Thanks very much
4 for your kind comments and thanks, Cathaoirleach, for
5 your time 14:56

6 CATHAOIRLEACH: You're very welcome. Thank you very
7 much. Just in relation to Cllr. Whitmore's proposal.
8 MS. GALLAGHER: That Wicklow County Council write to
9 the NTA to support the proposed bus routes, to
10 recognise that will provide a critical bus service for 14:56
11 our towns and villages and ask that they provide the
12 necessary funding for the service; proposed by
13 Cllr. Whitmore and seconded by Cllr. Shay Cullen and we
14 would like to see the TDs lobbies on our behalf. Is
15 that agreed? 14:57

16 FROM THE FLOOR: Agreed.
17 CATHAOIRLEACH: Members, with your permission I'll
18 revert to one of the disposal resolutions that we put
19 on hold.
20 MS. GALLAGHER: This is Item 5 to dispose of a property 14:57
21 at 4, Bath Street, Wicklow which was proposed by
22 Cllr. Dunne and seconded by Cllr. Snell. This was a
23 mapping report. The valuation is based on the full
24 site. One eighth of the value is a multiplier. Going
25 from freehold to leasehold. 14:58

26 CLLR. VANCE: I propose we go ahead with that.
27 MS. GALLAGHER: Is that agreed?
28 FROM THE FLOOR: Agreed.
29 CLLR. FOX: Chairman, the Road Section -- I've got

1 clarity on Item 6 so I'm happy to propose Item 6.
2 CATHAOIRLEACH: Item 6 then the other disposal.
3 CLLR. VANCE: I'll second that, I'll second that.
4 CATHAOIRLEACH: Proposed by Cllr. Fox, seconded by
5 Cllr. Vance. Is that agreed? 14:58
6 FROM THE FLOOR: Agreed.
7 CATHAOIRLEACH: Thanks, Members. Okay, next item, item
8 number 9: Bray Municipal District Local Area Plan: To
9 consider the Chief Executive's Report on submissions
10 made to the proposed amendments to the draft Bray 14:58
11 Municipal District Local Area Plan (previously
12 circulated) and to make or amend the Local Area Plan.
13 MR. O'BRIEN: Thank you, Cathaoirleach. This was dealt
14 with at the last meeting, had been on display and the
15 public have made submissions. There were a number of 14:59
16 material alterations is what they were called in the
17 Local Area Plans proposed, some by the Chief Executive
18 and most of them by Members. This is a list of the
19 material alterations that were passed at the last
20 meeting and were on display again and there were some 14:59
21 submissions made for them. I suppose, Cathaoirleach,
22 just to go through them one by one.
23 CATHAOIRLEACH: Okay.
24 MR. O'BRIEN: The first is proposed Material Alteration
25 Number 1. There are two parts to this. The first part 14:59
26 was the zoning of land to the east of the rear of the
27 houses fronting onto the N11 at Kilmacanogue. That had
28 actually been in the plan and the proposal was to take
29 out the land that was zoned. Then the second half of

1 that was to zone the land between Kilmacanogue and
2 Kilmurray. There's been very strong submissions from
3 the Minister of Housing and Planning about that and
4 that's obviously in the Chief Executive's Report that
5 you all received. So I suppose the best is to take 15:00
6 them -- 1(a), Cathaoirleach. In this case Cllr. Fox
7 has got a further modification. To do modifications at
8 this stage of the plan they have to be either -- they
9 can't be material and generally they have to be between
10 what was proposed initially in the Draft Plan and what 15:00
11 the material alteration was and you can't really stray
12 outside that. So I'll read that off, the Chief
13 Executive's recommendation on 1(a) is, the Executive
14 proposed the zoning in the first place so we've no
15 objections to Cllr. Fox's proposal to put in some of 15:01
16 the land.

17 CATHAOIRLEACH: Cllr. Fox.

18 CLLR. FOX: You are taking 1(a) first, Chairman, are
19 you?

20 MR. O'BRIEN: This is 1(a). 15:01

21 CLLR. FOX: I propose to modify this as per the map.
22 It's 1.5 acres to the rear of the existing planned
23 zoning. It's a secondary zoning obviously. So I would
24 propose it on the ground, I suppose, there's a story
25 behind it insofar as most of the Members are aware, 15:01
26 we're trying to facilitate residents who are existing,
27 who are currently accessing the N11 directly and this
28 particular piece of ground, I know the owner is willing
29 to facilitate a road. I know that text can't be put in

1 but I think on its own it merits inclusion. So I'm
2 happy to propose the 1.5 acres.
3 CLLR. VANCE: I'll second that, Chairman.
4 CLLR. FOX: will I go on?
5 CATHAOIRLEACH: Is that agreed by the Members? 15:02
6 FROM THE FLOOR: Agreed.
7 CATHAOIRLEACH: Okay.
8 CLLR. FOX: And 1(b)?
9 CATHAOIRLEACH: Let Des speak.
10 MR. O'BRIEN: It's just that the Minister of Housing 15:02
11 and Planning has recommended against this. The Chief
12 Executive's recommendation, as it was previously, is
13 not to proceed.
14 CLLR. FOX: Chairman, I'm proposing that we would
15 proceed with the amendment as per what went out on 15:02
16 public display.
17 CATHAOIRLEACH: Okay. Cllr. Behan.
18 CLLR. BEHAN: I want to second Cllr. Fox's proposal and
19 just to reiterate again my objection to the Minister
20 attempting to usurp the powers of Councillors. He's 15:03
21 done this with regard to the Arklow Plan and he now
22 wants to do it in relation to the Bray Plan and I think
23 we should reject that. We should stick by our
24 decisions here, Cathaoirleach. So I would second
25 Cllr. Fox's proposal. 15:03
26 CATHAOIRLEACH: Cllr. Matthews.
27 CLLR. MATTHEWS: Thanks, Cathaoirleach. I want to
28 propose that we accept the Chief Executive's
29 recommendation not to proceed with this. I think we've

1 already seen Section 31s from the Minister are proposed
2 and I think this would draw us another one. Despite
3 what some Councillors think that this is our plan, but
4 we still have to be guided by national policy and
5 guidelines and guidelines for managing our national 15:03
6 routes as well. So I want to propose that we don't
7 proceed with this, that we accept the Chief Executive's
8 recommendation. Thank you, Cathaoirleach.

9 CATHAOIRLEACH: Is there a seconder for Cllr. Matthews'
10 proposal not to proceed? There doesn't appear to be a 15:04
11 seconder.

12 CLLR. MATTHEWS: Can we put it to a vote?

13 CATHAOIRLEACH: Sure.

14 MS. GALLAGHER: Just to clarify, this is a --

15 CLLR. FITZGERALD: which one are we taking first? 15:04

16 CATHAOIRLEACH: Cllr. Fox's proposal will be put first
17 because it's the first one proposed.

18 MS. GALLAGHER: Proposed by Cllr. Fox and seconded by
19 Cllr. Behan and it's 1(b) zone the land between
20 Kilmacanogue and Kilmurray, the CE's recommendation is 15:04
21 not to proceed and the proposal is to proceed.

22 [VOTE TAKEN] That is 20 for; one against; and ten not
23 present. I think it's just worth stating at this stage
24 that you need 16 members of 32 to vote in favour of the
25 Plan. So it's just in terms of numbers. 15:06

26 CATHAOIRLEACH: Some more items there.

27 MR. O'BRIEN: There's lots of items. Number 2 was just
28 bringing the population up to 2016 figures.

29 CLLR. MATTHEWS: I propose that.

1 MR. O'BRIEN: The TII made a submission which wasn't
2 really to the point. The CE recommends to proceed.
3 CLLR. MATTHEWS: I propose that.
4 CATHAOIRLEACH: Proposed by Cllr. Matthews.
5 CLLR. VANCE: I'll second that. 15:06
6 CATHAOIRLEACH: Seconded by Cllr. Vance. Is that
7 agreed?
8 FROM THE FLOOR: Yeah.
9 MR. O'BRIEN: The third one was passed at the previous
10 meeting. The Chief Executive recommended against it, 15:07
11 which was to make the zoning more restrictive on a bit
12 of land. Cllr. Behan has got a further alteration to
13 relax some of that restrictions. The Chief Executive's
14 got no objection.
15 CLLR. VANCE: I'll second that. 15:07
16 CATHAOIRLEACH: Proposed by Cllr. Behan, is it?
17 CLLR. VANCE: Yeah.
18 CATHAOIRLEACH: Okay.
19 MS. GALLAGHER: Is that agreed?
20 FROM THE FLOOR: Agreed. 15:07
21 MR. O'BRIEN: The next one is about the height of
22 buildings in Bray. The Chief Executive is in favour if
23 it.
24 CATHAOIRLEACH: It's number 4, is it?
25 MR. O'BRIEN: Yeah, number 4. 15:07
26 CLLR. MATTHEWS: I propose it.
27 CATHAOIRLEACH: Thank you, Cllr. Matthews. Seconded
28 by? Do I have a seconder?
29 CLLR. VANCE: I'll second it, Chair.

1 CATHAOI RLEACH: Cllr. Vance. Is that agreed?
2 FROM THE FLOOR: Agreed.
3 MR. O' BRIEN: Material alteration number 5. This is
4 the former Heiton Buckley site. We just changed the
5 wording to make it easier to develop it. It was a plot 15:08
6 ratio which has been very, very hard to achieve because
7 of the shape of the site. The Chief Executive
8 recommended it.
9 CLLR. VANCE: I propose that, Chairman.
10 CATHAOI RLEACH: Proposed by Cllr. Vance. 15:08
11 CLLR. MATTHEWS: Seconded.
12 CATHAOI RLEACH: Seconded by Cllr. Matthews. Agreed?
13 FROM THE FLOOR: Agreed.
14 MR. O' BRIEN: Material alteration number 6 was the
15 former Everest Centre. It's words are similar to the 15:08
16 previous one. This is changing wording from plot ratio
17 into targets. The Chief Executive recommended it.
18 CLLR. VANCE: I propose that again, Chairman.
19 CATHAOI RLEACH: Cllr. Vance; Cllr. Matthews. Agreed?
20 MR. O' BRIEN: Material alteration number 7 is under the 15:08
21 education section. The Department of Education wanted
22 a list of all the schools in Bray. We gave it to them.
23 The Chief Executive recommends this.
24 CLLR. MATTHEWS: Proposed
25 CATHAOI RLEACH: Proposed by Cllr. Matthews. Seconded? 15:08
26 CLLR. SNELL: Yeah.
27 CATHAOI RLEACH: Cllr. Snell. Agreed?
28 FROM THE FLOOR: Agreed.
29 MR. O' BRIEN: The next one was a change in the text of

1 policy CD5 and this was about building across open
2 spaces. The Chief Executive recommended not to proceed
3 with this but the Members put it on display.

4 CATHAOIRLEACH: Cllr. Matthews.

5 CLLR. MATTHEWS: I'd like to propose that we proceed 15:09
6 with this alteration, Chairman.

7 CLLR. VANCE: Chairman, could I just say on that, I
8 mean I'm not going to push this but I mean I think if
9 this is accepted it's going to come back to bite a lot
10 of Members around this Chamber in the next few years. 15:09
11 I think the wording that's there is okay and I think it
12 will, it will come back. It's a countywide thing.
13 It's something that's very little but I can tell you
14 it's one of these things that people will say: 'That
15 got by me and I shouldn't have done that'. That's the 15:09
16 only point I make in that regard to that. It could
17 affect every Councillor all over the County. This is
18 just put in to deal with one site in Bray and it's bad
19 planning just to be so prescriptive with regard to one
20 site. 15:10

21 CATHAOIRLEACH: Can you expand a little bit,
22 Cllr. Vance, on what you have said. Is this to do with
23 the consultation?

24 CLLR. VANCE: There's a controversial site in Bray that
25 people are complaining about what whether they are open 15:10
26 spaces or not and what people have rights of way over
27 it and various things like that. I'm just saying, when
28 you try to modify, you know, a Development Plan for one
29 issue it's not good planning as far as I'm concerned

1 and it could come back to affect people in the
2 long-term. That's the only point I'm making on it.
3 I'm not going to push it further than that, Chairman,
4 but I mean I think it will come back. Only time will
5 tell whether I'm right. 15:11
6 CATHAOIRLEACH: Cllr. Winters.
7 CLLR. WINTERS: Just so I have this clear it says -- it
8 seems like we're just saying the same thing another two
9 times. Because it says:
10 "In existing residential areas the areas of open space 15:11
11 designated. . ."
12
13 Or whatever.
14
15 "These will normally be zoned. . ." 15:11
16
17 And then it says:
18
19 "The Council will not normally permit. . ." 15:11
20
21 So we're not really saying anything different than
22 what's already there or have I read that incorrectly?
23 So what's the point changing it?
24 CATHAOIRLEACH: Cllr. Matthews, did you want to come 15:11
25 in?
26
27 CLLR. MATTHEWS: Thanks, Cathaoirleach. Thanks for the
28 opportunity for letting me back in. Cathaoirleach,
29 this is an existing policy that's in the current Bray

1 Town Plan so it's not a new policy that I drafted.
2 This was made as an amendment to a policy that a
3 Councillor was putting forward at the last meeting who
4 was dealing with a site-specific issue and I tried to
5 stress at the meeting and I stress it here today that 15:12
6 I'm in the business of policy making here, not dealing
7 with a specific site. That's not the intention behind
8 it. I would suggest that the provision that's in there
9 that we would not normally permit provides enough scope
10 and wriggle room for planners when they're making a 15:12
11 decision and my intention behind this policy is to just
12 sharpen the focus of the mind a little bit when you're
13 looking at development on open spaces or development
14 spaces. At a Bray meeting I did say that there are
15 green spaces in Bray that are given very little 15:12
16 opportunity. It's not that I'm totally against
17 building. We can make better use of some of the green
18 spaces that we have. So this isn't, in any way, an
19 attempt to stymie development. This is just to sharpen
20 the mind. When an application comes in, we don't 15:12
21 normally permit this so it has to be very high quality
22 and it has to be not highly detrimental to the amenity
23 in the area. So I think it's a good policy. It's one
24 that's in existence. We were agreed for it to go out
25 in the second draft. So I'm proposing that we proceed 15:13
26 with it today. I don't think it limits us in any way
27 at all. All it does is focus the mind that this is
28 (inaudible). Thank you, Cathaoirleach.
29 CATHAOIRLEACH: Cllr. Behan.

1 CLLR. BEHAN: Cathaoirleach, just if you need a
2 seconder for this I'll be happy to second it.
3 Everything that Cllr. Matthews has said I would fully
4 agree with. In fairness to him, he did propose it as
5 kind of an alternative to going into specific sites. 15:13
6 So he actually addressed that issue himself when he
7 spoke there.

8
9 If we don't pass this what we're basically doing is
10 saying that open spaces in all of the housing estates 15:13
11 around the County are fair game for developers if they
12 want to come in and make applications. While there
13 mightn't be a kind of a carte blanche for them to do
14 it, we're really kind of saying well, look, come in
15 with your plans and we'll see what we can do for you. 15:14
16 Like I think what Cllr. Matthews is proposing here is a
17 lot more strict and provides a lot more security for
18 people who live in housing estates where there are open
19 spaces not only in Bray but throughout the County. If
20 we don't pass this we are opening up a vista where 15:14
21 developers, who very often still own the land that open
22 space is provided for, they still have kind of legal
23 ownership of it and in the past, certainly in the Dun
24 Laoghaire/Rathdown, developers are coming back into
25 estates and looking to put housing development on open 15:14
26 spaces that people thought were there for their kids.
27 That's why I think Cllr. Matthews' proposal is correct
28 and that's why I think we should support it.

29 CATHAOIRLEACH: Cllr. Vance.

1 CLLR. VANCE: Chairman, that takes it to the extreme.
2 That's not what I meant. Cllr. Behan is taking that to
3 the extreme if he's talking about me suggesting that we
4 build on open spaces. That's happened a number of
5 times in Bray it went to the Board and the Board has 15:14
6 ruled it out. You know that as well as I do,
7 Councillor. This is because what I'm saying is, in my
8 opinion, in my opinion it's bad policy just to direct a
9 particular item at one particular area in Bray. And
10 there are occasions where and for people, side passages 15:15
11 and various things like that that this could affect.
12 That's all I'm thinking of. With regard to building on
13 open spaces, Councillor, you know well that I don't
14 mean that.
15 CATHAOIRLEACH: Cllr. Kavanagh. 15:15
16 CLLR. KAVANAGH: Thanks, Cathaoirleach. I just want to
17 support Cllr. Matthews and Cllr. Behan. I think it is
18 an extremely important part of any housing estate or
19 any development, there has to be places for people to
20 go and children to play for people so sit and enjoy the 15:15
21 weather or whatever. I think we need to protect those
22 spaces as much as we can. We don't need development
23 upon development upon development. We have to think of
24 the people who live there as well. Thank you.
25 CATHAOIRLEACH: Okay. I'm going for a vote then on it. 15:16
26 MS. GALLAGHER: Proposed by Cllr. Matthews and seconded
27 by Cllr. Behan. [VOTE TAKEN] That's 21 for; five
28 against; and six not present.
29 CATHAOIRLEACH: Okay. 9.

1 MR. O'BRIEN: Material alteration number 9. This is on
2 the Dargle River walk and basically stating that we
3 won't go ahead with the walk unless we the agreement of
4 residents, of then affected landowners. The Chief
5 Executive recommends against this and feels that it 15:18
6 might be very, very hard to get a river walk if this is
7 the case. This was explained at the last meeting as
8 well.

9 CATHAOIRLEACH: Cllr. Fox.

10 CLLR. FOX: Thank you, Chairman. I'm proposing that we 15:18
11 proceed with the amendment as per what went out on
12 public display. I'm absolutely adamant that the only
13 way to progress walkways is with agreement,
14 consultation and agreement so I'm proposing that we
15 proceed with the amendment. 15:18

16 CATHAOIRLEACH: Cllr. Behan.

17 CLLR. BEHAN: Cathaoirleach, I want to second that
18 proposal.

19 CATHAOIRLEACH: Cllr. Matthews.

20 CLLR. MATTHEWS: Chairman, I want to propose that we 15:18
21 accept the Chief Executive's recommendation, or to
22 alter the wording to "in consultation with landowners"
23 because effectively if we put in the words "agreement"
24 it means the development cannot proceed unless the
25 permission is given by an adjoining landowner. Now to 15:19
26 me I think that really has implications for a planning
27 authority, which you're introducing a third party that
28 now decides whether development proceeds. I think it
29 sets a really, really dangerous precedent and I think

1 it really undermines the role of the planning
2 authority. Everything we do with planning here,
3 whether it's Part 8 or whether it's private
4 application, there's a public consultation process,
5 submissions are received and they're assessed and 15:19
6 reports are issued and we're all in a position to judge
7 it. It's a very open and transparent and accountable
8 process, the planning system. I trust in the planning
9 system and believe in the system. However if we
10 introduce this wording here, it has implications for 15:19
11 every planning policy for every development in the
12 County so I would propose that we stick with something
13 like "in consultation with landowners". Access to the
14 river is a very important thing. It's something that
15 beam in Bray have had for hundreds of years. We put in 15:20
16 a flood works and while it's very welcomed and what the
17 flood works has achieved obviously offers protection to
18 the town. But in a way we have reduced and limited
19 people's access to the river. To put in a Dargle River
20 walk allows people access back to that river, allows 15:20
21 them to enjoy the river as part of their town that
22 they've enjoyed for generations. There's always been
23 access to the river and that's what a walkway seems to
24 achieve. It's a continuation of an existing walkway to
25 (inaudible), I really think we would be damaging the 15:20
26 planning process if we introduce third party agreements
27 into the development and that has far-reaching
28 implications for every application. Thank you,
29 Cathaoirleach.

1 CATHAOIRLEACH: Cllr. Fox.
2 CLLR. FOX: Chairman, I have to dispute that. I mean
3 this does not have implications for the planning policy
4 in County Wicklow. The most successful walkway in the
5 County, the Wicklow Way, is by way of agreement with 15:20
6 landowners. Nearly 100 landowners. And it is the
7 model for success. That is the same model that we
8 should be using on the Dargle River Walkway. We see
9 walkways in other parts of the country where they were
10 done by way of CPO and done by way of lack of 15:21
11 consultation, particularly Sligo, the Galway Greenway
12 and they ran into huge problems because there's a lack
13 of consultation and agreement with landowners. It is
14 the only way to proceed with developing trails and
15 walkways is by consultation and agreement, okay. So I 15:21
16 would dispute what Cllr. Matthews is suggesting. So I
17 would reiterate my proposal.
18 CATHAOIRLEACH: Cllr. Winters.
19 CLLR. WINTERS: Thanks. I think there's a certain
20 amount of merit, though, in what Cllr. Matthews says. 15:21
21 You know, this is going to be on publicly owned lands,
22 it's not like we're going to be using anybody else's
23 land so it's just going to be adjoining land. The
24 greenways usually have to cut across people's land and
25 then it has to be obviously in agreement but if it's 15:22
26 adjoining land -- obviously if the land belongs to
27 somebody else then it has to be in agreement with them.
28 But if it's only land, adjoining land that's in public
29 agreement, we shouldn't have to have agreement from the

1 people of the adjoining land. It should only be where
2 we're using land belonging to somebody else. The way
3 that reads, it's "agreement with affected landowners"
4 would mean that somebody would say that they are
5 affected if their land actually backs on to it, even 15:22
6 though they don't own that land. So I think the word
7 "affected" has to come out and it's only people's whose
8 land we would be using, not adjoining landowners.
9 Because there'll be people who have a back garden that
10 goes down to the river and they'll go: 'I don't want 15:22
11 anybody walking past the end of my back garden', and
12 it's not their land to object to other people.
13 CLLR. FOX: Sorry, Chairman, nobody knows what the
14 route is, whether it's crossing public or private land.
15 The land, that ownership issue down there is very 15:23
16 complex because of CPO orders that had to be done for
17 the river protection, the Flood Protection Scheme. So
18 there is land that the ownership is all over the place.
19 There's public land going through people's back gardens
20 down in Killarney Glen. Going through people's back 15:23
21 gardens, which hasn't been resolved, as a sort of an
22 aftershock of the River Protection Scheme. So the
23 route hasn't been nailed down. So nobody knows if it's
24 a hundred percent on public land or not. So that's why
25 the wording "affected" had to be put in because the 15:23
26 ownership of the land is all over the place at the
27 moment because of the CPO process.
28 CLLR. WINTERS: Yeah, but "affected" actually could
29 suggest that it's just people who are adjoining,

1 whereas if we were to put in -- like I agree, you can't
2 go across somebody's back garden unless you've their
3 permission, so it would be with landowners, you would
4 have to do it in agreement with landowners who actually
5 own part of the walkway. 15:24

6 CLLR. FOX: Cllr. Matthews is not proposing agreement
7 with landowners.

8 CLLR. WINTERS: what he said was "in consultation" but
9 what I'm saying --

10 CLLR. FOX: Not in agreement. 15:24

11 CLLR. WINTERS: I said that there was some merit in
12 what he was saying but I'd like to see it that it
13 doesn't say "affected landowners". I'd like it to only
14 be "landowners" whose land is being used, it has to be
15 in agreement with them. But it shouldn't have to be in 15:24
16 agreement with all of the surrounding people whose land
17 isn't being used.

18 CATHAIRLEACH: Cllr. Thornhill.

19 CLLR. THORNHILL: Cathaoirleach, go raibh maith agat.
20 Cathaoirleach, I would just like to say I back 15:24
21 Cllr. Fox's amendment in this case because the thing
22 about it, about this particular case, I think the
23 Wicklow County Council have been an author of their own
24 misfortune because this case has been going on for
25 years and years and years and the thing about it is, I 15:25
26 mean at the end of the day it's agreement with the
27 public. I mean after all Wicklow County Council work
28 with the people. Maybe I might just refer briefly to
29 St. Paul's. You had the same type of parallel attitude

1 there and I think that we have to make it crystal
2 clear, at the end of the day, that we're working with
3 the people for the people and I think that is something
4 that we should pass Cllr. Fox's proposal. Go raibh
5 maith agat. 15:25

6 CATHAOIRLEACH: Cllr. Snell.

7 CLLR. SNELL: Thanks, Cathaoirleach. Very interesting
8 debate and when you're looking for agreement you only
9 have to look at this Chamber and see very, very
10 difficult to get agreement on anything. So while we 15:25
11 discussed in regards to 100 landowners and the most
12 successful walkway in the County, also it would have
13 taken, on the wording of this would have been just one
14 of them, and the other 99, their wishes wouldn't have
15 prevailed and we wouldn't have had that great walkway. 15:25

16
17 I tend to agree with Cllr. Winters and Cllr. Stephen
18 Matthews here who is proposing this. I think it's a
19 legal minefield in regards to who is affected and how
20 they're affected and the wording certainly needs to be 15:26
21 tightened up for both proposers. I sincerely take
22 Cllr. Fox's views on board. He's more familiar with
23 this than a lot of us in the Chamber, but I couldn't
24 agree with the wording here as it stands. I certainly
25 couldn't. That you would need the consent -- it would 15:26
26 take just one person. And how their affected, the
27 interpretation of that, they may not necessarily be a
28 landowner that's affected or they can say they're
29 affected but it may not be crossing their land at all.

1 So I would certainly be supporting Cllr. Winters and
2 Cllr. Matthews on this issue.

3 CATHAOIRLEACH: Cllr. Tommy Cullen.

4 CLLR. TOMMY CULLEN: It's a big thing, Chairman, to
5 take somebody's property, private property. I can see 15:27
6 where Cllr. Fox has come to. Perhaps Cllr. Fox should
7 put a condition in his proposal, making a small
8 amendment, you know, pointing out that the Council have
9 reserved CPO powers, which matters (inaudible) so I
10 think that would cover everything. Notwithstanding the 15:27
11 powers of CPO. If, for instance, any landowner would
12 know that if you don't come to an agreement with the
13 Council the Council will always invoke the CPO anyway.
14 I'm not sure about what's being proposed here and
15 what's the legal status of it. (Inaudible) this 15:27
16 resolution is passed, is this banning the Council from
17 using CPO powers on that piece of property? I don't
18 think it does and I don't think we have the statutory
19 authority to do so. If the Council really wanted the
20 property, we could always invoke CPO powers. I think 15:28
21 Cllr. Fox's proposal (inaudible) subject to compulsory
22 purchase CPO powers I think that should cover matters.

23 CATHAOIRLEACH: CPO is already there.

24 CLLR. TOMMY CULLEN: That's what I'm saying. But I
25 mean if you just mention that in it, subject to a 15:28
26 compulsory purchase order.

27 CATHAOIRLEACH: Cllr. Vance.

28 CLLR. VANCE: Chairman, a number of years ago you had
29 seen planning carried out in exercise of walkways and

1 various issues throughout the County. The experience
2 in regard to private ownership and that is an absolute
3 minefield and really what we found, and certainly the
4 exercise that we carried out at that particular point
5 in time, one issue that kept coming through is that 15:28
6 there has to be agreement on the lands by the
7 landowners. That was key to anything that was
8 happening in regards to walkways. Anything else we
9 found throughout the country there was other counties
10 that took a different attitude and it's a minefield. 15:29
11 They'll end up in the courts. Irish people will fight
12 tooth and nail over a couple of square metres of land.
13 We all know that. I know where Cllr. Matthews is
14 coming from on this as well. But I do feel it's
15 absolutely vital that we get agreement from landowners. 15:29
16 It won't happen unless that happens. We'd be tied up
17 in litigation all over the place and I just feel this
18 is the right way to go to get where we want to and I
19 think it's desirable that we would have something like
20 that on the River Dargle, whether it's on that side or 15:29
21 the other side is another thing but the fact of the
22 matter is I think it's desirable but I think we have to
23 vote on it in the proper manner.

24 CATHAOIRLEACH: Cllr. Behan.

25 CLLR. BEHAN: Just to follow on from what Cllr. Vance 15:29
26 has said. Like, I appreciate most people in the
27 Chamber here haven't actually seen this in reality but
28 in fact what is proposed is putting a river walk across
29 these people's gardens. They own the land. So it's

1 not that they're peripherally affected, they own the
2 land and they have proof that they own it. And if you
3 don't put it at the end of their garden it's going to
4 be out in the river somewhere. So they're being very,
5 very reasonable. They have made many, many efforts to 15:30
6 try and have some kind of dialogue with the management
7 of the Council, but to no avail and they need to be
8 protected, in my view. And I think what Cllr. Vance
9 has said. Cllr. Vance and Cllr. Fox have experience
10 many years of negotiating with rights of way and so on. 15:30
11 If you start trampling on the rights of owners well
12 then you're at nothing. So, again, Cathaoirleach, I
13 support Cllr. Fox's proposal.
14 CATHAOIRLEACH: Cllr. O'Brien.
15 CLLR. O'BRIEN: I'd like the word "majority" inserted 15:30
16 there. "Consultation and agreement with the majority
17 of landowners". I think it is unfair that one person
18 could scuttle the whole thing that a majority and maybe
19 kind of not just a 50:50 majority, but much more, like
20 90% or something like that, the majority of people in 15:31
21 agreement.
22 CATHAOIRLEACH: Do you have a seconder for that
23 proposal, Cllr. O'Brien? You don't appear to have.
24 Cllr. Matthews.
25 CLLR. MATTHEWS: Cathaoirleach, thanks for letting me 15:31
26 in again. I feel very strongly about this one so I
27 appreciate you letting me back in. Cllr. Fox and
28 Cllr. Behan and Cllr. Vance are talking about this
29 particular CPO of land to the rear of people's back

1 gardens at Killarney Glen and that's the nub of the
2 matter here. If it gives those Councillors any comfort
3 I wouldn't agree to that route across the rear of their
4 gardens either. I think it would have unnecessary
5 impact on their amenity. The route I'm talking about 15:31
6 on the river I would see as being below those lands and
7 actually along the river bank, not through the rear of
8 those gardens. There is some confusion here about the
9 CPO and who owns what land there but I think even if we
10 owned it and we proved that we owned that land, it 15:32
11 doesn't seem to be wide enough and it really would
12 unnecessarily impact on people's amenities in their
13 home and I actually wouldn't support that and that
14 would come as a Part 8. I put it here on record, I
15 wouldn't support that as a Part 8 if it goes through 15:32
16 that route right at the back of people's gardens. But
17 I think we need to keep it open that if we do it in
18 consultation with landowners, because obviously if
19 we're going to private land, we need to agree it with
20 the landowner. If it's public land we don't need to 15:32
21 agreement, we need to consult. The wording here is
22 that you couldn't do any route along the Dargle River
23 because we need agreement with affected landowners.
24 Cathaoirleach, you could say yours affected by it from
25 Baltinglass and you can reasonably argue it because you 15:32
26 like to walk your dog up here.

27
28 Cathaoirleach, I think I would propose that we change
29 the word "in consultation with landowners".

1 CATHAOIRLEACH: Cllr. Cullen and then I'll go for a
2 vote.

3 CLLR. SHAY CULLEN: Thanks, Chair. I'm after listening
4 to the debate here on both sides but I suppose the one
5 thing I would say on this is we're dealing with 15:33
6 people's private land. I mean at the end of the day
7 you just can't decide to bring a walkway through
8 people's back gardens without having proper agreement
9 with the landowner. I think that's the nub of the
10 issue here. I mean I have some experience in this 15:33
11 regard dealing with landowners through the Vartry walks
12 that is happening in Roundwood and I've sat down with
13 many landowners and reached an agreement with them to
14 make sure that they're happy with what was being
15 proposed and this is no different. You can't have a 15:33
16 situation where private landowners can be forced to put
17 a walkway through their back gardens if they're not in
18 agreement with it.

19 CLLR. MATTHEWS: Could you ask the Director to clarify
20 the matter? 15:34

21 CLLR. SHAY CULLEN: At the end of the day you must get
22 agreement from landowners. I think it's fairly clear.
23 Thank you.

24 CATHAOIRLEACH: Cllr. Whitmore.

25 CLLR. WHITMORE: Thanks, Chair. I came into that a 15:34
26 little bit late. The issue seems to be the word
27 "affected"; is that right? whether or not the land is
28 theirs or whether it is, you know, public land. If
29 there was a word like "materially affected landowners"

1 or something, if there was some way to be more specific
2 about how affected those landowners are, would that
3 solve the issue? Or would it have to be in agreement?
4 I think Cllr. Winters might have mentioned it, there
5 would have to be agreement with materially affected 15:34
6 landowners rather than somebody who is not as
7 significantly impacted. I'm not sure if there's a word
8 that can be put in there
9 CATHAOIRLEACH: It is still going to be vague, you
10 know. I think I'll just go ahead with the vote. 15:34
11 CLLR. MATTHEWS: Chairman, could you ask the Director
12 to clarify whether this land is private or public land?
13 MR. O'BRIEN: There's no land mentioned in this.
14 CLLR. MATTHEWS: Not by yourself but by a lot of
15 Councillors around the table. The land to rear of 15:35
16 Killarney Glen that has been CPO'd, is that private or
17 public land.
18 MR. O'BRIEN: If it's CPO'd it's public land. Sorry, I
19 might have missed what you're saying.
20 CLLR. MATTHEWS: Thank you. 15:35
21 CLLR. BEHAN: Well sorry, it's not, it's private land.
22 The land in question -- the land we're discussing is
23 private land.
24 CLLR. MATTHEWS: We're discussing landowners here and
25 if the land is owned -- if it's publicly owned land, 15:35
26 it's CPO'd and a lot of money was paid for it.
27 CLLR. BEHAN: The nub of the debate is what actually
28 happened with regard on the ground, how boundaries were
29 drawn and so on. That land is private land owned by

1 the householders who live there. They have proof of
2 that. They have tried to negotiate with the Council
3 and have been rebuffed.

4 CLLR. MATTHEWS: This is about removing a Council
5 policy rather than dealing with the land ownership. 15:36

6 CLLR. BEHAN: No, it's saying that this river walk
7 should not be imposed on people in their private
8 gardens.

9 CLLR. MATTHEWS: I'd agree, you can impose a walk on
10 private land, but it's publicly owned land. 15:36

11 CLLR. BEHAN: The bottom line is there's a very strong
12 difference of opinion about that.

13 CLLR. MATTHEWS: Chairman, just for the record if this
14 objective is rejected we're now introducing third party
15 agreements on to publicly owned land and that's a 15:36
16 danger precedent.

17 CLLR. BEHAN: No, no, we're not, because it's private
18 land.

19 CLLR. WINTERS: We have no problem with private land.
20 You have to get agreement from private land. But we're 15:36
21 talking about people with border and private land --

22 CLLR. BEHAN: Landowners. That's what we're talking
23 about.

24 CLLR. MATTHEWS: It's public land.

25 CLLR. BEHAN: They are the landowners, Chair. 15:36

26 CLLR. WINTERS: That's not what it says. It is says
27 "affected landowners".

28 CLLR. BEHAN: Correct.

29 CLLR. WINTERS: They mightn't necessarily be --

1 CATHAOIRLEACH: A proposal --

2 CLLR. TOMMY CULLEN: What are we voting on?

3 MS. GALLAGHER: It is proposed by Cllr. Fox and
4 seconded by Cllr. Behan and that's the addition of the
5 red, is it, Cllr. Fox? Yeah. "To promote the use of 15:37
6 the Dargle riverbank, between Bray Harbour and La
7 Vallee as a leisure and natural amenity area, through
8 the development of a Dargle River Walk along the south
9 side of the river, in agreement with affected
10 landowners." Cllr. Matthews is proposing -- are you 15:37
11 proposing in consultation or are you just proposing
12 that we receive the Chief Executive's.

13 CLLR. MATTHEWS: In consultation with landowners.

14 MS. GALLAGHER: So Cllr. Matthews is proposing
15 consultation. Do I have a seconder for that? 15:37

16 CLLR. WINTERS: I'll second it.

17 MS. GALLAGHER: Cllr. Winters. So we will vote on the
18 proposal by Cllr. Fox, seconded by Cllr. Behan.

19 [VOTE TAKEN]

20 CLLR. MATTHEWS: Chairman does that include 15(b) then 15:39
21 as well? Are you taking that as the same thing, are
22 you?

23 MR. O'BRIEN: It's another material alteration,
24 Cathaoirleach, and I think if this one falls that one
25 falls. 15:39

26 MS. GALLAGHER: That's 19 for; seven against; five not
27 present; and one abstaining.

28 MR. O'BRIEN: Cathaoirleach, could I suggest we take
29 10, 11, 12 and 13 together? These all deal with roads,

1 cycling, public transport. All the material
2 alterations were done at the behest of the NTA and it
3 was really that they liked their wording rather than
4 our wording. We're quite happy to let them have their
5 wording. 15:40

6 CATHAOIRLEACH: I need a proposer for each one.

7 CLLR. VANCE: I'll propose all of them.

8 MR. O'BRIEN: I think the meeting's administrator is
9 the expert on this, Cathaoirleach.

10 CATHAOIRLEACH: Cllr. Vance, you propose item 10, 11, 15:40
11 12 and 13.

12 CLLR. VANCE: Yeah.

13 CATHAOIRLEACH: Do I have a seconder for item 10, 11,
14 12 and 13?

15 CLLR. MATTHEWS: I'll second that. 15:40

16 CATHAOIRLEACH: Cllr. Matthews. Item 14.

17 MS. GALLAGHER: Is that all agreed?

18 FROM THE FLOOR: Agreed.

19 MR. O'BRIEN: Again, this is a similar one where the
20 Department of Community Arts and Heritage. 15:40

21 CLLR. FORTUNE: What are we actually agreeing?

22 MS. GALLAGHER: We agreed item 10, 11, 12 and 13.

23 CLLR. FORTUNE: But what are we agreeing.

24 MR. O'BRIEN: It's in your documentation there,
25 Councillor. These were the material alterations passed 15:40
26 at the last meeting and they've been on display. No
27 one made any submissions on them and the Chief
28 Executive has recommended they proceed. It is as you
29 were.

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Material alteration 14, Cathaoirleach, is on architectural heritage. This is similar to the Department - and that includes heritage - wanted their particular wording put into it and we were happy with the changes. The Chief Executive recommends this.

15:41

CATHAOIRLEACH: Do I have a proposer? Cllr. Matthews and Cllr. Vance. Is that agreed?

FROM THE FLOOR: Agreed.

MR. O'BRIEN: Material alteration 5(a), this is about preservation of trees and there was a material alteration where considered to be a viable, safe and in line with sound arboricultural management. The Chief Executive recommends this.

15:41

CATHAOIRLEACH: Proposer? Cllr. Fox. Seconded by Cllr. Vance. Is that agreed?

15:42

FROM THE FLOOR: Agreed.

MR. O'BRIEN: (B) includes what we were discussing in material alteration 9 but as well as that it's something that the Chief Executive recommended before and it was put in more for safety reasons from challenges about appropriate assessment in special areas of consideration. That was passed at a previous meeting.

15:42

CATHAOIRLEACH: Proposer Cllr. Fox. Seconder? Cllr. Vance.

15:42

CLLR. MATTHEWS: Are you agreeing (b).

CLLR. FOX: No, I'm agreeing the appropriate assessment. 15(b), the first line has already been

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decided.
CLLR. MATTHEWS: 15(b) is the additional text.
CLLR. FOX: Just the appropriate assessment text.
MR. O'BRIEN: You can only pass it twice, Councillor!

15:43

The next one is material alteration 16. This deals with Fassaroe. The Chief Executive recommended modification of this to change the phasing and to allow the active open space to be done in Phase 2.

Cllr. Vance has put in a modification to change it from three phases to two phases and instead of having 1,500 units in Phase 1 there'll be up to 2,000 units in Phase 1 and Phase 2 then will be the remaining residential units which is roughly 2,000. The active open space, as opposed to what the Chief Executive recommended, would still be in Phase 1.

15:43

15:44

CATHAoir LEACH: Cllr. Vance.

CLLR. VANCE: Chairman, I want to propose this. I feel that instead of having three phases there will be two phases and certainly I totally disagree with the Chief Executive in putting the sports and recreational campus in the second and third phases as well. I feel that that has to be in the first phase as well. If we have the two phases it's much cleaner, as far as I'm concerned. It moves the recreational land in there as well. Also, a significant amount of social housing would come on stream as well there, up to 200 social houses well. So as far as I'm concerned, I disagree with what the CE said in regard to what he was

15:44

15:44

1 proposing there. I want to formally propose what I
2 have suggested.

3 CATHAOIRLEACH: Cllr. Behan.

4 CLLR. BEHAN: Cathaoirleach, I mean the story of this
5 whole saga of this particular land is well worth people 15:45
6 looking into in the future because effectively what's
7 happening here is a massive rezoning of land owned by
8 the richest company in the country, Cement Roadstone
9 Holdings, and one of the biggest developers in the
10 country, Cosgraves, when their land has been zoned from 15:45
11 industrial/business employment, a lot of it to housing
12 at the last meeting. They're going to gain massively,
13 mega, mega millions from this rezoning. And when I was
14 discussing, at the last meeting when we discussed this
15 I proposed that the community gain should be 100 acres 15:45
16 out of the 400 acres for parkland and pitches and open
17 space and various facilities because as far as I'm
18 concerned the private gain that Roadstone and Cosgraves
19 are going to make is going to be enormous.

20
21 Now I didn't carry the table last time, unfortunately.
22 And what happened then was both companies came back in
23 with submissions and the Chief Executive then felt it
24 appropriate to come forward with a change where they
25 would be allowed to split up the provision of the open 15:46
26 space and the facilities to make it kind of easier for
27 them to make a profit upfront. Cllr. Vance has put in
28 a proposal now to mitigate that a little bit but I
29 don't think it goes far enough. Now I would have liked

1 to have put the 100 acres back on the table here again
2 today but I was told I couldn't because that was
3 disposed of, dealt with at the last meeting. I still
4 think there isn't enough land zoned for open space at
5 all and I'm very disappointed that a majority didn't 15:47
6 agree with me on that. And time will tell whether I'm
7 right or wrong about it. But having said that, what we
8 now have is Cllr. Vance proposing that up to 2,000
9 residential units can be provided, as part of Phase 1
10 and we're going from three phases to two phases, but 15:47
11 there's nothing to identify in that proposal when the
12 open space is going to be provided in Phase 1. So in
13 theory these developers could have a small town
14 effectively built, 2,000 houses, without necessarily
15 having the open space provided. Then they could stop 15:47
16 for a while. So it actually is not sufficient to meet
17 the needs of the community that would be living there
18 and also what was hoped to be providing some of the
19 shortfall in the rest of the Municipal Districts, which
20 is certainly going to be impossible under this 15:47
21 particular plan. So on that basis, Cathaoirleach, I'll
22 be voting against it.

23 CATHAOIRLEACH: Cllr. Fox.

24 CLLR. FOX: Thank you, Chairman. Well certainly this
25 is the one area of the plan has, you know, I've 15:48
26 reflected on. I suppose it's trying to find a balance
27 between putting something in a plan and actually
28 getting it delivered on the ground. I would like to
29 second Cllr. Vance's proposal because I think it takes

1 a pragmatic view and I suppose the open space and the
2 sport zoning that we're talking about, I suppose the
3 unfortunate part is it straddles two different
4 landowners. One perhaps is more advanced in developing
5 the lands than the other one. So I think reducing it 15:48
6 to two phases, we are in a housing crisis after all.
7 Without compromising the community gain and leaving it
8 till the end, I certainly would support. So I would
9 formally second Cllr. Vance's proposal.

10 CATHAOIRLEACH: Again I'll go for a vote then please. 15:49

11 MR. O'BRIEN: Cathaoirleach, may I set the record
12 because Cllr. Behan said that the Chief Executive put
13 his proposal to make it easy for these companies to
14 make a profit upfront and that's very, very unfair.
15 This is the Planning and Development Act. We have to 15:49
16 plan and we also have to have development. If you load
17 so much in the early stages it's going to make it very,
18 very easy to provide houses which are very, very badly
19 needed, and especially in Bray. I mean we can send
20 everyone down to Enniscorthy indefinitely but we have 15:49
21 to provide for our own housing. I just put that on the
22 record. That is not the reason the Chief Executive
23 made that proposal. He made that proposal because we
24 have to be in the real world and pragmatic to get
25 houses brought forward. 15:49

26 CLLR. BEHAN: I'll correct what I said. The effect of
27 the Chief Executive's proposal is to help these
28 developers make a profit very, very quickly - and a
29 huge profit. That would be the effect. I'm not saying

1 it's the intention. That's a fair point. I'm not
2 saying they set out to do that. The effect of their
3 recommendation, that's what's going to happen and the
4 public and the community will have to wait; watch and
5 see what happens.

15:50

6 MR. CURRAN: we don't want the effect of no development
7 taking place. we are in a housing crisis.

8 CLLR. BEHAN: They have the resources to provide the
9 open space. No problem. Cement Roadstone are the
10 richest company in the country. Are you saying they
11 can't provide a few pitches and parkland before they
12 get the profit on the houses, Chief Executive? That's
13 not real.

15:50

14 MR. CURRAN: They have the option not to proceed.

15 CLLR. BEHAN: Ah, yeah, okay, we'll see.

15:50

16 CATHAOIRLEACH: Cllr. Vance.

17 CLLR. VANCE: Chairman, I welcome people's interest in
18 this. People weren't so interested a number of months
19 ago, I was the only Councillor that put this forward at
20 the pre-planning stage and backed it up then as well in
21 regard to that. Because it's such a huge issue now,
22 it's a big issue out there now in that regard to this.
23 I'm just saying recently I read the Development Plan
24 (inaudible) in Dublin south in the Tallaght area and
25 specifically in regard to a Development Plan that's
26 going to bring in something like 20,000 of a population
27 of and 8,000 houses that are going into this and
28 specifically in that plan there was a recreational area
29 and that recreational area was proposed to go into the

15:51

15:51

1 second and third phase as well in regard to that plan
2 as well. So I'm just saying that we're ahead in regard
3 to that. It's approximately about, what we're
4 proposing is about half the plan that they are but
5 effectively it means that it's shoved up first 15:51
6 (inaudible). Under proper planning what most people
7 would think, that's the way it should go but in this
8 particular plan we're proposing that it goes upfront in
9 regard to that first phase. Can we take a vote on it
10 please? we've had this discussion again. 15:52

11 CATHAOIRLEACH: We are going to get the vote but I have
12 two other people to speak. Cllr. Snell then
13 Cllr. Matthews.

14 CLLR. SNELL: Thanks, Cathaoirleach. Again I'd like to
15 thank the previous speakers. It's obvious that they've 15:52
16 done a lot of work in regards to this whole
17 development. I think in a time when we're crying out
18 for housing units in North Wicklow it's most welcome.
19 I agree with Cllr. Behan, he's right to be concerned in
20 regards to delivering the infrastructure along with the 15:52
21 houses such as recreational and sporting activities but
22 I do know that there has been a lot of consultation on
23 that end as well. So I would sort of urge in regards
24 to, everyone has to work hand in hand. we've all been
25 inundated from sports clubs, voluntary organisations, 15:52
26 particularly in and around Bray and I seen good people
27 up there working very, very hard on the ground, whether
28 it be boxing clubs or soccer clubs and the likes of
29 Cllr. Oliver O'Brien and Fergal Og's hurling, GAA and

1 camogie. But the other side of this is, can we get
2 them to work hand in hand in regards to delivering the
3 recreational space, the football pitches, the community
4 centres, rather than waiting until the 2,000 units are
5 built? I certainly know from listening to some of the 15:53
6 Members here that I know they will be fighting the
7 corner of people in Bray. I will support it a hundred
8 percent. I think the 10% social houses that will come
9 to the Local Authority is most welcome as well. But I
10 can see where Councillors would be asking the questions 15:53
11 and here's the place to ask the question but I will
12 support this a hundred percent.

13
14 I think going from three phases to two, again, should
15 be supported. And to deliver this I think we need the 15:54
16 support of everyone but I can see where apprehension
17 would be but I will be supporting it.

18 CATHAOIRLEACH: Cllr. Matthews.

19 CLLR. MATTHEWS: Chairman, can I ask where is the
20 transport study for this area at this stage, because we 15:54
21 were talking about this back in February? These two
22 phases probably will speed up the provision of public
23 transport. There was 650 units, 658 units refused
24 recently because of lack of public transport. We're
25 talking about 4,000 unit. Can I ask where the 15:54
26 transport study is? Thank you, Cathaoirleach.

27 MR. O'BRIEN: Councillor, there has been a discussion
28 draft of that transport study and I think it's going to
29 be discussed a bit further amongst the two local

1 authorities. The NTA are obviously managing this
2 process. I would imagine it's going to be out in the
3 next month or so. It does show, there was a lot of
4 proposals for five-minute frequency busse from Fassaroe
5 into Bray. 15:55

6 CATHAOIRLEACH: Cllr. Whitmore.

7 CLLR. WHITMORE: Thanks, Chair. I'd just like to echo
8 Cllr. Behan's concern about this. You know, whether
9 it's 1,500 or 2,000 houses there's specific number of
10 houses that can be built without there being any 15:55
11 community facilities. You know, from my limited
12 experience over the past few years, developers tend to
13 want to build their houses first before they put
14 community services in unless they're specifically told
15 they have to do it. So, yeah, I mean, I really 15:55
16 wouldn't like to see the numbers going up to 2,000
17 before they have to provide anything. I understand
18 there is an obvious need for housing in the area but
19 there's a need for facilities as well and you would
20 think a lot of young families will be moving into these 15:56
21 areas and they could be living for two, three or four
22 years before any facilities are provided, which is a
23 lifetime for some children in particular. So, yeah, I
24 would have serious concerns about that. And I actually
25 think by clumping it together and having it to go to 15:56
26 2,000 what you're doing is actually increasing the
27 number of houses that can be built before actually
28 implementing community facilities.

29 CATHAOIRLEACH: Cllr. Winters.

1 CLLR. WINTERS: Thanks, Cathaoirleach. Phase 1 is
2 1,500 residential units and Phase 2 is 1,500
3 residential units, that's 3,000 can be built before you
4 actually have to put in any active space or sports
5 zone. So the only community facilities would be the 15:56
6 neighbourhood centre which has to include some
7 community facilities. I actually think that's too many
8 houses without any provision of amenities. What
9 happens if we hit some sort of a crash again and
10 there's 3,000 houses built and the developer goes bust? 15:57
11 Who's going to build the facilities then? It should be
12 more phased. So, yeah, get your 1,500 in if you have
13 to, to do Phase 1. But you have to have started and
14 completed the active open space before you can start
15 building the other 1,500. 3,000 houses with no 15:57
16 facilities is too much houses with no facilities.
17 Thanks.

18 CATHAOIRLEACH: Cllr. Vance.

19 CLLR. VANCE: Chairman, you can condition the planning
20 application when it comes in in regard to it. That's 15:57
21 where the control comes in. You can condition the
22 planning permission in regard to it. There's a
23 negative type of position taken up by some people in
24 that regard to this but I suspect like if we do adopt
25 this, that it will be a condition on any planning 15:57
26 permission that a sizable amount of this is going to
27 have to be produced as each phase of housing goes
28 along. I mean that would be the logical thing that it
29 can do. But we can't be prescriptive in regard to

1 this. That's going to form part of the planning
2 application.

3 CLLR. WINTERS: We are being prescriptive.

4 CATHAOIRLEACH: I just want to go to a vote. I'll let
5 you speak and then we'll go to a vote, because we've 15:58
6 had a lot speakers.

7 CLLR. WHITMORE: I mean I'd be satisfied if we were
8 able to put those conditions in here or specify that
9 that has to be, you know, significant consideration. I
10 mean that would be okay. But I think the ability at 15:58
11 the moment is whether it's to build 1,500 or 2,000, you
12 know, first up. I think that's too many. I really do.
13 But if there was a way that we could actually
14 incorporate those conditions to say that, you know,
15 that there would be incremental provision of open space 15:58
16 of amenities that is in line with the number of houses
17 or something within that phase --

18 CLLR. VANCE: Chairman, if we had a way, if we took the
19 Manager's position there would be 1,500 units going in
20 there without any recreational plan whatsoever. This 15:59
21 is putting it into Phase 1. Simple as that.

22 MS. GALLAGHER: So amendment 16, to proceed the
23 proposed alteration of 16 and to further modify.

24 Proposed by Cllr. Vance and seconded by Cllr. Fox.

25 [VOTE TAKEN] That's 20 for; four against; and eight 15:59
26 not present.

27 CATHAOIRLEACH: Item 17.

28 MR. O'BRIEN: 17, Cathaoirleach, this is another
29 similar one where the Department that includes

1 heritage, asked us to change some wording to do with
2 the SAC. It was recommended by the Chief Executive.
3 CLLR. MATTHEWS: I propose that one, Chair.
4 CATHAOIRLEACH: Proposed by Cllr. Matthews. Secunder?
5 Do you I have a seconder for item 17? 16:01
6 MS. GALLAGHER: Going, going once.
7 MR. O'BRIEN: At change of wording.
8 CLLR. WINTERS: I'll second it.
9 MS. GALLAGHER: Cllr. Lawless seconded it. Is that
10 agreed? 16:01
11 FROM THE FLOOR: Agreed.
12 CATHAOIRLEACH: Item 18.
13 MR. O'BRIEN: 18 is Kilruddery. The Chief Executive is
14 still recommending this not proceed, the same as the
15 last day. This, in effect, took land out to the west 16:01
16 of Kilruddery and substituted with the Foggy Field
17 which is to the east of Kilruddery House.
18 CATHAOIRLEACH: Cllr. Vance.
19 CLLR. VANCE: I'm proposing that we do proceed,
20 Chairman. 16:02
21 CATHAOIRLEACH: Do I have a seconder? Cllr. Fox.
22 Cllr. Behan.
23 CLLR. BEHAN: Chairman, I'm against this but obviously
24 I was against building on the Sugar Loaf as well but I
25 think until such time as facilities are provided on the 16:02
26 Southern Cross for the people who live there at the
27 moment, it is wrong to be providing another housing
28 estate on that road. That's why I'll be voting against
29 it.

1 CATHAOIRLEACH: will we take a vote then?
2 CLLR. VANCE: Chairman, could I just say that we've
3 taken out 240 houses that were behind those and since
4 we've done that and since this went out to public
5 consultation, not one letter have I got objecting to 16:02
6 what this is from anyone that's looking for it. Not
7 one. And that's why I want to formally propose it,
8 Chairman.
9 MS. GALLAGHER: Proposed by Cllr. Vance and seconded by
10 Cllr. Fox in relation to amendment 18 that you do 16:03
11 proceed. [VOTE TAKEN] That's 21 for; two against;
12 eight not present; and one abstaining.
13 CATHAOIRLEACH: Members, just before I go to the next
14 item could I request permission to extend the meeting
15 to 5:30? Is that agreed? 16:04
16 FROM THE FLOOR: Agreed.
17 MR. O'BRIEN: The next item is material alteration 19.
18 It's on the former golf club lands in Bray and it's s
19 change of wording from "at least" to "target" and from
20 "park" to "open space". The Chief Executive recommends 16:04
21 this proceed.
22 CATHAOIRLEACH: Cllr. Matthews.
23 CLLR. MATTHEWS: Chairman, can I just ask, the point
24 there that the two hectares should be developed as
25 public open space. who'll decide the location of that 16:05
26 public open space?
27 MR. O'BRIEN: Probably in reality Bord Pleanála because
28 it's going to be a strategic housing development
29 application. It will be a development management

1 process.

2 CLLR. MATTHEWS: If it goes to another application?

3 MR. O'BRIEN: Yeah.

4 CLLR. MATTHEWS: Okay. The planning authority will
5 decide. 16:05

6 MR. O'BRIEN: Yeah.

7 CLLR. MATTHEWS: Okay, thanks.

8 CATHAOIRLEACH: Do have I a proposer? Is that agreed?

9 CLLR. BEHAN: No, Cathaoirleach, can we have a vote.

10 CATHAOIRLEACH: Go for a vote on it then. 16:05

11 MS. GALLAGHER: Number 19, proposed by Cllr. Vance and
12 seconded by Cllr. Fox that we proceed. [VOTE TAKEN]
13 That's 23 for; two against; and seven not present.

14 MR. O'BRIEN: Material alteration number 20 there's (a)
15 and (b). (A) was to allow a nursing home as part of 16:07
16 the accepted use on the former Dell site and the second
17 one, I think, was Cllr. Matthews, from memory, that the
18 height of the buildings close to the nearby houses.
19 The Chief Executive recommends to proceed.

20 CLLR. MATTHEWS: I propose. 16:07

21 CLLR. VANCE: I'll second.

22 CATHAOIRLEACH: Proposed by Cllr. Matthews; seconded by
23 Cllr. Vance. Is that agreed?

24 FROM THE FLOOR: Agreed.

25 MR. O'BRIEN: Material alteration 21. This is another 16:08
26 one of these ones where the NTA asked for their --

27 CATHAOIRLEACH: Did you cover (b).

28 MR. O'BRIEN: I did that was (a) and (b). So material
29 alteration 21 is another one where the NTA asked for

1 their specific wording. we're happy to oblige. The
2 Chief Executive recommends to proceed.

3 CATHAOIRLEACH: Do I have a proposer? Cllr. Matthews.
4 Second?

5 CLLR. VANCE: I'll second. 16:08

6 CATHAOIRLEACH: Agreed?

7 FROM THE FLOOR: Agreed.

8 MR. O'BRIEN: Material alteration number 22 is the AO
9 Smith site. This was recommended by the Chief
10 Executive from changing from employment to mixed use 16:08
11 development. And there's also a map correction on that
12 question.

13 CATHAOIRLEACH: Proposed Cllr. Matthews. Second?

14 CLLR. VANCE: I'll second that.

15 CATHAOIRLEACH: Agreed? 16:08

16 FROM THE FLOOR: Agreed.

17 MR. O'BRIEN: Material alteration 23. This is on the
18 Oldcourt House lands. There's a change in this to only
19 go for the site on the eastern side of the site, not on
20 the western side. Put it another way, the one near 16:09
21 Charnwood was in and the one in Giltspur wood wasn't.
22 The Chief Executive recommends to proceed.

23 CATHAOIRLEACH: Proposed?

24 CLLR. VANCE: I'll propose.

25 CATHAOIRLEACH: Cllr. Matthews second. Agreed? 16:09

26 FROM THE FLOOR: Agreed.

27 CLLR. BEHAN: No. Cathaoirleach, can we call a vote on
28 that.

29 CATHAOIRLEACH: Item 23 vote.

1 MS. GALLAGHER: Proposed by Cllr. Vance, seconded by
2 Cllr. Matthews to proceed with amendment number 23.
3 [VOTE TAKEN] That's 21 for; two against; and nine not
4 present.
5 CATHAOI RLEACH: Item 24. 16:11
6 MR. O'BRIEN: This is on the Southern Cross Road. This
7 site was zoned for neighbourhood centre and is now
8 zoned for neighbourhood centre and residential. This
9 is recommended by the Chief Executive.
10 CATHAOI RLEACH: Proposed by Cllr. Matthews? 16:11
11 CLLR. MATTHEWS: I might as well.
12 CATHAOI RLEACH: I feel like an auctioneer trying to do
13 a bit.
14 CLLR. MATTHEWS: I'm trying to get through those 30
15 alterations. 16:11
16 CLLR. VANCE: I second that.
17 MS. GALLAGHER: Is that agreed?
18 FROM THE FLOOR: Agreed.
19 MR. O'BRIEN: Then the zoning table. This was as a
20 result of changes consequent. The Chief Executive 16:11
21 recommends to proceed.
22 CATHAOI RLEACH: Proposer? Any takers? Cllr. Fox. Any
23 seconders? Cllr. Lawless.
24 MS. GALLAGHER: Is that agreed?
25 CATHAOI RLEACH: Is that agreed? 16:12
26 FROM THE FLOOR: Agreed.
27 CATHAOI RLEACH: Okay. Item 26.
28 MR. O'BRIEN: Okay, material alteration 26. This is
29 the land above woodies which was zoned employment and

1 which was changed by the Councillors at the last
2 meeting. The Chief Executive doesn't recommend to
3 proceed.

4 CLLR. BEHAN: Chairman, I want to propose that we do
5 proceed with that. Do we have to have a vote on that 16:12
6 separately? Yeah?

7 CATHAOIRLEACH: I think so.

8 CLLR. BEHAN: We made a decision at the last meeting,
9 but can we vote again on it? If so I'm proposing.
10 Chairman, I'm proposing that we proceed with the 16:12
11 amendment. My apologies. Not not proceed. Sorry, I'm
12 obviously not agreeing with Mr. O'Brien.

13 CATHAOIRLEACH: Proposed by Cllr. Behan. Seconded by
14 Cllr. Vance. Is that agreed?

15 FROM THE FLOOR: Agreed. 16:13

16 CLLR. ANNESLEY: well done lads!

17 MR. O'BRIEN: To proceed with removing it?

18 CLLR. BEHAN: Correct. well done.

19 MR. O'BRIEN: 27 is changing from existing residential
20 to open state. This is in the Glen Court estate. I 16:13
21 think that was kind of a mapping error but the Chief
22 Executive recommends to proceed.

23 CATHAOIRLEACH: Proposed Cllr. Matthews; seconded
24 Cllr. Behan. Is that agreed?

25 FROM THE FLOOR: Agreed. 16:13

26 MR. O'BRIEN: Material alteration 28 from existing
27 residential to neighbourhood centre. This was a car
28 park that was erroneously zoned as existing
29 residential. The Chief Executive recommends it.

1 CATHAOIRLEACH: Proposer? Cllr. Winters. Secunder?
2 Cllr. Vance. Agreed?
3 FROM THE FLOOR: Agreed.
4 MR. O'BRIEN: 29 this was a map. Some people's gardens
5 were mapped as open space. So this is really a map 16:14
6 correction. The Chief Executive recommends to proceed.
7 CATHAOIRLEACH: Proposer?
8 CLLR. VANCE: I'll propose.
9 CATHAOIRLEACH: Seconded Cllr. Shay Cullen. Agreed?
10 FROM THE FLOOR: Agreed. 16:14
11 MR. O'BRIEN: Material alteration 30, it was a delivery
12 schedule. This was something the Department of Housing
13 and Planning asked us to put in. The Chief Executive
14 recommends it.
15 CATHAOIRLEACH: Proposer? 16:14
16 CLLR. MATTHEWS: I propose that.
17 MS. GALLAGHER: Seconded Cllr. Bourke. Is that agreed?
18 CATHAOIRLEACH: Is that agreed?
19 FROM THE FLOOR: Agreed.
20 MR. O'BRIEN: Okay then, we now have come to a vote on 16:14
21 the entire Local Area Plan. So the Chief Executive's
22 report, as per the alterations agreed and the
23 alterations agreed to be further modified by the
24 Members, and any changes consequent be adopted and to
25 adopted the Bray Municipal District Local Area Plan 16:15
26 2018-2024.
27 CATHAOIRLEACH: Cllr. Matthews.
28 CLLR. MATTHEWS: Cathaoirleach, I think this is a very
29 good plan and I know I have proposed many of the

1 alterations and supported many of the others, I think
2 there are some great objectives in it, however that
3 material alteration number 9, in my view, introduces a
4 very dangerous precedence of a third party private
5 agreement on the development of public open spaces or 16:15
6 public lands and I couldn't support a policy like that
7 and for that reason I won't be supporting this plan.
8 Thank you, Cathaoirleach.
9 CATHAOIRLEACH: Do I have a proposer to adopt the plan?
10 CLLR. FOX: I propose we adopt the plan. 16:15
11 CLLR. VANCE: I'll second it, Chair.
12 CATHAOIRLEACH: Proposed by Cllr. Fox and seconded by
13 Cllr. Vance. Could we have a vote.
14 CLLR. BEHAN: Chairman, could I just say something on
15 it please? 16:16
16 CATHAOIRLEACH: Sure, yeah.
17 CLLR. BEHAN: As Cllr. Matthews has said, there are
18 elements of the plan that certainly I would
19 fundamentally disagree with and my objection is so
20 fundamental I'm not going to support it but I do want 16:16
21 to thank the staff of the planning section for the way
22 they have worked with us and through the whole process.
23 Obviously led by Mr. O'Brien and Sorcha and
24 particularly, in my case Bernadette has been of
25 fantastic help to me, personally, in all of the 16:16
26 different inquiries that we had to make and the motions
27 and so on.
28
29 So, as I say, I do want to thank the staff for their

1 assistance in that regard, Cathaoirleach. I will be
2 voting against it, though, based on my serious
3 objections but I won't delay the meeting by saying what
4 they are.

5 CATHAOIRLEACH: Thank you. Okay vote. 16:16

6 MS. GALLAGHER: Proposed by Cllr. Fox and seconded by
7 Cllr. Vance. [VOTE TAKEN] so that is 19 for; seven
8 not present; and three abstaining.

9 CATHAOIRLEACH: Thank you, Members. Thank you.
10 Item 10: Variation No. 1 to the Wicklow County 16:18

11 Development Plan 2016: To consider the Chief
12 Executive's report and submissions made to the proposed
13 material alterations to Variation No.1 of the Wicklow
14 County Development Plan 2016 and to make the variation
15 with or without the material alterations, with or 16:18
16 without further modifications or refused to make it.

17 MR. O'BRIEN: This is very much a technical variation
18 of the plan because most of the Bray Municipal LAP was
19 actually in the County Plan Area, you have to vary the
20 County Plan to take it out. I think the only people 16:19
21 who made submissions were the Minister, the EPA and
22 Transport Infrastructure Ireland. That's it.

23
24 The only material alteration the last day was to change
25 subsequent from Kilmurray and Kilmacanogue being 16:19
26 coalesced and zoned in between. So the Chief Executive
27 would recommend you make this variation. I can give
28 you the proposal and if you want to debate it.

29 "To make the variation number 1 to the Wicklow County

1 Development Plan 2016-202 in accordance with the Chief
2 Executive's recommendations and subject to any further
3 modifications and any changes consequent as
4 necessitated by the amendments to the adopted Bray
5 Municipal Local Area Plan 2018-2024 and the Arklow 16:20
6 Environs Local Area Plan 2018-2024. "
7 CATHAoirLEACH: Do I have a proposer for that?
8 CLLR. LAWLESS: cathaoirleach, can I just come in that?
9 CATHAoirLEACH: Sure.
10 CLLR. LAWLESS: Just on page 10 and into page 11 on the 16:20
11 minute pack, can I just check something. Rural town
12 for Kilmac. There's an increase of 115 for 2020, 2025
13 and 2028 but when you add the totals up it's actually
14 minused in the red and I'm just wondering is that an
15 actual error? Should it have been plussed. It's 16:20
16 135,761 and then it goes to 13,5646, should it not have
17 went up by 115. So I just want to see if that's a
18 mistake.
19 MR. O'BRIEN: It should have gone up.
20 CLLR. LAWLESS: That's page 10 of the printed copy and 16:21
21 page 11 if anyone is using an iPad. So it's 115 right
22 across the three years.
23 CATHAoirLEACH: Oh, it should have gone up.
24 CLLR. LAWLESS: Yeah. So the totals have gone down in
25 red instead of going up by 115. I just want to check 16:21
26 if that's an error. A typo error.
27 MS. WALSH: I can't see where this is.
28 CLLR. LAWLESS: It's the page that's up there. See
29 where it says: "Rural town Kilmac"?

1 MR. O'BRIEN: Councillor, you should be going out at
2 the weekend, not be reading these things!

3 CLLR. LAWLESS: You know, I was glancing through. It's
4 simple maths if you're increasing the numbers I know
5 your total should be increasing not decreasing by 115. 16:21
6 So you couldn't really sign off on it. It's in the
7 total column here. So it goes from 13,5761 and you
8 increase it by 115 and it should be 135,876 instead of
9 135,646 and that's right across 2020, 2025 and 2028 so
10 I presume it's a typo error. But just before you sign 16:22
11 off on it.

12 MS. WALSH: we'll correct that.

13 CLLR. LAWLESS: I do read my documents I get. That's
14 all.

15 MR. O'BRIEN: we'll have to be careful of you, Nicola! 16:22

16 CLLR. LAWLESS: Thank you.

17 CATHAOIRLEACH: I think the same totals in the bottom,
18 the open countryside. They don't tot either.

19 MS. GALLAGHER: It must be. Excel sheet I'd say.

20 MS. WALSH: The changes come about, Chairman, because 16:22
21 the figures for Kilmurray at the moment in the County
22 Development Plan are counted in that table under rural
23 plusses and that has to come out of the rural plusses
24 total because Kilmurray is now part of Kilmacanogue so
25 the total for Kilmacanogue has to increase. So it 16:22
26 should be a balancing, taking off one and adding to the
27 other.

28 CATHAOIRLEACH: It's not the same difference, no?

29 MS. WALSH: we'll correct that. That's what the change

1 is all about. It is amalgamating Kilmurray into
2 Kilmacanogue. So the totals don't change. The
3 amendment doesn't involve changing the County total
4 population target. It's a redistribution.
5 CATHAOIRLEACH: would that rural cluster reduction just 16:23
6 affect Kilmurray?
7 MS. WALSH: Yes, because Kilmurray's the only town
8 that's subject to this.
9 CATHAOIRLEACH: It won't affect other rural clusters?
10 MS. WALSH: No. We're not discussing them. 16:23
11 MR. O'BRIEN: I'm glad you found Sorcha's deliberate
12 error!
13 MS. WALSH: I didn't think any read my spreadsheets!
14 MR. O'BRIEN: I would also like to pay tribute to the
15 team for planning because the documentation you get, I 16:23
16 know a lot of it is the same stuff, just produced in
17 different ways, but it does make it very, very easier
18 for me up here going through it, and I'm sure for
19 yourselves as well. These can be very, very confusing.
20 I would like to thank Bernie and Lisa and Holly and 16:23
21 Sorcha.
22 CATHAOIRLEACH: Do I have a proposer then for item 10,
23 subject to the technical area? Do I have a proposal?
24 CLLR. LAWLESS: Once the technical error is changed I
25 propose. 16:24
26 CATHAOIRLEACH: Cllr. Lawless proposed; Cllr. Fox
27 seconds. Is that agreed? We have to go for a vote
28 sorry.
29 [VOTE TAKEN]

1 MS. GALLAGHER: That's 23 for; eight not present; and
2 one abstaining.
3 CATHAOIRLEACH: Thanks, Members. Item 11.
4 CLLR. TOMMY CULLEN: Chairman, are you going to take
5 Suspension of Standing Orders at 4:30? would it be
6 better to take them now, Chairman?
7 CATHAOIRLEACH: It's 4:26. I might take the Suspension
8 of Standing Orders then because if there's going to be
9 a presentation on Item 11 it may take a little bit of
10 time. The meeting, by the way, for your information,
11 is extending until 5:30. You weren't here when we
12 agreed that.
13 CLLR. TOMMY CULLEN: I know, Chairman, but --
14 CATHAOIRLEACH: That's what I'm saying, we will take
15 the suspension of Standing Orders now. This next item
16 could take 10 or 15 minutes.
17 CLLR. TOMMY CULLEN: You're going to take them now,
18 Chair, are you?
19 CATHAOIRLEACH: Yeah.
20 CLLR. TOMMY CULLEN: Thanks.
21 CLLR. SHAY CULLEN: Can we take this now? I don't
22 think it will a while, we discussed this at the
23 Municipal level.
24 CATHAOIRLEACH: He is going to do a presentation
25 though.
26 MR. NICHOLSON: Really it's just showing the drawings.
27 It won't take long. It will take two or three minutes.
28 CLLR. WINTERS: Go ahead with Michael's presentation.
29 CATHAOIRLEACH: Can I trust the Members, then, you're

16:26

1 saying two or three minutes?
2 CLLR. WINTERS: Yeah.
3 CATHAOIRLEACH: We'll go with Item 11 then.
4 MR. NICHOLSON: Thank you, Cathaoirleach. Members will
5 be aware of the history of the new Wicklow Library. 16:27
6 The Council acquired a building that was formerly used
7 as the Ulster Bank in Wicklow Town up at the Mall in
8 Wicklow. We have engaged architects who have come up
9 with some design concepts which we're now going to for
10 tender documentation. We would certainly hope to have 16:27
11 the construction, there's not much construction, most
12 of it is internal, starting in September/October. It's
13 a nine-month contract so by July/August next year we
14 hope to have the library open. This will replace the
15 existing library up at the back of the old courthouse. 16:27
16
17 So I just put together a few slides. The first one
18 there just shows you the building and it shows you how
19 it's addressed from the Stone Bridge and (inaudible) to
20 the east so it's a nice location with spectacular views 16:28
21 from top to bottom, left and right.
22
23 That's the location of it there. You can see we have
24 attempted to link it to Fitzwilliam Square and the
25 Market Square. So it's going to bring life back to 16:28
26 that part of Wicklow Town. At the moment there's quite
27 a lot of dereliction there in that part of the town so
28 it should bring a bit of life back there.
29 That's how it will look from the front, looking

1 straight on. It's actually a six-storey building; two
2 storeys below ground and four storeys above ground.
3 what we propose to do is just recess the front there,
4 that's the image on the right. Those of you who know
5 the Arklow Library will see we have done something 16:28
6 similar there. It's quite a narrow footpath, so in
7 order to give a turning swerve for buggies and
8 wheelchairs we're recessing the front of it in, making
9 that double height there so it will look nice in the
10 front. 16:28

11
12 That's looking up from Salt House Lane into the back of
13 the building. Again, that shows you the six floors
14 looking upwards. We have a few nice little features.
15 As you can see in the image in the right we have 16:29
16 extended out the windows on top and also a little sort
17 of a box window halfway up, just to give a nice little
18 feature and take away the blandness at the back of it.

19
20 Now, starting at the very bottom, this is the first one 16:29
21 on the very bottom. There's two floors below ground,
22 this is the lowest one and this will be a local studies
23 area, also an area of delivery where we will bring all
24 the books, et cetera, in at the very bottom of Salt
25 House Lane. That will just have an area for people to 16:29
26 do local studies.

27
28 Next floor up is, we're creating an archive section.
29 We're moving the archives down so it will be a library

1 and archives. There will be a whole floor of archives.
2 The architect will be based there full-time as well and
3 she'll be on hand at all times. We'll have some rooms
4 at the back to allow people to study and do research.
5 We'll have big tables to lay out plans, et cetera.

16:30

6
7 That is underground. It will be climate controlled
8 because we have to keep -- we have documentation going
9 back to the 1700s. We have the first ever minute books
10 of the Wicklow Borough Council with very important
11 artefacts, et cetera, which we be all housed there in
12 climate controlled setting.

16:30

13
14 As you walk in from the street the first room you'll
15 meet will be the children's lending room. Roughly
16 4,500 books. It has been designed with children in
17 mind. We have tables and chairs at the front window
18 there so people can sit and enjoy a read. We'll have a
19 reception desk as well.

16:30

20
21 We'll something very unique on this floor. We're the
22 first Local Authority in the country to provide an
23 adult changing facility. It's a very large toilet
24 there at the back. There's none anywhere in the
25 country yet provided by a local authority. There's
26 only five in the whole country; four in Dublin and one
27 in Limerick. This is an area for adults, I suppose,
28 who find that changing facilities in the smaller, baby
29 changing facilities aren't big enough. It's really a

16:30

1 larger toilet. If Cllr. Murphy was here today she
2 would be quite excited about this. It's a pity she's
3 not here. I know she has been pushing this very, very
4 hard. We hope with Disabled Federation of Ireland,
5 through Cllr. Murphy, to get this installed here.

16:31

6
7 The next floor up then would be the adult lending
8 10,000 books, 1,000 audio DVDs, 216 metres squared.
9 This will be again, a small reception area, a small
10 office. Again toilets. Loads of room for books.

16:31

11
12 The next one up will be the IT room where we'll have 25
13 they're called reading desks, they're actually IT
14 stations where people can access IT. And again loads
15 of room there for people.

16:31

16
17 Then at level 5 we have an exhibition/meeting room.
18 We're leaving this more or less open plan but we'll
19 have reception, we will have exhibitions of paintings,
20 et cetera, in the same way as we use Arklow Library for
21 other events apart from library uses. There's a lovely
22 veranda out the back to take advantage of the
23 spectacular views.

16:32

24
25 That's it, Chairman. I would recommend the Members
26 adopt -- the reason why we did the Part 8, by the way,
27 is because it's a change of use from a bank to a
28 library. There was no submissions. Two
29 recommendations from the local engineer which will be

16:32

1 taken on board and I would recommend the Part 8 for
2 adoption.

3 CATHAOIRLEACH: Cllr. Dunne.

4 CLLR. DUNNE: Thank you, Chairman. I would like to
5 welcome this development in Wicklow Town. In a growing 16:32
6 capital town it's a great thing. I'm delighted with
7 some of the ideas that have been proposed by
8 Director Nicholson. The recess in at the front was
9 causing a wee bit of concern with buses and cars going
10 past that area so that is welcome. 16:33

11
12 It's in an ideal area. There is two schools within the
13 area. We will be a large growing town and that end of
14 the town also needs, it needs some life up there.
15 Hopefully it will double the visits, which obviously 16:33
16 means more books coming out of the library as well.
17 It's in walking distances from most parts of the town.
18 I know people are encouraged to walk to the library,
19 not to park.

20 16:33
21 The plan, I have been in the building, it's six storeys
22 high and I think the archives is good up there. It
23 will be great for the local people to access it
24 quicker. So I welcome the development and I also would
25 like to propose the Part 8. 16:33

26 CATHAOIRLEACH: Cllr. Shay Cullen.

27 CLLR. SHAY CULLEN: Thanks, Chairman. First of all, I
28 would just like to thank you for taking this item. It
29 is a very important item for the Wicklow Municipal

1 District. We discussed it at our local meetings and as
2 has been said, the acquisition of this building has
3 been highly significant for the town of Wicklow. A
4 magnificent building, obviously a former bank, as you
5 said, over six floors. I want to compliment 16:34
6 Michael Nicholson and indeed the County Librarian,
7 Brendan Martin, firstly to acquire this building. It's
8 an area of the town that we have discussed on many
9 occasions, at our Municipal District, that is in need
10 of real support to try and get the public to use the 16:34
11 upper part of Wicklow Town. This will certainly be an
12 addition to the recently opened courthouse, not
13 courthouse, Town Hall I should say, in the top of the
14 town. I wish the courthouse was open. We'll hope for
15 that soon as well. Certainly the Town Hall in the top 16:35
16 of the town.

17
18 So like Cllr. Dunne, I want to obviously formally
19 second his proposal to proceed with the Part 8 and it's
20 a very significant day for this item. Thank you. 16:35

21 CATHAOIRLEACH: Cllr. Snell.

22 CLLR. SNELL: Thanks, Cathaoirleach. I'll be brief.
23 As I said at the Corporate Policy Committee meeting
24 this morning I thought it was very important that this
25 presentation was on the agenda today. I thank the 16:35
26 Director, Michael Nicholson, for his presentation and
27 also to all the staff in the Community, Cultural and
28 Social Development Section. An awful lot of very good
29 work has been done in that section for quite a

1 considerable amount of time and I suppose this would
2 bear the fruits of that now. Like previous speakers,
3 all six Municipal District Councillors welcomed this at
4 every various stage up to now and I fully support the
5 Part 8.

16:36

6
7 while I am on the subject in regards to the County Town
8 and the Upper Mall in particular, this will obviously
9 bring new life to the area. If I could commend the
10 Chief Executive in bringing life back into the old Town
11 Hall as well, which was vitally important in the Market
12 Square in Wicklow Town. Maybe if Michael and his staff
13 when you're searching that old bank up there, if there
14 was any money in the safe could they put it into
15 refurnishing the courthouse! That's the next project on
16 all six Councillors' agenda. I want to commend all the
17 staff.

16:36

16:36

18 CATHAIRLEACH: Cllr. Winters.

19 CLLR. WINTERS: Thanks, Cathairleach, and thanks,
20 Michael, for your presentation. The new library in
21 Wicklow Town will make a tremendous difference to the
22 town and not just as a library, but moving the archives
23 from here to the new library, there's a perception that
24 what's in here is kind of just for the staff or it's
25 difficult to get access to and I think the availability
26 of the public records up in the library would be a huge
27 plus.

16:36

16:37

28
29 I want to thank you for the adult changing facilities.

1 I know many families who end up having to use the
2 floors of disabled toilets so it is wonderful to
3 actually have a proper adult changing facility and well
4 done. It's a fantastic thing. Thank you.

5 CATHAOIRLEACH: Cllr. Nolan. 16:37

6 CLLR. NOLAN: Thank you, Cathaoirleach. I just want to
7 echo a lot of what has been said already. I just want
8 to thank Michael Nicholson and Brendan Martin and his
9 staff in the Community, Cultural and Social Development
10 Section. They have done wonderful work on this. It's 16:37
11 a beautiful, modern facility. It will revitalise that
12 end of Wicklow Town which has suffered greatly. We're
13 starting to see revitalisation in that part of Wicklow
14 Town, the new refurbished Town Hall and hopefully, as
15 Cllr. Shay Cullen said, we'll soon have the courthouse 16:38
16 back up and running.

17
18 This beautiful new library is an amazing boost to the
19 town and hopefully it will be well utilised by the
20 people of the town. I'm sure it will be. It's a 16:38
21 testament to the hard work of the staff in the
22 Community, Cultural and Social Development Section.
23 Thank you.

24 CATHAOIRLEACH: Thank you. Cllr. Ruttle.

25 CLLR. RUTTLE: As Chairman of the SPC I would like to 16:38
26 congratulate the Director and all his staff, including
27 Brendan Martin, on all the work they have done for getting the
28 project to this stage. (Inaudible) a lot of inundated
29 thinking in it. We have Arklow already. It's a great

1 added bonus in our whole programme our library
2 programme and also improvement in that programme. So
3 well done to everybody involved on this good
4 development. Thank you.

5 CATHAOIRLEACH: Cllr. Kavanagh. 16:39

6 CLLR. KAVANAGH: Thanks, Cathaoirleach. I just want to
7 add my congratulations to Director Nicholson and to
8 Brendan Martin and the whole team. I think this is a
9 wonderful development for the town. It's cutting edge.
10 It's modern. It's going to absolutely -- it's going to 16:39
11 be very exciting for the town. I think people when
12 they get the details of it will be just counting down
13 the days until it opens.

14
15 On that point, I just wonder is there any chance that 16:39
16 are we could have details of the slides that you showed
17 there today just to send out to at least to the Wicklow
18 Municipal District Members because there's a lot to go
19 through there and there's a lot of very modern features
20 that, you know, it was a lot to take in so it would be 16:39
21 nice to have something to read over it possible, thank
22 you.

23 CATHAOIRLEACH: Cllr. Bourke.

24 CLLR. BOURKE: Cathaoirleach, we're very proud of the
25 library in Arklow it's really, really successful and 16:40
26 it's only about two years open now and visitors are
27 hopping heading towards the 80,000 to 90,000 annum. I
28 wish Wicklow every success and I think, Director, if
29 you can deliver on that and emulate what you have done

1 in Arklow and what your predecessor before you Joe Lane
2 did for us in Arklow, it will be a great credit and a
3 great legacy and I wish you luck with it.
4 CATHAOIRLEACH: Okay. Thanks, Members, I have a
5 proposal. 16:40
6 MS. GALLAGHER: Proposed by Cllr. Dunne, seconded by
7 Cllr. Shay Cullen. [VOTE TAKEN] That's eight not
8 present; and 24 for.
9 MR. NICHOLSON: Thank you, Members.
10 CATHAOIRLEACH: Cllr. Kennedy, do you want to come in 16:41
11 there?
12 CLLR. KENNEDY: Cathaoirleach, can we take 16 next?
13 It's taking in charge of housing estates and it will
14 only take a minute.
15 CLLR. TOMMY CULLEN: No, Chairman, now. 16:41
16 CLLR. KAVANAGH: It will only take a minute if Cllr.
17 Cullen wouldn't mind.
18 CATHAOIRLEACH: The last one I was told would three
19 minutes and it was 15 minutes. I take your point.
20 Item 16 I'm happy to take item 16. 16:42
21 CLLR. KENNEDY: I propose it.
22 CLLR. SHAY CULLEN: I'll second it.
23 CATHAOIRLEACH: Let's do each one.
24 CLLR. VANCE: Chairman, this the problem when you get
25 suspension of Standing Orders the whole agenda where 16:42
26 items like this has been waiting for months to happen.
27 CATHAOIRLEACH: we have a couple of items. There are
28 financial statements as well.
29 CLLR. VANCE: That's what I mean.

1 CATHAOIRLEACH: Just item 16 I'll take. To take in
2 charge the following, the first one, Avondale Meadow,
3 Rathdrum.
4 CLLR. KENNEDY: I propose that.
5 CATHAOIRLEACH: Proposed by Cllr. Kennedy and seconded 16:42
6 by Cllr. Fitzgerald. Is that agreed?
7 FROM THE FLOOR: Agreed.
8 CATHAOIRLEACH: Castlelynn, Bray, proposed to be taken
9 in charge.
10 CLLR. VANCE: I'll propose that. 16:42
11 CATHAOIRLEACH: Secunder?
12 CLLR. THORNHILL: I'll second it.
13 CATHAOIRLEACH: Is that agreed?
14 FROM THE FLOOR: Agreed.
15 CATHAOIRLEACH: Djouce Meadows, Roundwood (Phase 1 and 16:42
16 2). Proposed by Cllr. Shay Cullen.
17 CLLR. NOLAN: I'll second that.
18 CATHAOIRLEACH: Is that agreed?
19 FROM THE FLOOR: Agreed
20 CATHAOIRLEACH: Marlton Court, Wicklow. 16:43
21 CLLR. DUNNE: I propose that.
22 CATHAOIRLEACH: Proposed by Cllr. Dunne, seconded by
23 Cllr. Snell. Is that agreed?
24 FROM THE FLOOR: Agreed.
25 CATHAOIRLEACH: Riverwalk Ashford. Proposed by 16:43
26 Cllr. Winters; seconded Cllr. Snell. Is that agreed?
27 FROM THE FLOOR: Agreed.
28 CATHAOIRLEACH: Just to note the annual financial
29 statements, Item 13, we can take that. Proposed --

1 CLLR. WALSH: I'll second that.

2 MS. GALLAGHER: While we're there will we do the
3 Wicklow JPC Annual Report. It is for noting.

4 CATHAOIRLEACH: Item 17: To consider the Wicklow
5 County Council JPC annual report year ended 31st 16:43
6 December 2017. Proposed by Cllr. Snell and seconded by
7 Cllr. Walsh.

8

9 Now Suspension of Standing Orders. I think we have
10 three items. 16:43

11 CLLR. TOMMY CULLEN: Take 18, Chairman, if you want to.

12 CATHAOIRLEACH: Okay. To consider a nominee to the
13 AILG to replace Cllr. Whitmore.

14 MS. GALLAGHER: Just in relation to that item --

15 CLLR. BEHAN: I want to propose Cllr. Thornhill for 16:44
16 that.

17 CLLR. ANNESLEY: I second that.

18 MS. GALLAGHER: Just in relation to that, that's a
19 nomination for the Greystones Municipal District and
20 also that nominee will be a permanent delegate to the 16:44
21 Standing Policy of Association.

22 CATHAOIRLEACH: Proposal for Cllr. Thornhill proposed
23 by Cllr. Bean seconded by Cllr. Fortune.

24 Cllr. Annesley, did you want to say something?

25 CLLR. ANNESLEY: I was going to second it. 16:44

26 CATHAOIRLEACH: Is that agreed then?

27 FROM THE FLOOR: Agreed.

28 CATHAOIRLEACH: Since we're on a roll.

29 CLLR. BEHAN: Ah, no.

1 MR. CURRAN: Number 12 is very straightforward as well
2 it is just a proposal from the SPC and we're happy to
3 do it.

4 MR. O'BRIEN: At the moment when you get your Chief
5 Executive's reports for plans, et cetera, technically 16:45
6 we can't put them on website until you've seen them and
7 discussed them at a meeting. The reality is that
8 everyone gives them to someone but it doesn't make us
9 look very transparent. I know there's a case in Dublin
10 City where they didn't give it out until 5:00 o'clock 16:45
11 and it was on Six One news people analysing it. So
12 what the SPC, and Cllr. Bourke said I could say it,
13 discussed was leave it with the Members for a week so
14 they have exclusive use of it and then we'll put it up
15 on the website. 16:45

16 CLLR. WINTERS: I think that's a good idea.

17 CLLR. VANCE: I want to propose that.

18 MS. GALLAGHER: Proposed by Cllr. Vance; seconded by
19 Cllr. Winters.

20 CATHAOIRLEACH: Is that agreed then? 16:45

21 CLLR. FORTUNE: What are we doing?

22 MS. GALLAGHER: The reports that you got circulated
23 with today, they go up on the web a week after you get
24 them.

25 CATHAOIRLEACH: The suspensions now. In fairness 16:46
26 Cllr. Cullen was the first person to contact me with a
27 suspension of Standing Orders.

28 CLLR. TOMMY CULLEN: Chairman, it's about the graveyard
29 policy. It's three years in gestation now almost and

1 it has gone around the house; the Wicklow County
2 Council, the SPC. It's gone through, there was a
3 special committee set up and then it was brought before
4 here and then we sent it back to the various municipal
5 authorities to make their recommendations for their own 16:46
6 particular districts. Chairman, my view is that in our
7 Baltinglass Electoral Area we made our recommendations
8 last September and, I think, Chairman, that my own view
9 is that we should accept the recommendation of the
10 various Municipal District Authorities they have 16:46
11 indicated and there's different needs, different
12 graveyards in different areas in the different
13 geographical areas of the County. There's nothing
14 uniformity about them. You couldn't have uniformity
15 about them. It is causing a lot of stress for a number 16:47
16 of families who now can't, because of this hiatus in
17 this decision, can't put headstones up in certain
18 graveyards and that's causing a lot of upset to the
19 families naturally enough.

20 16:47

21 Chairman, I propose that it would be a priority issue
22 on the June agenda if that is agreed.

23 CATHAOIRLEACH: I'd like to second your proposal. The
24 issue is that certain parts of the County have
25 different policies and certain derogations that should 16:47
26 apply to different parts of the County because, for
27 instance, in west Wicklow lawn cemeteries are
28 practically unheard of. In other parts of the County
29 they may be more acceptable. I think a

1 one-size-fits-all doesn't work in relation to
2 graveyards policies and I think each District policy
3 and what has been agreed, certainly in Baltinglass, we
4 agreed unanimously on our policy and I think that
5 should be the policy that applies in that particular 16:48
6 area of the County. And, equally, each different
7 district should be allowed to have their particular
8 say. I understand we can have an overarching kind of
9 policy for the County and I have no problem with that
10 but it should take account of local differences. I'd 16:48
11 be certainly anxious that, I know there's a proposal to
12 put it back to the SPC at the end of this month. I'd
13 be very anxious that we finally finalise this issue at
14 our June meeting and reach agreement at that point.
15 CLLR. RUTTLE: I'd support that, Cathaoirleach. 16:48
16 CATHAOIRLEACH: Is that agreed then?
17 FROM THE FLOOR: Yeah.
18 CATHAOIRLEACH: Okay. Second item Suspension of
19 Standing Orders, Cllr. O'Neill.
20 CLLR. O'NEILL: Thanks, Cathaoirleach. Again, I'd like 16:49
21 to thank the nine Councillors from this side of the
22 County that came out to a meeting in the Blessington
23 two weeks ago in support of the route that's in place
24 now to further the idea of -- what Minister Ross has
25 done here in the last couple of months he has called on 16:49
26 us to suspend any works on the N81 and that being the
27 new road. We were promised this road eight years ago
28 that a carriageway would go from Tallaght to Hollywood
29 but however we were informed by the TII there a couple

1 of months ago that this road won't be going ahead.
2 That the monies are going into the more, into the
3 carriageways that's in existence at the moment. But we
4 all know the record of the N81, you know, it's been
5 seven times above the national average for head-on 16:50
6 collisions. A huge amount of people, you know, for us
7 to argue as regards this road is a must. So
8 Cllr. Cullen mentioned earlier on to get the Minister
9 at this meeting here, a council meeting. I can tell
10 you that we, as a Municipal area we wrote on two 16:50
11 occasions to Minister Ross and he didn't reply to the
12 first one. On the second one he sent us back a
13 one-liner. So I don't think I'd hold out much hope for
14 him coming to a full Council meeting.

15
16 I would urge everyone here to support this. It's just
17 a letter to the Minister to reverse his decision on the
18 N81. I know there's a meeting organised for 13th June
19 with the Minister. There's been a dispute about who
20 organised this, that or other but I've been informed by 16:51
21 Andrew Doyle anyway that there's a meeting on the 30th
22 at 10:00 o'clock with a group from Blessington which
23 will include the Blessington District Forum.

24
25 We're looking forward to meeting the Minister on that 16:51
26 day but I think that a letter here from the Council,
27 you know, that we are in a bad way. At the moment
28 there's a stretch there, a 300-metre stretch from
29 Tallaght to Hollywood and that's frozen at the moment

1 so that means that the 100 landowners, farmers, they're
2 in limbo at the moment. They can't do anything with
3 this land and that's closed now since March 2016. And
4 according to the TII there won't be a review on the
5 upgrading of the road until 2027. So that's just 16:52
6 clearly not acceptable to the people of west wicklow
7 that they can do nothing with their lands. So for full
8 clarification I'd urge the Council here, all my
9 colleagues here in wicklow County Council just to
10 support this motion to write a letter to the Minister 16:52
11 asking him for, if possible, meet him okay, but at
12 least to have a look at and review his decision of
13 three months ago.

14 CATHAoir LEACH: Cllr. Tommy Cullen.

15 CLLR. TOMMY CULLEN: Chairman, I propose that we would 16:52
16 invite the Minister, Shane Ross, who is a former member
17 of this Council, I sat behind him for eight or nine
18 years here as councillor so he's very familiar with
19 this Chamber and wouldn't be a stranger and he'd be
20 most welcome. I think as a matter of courtesy we 16:52
21 should invite our former colleague here to come down to
22 this Chamber and address us as to this decision. I
23 think it's a very retrograde decision to the west and
24 south wicklow and in large parts south Carlow as well
25 is affected and anyone who is travelling that road in 16:53
26 the mornings can see that.

27
28 The other issue, Chairman, is that we really do need to
29 look at a more integrated transport policy for the

1 Baltinglass Electoral/west wicklow area. I will be
2 asking that the Luas line is extended to Blessington as
3 a part of -- if that road is not going to be built, if
4 that dual carriageway is not going to be built then the
5 very least that the Luas line would be extended from 16:53
6 Citywest to Blessington and that the 65 Bus Route would
7 now travel as far as Baltinglass for at least four
8 times a day to make up the shortfall in this
9 carriageway not being built, if that is what they're
10 going to do. If the Government are not for changing. 16:54
11 Chairman, as a public representative for west wicklow,
12 and somebody who is born and reared in west wicklow and
13 lived their all my life the same as yourself. I have
14 to say publicly and it is something that needs to be
15 said. west wicklow has been very badly and south 16:54
16 wicklow have been very badly left down by the five TDs
17 we have elected representing our county. They have
18 completely ignored west wicklow. They only use it for
19 votes and I really do think it's time that west wicklow
20 got back its own TD. If we had our own TD at this 16:54
21 table this may not have happened and I think that,
22 Chairman, I honestly think -- I know it's a
23 controversial statement but I'm going to say it. West
24 wicklow and south wicklow need its own TD and if we had
25 our own TD at least we would have someone above in the 16:54
26 Dáil fighting us. As far as I'm concerned, all the TDs
27 are on the east and north of wicklow and don't care too
28 much about this road going into west wicklow because we
29 are left there with nobody there at the table. And the

1 sooner we have a TD back in west and south Wicklow, the
2 better as far as I'm concerned.

3 FROM THE FLOOR: Hear, hear. Hear, hear. Hear, hear.

4 CATHAOLRLEACH: Follow that, Cllr. Snell!

5 CLLR. SNELL: Thanks. As a Councillor that got in my 16:55
6 car and drove over to west Wicklow to an attendance of
7 over 200 people at that public meeting and it was
8 obvious there was support from all around County
9 Wicklow, north, east, south and west for the people of
10 west Wicklow at that meeting. I was a little bit 16:55
11 surprised that previous speakers didn't attend that
12 meeting but how and ever, you know, some of us drove
13 from huge distances to be there.

14
15 I just want to formally second the proposal from 16:56
16 Cllr. O'Neill in regards to writing to the Minister and
17 I think it would be universal to say that all 32
18 Councillors would agree with previous speakers and the
19 sentiment of writing this letter. Irrespective of how
20 the TDs got on in talking to the Minister or otherwise, 16:56
21 I think it is taking too long. On 19th January this
22 was announced and up to today, you know, it's still
23 very vague in regard to what's going to happen. So I
24 think it needs to go out loud and clear from the 32
25 Members here that we as publicly-elected Members of 16:56
26 County Wicklow support this new infrastructure in west
27 Wicklow. It's one of the main routes connecting west
28 Dublin all the way down through west Wicklow down into
29 the borders on to Carlow and Wexford as well and I just

1 think that, you know, it's long overdue. If
2 Cllr. Cullen is looking for a seconder in regards to his
3 proposal to invite the Minister I would second that as
4 well. But I would suggest that the Minister take the
5 route of the N81 and perhaps come across the Wicklow 16:57
6 Gap or the Sally Gap to come to the Chambers here. I
7 feel that it's not too strong of a sentiment to say
8 that, you know, he's actually a previous member of this
9 Chamber, yeah, but, you know, shame on him. He's let
10 down the people of County Wicklow not just west but all 16:57
11 of County Wicklow. Shame on Minister Ross and I just
12 want to concur with my colleague, Cllr. O'Neill.
13 CATHAoirLEACH: Cllr. Lawless.
14 CLLR. LAWLESS: Thanks, Cathaoirleach. As one of the
15 previous speakers that couldn't make the meeting, and 16:57
16 as much as I'd like to divide myself in two, as a busy
17 Councillor you can't always get to all the meetings. I
18 wholeheartedly support Cllr. O'Neill's motion to send a
19 letter to the Minister to see will he reverse his
20 position on the N81. To be honest, it doesn't really 16:58
21 matter who's arranged what meeting; the consensus here
22 in this Chamber is everyone's on the same, you know,
23 wavelength here. We all want the N81 upgraded. We all
24 want it safer because as the statistics show, it is a
25 very dangerous stretch of the road. I just think it's 16:58
26 very welcomed that there is so many active community
27 groups over in West Wicklow as well. As I say, the
28 meeting on the 13th there is invitations to those
29 community groups to come in and meet the Minister as

1 well as the TDs will be meeting as well. But I do also
2 second, I know Cllr. Cullen has gone --
3 CLLR. TOMMY CULLEN: I'm here, don't worry about me.
4 I'm back.
5 CLLR. LAWLESS: I think having the Minister in to the 16:58
6 Council Chambers would be very welcomed as well, to
7 have an open discussion on it. Maybe that could be
8 arranged after the 13th and maybe a report could be
9 brought back. I'm sure Cllr. O'Neill will be going to
10 those meetings and he will probably come back and 16:59
11 report to the Council Chamber on it and we can go from
12 there. Thanks.
13 CATHAIRLEACH: Cllr. Ruttle.
14 CLLR. RUTTLE: Yes, Cathairleach, like others I would
15 like to thank the Members all across the County for 16:59
16 turning up in the meeting we had in Blessington on this
17 very important issue to us in that region. It was good
18 to see so many over. Certainly I have no problem in a
19 letter going forward from this Chamber backed, by all
20 Councillors, that this matter be reversed and be dealt 16:59
21 with as expeditiously as possible. I know there's a
22 meeting organised for the 13th with the Minister at
23 Leinster House but I don't particularly see anything
24 wrong with inviting him along here. He will probably
25 say why should I go down there then but I think we 16:59
26 should extend that invitation anyway.
27
28 This business is going on too long. If it goes on too
29 much longer, as Cllr. O'Neill outlined, this corridor,

1 business is highly restrictive on landowners and on
2 farmers and what they can do with their lands by way of
3 planning or housing or indeed anything else, when
4 they're stocking their animals. We have to get some
5 resolution on it. The traffic is not getting any less, 17:00
6 it's getting busier. There's more on it. With the
7 redevelopment of the construction industry we see more
8 lorries and more vans travelling. It's a very
9 dangerous road. It's the last national route going
10 into Dublin which hasn't been improved at all. This is 17:00
11 actually the same as it was in the 1960's and now we're
12 in the 21st century. I think we should certainly write
13 the letter to the Minister outlining the views of this
14 Council here.

15
16 We should also look for him to come and meet this 17:00
17 Council. We'll do the maximum job possible at the
18 meeting on the 13th to impress upon him at Leinster
19 House our concerns of what is going on and what's
20 happening here. I know out-of-kilter the condition of 17:01
21 what that road is compared to with the N11 in the east
22 of the County. Thank you, Cathaoirleach.

23 CATHAOIRLEACH: Cllr. Blake.

24 CLLR. BLAKE: I certainly would support any initiative
25 that can progress the bypass of Blessington. From 17:01
26 Hollywood across to Tallaght certainly the road is, as
27 people have said, quite a lot of serious accidents
28 taking place over the years and it is certainly a
29 stretch of road that needs to be addressed. A

1 significant part of the bypass of Blessington has
2 already been done. I think there has to be a priority
3 to finish off the actual bypass (inaudible) we should
4 be concentrating on. (Inaudible).

17:01

5
6 It is 20 years ago since I came on the Council here
7 first and that particular stretch of road was being
8 discussed then. I didn't hear a lot of support for it
9 at that point in time. There was a lot of questions
10 being asked about where it was going. There was very
11 little agreement of where it could be built at that
12 particular point in time. (Inaudible) of progress
13 regards the work being carried out on it. I don't know
14 if anything has actually changed at the moment. It was
15 on the drawing boards is all it ever was. I don't know
16 if they have been knocked off it in that regard. And
17 equally so, while we're pressing for that particular
18 road to be done I think equally so the R747 linking
19 Baltinglass with the N9 I think is important as well.
20 (Inaudible) Chairman, thank you.

17:02

17:02

17:02

21 CATHAOIRLEACH: Cllr. O'Brien.

22 CLLR. O'BRIEN: I was at that meeting and just the
23 feeling in the room being at that meeting, the feeling
24 that the suffering of the people in West Wicklow are
25 going through. The same issues they were talking
26 about, the fact that there is three times the amount of
27 accidents on that road. That's very, very serious. If
28 they're not prepared to take serious matters like that
29 on board, a minister for transport can decide that and

17:02

1 say we're shelving that. What he's saying there is I'm
2 shelving human lives because that road it's the most
3 dangerous road in Ireland and it's absolutely
4 incredible that they can go on like that. (Inaudible)
5 it's absolutely shocking. I mean I support a vote but 17:03
6 I think a lot more than a letter is needed at this
7 stage. You can feel the vibrancy of the people of West
8 Wicklow to do something. They obviously feel that they
9 have very, very left behind and rightly so. I don't
10 know what to say about it. I sometimes get the feeling 17:03
11 it is almost a European strategy here to keep West
12 Wicklow as kind of a field for the Germans to go down
13 the old country roads and you leave Wicklow way behind.
14 I'm just so shocked that you could also freeze
15 people -- I think Cllr. O'Neill mentioned there that 17:03
16 one of the reasons that (inaudible) are frozen and they
17 can't do anything. That's a shame. You have a plan
18 put forward and you're not prepared to implement the
19 plan. It's just a very, very -- it's beyond
20 comprehension here. People should be going in and 17:04
21 saying get out here and sort out this problem
22 immediately. That's what is needed.

23 CATHAOIRLEACH: Cllr. Fitzgerald.

24 CLLR. FITZGERALD: Just, I attended that meeting and
25 had to change plans to go there because I felt it was 17:04
26 necessary to give my support to the Committee there.
27 But I remember in the 1980s and most of the '90s we
28 were choked in Arklow and you couldn't move at the time
29 when I worked in a factory there and it took an hour to

1 go three miles to come home from the factory. That
2 changed in 1999 with the opening of the bypass. I
3 heard people -- I just listened to the people at the
4 meeting, I'm not into farming and I know there's some
5 land sterilised there but there were people there 17:05
6 saying they leave Blessington at 4:30 to get to work in
7 Dublin and to get home at 4:00 o'clock in the evening.
8 It certainly gave a great insight as to how the people
9 in the area have been affected. I travelled that road
10 there a lot there in the last month and I can safely 17:05
11 say you won't find a more difficult road to drive with
12 traffic on it and possibly a more dangerous road to
13 drive. The statistics that were given, I don't think
14 whether was Jim or Gerry gave statistics at the
15 meeting, the number of head-on collisions that have 17:05
16 been on that road. The people there related, one woman
17 said she wouldn't be living in the house, the kitchen
18 would be gone and other people couldn't put on
19 extensions and they couldn't get planning permissions.
20 But, look it, in a difficult time, I did say at the 17:05
21 meeting that the Minister should meet the Committee. I
22 understand there is a meeting set up for the 13th or
23 whenever date, in June anyway. And I'm sure, as
24 Cllr. Cullen said, he was sitting for nine years behind
25 Minister Ross and he might go to the front and persuade 17:06
26 him to go to the meeting here.

27
28 The last thing, I just texted Billy Timmins to say that
29 Cllr. Cullen has launched his election campaign in west

1 wicklow!

2 CLLR. RUTTLE: Great to see it.

3 CLLR. FITZGERALD: He came back and said you must be
4 joking and I said I'm not joking, he's just launched
5 it. That's why he was the beard shaped up and all! 17:06

6 CLLR. TOMMY CULLEN: In fairness I have a fairly good
7 election auld election record!

8 CATHAOIRLEACH: Thanks, Members. I would like to say
9 briefly, I'm delighted to see everybody actually now in
10 favour of this new N81. There was a time when people 17:06
11 weren't in favour of it. It's great that we have
12 unanimity around the table in relation to this.

13

14 I drive this road every day, well 20 miles of it, up
15 and down every day and it is a very dangerous road. 17:07

16 The main reasons for improving it are, to me, on is
17 just a danger. It has a record -- there has been
18 detailed surveys done over the years and they have
19 shown that it has been one, and is one of the most
20 dangerous roads in the country. That's the reason we 17:07
21 got the €3 million for the Knockroe Bends just south of
22 Hollywood Cross just purely on grounds of valuing human
23 life. The numbers added up to prove that it was
24 actually well worthwhile investing just to save human
25 life. So that is a major reason why the N81 should be 17:07
26 upgraded.

27

28 The other major reason is that west wicklow is
29 economically underdeveloped and by putting in a new

1 road and improving the road, it gives better access to
2 the city for whatever, industry jobs, whatever jobs you
3 want to talk about. So that's actually a major reason
4 why that would happen.

5
6 I'd certainly support Cllr. Cullen's proposal to invite
7 the Minister down here and I'd also support
8 Cllr. O'Neill's proposal as well. Perhaps that would
9 be a first move. I'm delighted that we have full
10 agreement and I think we should really go for this and 17:08
11 keep at it. I brought it up when I came to the Council
12 first in 2004. Obviously we haven't had great success
13 perhaps now with motorways, Dublin having motorways
14 radiating out to from it for everywhere except the N81,
15 you've motorways over in Galway there going through 17:08
16 fairly less busy areas than the N81 would be. It also
17 provides a bit of a filter for traffic that's using the
18 M7 and M9 at the moment. Those roads are very busy now
19 with the new roadworks around the Naas area and that's
20 only going get busier and busier. So it does provide 17:08
21 extra access to the city from the southwest of the
22 country. I would support those proposals and hopefully
23 we'll have some progress.

24 CLLR. TOMMY CULLEN: Are you seconding the proposal
25 that we will ask Minister Ross to come back down here 17:09
26 and have a visit to is.

27 CATHAORLEACH: I am but Cllr. Snell, in fairness,
28 seconded it as well.

29 CLLR. SNELL: I think it is more appropriate that you

1 second Cllr. Cullen. There's no problem.
2 CATHAOIRLEACH: Well I'll second it.
3 CLLR. O'NEILL: My motion is still --
4 MS. GALLAGHER: Yeah.
5 CATHAOIRLEACH: Any other comments? Is that agreed? 17:09
6 FROM THE FLOOR: Agreed
7 CATHAOIRLEACH: Okay. The third suspension of Standing
8 Orders is Cllr. Behan.
9 CLLR. BEHAN: Thanks, Cathaoirleach. I wrote to you
10 there, Cathaoirleach, on Friday last, and I asked you 17:09
11 to look at the agreement that was signed between the
12 Management of Wicklow County Council and the successful
13 bidder for the Florentine Centre. I wanted you to find
14 out specifically whether there's any provision in that
15 agreement that allows the bidder, the successful bidder 17:10
16 to come back to the Council, after having signed the
17 contract, to come look for any variation in the
18 development by way of applying for planning permission
19 or applying to this Council? Because when we voted on
20 this project here in Wicklow County Council we voted on 17:10
21 the basis that a design had been agreed; it had been
22 sent top Bord Pleanála; Bord Pleanála had made a
23 decision and that was it. Now I certainly was
24 surprised when the Director for Bray, as I said,
25 without previous memo, without any written 17:10
26 documentation, just announced under the heading
27 "Florentine Centre" at the last Bray Municipal District
28 meeting that he had, he had given approval to change
29 the design himself from an undercroft car parking,

1 which effectively would be a like a surface-type car
2 parking, to two floors of underground parking. He
3 secondly had been asked by the bidder to consider
4 putting some elements of the shopping, changing it to
5 residential. Now I was absolutely shocked and I said 17:11
6 it on the night, Cathaoirleach, but I'm bringing it
7 here because this was the forum that made the decision
8 on this particular project. I was quite shocked that
9 when you came back to me, you said, initially anyway,
10 that the Chief Executive couldn't necessarily show you 17:11
11 this document, he was going to have to get legal
12 advice. I accepted and waited patiently and you've
13 told me now just before that meeting that you were
14 entitled to see it, but you obviously haven't seen it
15 yet. Some we are in a situation where changes have 17:12
16 been made already because the Director announced them
17 to us. Eleven or twelve people, consortia, whatever,
18 got documents with regard to this project at the start.
19 Now if they discover that after being successful a
20 particular bidder is actually able to come back and 17:12
21 negotiate changes, where does that leave those 11 or 12
22 who initially made enquiries? Were they told that part
23 of this deal is it's up for negotiation after we agree
24 it? Because we were certainly told it wasn't up for
25 negotiation. And I, for one, trusted the Director on 17:12
26 this one and I voted for it even though other people
27 didn't, because I took his word on it. But then we
28 find things can change afterwards.
29 Now the second element of this is this, that

1 Mr. O'Brien announced we're partners with this
2 developer. So if there's a proposal to have
3 residential he won't have to apply for planning
4 permission, we're going to do it through a Part 8 if
5 the Councillors agree in Bray that they want to
6 proceed with this. So this developer, might possibly, 17:13
7 be able to run a profitable residential rezoning
8 through the Council because we're "partners". Yet at
9 the same time he also announced that the developer was
10 shutting the car park in three weeks' time then, I 17:13
11 think it's probably a week now, when we don't have
12 alternative car parking arrangements, including the
13 famous Herbert Road, St. Paul's saga won't be finished
14 probably until August. So we're going to have a
15 shutting of a car park because a developer our 17:13
16 "partner" has told the Council he's closing it. We
17 don't have alternative parking. There will be utter
18 absolute chaos if this goes ahead without having
19 alternative parking and I really seriously question
20 what is going on in the Executive of this Council that 17:14
21 they can decide to make changes like this and treat us
22 like fools when it comes to a matter such as this.

23
24 Specifically, Cathaoirleach, first of all, can we find
25 out is there a clause in the agreements that were 17:14
26 reached that allows these guys to come back after the
27 fact and look for a change in the design of the
28 project? That's the first question, Cathaoirleach.
29 CATHAOIRLEACH: The County Manager and the Director can

1 speak in relation to the specifics of your question.
2 But following your contact with me I contacted the
3 County Manager and asked him about the addition of the
4 car parking spaces that you informed me that were
5 taking place that you were informed of in Bray, on 1st 17:14
6 May and I was told that this amounts to a variation of
7 the Part 8 and it is allowed under the Part 8. That's
8 what I was told. Okay. That's the answer I got.
9 Okay. Can I let the County Manager come in here or the
10 Director to give their explanation on that. 17:15
11 MR. O'BRIEN: Thank you, Cathaoirleach. There's a
12 number of questions here which I wouldn't mind going
13 through. You did vote on disposal of the land. But it
14 wasn't that you voted on a project, Councillor, this
15 has been a standing item on the agenda at Bray meetings 17:15
16 for over a year. You have been filled in on all the
17 stages of this. It is a project that's designed and it
18 went through a planning process to Bord Pleanála under
19 Part 10 of the Act, which looks at the environmental
20 impacts of the scheme. It is not planning permission. 17:15
21 It's the same as we take a national primary roads,
22 there was a Part 10 EIA done for those showing an eight
23 metre wide median and what instead we have is a
24 concrete barrier in the middle. So they can be changed
25 if they're not considered material and material changes 17:16
26 have to come back and it could possibly be if there are
27 significant environmental impacts you would need to do
28 another process to An Bord Pleanála. If there's not
29 significant environmental impacts you can do -- and if

1 it is different in extent and it's a material change,
2 it can be done as a Part 8 because it is a Local
3 Authority-owned development. That is the law of it.
4 But just get on to your more detailed points.

17:16

5
6 There was a change from undercroft parking, you said
7 two-storey. One-storey would be the equivalent of the
8 undercroft and one-storey would be underground. The
9 developer asked us about this and they said their
10 advice, and it was from the consultant engineer who was 17:17
11 actually involved when the previous time there was a
12 very large hold on Bray, knew about the site, was
13 concerned that there was rock nearby and that digging
14 down, as you would need to on the front of the site,
15 could lead to claims, cracks in other buildings. Their 17:17
16 opinion, on the basis of their knowledge of the site
17 and the sheet piling that had been put down previously
18 was that it would be less risky and cheaper to do a
19 two-storey park. There is no significant increased
20 impact on that and the effect for everyone else is 17:17
21 negligible. It's not material. You're just doing one,
22 you're basically parking of layout to parking of
23 another layout. And that's the reason why we didn't go
24 back to the Members.

17:18

25
26 It's quite common, in any civil engineering project,
27 that there are changes as you go along. You find bad
28 conditions and you move away from it. You find
29 something doesn't work and it gets changed. That

1 happens in all projects. The Development Agreement
2 does allow for that. In fact not only does it allow
3 for it, we're obliged to actually look at it and it
4 says we can't -- I'll read it out, it's probably best.

17:18

5
6 "The developer shall not be entitled to make any
7 application material changes to the planning consent in
8 respect of the development site without the prior
9 written consent of Wicklow County Council, such consent
10 not to be unreasonably withheld or delayed."

17:18

11
12 That's in section 1(2). Under 4(8) it says:

13
14 "...provided always that if the developer should, at
15 any time, wish to depart in any way from improved
16 development, it may not do so without first obtaining
17 the prior consent in writing of Wicklow County Council
18 and complying with all requirements under the Planning
19 Acts which affect or relate to the development or use
20 thereof.

17:19

17:19

21
22 Wicklow County Council may, acting reasonably, withhold
23 such consent if it considers a departure would
24 materially depart from the approved development."

17:19

25
26 So we're obliged to act reasonably and only if it
27 materially departs from the proposed development. If
28 it materially departs from the proposed development,
29 which is the case of the residential, I'm obliged to

1 bring it to you. But I've been bringing everything to
2 you all along in Bray on every part of this agreement.
3 So I bring it to you, the developer has asked about
4 residential. I bring it there. I had no drawings.
5 They brought it up. And what I said at the meeting,
6 unless there's overwhelming agreement on this, then we
7 probably won't be pursuing it.

17:20

8
9 we did make have consultations with the lawyers who
10 advised us on this whole scheme and they didn't say it
11 wouldn't fly but they said it was complex. I said that
12 to you yourselves, there was procurement and planning
13 difficulties on this. I said that at the meeting. But
14 what I also said to you at the meeting was, this was
15 certainly outside the competition and someone can't bid
16 to build a retail development. And I made it very,
17 very clear in Bray for the last year-and-a-half, I'd
18 say, that we are not going to get the same value as you
19 are selling a site because we are asking for the centre
20 to be built.

17:20

17:20

17:21

21
22 In this particular case what I said to the meeting was,
23 I would see if they got permission for residential they
24 would actually have to pay the site costs of each
25 department. If they were changing from an upstairs
26 office to an apartment it would obviously be the value
27 of an office and the value for an apartment. If they
28 were building another storey on then, in my opinion,
29 they have to pay for a site. what I actually advised

17:21

1 the meeting what we would do is we would get a valuer
2 from our side to work at arm's length and negotiate
3 what the cost would be. We didn't say we were going
4 ahead. This was an initial thing to test the water
5 with the Members and I said unless there was
6 overwhelming consent we won't vote for it.

17:21

7
8 The Chief Executive is of the opinion - and I share his
9 opinion, would have advised him on his opinion - that
10 it's not worth going into controversy about
11 residential. They'll be able to build the residential
12 themselves once they get control of the site, if they
13 apply to the planning authority and if it's appealed,
14 Bord Pleanála, they'll be able to build the apartments
15 without any cost. We might have got a windfall of a
16 million or a million-and-a-half from it. That's why I
17 thought it would be worth pursuing it. Apart from that
18 it would add to the scheme to have people living on
19 site. It helps vibrancy of a town and helps security.

17:21

17:22

20
21 I told you at the time as well when we were going
22 through, we had some workshop meetings and certainly we
23 had Council meetings, that we were trying to keep this
24 scheme as lean as possible because, at the end of the
25 day, four people applied. One of them wouldn't give
26 accounts. One of them we judged wasn't fully solvent
27 and that was actually the company's assets had been
28 sold and it was in the press quite recently. We were
29 down to two bidders. So this wasn't something that had

17:22

17:22

1 huge money in it and had huge interest. We interviewed
2 I think 12 people, but I keep mixing up on this.
3 Myself, Christine and David would have interviewed
4 several people who Savills had brought through their
5 marketing who wanted to come in and talk to us. But 17:23
6 ultimately we got two and one person tendered.

7
8 So I agree, if they were going to build resi then there
9 would have to be extra money. But at this stage we
10 think the scheme is far, far too important to get 17:23
11 bogged down in controversy. I don't think it's good
12 for the image of Bray anyway when we're actually doing
13 something very, very worthwhile which is going to be
14 potentially fantastic for the town and maybe to get it
15 back on wheels again as a trading town. We don't think 17:23
16 we should be pursuing this at all on the resi.

17
18 There would be other changes. The developers have said
19 that they want to change some of the floor plans to
20 make it more attractive to potential anchor tenants. I 17:24
21 haven't got that yet. That's something else we'll be
22 looking at. If it's a material change it will come
23 back for a planning process. If it's not a material
24 change then it's up to the Chief Executive to make that
25 call. 17:24
26

27 As for the developer and the car park. We were told --
28 Members were told all along that they were talking
29 about a five-month period for designing it and getting

1 their funding teed up and then a 16-month period to
2 build it out. I've advised all along that this
3 developer wants to get going faster and he's going to
4 concertina that five-month time scheme down to much
5 shorter than that. We are just advising, and there has 17:25
6 been notices put in the car park about site
7 investigations, we were advising we will probably need
8 the car park in as little as three weeks. As it turns
9 out it is going to be a few weeks later than that. We
10 are negotiating and again it's quite difficult in a 17:25
11 small office and the whole St. Paul's thing took up
12 loads and loads of staff time in Bray, not to mention
13 the Freedom of Information Requests. It probably has
14 taken up oh I'd say about 20 staff days since then.
15 We're a small office. We should have actually had the 17:25
16 drawings over to the owner probably a week or ten days
17 earlier but this is what happens when you've got very,
18 very limited staff. We will hope to have the car park
19 in Ravenswell Road open before the Florentine car park
20 is shut. I think I've covered your queries but if I 17:26
21 haven't please let me know.

22 CATHAOLRLEACH: Cllr. Vance.

23 CLLR. VANCE: Chairman, thanks for coming in. I read
24 an article in the paper last week and there was no
25 reporter at the meeting and it bore no relation 17:26
26 actually to what happened at the meeting, because --
27 and the prices that were quoted in it intrigued, we
28 were handing over, it seemed like we were handing over
29 €3 million to a developer. It was made very clear on

1 the night by the Director that was a suggestion that
2 came from the developers in regard to the Florentine
3 and that there was seven members there. Five members
4 expressed the view that it was easy enough to get
5 information in regards to the residential on it. One 17:26
6 was opposed and one didn't speak on it. That's a fact
7 of what happened on the night. Nobody said they were
8 in favour of this. People said that in principle they
9 didn't think it was a bad idea but they'd like further
10 information on it as well. what seems to be coming out 17:27
11 of the further information is what I suspected might
12 happen. I was one of those people that said that I
13 didn't have a principal objection to it but that if,
14 and I said this and I repeat this again and it was
15 quoted in the paper to be fair, that if this delayed 17:27
16 this project by one day, by even one day I won't vote
17 for it. And I repeated that a number of times in that
18 regard to that because certainly 24 years I think we
19 waited for this and certainly I didn't want to waste
20 any more time on it. I felt the public out there 17:27
21 didn't want to wait any length of time on it.

22
23 The amazing thing about it, since that appeared in the
24 paper I talked to numerous people in the time and the
25 amazing thing about it was that not one of them was 17:28
26 against residential going in and there was two previous
27 planning permissions on that site with residential on
28 it. But given that, given that the plan there didn't
29 contain residential and given that in my opinion they

1 would have caused serious problems in regard to the
2 legalities of going out to tender and then approving a
3 tender by a non-residential, it opened up the Council
4 for litigation and further delay. The delay was my key
5 aspect in regard to this. Anything that delayed that 17:28
6 project, I was going to vote against it. I made it
7 very, very clear on the night. And certainly,
8 seemingly from the attitude on the top table seems to
9 be that's what they're proposing to the Council.

10
11 The Council Members decided that we would look for
12 further information, we'd get it next month and then we
13 would make a decision on it. But there was no decision
14 made whatsoever, whatsoever in regard to this. It was
15 not a proposal it was a suggestion. And the fact of 17:28
16 the matter is that the Director was right in bringing
17 it before the Council because I would certainly have
18 criticised the Director if I heard there was a proposal
19 like that or a suggestion like that on the table and he
20 didn't bring it before us so we could discuss it fully 17:29
21 and then make a decision on it as well.

22
23 So from my point of view all I want to do is see the
24 cranes in there and all the public want in Bray is to
25 see cranes in there and that building taking off and 17:29
26 that building going up by Christmas 2019. That's the
27 key principle that we've had from the start. I'll tell
28 you one thing now, there's a huge buzz in the town at
29 the thought that the Florentine is going in there.

1 People still can't believe it and won't believe it
2 until it actually happens. So I mean as far as I'm
3 concerned now, if there's minor alterations that have
4 to be made to it, fine, we make the minor alterations
5 to it. Car parking I don't ever a problem with, it 17:29
6 doesn't materially affect the car park. As a matter of
7 fact it provides more car parking, which I think is a
8 good idea because we need more car parking in the town
9 as well. I think there is a process now in regard to
10 the golf club lands and hopefully the VEC lands will 17:30
11 come on stream as well because they close down for the
12 summer holidays very shortly so that may be available
13 as well. If things come right we can have a sizable
14 amount of car parking available when the Florentine --
15 I think everybody wants that to happen. We want a 17:30
16 situation where the plan for when it goes in there.
17 Any delays not interested in and I've never been
18 interested in and as far as I'm concerned and I think
19 I'm speaking on behalf of most of the public is let's
20 get on with this, let's get the job done and let's get 17:30
21 it finished in the appropriate time. Thank you.

22 CATHAOIRLEACH: Cllr. Whitmore.

23 CLLR. WHITMORE: Thanks very much, Chair, obviously I
24 wasn't at the meeting so my only sense is from what
25 Cllr. Behan was saying and the media reports. I think 17:31
26 the primary thing I'm concerned about is whether or not
27 it's going to materially change what went out in the
28 tender documentation. I think even the fact that it
29 was raised as something that could happen would cause

1 concern form me. Any tender process there has to be,
2 you know, transparency, documentation and equal
3 treatment has been provided to all parties and, you
4 know, if the resulting development changed
5 significantly to include the residential, there was a 17:31
6 material cost and obviously that would open it up to
7 legal change. I think that's probably the primary
8 thing.

9
10 So I would say if there is any plans to make any 17:31
11 changes to that development to ensure that there was a
12 legal eye cast over it to make sure that doesn't
13 materially change any of the tender criteria.

14 CATHAOIRLEACH: Cllr. Thornhill.

15 CLLR. THORNHILL: Cathaoirleach, go raibh maith agat. 17:32
16 Cathaoirleach, just a couple of quick points I just
17 would like to make. I remember being here on 15th
18 January at the disposal of this site. I know myself
19 and Cllr. Fortune brought up the matter about the
20 valuation of the site at the time. I know that I put a 17:32
21 valuation on it and I probably was ridiculed a little
22 bit, you know, at the time as well but my point is, I
23 do recall Mr. O'Brien mentioning the fact that, and
24 it's in the transcript that there's not much in this
25 for developers. So my point would be, I mean this 17:32
26 could be -- having said from, the outset I'd like the
27 idea of apartments going in there and a bid residential
28 because it would bring vibrancy to the town. It also
29 increases the valuation for the developer and this is

1 something that will have to be looked at as well in the
2 future.

3
4 Now I mean whatever about the planning permission,
5 whichever, this should be looked at because all the 17:33
6 time I was under the impression that it was just going
7 to be a shopping mall. Full stop. And, you know, this
8 is the way I was led to believe. Also, I have just one
9 other comment that I would just like to make to
10 Mr. O'Brien in relation to the office and freedom of 17:33
11 information. Now there was people in the Herbert Road
12 looking for freedom of information and they weren't
13 getting it and they were very slow about getting it
14 eventually. So I mean like, the whole process has to
15 be looked at. I would say if whatever is going to go 17:33
16 ahead the whole thing will have to look at the
17 valuation of the site again. Go raibh maith agat.

18 CLLR. BEHAN: Mr. Chairman, I don't want to delay can
19 we get copies of the two agreements so we can read
20 them for ourselves? I'm not happy with bits being read 17:33
21 out to us here like this. Can we get copies of it? I
22 think it's a fundamental matter of public interest that
23 Members who want to see those two agreements get to see
24 them, Cathaoirleach.

25 MR. CURRAN: You've got the contract already and there 17:34
26 is a --

27 CLLR. BEHAN: Pardon?

28 MR. CURRAN: You've got a copy of the contract.

29 CLLR. BEHAN: No, there was two contracts. There's a

1 Development Agreed.

2 MR. CURRAN: There's what I'm just coming to. There's
3 a confidentiality agreement in the Development
4 Agreement.

5 CLLR. BEHAN: why is that, through the Chair? 17:34

6 MR. CURRAN: That was put in at the request of the
7 developers. we've asked our lawyers can you see that
8 and they're going to come back to us on that.

9 CLLR. BEHAN: So now we have it. So now we're getting
10 somewhere. Because the developer requested a 17:34
11 confidentiality clause.

12 MR. CURRAN: Sorry --

13 CLLR. BEHAN: Excuse me, sorry, Chief Executive. The
14 developer requested a confidentiality clause. We are
15 not allowed see the document because the developer 17:34
16 doesn't want us to see it.

17 MR. CURRAN: I'll just --

18 CLLR. BEHAN: Excuse me, I'm not finished, Chairman.
19 Sorry, I'm not finished. We are not allowed see it
20 because the developer wants to keep it confidential. 17:34
21 Now, we're looking at a situation in this country at
22 the moment with regards to a health problem, the
23 cervical scare scandal that's going on in this country.
24 And one of the most scandalous aspects of it is that
25 the woman who initially started this whole process was 17:35
26 told she had to keep it confidential when she was
27 making a claim because the company involved wanted a
28 confidentiality clause. It is not good enough when
29 we're disposing of public property and we're the ones

1 that dispose of it, that we can be told that the
2 developer says we cannot see the agreement that is not
3 good enough.

4 MR. CURRAN: Can I just correct that. That was put in
5 by our own solicitors. 17:35

6 MR. O'BRIEN: Can I explain it.

7 CLLR. BEHAN: Can the Chief Executive not explain it,
8 with respect? He's the Chief Executive.

9 CATHAOIRLEACH: Let whoever is more familiar with it
10 explain it. 17:35

11 MR. O'BRIEN: Cathaoirleach, with respect the Chief
12 Executive wasn't involved in drawing up the contract.
13 Myself and the team of David Forde and Christine Flood
14 were doing that. It was a long time getting that
15 Development Agreement drawn up. There was an awful lot 17:35
16 of, we were negotiating with our lawyers about what we
17 didn't think should be in there and they have put the
18 confidentiality clause in it. We didn't see it was
19 important but we were trying to get other things
20 changed and we were also trying to get the whole 17:36
21 development into tender so we didn't take it out. We
22 didn't want it in the first place and I will ask the
23 developer are they happy to take it out. I can't see
24 why they wouldn't be because there's virtually nothing
25 in the Development Agreement that you would need to be 17:36
26 confidential. Unfortunately the confidentiality clause
27 is there and our lawyer said you cannot -- they said
28 something different to the Chief Executive and said
29 they would have a look at it and see can it be given to

1 the Council but they told us previously that if it's in
2 there you can't release it without the agreement of the
3 other side.

4
5 I asked them at the time and there was an awful lot 17:36
6 going on and they said, sure, we'll talk about that
7 later and I will ask them about it because I would much
8 rather have everything out there out in the open. But
9 it certainly wasn't done by the developer's request,
10 that was done by our lawyers who presumably had a 17:37
11 standard sort of contract and this was in it. We never
12 got round to taking it out. I certainly don't want a
13 confidentiality clause in there. I don't think it's
14 any uses whatsoever.

15 CATHAOIRLEACH: Cllr. Mitchell. 17:37

16 CLLR. MITCHELL: I just think we need to get this thing
17 built before the property boom ends. The boom will
18 end. It always does. We need to get the thing built
19 it's been going on for so long. If he is getting more
20 residential, which seems to be a good idea, then the 17:37
21 Council should negotiate more money for the Council or
22 whatever more facilities, but I think we should leave
23 it with them to do that and get this thing done
24 quickly.

25 CATHAOIRLEACH: Cllr. Kavanagh. 17:37

26 CLLR. KAVANAGH: Thanks, Cathaoirleach. I don't think
27 anybody in the country would object to the building of
28 apartments or houses or anything in this day and age
29 but there has to be -- I mean is it common practice, or

1 has it ever been heard of that a Council's lawyers
2 would put a confidentiality agreement into, when
3 they're discussing and negotiating with developers? It
4 seems very unusual to say the least. I mean I have
5 only been on the Council for two years and a couple of 17:38
6 months but without fail every couple of months there's
7 some controversy about something going on in Bray. It
8 doesn't seem to happen in any other area, in any of
9 other Municipal Districts, never a problem from
10 Wicklow, Greystones, Arklow, Baltinglass. It's always 17:38
11 Bray that there's something contentious going on in. I
12 don't know why but we need to drag everything out into
13 the open. I think whatever confidentiality agreement
14 was put in place should be removed forthwith and all
15 those details released. 17:38

16
17 You're talking about material changes. The changing of
18 a shopping centre to a apartment/shopping centre is a
19 material change. I mean in anybody's book that's a
20 material change. These kind of details cannot be 17:39
21 withheld from the public.

22
23 We saw a huge controversy going on, I'm not going to
24 drag it up again but we saw it happen with St. Paul's
25 it was knocked down quicker than you could blink your 17:39
26 eye. I never saw anything like it. If the Council
27 moved that quickly on everything else that's been dealt
28 with we wouldn't have any problems. We certainly
29 wouldn't have any waiting lists for houses. So I think

1 get that confidentiality agreement removed from the
2 contract and let us all see what's in it.

3 CATHAOIRLEACH: We're coming towards -- we've gone over
4 our time.

5 CLLR. TOMMY CULLEN: Chairman, I was listening to 17:39
6 Mr. O'Brien there when he read out a section of an
7 agreement. Is that the section of the confidential
8 agreement?

9 MR. O'BRIEN: Cathaoirleach, that's the Development
10 Agreement. 17:40

11 CLLR. TOMMY CULLEN: Is that's the section that's
12 confidential?

13 MR. O'BRIEN: No, there's a confidential clause at the
14 end of the agreement that the whole agreement is
15 confidential. It wasn't put in when negotiating with 17:40
16 the developer. This is what we put out to tender and
17 this is what our lawyers produced for us.

18 CLLR. TOMMY CULLEN: And is there --

19 MR. O'BRIEN: That certainly wasn't on our shopping
20 list. We had shopping list to have liquidated damages 17:40
21 if it was late being built. We had half a million
22 non-returnable deposit once they started. There was
23 various things we put in to the Development Agreement
24 but the confidentiality clause was not something we put
25 in, this is something that was in there, the agreement 17:40
26 that they produced for us.

27 CLLR. TOMMY CULLEN: Chairman, let's be clear, the
28 developers put the confidentiality clause into the
29 agreement?

1 MR. O'BRIEN: No, the lawyers representing Wicklow
2 County Council drew up a Development Agreement and they
3 had, presumably they must have one they made earlier as
4 well and like everything else in life they probably
5 adjusted that to suit our development. What I'm 17:41
6 telling you is the key things we put into the
7 Development Agreement were liquidated damages, if they
8 were late there's a figure of €8,000 per week of a
9 penalty clause and there was a non-refundable deposit
10 of half a million if they take the gig and then walked 17:41
11 away from it. That's what I wanted put into it. Most
12 of the rest was fairly standard and my colleagues could
13 maybe contradict me on that but that was the main
14 things we were putting into it. The rest was what our
15 lawyers produced for us. These are our top house. 17:41
16 They did the contract for the Marina and the
17 Development Agreement for the Marina project which
18 turned out to be very, very water tight. Wasn't going
19 to question everything they did. It certainly was not
20 requested by ourselves and it wasn't requested by the 17:42
21 developer.

22 CLLR. TOMMY CULLEN: Chairman, it's my understanding
23 that there was to be no deviation from the An Bord
24 Pleanála planning permission.

25 MR. O'BRIEN: You must have missed the earlier part I 17:42
26 was talking about. That's not the case.

27 CLLR. TOMMY CULLEN: Let me finish. This was to be no
28 deviation from the grant of permission by An Bord
29 Pleanála and that would have determined obviously the

1 purchase price. That's leaving aside the expenditure
2 for extra car park to facilitate the Florentine, the
3 1.4 million for St. Paul's. And, therefore,
4 Cllr. Behan has raised, I think very reasonably,
5 concerns, and concerns that every Councillor I'm sure 17:43
6 would raise, we're dealing with substantial public
7 funds here and substantial public funds. Now, is it
8 the situation that -- I just want to make this clear I
9 could be completely wrong, I may very well be wrong,
10 were the other interested parties aware that they too 17:43
11 could have looked to amend the terms of the planning
12 permission issued by An Bord Pleanála and that they
13 themselves could look to increase the car parking space
14 and also increase the residential space of the
15 property? Was that made clear to them in the tendered 17:43
16 documents? The same playing field if they continued in
17 the planning process? I understand there was 11
18 interested parties at the outset and Navybrook were the
19 successful purchasers and now it's a company called
20 Oakmount and they're registered, apparently they're a 17:44
21 shelf company in the Isle of Man. I think
22 Cllr. Behan's concerns should affect every Councillor
23 here, it certainly set alarm bells with me. As a
24 Councillor here, did all the other 11 parties, were
25 they -- was it made clear to them that they, too -- 17:44
26 CLLR. VANCE: Chairman. Did we not have a
27 recommendation that the CE said that he's recommending
28 that the scheme goes ahead as proposed? What are we
29 discussing about 11 other things. It's irrelevant.

1 CLLR. TOMMY CULLEN: Chairman --
2 CLLR. VANCE: It's totally irrelevant.
3 CATHAOIRLEACH: Just ask your question I think it was
4 already answered.
5 CLLR. TOMMY CULLEN: No, it wasn't. 17:45
6 CLLR. BLAKE: Chairman, you're 15 minutes over your
7 time as well.
8 CLLR. TOMMY CULLEN: It wasn't clear.
9 CLLR. BLAKE: 15 minutes.
10 CLLR. TOMMY CULLEN: What I'm trying to find out, and 17:45
11 CLLR. Behan alluded to it, did the other 11 bidders,
12 potential bidders, was it made clear to them that if
13 they purchased the Florentine that they, too, could
14 look to amendment terms of the An Bord Pleanála granted
15 permission to amend it to put in residential and 17:45
16 additional car park spaces? That's a simple question;
17 yes or no.
18 CATHAOIRLEACH: I believe it's already been answered
19 but I'll just as the Director --
20 CLLR. VANCE: Chairman, could I -- 17:45
21 CATHAOIRLEACH: Would you just answer that again?
22 MR. O'BRIEN: I'd love to answer it again.
23 CLLR. VANCE: Chairman, could I come in here. The
24 inference here is, the inference here is, is that there
25 was a sweetheart deal done between this developer and 17:45
26 the Council officials. That's what's been insinuated
27 here, and because you don't have the Development
28 Agreement there was something inside done here and it's
29 in the Development Agreement. As far as I'm concerned

1 get that bloody Development Agreement out and let's
2 have a look at it and see, see what's in the blooming
3 thing. See what deception is in it that is perceived
4 around some areas of this Chamber. There's no trust in
5 regard to what's going on here within individuals 17:46
6 involved. What's happening here is an absolute
7 disgrace because it's not relevant to what happened at
8 that meeting a couple of weeks ago. And the fact of
9 the matter is, the CE is after coming in here tonight
10 and said his advice is to withdraw, like to withdraw 17:46
11 from. We're not going ahead, or to recommend that we
12 don't go ahead with that residential. That's what he's
13 recommending. We're here discussing what 11 tenderers,
14 alleged 11 tenderers did or didn't know. It's
15 ridiculous carry on. You know what I mean. The fact 17:47
16 of the matter is this development, what we should be
17 concentrating on is making sure that this development
18 gets up and running as quickly as we bloody well can
19 and get it up and running for the people of the town.
20 That's what we should be concentrating on, not all sort 17:47
21 of deals that might have been done, or perceived to be
22 done and everything else. There's only one way of
23 getting rid of that if we ask those people to release
24 that and then the people can come back next month and
25 apologise to the people when they've seen it. 17:47
26 CLLR. BEHAN: No one made any accusation at all,
27 Cllr. Vance.
28 CLLR. VANCE: Insinuations.
29 CLLR. BEHAN: We're entitled to ask questions here and

1 we're not going to be stopped by anybody from asking
2 questions. You can insinuate all you like.
3 CLLR. FITZGERALD: Chairman, it's ten to six now.
4 CATHAOIRLEACH: Can I just say that we want that
5 confidentiality clause, that agreement that it's in, 17:47
6 I'm anxious and everyone's anxious, I'm sure, to see
7 can we get sight of that. So that's what we should
8 look for.
9 CLLR. TOMMY CULLEN: Chairman, I asked Mr. O'Brien, and
10 Mr. O'Brien I think is happy enough to answer it -- 17:48
11 CATHAOIRLEACH: In fairness I think he already did.
12 CLLR. TOMMY CULLEN: Maybe I missed it -- was these
13 provisions.
14 MR. O'BRIEN: Councillor, I did answer this actually
15 but I'll just go back from the beginning again. There 17:48
16 weren't 11 tenderers.
17 CLLR. TOMMY CULLEN: That's what it said on the
18 documents we got, there was 11 interested parties.
19 MR. O'BRIEN: This was marketed a year earlier and we
20 interviewed I think a dozen but my colleagues can 17:48
21 probably correct me, people, we were trying to sell the
22 scheme to them and they were trying to sell themselves
23 to us.
24
25 when we eventually advertised it, for the 17:48
26 prequalification questionnaire stage, at which stage
27 the Development Agreement actually wasn't produced at
28 that stage, we had four people applied. One of those
29 wouldn't give any accounts to us so they were

1 disqualified. One of them, the accounts showed that
2 they were probably insolvent, so they were
3 disqualified. Two others were qualified. We then went
4 into --

5 CLLR. TOMMY CULLEN: Sorry what happened to the other 17:49
6 seven?

7 MR. O'BRIEN: We talked to and marketed to 12 people.
8 When we advertised it, as a tender, four people
9 applied. What happened the other seven I've no idea,
10 Councillor, they obviously weren't interested in it. 17:49
11 They never applied in the first place. They came and
12 had a chat with us in the Bray offices and interviews
13 were set up by Savills who were marketing the scheme
14 for us and advising us.

15 17:49
16 So then there were two people who actually came to the
17 prequalification questionnaire who were qualified. It
18 then went into the competitive dialogue process which
19 was meant to tease out any problems they had with
20 wording. At that stage we did do up Development 17:50
21 Agreement wordings and it was very important, and our
22 lawyers advised us that sometimes a funder would not
23 like a certain sentence or phrase in it and if you took
24 it out you could then change the base of the
25 competition. In the competitive dialogue process, one 17:50
26 of the parties didn't dialogue with us very much at all
27 and subsequently they didn't put in a tender so we had
28 one tenderer. That's the background to it.
29 The other question you had was do they know they can go

1 and build residential? No. That wasn't part of it.
2 We were doing, as the Council thought, a shopping
3 centre. It was retail development with cinema as well.
4 That's what would have been sold. It was stripped
5 down, with no bells or whistles, to be something that 17:51
6 can be done as economically as possible so hopefully a
7 developer will get a return on it and make a bid and a
8 tender for it.

9
10 Could they come in and do a slightly different car park 17:51
11 arrangement? Yes, because what was in the Development
12 Agreement there is what they tendered on and
13 non-material changes can be agreed. In fact the
14 wording of it is "and shall not be unreasonably
15 withheld" (inaudible) so, yes, that was obvious to any 17:51
16 person who tendered.

17
18 The question of retail and what I said to the Bray
19 meeting, there was procurement and planning issues
20 there and I said it here today, it was not going to be 17:51
21 simple. I thought it was worth pursuing because we
22 could have had a windfall of a million or over a
23 million and probably would help the scheme along. But
24 there would be a lot of complexity in that and it's not
25 completely insurmountable but the recommendation that I 17:52
26 gave to the Chief Executive is that we wouldn't pursue
27 that.

28 CLLR. TOMMY CULLEN: But nine of the original
29 interested parties were not told that there was a

1 possible deviation from the An Bord Pleanála --
2 CLLR. VANCE: Chairman, that's been explained. That's
3 been explained.
4 CLLR. TOMMY CULLEN: Mr. O'Brien said they weren't.
5 MR. O'BRIEN: Of course they weren't. We were 17:52
6 marketing it as a shopping centre.
7 CLLR. TOMMY CULLEN: Yeah.
8 CATHAOIRLEACH: Okay, Members. That's it. Just one
9 thing before I finish. The Association for the Study
10 of Obesity on the Island of Ireland have made an award 17:52
11 to Wicklow County Council for their Localised Own
12 Initiatives in the Greystones issue and this plaque was
13 collected by a member of Greystones Municipal District,
14 Derek Mitchell, this afternoon on behalf of the
15 Council. 17:53
16 CLLR. MITCHELL: Childhood obesity is a major issue in
17 Ireland and it's going to affect us all hugely. So
18 they're trying to raise awareness on it and they were
19 very pleased with the work the Council have done.
20 MS. GALLAGHER: Members, we have Protocol starting here 17:53
21 in the Chamber in a couple of minutes. Thank you.

22
23 THE MEETING WAS THEN CONCLUDED
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27
28
29

	138:16, 138:18 115 [6] - 83:12, 83:17, 83:21, 83:25, 84:5, 84:8 12 [10] - 27:15, 28:29, 61:29, 62:11, 62:14, 62:22, 99:1, 115:21, 122:2, 139:7 12TH [1] - 10:12 13 [5] - 61:29, 62:11, 62:14, 62:22, 97:29 13,5646 [1] - 83:16 13,5761 [1] - 84:7 133 [1] - 17:9 135,646 [1] - 84:9 135,761 [1] - 83:16 135,876 [1] - 84:8 13TH [6] - 102:18, 106:28, 107:8, 107:22, 108:18, 111:22 14 [2] - 62:16, 63:2 1406 [1] - 33:8 15 [7] - 21:1, 32:4, 32:6, 86:16, 96:19, 136:6, 136:9 15(B) [3] - 61:20, 63:29, 64:2 15TH [1] - 127:17 16 [8] - 40:24, 64:6, 73:22, 73:23, 96:12, 96:20, 97:1 16-MONTH [1] - 123:1 17 [5] - 16:23, 73:27, 73:28, 74:5, 98:4 1700S [1] - 89:9 18 [4] - 74:12, 74:13, 75:10, 98:11 183 [2] - 11:18, 12:10 18TH [1] - 22:16 19 [4] - 61:26, 75:17, 76:11, 82:7 1960'S [1] -	108:11 1980S [1] - 110:27 1995 [1] - 15:4 1999 [1] - 111:2 19TH [1] - 105:21 1ST [2] - 4:21, 117:5	2 2 [5] - 10:16, 40:27, 64:9, 64:13, 72:2 2) [1] - 97:16 2,000 [9] - 64:12, 64:14, 66:8, 66:14, 70:4, 71:9, 71:16, 71:26, 73:11 20 [7] - 33:28, 40:22, 73:25, 76:14, 109:6, 112:14, 123:14 20,000 [1] - 68:26 200 [2] - 64:27, 105:7 2004 [1] - 113:12 2012 [1] - 18:12 2016 [4] - 40:28, 82:11, 82:14, 103:3 2016-202 [1] - 83:1 2017 [1] - 98:6 2018 [3] - 10:12, 10:18, 10:24 2018-2024 [3] - 80:26, 83:5, 83:6 2019 [1] - 125:26 2020 [2] - 83:12, 84:9 2025 [2] - 83:12, 84:9 2027 [1] - 103:5 2028 [2] - 83:13, 84:9 21 [5] - 47:27, 75:11, 76:25, 76:29, 78:3 216 [1] - 90:8 21ST [1] - 108:12 22 [1] - 77:8 23 [5] - 76:13, 77:17, 77:29, 78:2, 86:1	23RD [1] - 11:19 24 [4] - 32:3, 78:5, 96:8, 124:18 240 [1] - 75:3 25 [4] - 17:13, 33:26, 34:19, 90:12 26 [2] - 78:27, 78:28 27 [1] - 79:19 28 [1] - 79:26 28TH [1] - 10:18 29 [1] - 80:4	3 3 [1] - 10:22 3,000 [3] - 72:3, 72:10, 72:15 30 [2] - 78:14, 80:11 300-METRE [1] - 102:28 30TH [1] - 102:21 31S [1] - 40:1 31ST [1] - 98:5 32 [4] - 12:22, 40:24, 105:17, 105:24 37 [1] - 16:22	4 4 [6] - 10:27, 11:12, 13:5, 36:21, 41:24, 41:25 4(8) [1] - 119:12 4,000 [1] - 70:25 4,500 [1] - 89:16 400 [1] - 65:16 44% [1] - 18:4 4:00 [1] - 111:7 4:26 [1] - 86:7 4:30 [3] - 3:25, 86:5, 111:6	5 5 [5] - 11:11, 12:25, 36:20, 42:3, 90:17 5(A) [1] - 63:10 50:50 [1] - 56:19 5:00 [1] - 99:10 5:30 [2] - 75:15,	86:11 6 6 [5] - 14:22, 37:1, 37:2, 42:14 65 [1] - 104:6 650 [1] - 70:23 658 [1] - 70:23 7 7 [2] - 15:19, 42:20 75 [2] - 10:28, 11:2 7:00 [2] - 20:5, 20:6 8 8 [13] - 16:2, 49:3, 57:14, 57:15, 90:26, 91:1, 91:25, 92:19, 93:5, 116:4, 117:7, 118:2 8,000 [1] - 68:27 80,000 [1] - 95:27 9 9 [5] - 37:8, 47:29, 48:1, 63:19, 81:3 90% [1] - 56:20 90,000 [1] - 95:27 99 [1] - 53:14 9TH [1] - 10:24 A ABILITY [1] - 73:10 ABLE [6] - 33:17, 73:8, 115:20, 116:7, 121:11, 121:14 ABSOLUTE [4] - 23:15, 55:2, 116:18, 137:6 ABSOLUTELY [10] - 12:17, 23:24, 24:4,	35:13, 48:12, 55:15, 95:10, 110:3, 110:5, 115:5 ABSTAIN [2] - 12:28, 14:14 ABSTAINING [4] - 61:27, 75:12, 82:8, 86:2 ACCEPT [4] - 39:28, 40:7, 48:21, 100:9 ACCEPTABLE [2] - 100:29, 103:6 ACCEPTED [3] - 43:9, 76:16, 115:12 ACCESS [13] - 25:17, 31:4, 31:9, 34:9, 49:13, 49:19, 49:20, 49:23, 90:14, 91:23, 93:25, 113:1, 113:21 ACCESSIBLE [1] - 22:28 ACCESSING [1] - 38:27 ACCIDENTS [2] - 108:27, 109:27 ACCORDANCE [1] - 83:1 ACCORDING [2] - 32:2, 103:4 ACCOUNT [1] - 101:10 ACCOUNTABL E [1] - 49:7 ACCOUNTS [3] - 121:26, 138:29, 139:1 ACCOUNTS [1] - 8:9 ACCUSATION [1] - 137:26 ACHIEVE [2] - 42:6, 49:24 ACHIEVED [1] - 49:17 ACQUIRE [1] - 92:7 ACQUIRED [1] - 87:6 ACQUISITION [1] - 92:2 ACRES [5] - 38:22, 39:2, 65:15, 65:16, 66:1 ACT [2] - 67:15,
--	---	--	---	---	--	---	---	---	--

<p>117:19 ACT [1] - 119:26 ACTING [1] - 119:22 ACTIVE [5] - 64:9, 64:14, 72:4, 72:14, 106:26 ACTIVITIES [2] - 30:26, 69:21 ACTS [1] - 119:19 ACTUAL [3] - 34:15, 83:15, 109:3 ADAMANT [1] - 48:12 ADD [5] - 3:7, 4:18, 83:13, 95:7, 121:18 ADDED [2] - 95:1, 112:23 ADDING [1] - 84:26 ADDITION [3] - 61:4, 92:12, 117:3 ADDITIONAL [9] - 11:20, 11:21, 11:24, 16:13, 27:29, 34:14, 35:2, 64:2, 136:16 ADDRESS [4] - 5:15, 29:27, 30:1, 103:22 ADDRESSED [3] - 46:6, 87:19, 108:29 ADJOINING [7] - 48:25, 50:23, 50:26, 50:28, 51:1, 51:8, 51:29 ADJUSTED [1] - 134:5 ADMINISTRATI ON [1] - 6:17 ADMINISTRAT OR [1] - 62:8 ADOPT [4] - 72:24, 81:9, 81:10, 90:26 ADOPTED [3] - 80:24, 80:25, 83:4 ADOPTION [1] - 91:2 ADULT [4] - 89:23, 90:7, 93:29, 94:3 ADULTS [1] -</p>	<p>89:27 ADVANCE [1] - 4:22 ADVANCED [1] - 67:4 ADVANTAGE [1] - 90:22 ADVERTISED [2] - 138:25, 139:8 ADVICE [14] - 6:8, 6:9, 6:13, 6:15, 6:18, 6:29, 7:4, 7:12, 8:18, 9:6, 9:7, 115:12, 118:10, 137:10 ADVISED [6] - 13:13, 120:10, 120:29, 121:9, 123:2, 139:22 ADVISING [3] - 123:5, 123:7, 139:14 AFFECT [10] - 10:5, 43:17, 44:1, 47:11, 85:6, 85:9, 119:19, 126:6, 135:22, 141:17 AFFECTED [23] - 48:4, 51:3, 51:5, 51:7, 51:25, 51:28, 52:13, 53:19, 53:20, 53:26, 53:28, 53:29, 56:1, 57:23, 57:24, 58:27, 58:29, 59:2, 59:5, 60:27, 61:9, 103:25, 111:9 AFTERNOON [2] - 25:27, 141:14 AFTERSHOCK [1] - 51:22 AFTERWARDS [1] - 115:28 AGAT [6] - 6:4, 6:25, 52:19, 53:5, 127:15, 128:17 AGE [1] - 131:28 AGENDA [7] - 3:22, 10:10, 92:25, 93:16, 96:25, 100:22, 117:15 AGENDA [1] - 14:13 AGO [11] - 3:5, 27:15, 28:29, 54:28, 68:19, 101:23, 101:27,</p>	<p>102:1, 103:13, 109:6, 137:8 AGREE [16] - 5:19, 7:9, 32:22, 46:4, 52:1, 53:17, 53:24, 57:3, 57:19, 60:9, 66:6, 69:19, 105:18, 115:23, 116:5, 122:8 AGREED [1] - 129:1 AGREED [94] - 3:26, 3:27, 3:29, 4:15, 5:1, 5:2, 9:24, 10:14, 10:15, 11:8, 11:9, 15:28, 15:29, 36:15, 36:16, 36:27, 36:28, 37:5, 37:6, 39:5, 39:6, 41:7, 41:19, 41:20, 42:1, 42:2, 42:12, 42:13, 42:19, 42:27, 42:28, 45:24, 62:17, 62:18, 62:22, 63:8, 63:9, 63:16, 63:17, 74:10, 74:11, 75:15, 75:16, 76:8, 76:23, 76:24, 77:6, 77:7, 77:15, 77:16, 77:25, 77:26, 78:17, 78:18, 78:24, 78:25, 78:26, 79:14, 79:15, 79:24, 79:25, 80:2, 80:3, 80:9, 80:10, 80:17, 80:18, 80:19, 80:22, 80:23, 85:27, 86:12, 97:6, 97:7, 97:13, 97:14, 97:18, 97:19, 97:23, 97:24, 97:26, 97:27, 98:26, 98:27, 99:20, 100:22, 101:3, 101:4, 101:16, 114:5, 114:6, 114:21, 140:13 AGREEING [5] - 62:21, 62:23, 63:27, 63:28, 79:12 AGREEMENT</p>	<p>[57] - 15:12, 48:3, 48:13, 48:14, 48:23, 50:5, 50:13, 50:15, 50:25, 50:27, 50:29, 51:3, 52:4, 52:6, 52:10, 52:15, 52:16, 52:26, 53:8, 53:10, 54:12, 55:6, 55:15, 56:16, 56:21, 57:21, 57:23, 58:8, 58:13, 58:18, 58:22, 59:3, 59:5, 60:20, 61:9, 81:5, 101:14, 109:11, 113:10, 114:11, 114:15, 120:2, 120:6, 129:3, 130:2, 131:2, 132:2, 132:13, 133:1, 133:7, 133:8, 133:14, 133:25, 133:29, 138:5 AGREEMENT [15] - 119:1, 129:4, 130:15, 130:25, 133:10, 133:23, 134:2, 134:7, 134:17, 136:28, 136:29, 137:1, 138:27, 139:21, 140:12 AGREEMENTS [5] - 49:26, 60:15, 116:25, 128:19, 128:23 AGRICULTURA L [1] - 25:9 AHEAD [14] - 11:17, 14:6, 36:26, 48:3, 59:10, 69:2, 86:28, 102:1, 116:18, 121:4, 128:16, 135:28, 137:11, 137:12 AILG [1] - 98:13 ALARM [1] - 135:23 ALLEGED [1] - 137:14 ALLEVIATING [1] - 30:13 ALLOW [6] - 25:14, 64:8, 76:15, 89:4,</p>	<p>119:2 ALLOWED [5] - 65:25, 101:7, 117:7, 129:15, 129:19 ALLOWS [4] - 49:20, 114:15, 116:26 ALLUDED [1] - 136:11 ALMOST [2] - 99:29, 110:11 ALONGSIDE [1] - 22:24 ALTER [2] - 4:14, 48:22 ALTERATION [1] - 37:24 ALTERATION [25] - 38:11, 41:12, 42:3, 42:14, 42:20, 43:6, 48:1, 61:23, 63:2, 63:10, 63:12, 63:19, 64:6, 73:23, 75:17, 76:14, 76:25, 76:29, 77:8, 77:17, 78:28, 79:26, 80:11, 81:3, 82:24 ALTERATIONS [12] - 37:16, 37:19, 62:2, 62:25, 78:15, 80:22, 80:23, 81:1, 82:13, 82:15, 126:3, 126:4 ALTERNATIVE [4] - 46:5, 116:12, 116:17, 116:19 ALTERNATIVE LY [1] - 25:16 ALTOGETHER [2] - 20:3, 35:3 AMALGAMATE D [1] - 16:22 AMALGAMATI NG [1] - 85:1 AMAZING [3] - 94:18, 124:23, 124:25 AMEND [3] - 37:12, 135:11, 136:15 AMENDMENT [12] - 39:15, 45:2, 48:11, 48:15,</p>	<p>52:21, 54:8, 73:22, 75:10, 78:2, 79:11, 85:3, 136:14 AMENDMENTS [2] - 37:10, 83:4 AMENITIES [3] - 57:12, 72:8, 73:16 AMENITY [3] - 45:22, 57:5, 61:7 AMOUNT [10] - 7:11, 22:23, 29:19, 50:20, 64:26, 72:26, 93:1, 102:6, 109:26, 126:14 AMOUNTS [1] - 117:6 ANALYSE [1] - 12:23 ANALYSING [1] - 99:11 ANCHOR [1] - 122:20 ANDREW [1] - 102:21 ANIMALS [1] - 108:4 ANNAMOE [1] - 20:11 ANNESLEY [1] - 3:2 ANNESLEY [3] - 8:6, 9:2, 98:24 ANNESLEY [5] - 3:3, 8:7, 79:16, 98:17, 98:25 ANNESLEY'S [1] - 9:17 ANNIE [1] - 11:14 ANNOUNCED [7] - 22:8, 33:5, 105:22, 114:26, 115:16, 116:1, 116:9 ANNUAL [2] - 97:28, 98:5 ANNUAL [1] - 98:3 ANNUM [1] - 95:27 ANSWER [7] - 14:12, 14:19, 117:8, 136:21, 136:22, 138:10, 138:14 ANSWERED [4] - 8:15, 8:26,</p>
---	--	--	---	---	---

136:4, 136:18 ANSWERS ^[1] - 8:26 ANXIOUS ^[4] - 101:11, 101:13, 138:6 ANYWAY ^[6] - 54:13, 102:21, 107:26, 111:23, 115:9, 122:12 AO ^[1] - 77:8 APART ^[2] - 90:21, 121:17 APARTMENT ^[2] - 120:26, 120:27 APARTMENT/SHOPPING ^[1] - 132:18 APARTMENTS ^[3] - 121:14, 127:27, 131:28 APOLOGIES ^[1] - 79:11 APOLOGISE ^[1] - 137:25 APPEALED ^[1] - 121:13 APPEAR ^[2] - 40:10, 56:23 APPEARED ^[1] - 124:23 APPLICATION ^[8] - 45:20, 49:4, 49:28, 72:20, 73:2, 75:29, 76:2, 119:7 APPLICATION S ^[2] - 34:24, 46:12 APPLIED ^[4] - 121:25, 138:28, 139:9, 139:11 APPLIES ^[1] - 101:5 APPLY ^[4] - 32:26, 100:26, 116:3, 121:13 APPLYING ^[2] - 114:18, 114:19 APPRECIATE ^[3] - 8:28, 55:26, 56:27 APPRECIATIVE ^[1] - 9:2 APPREHENSION ^[1] - 70:16 APPROPRIATE ^[7] - 34:11, 63:22, 63:28, 64:3, 65:24, 113:29,	126:21 APPROVAL ^[1] - 114:28 APPROVED ^[1] - 119:24 APPROVING ^[1] - 125:2 APRIL ^[2] - 10:24, 11:19 ARBORICULTURAL ^[1] - 63:13 ARCHITECT ^[1] - 89:2 ARCHITECTS ^[1] - 87:8 ARCHITECTURAL ^[1] - 63:3 ARCHIVE ^[1] - 88:28 ARCHIVES ^[5] - 88:29, 89:1, 91:22, 93:22 AREA ^[11] - 18:24, 37:8, 37:11, 37:12, 37:17, 80:21, 80:25, 82:19, 83:5, 83:6, 100:7 AREA ^[40] - 17:16, 17:23, 17:24, 19:22, 21:12, 24:29, 25:1, 25:3, 26:1, 27:25, 31:23, 32:17, 35:24, 35:25, 45:23, 47:9, 61:7, 66:25, 68:24, 68:28, 68:29, 70:20, 71:18, 85:23, 88:23, 88:25, 89:27, 90:9, 91:10, 91:12, 91:13, 92:8, 93:9, 101:6, 102:10, 104:1, 111:9, 113:19, 132:8 AREAS ^[17] - 17:4, 17:21, 25:28, 26:28, 27:23, 28:22, 29:14, 29:29, 30:16, 44:11, 63:23, 71:21, 100:12, 100:13, 113:16, 137:4 ARGUE ^[2] - 57:25, 102:7 ARKLOW ^[24] - 17:22, 20:23,	20:28, 21:20, 21:21, 32:25, 33:3, 33:5, 33:8, 33:15, 35:1, 35:2, 35:3, 39:21, 83:5, 88:5, 90:20, 94:29, 95:25, 96:1, 96:2, 110:28, 132:10 ARM'S ^[1] - 121:2 ARRANGED ^[4] - 5:23, 5:24, 106:21, 107:8 ARRANGEMENTS ^[1] - 140:11 ARRANGEMENTS ^[1] - 116:12 ARROWS ^[1] - 23:26 ARTEFACTS ^[1] - 89:11 ARTICLE ^[1] - 123:24 ARTS ^[1] - 62:20 ASHFORD ^[5] - 15:21, 15:22, 20:12, 26:20, 97:25 ASIDE ^[1] - 135:1 ASPECT ^[2] - 30:11, 125:5 ASPECTS ^[1] - 129:24 ASSERTED ^[1] - 4:23 ASSESSED ^[1] - 49:5 ASSESSMENT ^[3] - 63:22, 63:29, 64:3 ASSETS ^[1] - 121:27 ASSISTANCE ^[1] - 82:1 ASSOCIATION ^[2] - 98:21, 141:9 ATHY ^[2] - 33:27, 33:29 ATTACHED ^[1] - 10:12 ATTEMPT ^[1] - 45:19 ATTEMPTED ^[1] - 87:24 ATTEMPTING ^[1] - 39:20 ATTEND ^[1] - 105:11	ATTENDANCE ^[1] - 105:6 ATTENDED ^[2] - 33:1, 110:24 ATTITUDE ^[3] - 52:29, 55:10, 125:8 ATTRACTED ^[1] - 17:5 ATTRACTIONS ^[1] - 18:14 ATTRACTIVE ^[1] - 122:20 AUCTIONEER ^[1] - 78:12 AUDIO ^[1] - 90:8 AUGHRIM ^[1] - 33:15 AUGUST ^[1] - 116:14 AUGUSTUS ^[1] - 11:13 AULD ^[1] - 112:7 AUTHOR ^[1] - 52:23 AUTHORITIES ^[2] - 71:1, 100:5 AUTHORITIES ^[1] - 100:10 AUTHORITY ^[6] - 18:23, 22:14, 35:20, 70:9, 89:22, 118:3 AUTHORITY ^[6] - 48:27, 49:2, 54:19, 76:4, 89:25, 121:13 AUTHORITY-OWNED ^[1] - 118:3 AVAIL ^[1] - 56:7 AVAILABILITY ^[1] - 93:25 AVAILABLE ^[6] - 18:2, 23:5, 30:15, 33:16, 126:12, 126:14 AVERAGE ^[1] - 102:5 AVONDALE ^[1] - 97:2 AWARD ^[1] - 141:10 AWARE ^[4] - 28:17, 38:25, 87:5, 135:10 AWARENESS ^[1] - 141:18 AWFUL ^[5] - 14:5, 31:23,	92:28, 130:15, 131:5 <hr/> B <hr/> B ^[4] - 63:27, 76:15, 76:27, 76:28 BABY ^[1] - 89:28 BACKED ^[2] - 68:20, 107:19 BACKGROUND ^[1] - 139:28 BACKS ^[1] - 51:5 BAD ^[5] - 43:18, 47:8, 102:27, 118:27, 124:9 BADLY ^[3] - 67:18, 104:15, 104:16 BALANCE ^[1] - 66:26 BALANCING ^[1] - 84:26 BALL ^[1] - 34:26 BALLYKNOCK ^[1] - 25:6, 25:24 BALTINGLASS ^[13] - 17:22, 21:3, 21:8, 25:1, 33:26, 33:27, 57:25, 100:7, 101:3, 104:1, 104:7, 109:19, 132:10 BANG ^[1] - 15:15 BANK ^[1] - 87:7 BANK ^[5] - 23:2, 57:7, 90:27, 92:4, 93:13 BANNING ^[1] - 54:16 BARRIER ^[1] - 117:24 BASE ^[1] - 139:24 BASED ^[3] - 36:23, 82:2, 89:2 BASELINE ^[1] - 18:4 BASIS ^[5] - 25:12, 26:2, 66:21, 114:21, 118:16 BATH ^[4] - 11:12, 13:5, 36:21	BAY ^[2] - 20:17, 33:3 BEAM ^[1] - 49:15 BEAN ^[1] - 98:23 BEAR ^[1] - 93:2 BEARD ^[1] - 112:5 BEAST ^[1] - 19:16 BEATEN ^[1] - 28:25 BEAUTIFUL ^[2] - 94:11, 94:18 BECOME ^[2] - 22:10, 23:4 BEGINNING ^[2] - 22:16, 138:15 BEHALF ^[4] - 27:8, 36:14, 126:19, 141:14 BEHAN ^[25] - 4:10, 10:26, 39:17, 40:19, 41:12, 41:16, 45:29, 47:2, 47:17, 47:27, 48:16, 55:24, 56:28, 61:4, 61:18, 65:3, 67:12, 69:19, 74:22, 79:13, 79:24, 114:8, 126:25, 135:4, 136:11 BEHAN ^[40] - 4:11, 7:18, 9:25, 39:18, 46:1, 48:17, 55:25, 59:21, 59:27, 60:6, 60:11, 60:17, 60:22, 60:25, 60:28, 65:4, 67:26, 68:8, 68:15, 74:23, 76:9, 77:27, 79:4, 79:8, 79:18, 81:14, 81:17, 98:15, 98:29, 114:9, 128:18, 128:27, 128:29, 129:5, 129:9, 129:13, 129:18, 130:7, 137:26, 137:29 BEHAN'S ^[2] - 71:8, 135:22 BEHEST ^[1] - 62:2 BEHIND ^[9] -
---	--	---	---	---	--

21:16, 38:25, 45:7, 45:11, 75:3, 103:17, 110:9, 110:13, 111:24 BELLS [2] - 135:23, 140:5 BELONGING [1] - 51:2 BELONGS [1] - 50:26 BELOW [3] - 57:6, 88:2, 88:21 BENDS [1] - 112:21 BENEFICIAL [1] - 30:25 BENEFIT [2] - 28:1, 28:19 BENTLEY [2] - 16:3, 16:6 BENTLEY [2] - 16:17, 34:12 BERNADETTE [1] - 81:24 BERNIE [1] - 85:20 BEST [6] - 28:10, 29:1, 30:4, 35:14, 38:5, 119:4 BETTER [4] - 45:17, 86:6, 105:2, 113:1 BETWEEN [10] - 25:10, 33:14, 38:1, 38:9, 40:19, 61:6, 66:27, 82:26, 114:11, 136:25 BEYOND [1] - 110:19 BID [3] - 120:15, 127:27, 140:7 BIDDER [5] - 114:13, 114:15, 115:3, 115:20 BIDDERS [3] - 121:29, 136:11, 136:12 BIG [7] - 13:23, 22:24, 27:24, 54:4, 68:22, 89:5, 89:29 BIGGEST [1] - 65:9 BIKE [1] - 33:18 BILLY [1] - 111:28 BIT [20] - 14:5, 17:19, 19:22,	20:28, 21:8, 21:11, 33:27, 41:11, 43:21, 45:12, 58:26, 65:28, 70:29, 78:13, 86:9, 87:28, 91:9, 105:10, 113:17, 127:22 BITE [1] - 43:9 BITS [1] - 128:20 BLAKE [3] - 9:16, 27:12, 108:23 BLAKE [5] - 9:17, 27:13, 108:24, 136:6, 136:9 BLANCHE [1] - 46:13 BLANDNESS [1] - 88:18 BLESSINGTON [13] - 25:3, 25:6, 25:11, 25:15, 101:22, 102:22, 102:23, 104:2, 104:6, 107:16, 108:25, 109:1, 111:6 BLINK [1] - 132:25 BLOODY [2] - 137:1, 137:18 BLOOMING [1] - 137:2 BLUE [1] - 21:28 BOARD [2] - 47:5 BOARD [11] - 7:22, 7:24, 8:2, 8:4, 8:8, 9:20, 25:8, 25:19, 53:22, 91:1, 109:29 BOARD'S [1] - 8:11 BOARDS [1] - 109:15 BODY [3] - 9:7, 9:29, 10:6 BOGGED [1] - 122:11 BONUS [1] - 95:1 BOOK [1] - 132:19 BOOKLET [1] - 34:14 BOOKS [6] -	88:24, 89:9, 89:16, 90:8, 90:10, 91:16 BOOM [2] - 131:17 BOOST [1] - 94:18 BORD [12] - 4:15, 75:27, 114:22, 117:18, 117:28, 121:14, 134:23, 134:28, 135:12, 136:14, 141:1 BORDER [2] - 26:2, 60:21 BORDERS [1] - 105:29 BORE [1] - 123:25 BORN [1] - 104:12 BORNE [1] - 19:27 BOROUGH [1] - 89:10 BOTTOM [7] - 21:7, 60:11, 84:17, 87:21, 88:20, 88:21, 88:24 BOUNDARIES [1] - 59:28 BOUNDARY [2] - 13:14, 25:13 BOURKE [3] - 80:17, 95:23, 99:12 BOURKE [1] - 95:24 BOX [1] - 88:17 BOXING [1] - 69:28 BRADY [1] - 5:24 BRANDING [1] - 16:20 BRAVELY [1] - 3:9 BRAY [45] - 4:13, 10:29, 11:3, 18:19, 26:17, 27:3, 37:8, 37:10, 39:22, 41:22, 42:22, 43:18, 43:24, 44:29, 45:14, 45:15, 46:19, 47:5, 47:9, 49:15, 61:6, 67:19, 69:26,	70:7, 71:5, 75:18, 80:25, 82:18, 83:4, 97:8, 114:24, 114:27, 116:5, 117:5, 117:15, 118:12, 120:2, 120:17, 122:12, 123:12, 125:24, 132:7, 132:11, 139:12, 140:18 BREDA [2] - 27:18, 29:1 BRENDAN [4] - 92:7, 94:8, 94:27, 95:8 BRENNAN [3] - 3:11, 3:12, 3:13 BRIDGE [1] - 87:19 BRIEF [5] - 3:24, 8:29, 22:5, 34:20, 92:22 BRIEFLY [3] - 33:22, 52:28, 112:9 BRILLIANT [1] - 24:4 BRING [13] - 13:21, 23:20, 58:7, 68:26, 87:25, 87:28, 88:23, 93:9, 120:1, 120:3, 120:4, 125:20, 127:28 BRINGING [6] - 21:4, 40:28, 93:10, 115:6, 120:1, 125:16 BRITTAS [1] - 20:17 BROCHURE [3] - 35:19, 36:1 BROCKAGH [1] - 31:29 BROUGHT [9] - 8:21, 35:22, 67:25, 100:3, 107:9, 113:11, 120:5, 122:4, 127:19 BUCKLEY [1] - 42:4 BUGGIES [1] - 88:7 BUILD [10] - 47:4, 71:13, 72:11, 73:11, 120:16, 121:11,	121:14, 122:8, 123:2, 140:1 BUILDING [18] - 4:14, 43:1, 45:17, 47:12, 72:15, 74:24, 87:6, 87:18, 88:1, 88:13, 91:21, 92:2, 92:4, 92:7, 120:28, 125:25, 125:26, 131:27 BUILDINGS [3] - 41:22, 76:18, 118:15 BUILT [14] - 66:14, 70:5, 71:10, 71:27, 72:3, 72:10, 104:3, 104:4, 104:9, 109:11, 120:20, 131:17, 131:18, 133:21 BUMS [2] - 24:16, 35:15 BUS [26] - 18:11, 18:17, 19:3, 19:6, 19:11, 19:19, 23:2, 23:16, 23:17, 23:18, 23:20, 24:9, 24:21, 25:24, 25:25, 26:15, 26:17, 27:26, 32:7, 33:16, 35:26, 36:9, 36:10 BUS [4] - 25:23, 30:21, 31:7, 104:6 BUSES [10] - 19:20, 22:27, 22:29, 23:9, 25:4, 27:24, 28:3, 31:2, 31:28, 91:9 BUSIER [3] - 108:6, 113:20 BUSINESS [7] - 7:21, 8:2, 8:12, 17:4, 45:6, 107:28, 108:1 BUSSE [1] - 71:4 BUST [1] - 72:10 BUSY [3] - 106:16, 113:16, 113:18 BUZZ [1] - 125:28 BYPASS [4] - 108:25, 109:1,	109:3, 111:2 C CAMOGIE [1] - 70:1 CAMPAIGN [1] - 111:29 CAMPAIGNING [1] - 30:21 CAMPUS [1] - 64:21 CANNOT [4] - 48:24, 130:2, 130:27, 132:20 CAPITAL [1] - 91:6 CAR [23] - 33:18, 79:27, 105:6, 114:29, 115:1, 116:10, 116:12, 116:15, 117:4, 122:27, 123:6, 123:8, 123:18, 123:19, 126:5, 126:6, 126:7, 126:8, 126:14, 135:2, 135:13, 136:16, 140:10 CARE [1] - 104:27 CAREFUL [1] - 84:15 CARLOW [6] - 16:8, 16:19, 33:23, 33:26, 103:24, 105:29 CARRIAGEWA Y [3] - 101:28, 104:4, 104:9 CARRIAGEWA YS [1] - 102:3 CARRIED [3] - 54:29, 55:4, 109:13 CARROLL [1] - 11:14 CARRY [2] - 65:21, 137:15 CARS [1] - 91:9 CARTE [1] - 46:13 CASE [11] - 27:3, 38:6, 48:7, 52:21, 52:22, 52:24, 81:24, 99:9, 119:29, 120:22, 134:26 CASES [1] -
--	--	--	--	---	---

<p>28:16 CAST [1] - 127:12 CASTLELYNN [1] - 97:8 CATCH [3] - 20:20, 20:23, 26:16 CATCHMENT [1] - 32:17 CATHAOIRLEA CH [89] - 4:11, 4:27, 4:29, 5:20, 6:4, 6:5, 8:7, 9:1, 9:15, 9:25, 11:17, 11:28, 11:29, 12:8, 12:26, 14:17, 16:5, 24:27, 26:3, 27:13, 29:18, 30:6, 30:7, 31:16, 32:10, 32:18, 32:20, 36:4, 37:13, 37:21, 38:6, 39:24, 39:27, 40:8, 44:27, 44:28, 45:28, 46:1, 47:16, 48:17, 49:29, 52:19, 52:20, 53:7, 56:12, 56:25, 57:24, 57:28, 61:24, 61:28, 62:9, 63:2, 65:4, 66:21, 67:11, 69:14, 70:26, 72:1, 73:28, 76:9, 77:27, 80:28, 81:8, 82:1, 83:8, 87:4, 92:22, 93:19, 94:6, 95:6, 95:24, 96:12, 101:15, 101:20, 106:14, 107:14, 108:22, 114:9, 114:10, 115:6, 116:24, 116:28, 117:11, 127:15, 127:16, 128:24, 130:11, 131:26, 133:9 CATHAOIRLEA CH [245] - 3:2, 3:7, 3:17, 3:26, 3:28, 4:2, 4:10, 5:1, 5:3, 5:18, 5:29, 6:3, 6:26, 7:7, 7:15, 7:19, 8:6, 8:28, 9:11, 9:16,</p>	<p>9:24, 10:9, 10:16, 10:20, 10:22, 10:27, 11:2, 11:5, 11:7, 11:11, 11:27, 12:3, 12:27, 13:1, 13:29, 14:7, 14:11, 14:15, 14:19, 15:3, 15:7, 15:16, 15:18, 15:26, 16:2, 16:16, 22:20, 24:25, 26:4, 27:12, 29:2, 29:17, 30:6, 31:15, 32:19, 32:29, 33:22, 35:17, 36:6, 36:17, 37:2, 37:4, 37:7, 37:23, 38:17, 39:5, 39:7, 39:9, 39:17, 39:26, 40:9, 40:13, 40:16, 40:26, 41:4, 41:6, 41:16, 41:18, 41:24, 41:27, 42:1, 42:10, 42:12, 42:19, 42:25, 42:27, 43:4, 43:21, 44:6, 44:25, 45:29, 46:29, 47:15, 47:25, 47:29, 48:9, 48:16, 48:19, 50:1, 50:18, 52:18, 53:6, 54:3, 54:23, 54:27, 55:24, 56:14, 56:22, 58:1, 58:24, 59:9, 61:1, 62:6, 62:10, 62:13, 62:16, 63:7, 63:15, 63:25, 64:17, 65:3, 66:23, 67:10, 68:16, 69:11, 70:18, 71:6, 71:29, 72:18, 73:4, 73:27, 74:4, 74:12, 74:18, 74:21, 75:1, 75:13, 75:22, 76:8, 76:10, 76:22, 76:27, 77:3, 77:6, 77:13, 77:15, 77:23, 77:25, 77:29, 78:5, 78:10, 78:12, 78:22,</p>	<p>78:25, 78:27, 79:7, 79:13, 79:23, 80:1, 80:7, 80:9, 80:15, 80:18, 80:27, 81:9, 81:12, 81:16, 82:5, 82:9, 83:7, 83:9, 83:23, 84:17, 84:28, 85:5, 85:9, 85:22, 85:26, 86:3, 86:7, 86:14, 86:19, 86:24, 86:29, 87:3, 91:3, 91:26, 92:21, 93:18, 94:5, 94:24, 95:5, 95:23, 96:4, 96:10, 96:18, 96:23, 96:27, 97:1, 97:5, 97:8, 97:11, 97:13, 97:15, 97:18, 97:20, 97:22, 97:25, 97:28, 98:4, 98:12, 98:22, 98:26, 98:28, 99:20, 99:25, 100:23, 101:16, 101:18, 103:14, 105:4, 106:13, 107:13, 108:23, 109:21, 110:23, 112:8, 113:27, 114:2, 114:5, 114:7, 116:29, 123:22, 126:22, 127:14, 130:9, 131:15, 131:25, 133:3, 136:3, 136:18, 136:21, 138:4, 138:11, 141:8 CATHERINE [2] - 3:4, 3:8 CATHLEEN [1] - 3:11 CAUSED [1] - 125:1 CAUSING [3] - 91:9, 100:15, 100:18 CD5 [1] - 43:1 CE [4] - 41:2, 64:29, 135:27, 137:9 CE'S [1] - 40:20 CEMENT [2] - 65:8, 68:9 CEMETERIES [1] - 100:27</p>	<p>CENTRE [9] - 72:6, 78:7, 78:8, 79:27, 120:19, 132:18, 140:3, 141:6 CENTRE [5] - 4:13, 31:29, 42:15, 114:13, 114:27 CENTRES [1] - 70:4 CENTURY [1] - 108:12 CERTAIN [6] - 29:11, 50:19, 100:17, 100:24, 100:25, 139:23 CERTAINLY [46] - 12:18, 25:13, 25:21, 26:10, 26:11, 27:29, 28:1, 28:2, 32:12, 46:23, 53:20, 53:24, 54:1, 55:3, 64:20, 66:20, 66:24, 67:8, 70:5, 81:18, 87:10, 92:11, 92:15, 101:3, 101:11, 107:18, 108:12, 108:24, 108:26, 108:28, 111:8, 113:6, 114:23, 115:24, 120:15, 121:22, 124:18, 124:19, 125:7, 125:17, 131:9, 131:12, 132:28, 133:19, 134:19, 135:23 CERVICAL [1] - 129:23 CETERA [8] - 19:2, 21:9, 25:9, 88:24, 89:5, 89:11, 90:20, 99:5 CHAIR [12] - 4:3, 22:21, 41:29, 58:3, 58:25, 60:25, 71:7, 74:3, 81:11, 86:18, 126:23, 129:5 CHAIRMAN [81] - 3:20, 5:9, 5:13, 5:17, 6:27, 7:4, 7:6, 7:20, 11:26, 13:2, 13:22, 14:1, 14:27, 15:24, 26:5, 36:29,</p>	<p>38:18, 39:3, 39:14, 42:9, 42:18, 43:6, 43:7, 44:3, 47:1, 48:10, 48:20, 50:2, 51:13, 54:4, 54:28, 59:11, 60:13, 61:20, 64:18, 66:24, 68:17, 70:19, 73:18, 74:20, 74:23, 75:2, 75:8, 75:23, 79:4, 79:10, 84:20, 86:4, 86:6, 86:13, 90:25, 91:4, 91:27, 94:25, 96:15, 96:24, 98:11, 99:28, 100:6, 100:8, 100:21, 103:15, 103:28, 104:11, 104:22, 109:20, 123:23, 128:18, 129:18, 133:5, 133:27, 134:22, 135:26, 136:1, 136:6, 136:20, 136:23, 138:3, 138:9, 141:2 CHAIRMAN [3] - 6:28, 72:19, 81:14 CHAIRPERSO N [2] - 6:28, 7:1 CHAIRS [1] - 89:17 CHALLENGE [1] - 35:15 CHALLENGES [1] - 63:22 CHAMBER [17] - 6:29, 8:10, 8:21, 26:9, 43:10, 53:9, 53:23, 55:27, 103:19, 103:22, 106:9, 106:22, 107:11, 107:19, 137:4, 141:21 CHAMBERS [2] - 106:6, 107:6 CHANCE [1] - 95:15 CHANGE [32] - 13:8, 13:11, 13:14, 42:29, 57:28, 64:8, 64:10, 65:24, 74:1, 74:7, 75:19, 77:18, 82:24,</p>	<p>84:29, 85:2, 90:27, 110:25, 114:28, 115:28, 116:27, 118:1, 118:6, 122:19, 122:22, 122:24, 126:27, 127:7, 127:13, 132:19, 132:20, 139:24 CHANGED [9] - 42:4, 79:1, 85:24, 109:14, 111:2, 117:24, 118:29, 127:4, 130:20 CHANGERS [1] - 23:15 CHANGES [15] - 63:6, 78:20, 80:24, 83:3, 84:20, 115:15, 115:21, 116:21, 117:25, 118:27, 119:7, 122:18, 127:11, 132:17, 140:13 CHANGING [14] - 42:16, 44:24, 77:10, 79:19, 85:3, 89:23, 89:28, 89:29, 93:29, 94:3, 104:10, 115:4, 120:25, 132:17 CHAOS [1] - 116:18 CHARGE [4] - 27:18, 96:13, 97:2, 97:9 CHARLESLAN D [1] - 19:21 CHARWOOD [1] - 77:21 CHAT [1] - 139:12 CHEAPER [2] - 14:3, 118:18 CHECK [2] - 83:11, 83:25 CHECKED [1] - 15:18 CHIEF [58] - 37:9, 37:17, 38:4, 38:12, 39:11, 39:28, 40:7, 41:10, 41:13, 41:22, 42:7, 42:17, 42:23, 43:2, 48:4, 48:21, 61:12, 62:27, 63:6, 63:13,</p>
---	--	---	--	--	---

<p>63:20, 64:7, 64:15, 64:20, 65:23, 67:12, 67:22, 67:27, 68:12, 74:2, 74:13, 75:20, 76:19, 77:2, 77:9, 77:22, 78:9, 78:20, 79:2, 79:21, 79:29, 80:6, 80:13, 80:21, 82:11, 82:26, 83:1, 93:10, 99:4, 115:10, 121:8, 122:24, 129:13, 130:7, 130:8, 130:11, 130:28, 140:26</p> <p>CHILDHOOD [1] - 141:16</p> <p>CHILDREN [3] - 47:20, 71:23, 89:16</p> <p>CHILDREN'S [1] - 89:15</p> <p>CHOKED [1] - 110:28</p> <p>CHRISTINE [2] - 122:3, 130:13</p> <p>CHRISTMAS [1] - 125:26</p> <p>CINEMA [1] - 140:3</p> <p>CIRCULATE [1] - 12:18</p> <p>CIRCULATED [5] - 11:18, 11:20, 12:17, 37:12, 99:22</p> <p>CIRCULATED) [1] - 11:15</p> <p>CITY [1] - 99:10</p> <p>CITY [2] - 113:2, 113:21</p> <p>CITYWEST [1] - 104:6</p> <p>CIVIL [1] - 118:26</p> <p>CKW@ LOCALLINK.IE [1] - 36:2</p> <p>CLAIM [1] - 129:27</p> <p>CLAIMS [1] - 118:15</p> <p>CLARIFICATIO N [1] - 103:8</p> <p>CLARIFIED [1] - 15:8</p>	<p>CLARIFY [3] - 40:14, 58:19, 59:12</p> <p>CLARITY [1] - 37:1</p> <p>CLAUSE [12] - 116:25, 129:11, 129:14, 129:28, 130:18, 130:26, 131:13, 133:13, 133:24, 133:28, 134:9, 138:5</p> <p>CLEANER [1] - 64:24</p> <p>CLEAR [13] - 44:7, 53:2, 58:22, 105:24, 120:17, 123:29, 125:7, 133:27, 135:8, 135:15, 135:25, 136:8, 136:12</p> <p>CLEARLY [3] - 14:17, 25:1, 103:6</p> <p>CLIMATE [2] - 89:7, 89:12</p> <p>CLLR [7] - 3:2, 24:26, 58:24, 64:17, 85:26, 98:24, 108:23</p> <p>CLLR [291] - 3:3, 3:20, 4:3, 4:11, 4:28, 5:4, 5:8, 5:9, 5:20, 6:2, 6:4, 6:27, 7:8, 7:18, 7:20, 8:7, 9:1, 9:13, 9:17, 9:25, 11:1, 11:4, 11:6, 11:16, 11:26, 11:28, 12:4, 12:14, 12:19, 12:28, 13:2, 13:22, 14:1, 14:14, 14:16, 14:27, 15:4, 15:8, 15:14, 15:17, 15:24, 15:27, 22:21, 24:27, 26:5, 27:13, 29:3, 29:18, 30:7, 31:16, 32:20, 33:1, 36:26, 36:29, 37:3, 38:18, 38:21, 39:3, 39:4, 39:8, 39:14, 39:18, 39:27, 40:12, 40:15, 40:29, 41:3, 41:5, 41:15, 41:17, 41:26,</p>	<p>41:29, 42:9, 42:11, 42:18, 42:24, 42:26, 43:5, 43:7, 43:24, 44:7, 44:27, 46:1, 47:1, 47:16, 48:10, 48:17, 48:20, 50:2, 50:19, 51:13, 51:28, 52:6, 52:8, 52:10, 52:11, 52:19, 53:7, 54:4, 54:24, 54:28, 55:25, 56:15, 56:25, 58:3, 58:19, 58:21, 58:25, 59:11, 59:14, 59:20, 59:21, 59:24, 59:27, 60:4, 60:6, 60:9, 60:11, 60:13, 60:17, 60:19, 60:22, 60:24, 60:25, 60:26, 60:28, 60:29, 61:2, 61:13, 61:16, 61:20, 62:7, 62:12, 62:15, 62:21, 62:23, 63:27, 63:28, 64:2, 64:3, 64:18, 65:4, 66:24, 67:26, 68:8, 68:15, 68:17, 69:14, 70:19, 71:7, 72:1, 72:19, 73:3, 73:7, 73:18, 74:3, 74:8, 74:19, 74:23, 75:2, 75:23, 76:2, 76:4, 76:7, 76:9, 76:20, 76:21, 77:5, 77:14, 77:24, 77:27, 78:11, 78:14, 78:16, 79:4, 79:8, 79:16, 79:18, 80:8, 80:16, 80:28, 81:10, 81:11, 81:14, 81:17, 83:8, 83:10, 83:20, 83:24, 83:28, 84:3, 84:13, 84:16, 85:24, 86:4, 86:13, 86:17, 86:20, 86:21, 86:28, 87:2, 91:4, 91:27, 92:22, 93:19, 94:6,</p>	<p>94:25, 95:6, 95:24, 96:12, 96:15, 96:16, 96:21, 96:22, 96:24, 96:29, 97:4, 97:10, 97:12, 97:17, 97:21, 98:1, 98:11, 98:15, 98:17, 98:25, 98:29, 99:16, 99:17, 99:21, 99:28, 101:15, 101:20, 103:15, 105:5, 106:14, 107:3, 107:5, 107:14, 108:24, 109:22, 110:24, 112:2, 112:3, 112:6, 113:24, 113:29, 114:3, 114:9, 123:23, 126:23, 127:15, 128:18, 128:27, 128:29, 129:5, 129:9, 129:13, 129:18, 130:7, 131:16, 131:26, 133:5, 133:11, 133:18, 133:27, 134:22, 134:27, 135:26, 136:1, 136:2, 136:5, 136:6, 136:8, 136:9, 136:10, 136:20, 136:23, 137:26, 137:28, 137:29, 138:3, 138:9, 138:12, 138:17, 139:5, 140:28, 141:2, 141:4, 141:7, 141:16</p> <p>CLLR [272] - 3:4, 3:19, 4:2, 4:10, 5:3, 5:10, 5:21, 6:3, 6:13, 6:24, 6:27, 7:7, 7:9, 7:19, 8:6, 8:14, 8:16, 8:17, 8:24, 8:27, 8:28, 9:2, 9:16, 9:17, 9:21, 10:19, 10:20, 10:25, 10:26, 11:5, 11:7, 11:27, 12:27, 13:1, 13:29, 14:15, 15:25, 15:28, 22:20, 26:4, 27:6, 27:12, 28:6, 29:2, 29:17, 30:6,</p>	<p>31:15, 31:18, 32:19, 32:29, 36:7, 36:13, 36:22, 37:4, 37:5, 38:6, 38:15, 38:17, 39:17, 39:18, 39:25, 39:26, 40:9, 40:16, 40:18, 40:19, 41:4, 41:6, 41:12, 41:16, 41:27, 42:1, 42:10, 42:12, 42:19, 42:25, 42:27, 43:4, 43:22, 44:6, 44:25, 45:29, 46:3, 46:16, 46:27, 46:29, 47:2, 47:15, 47:17, 47:26, 47:27, 48:9, 48:16, 48:19, 50:1, 50:16, 50:18, 50:20, 52:6, 52:18, 52:21, 53:4, 53:6, 53:17, 53:22, 54:1, 54:2, 54:3, 54:6, 54:21, 54:27, 55:13, 55:24, 55:25, 56:8, 56:9, 56:13, 56:14, 56:23, 56:24, 56:27, 56:28, 58:1, 59:4, 61:3, 61:4, 61:5, 61:10, 61:14, 61:17, 61:18, 62:10, 62:16, 63:7, 63:8, 63:15, 63:16, 63:25, 63:26, 64:10, 65:3, 65:27, 66:8, 66:23, 66:29, 67:9, 67:12, 68:16, 69:12, 69:13, 69:19, 69:29, 70:18, 71:6, 71:8, 71:29, 72:18, 73:24, 74:4, 74:9, 74:18, 74:21, 74:22, 75:9, 75:10, 75:22, 76:11, 76:12, 76:17, 76:22, 76:23, 77:3, 77:13, 77:25, 78:1, 78:2, 78:10, 78:22, 78:23, 79:13,</p>	<p>79:14, 79:23, 79:24, 80:1, 80:2, 80:9, 80:17, 80:27, 81:12, 81:13, 81:17, 82:6, 82:7, 85:26, 90:1, 90:5, 91:3, 91:26, 92:18, 92:21, 93:18, 94:5, 94:15, 94:24, 95:5, 95:23, 96:6, 96:7, 96:10, 96:16, 97:5, 97:6, 97:16, 97:22, 97:23, 97:26, 98:6, 98:7, 98:13, 98:15, 98:22, 98:23, 99:12, 99:18, 99:19, 99:26, 101:19, 102:8, 103:14, 105:4, 105:16, 106:2, 106:12, 106:13, 106:18, 107:2, 107:9, 107:13, 107:29, 109:21, 110:15, 110:23, 111:24, 111:29, 113:6, 113:8, 113:27, 114:1, 114:8, 123:22, 126:22, 126:25, 127:14, 127:19, 131:15, 131:25, 135:4, 135:22, 136:11, 137:27</p> <p>CLOSE [2] - 76:18, 126:11</p> <p>CLOSED [2] - 34:17, 103:3</p> <p>CLOSELY [1] - 35:6</p> <p>CLOSING [1] - 116:16</p> <p>CLUB [2] - 75:18, 126:10</p> <p>CLUBS [3] - 69:25, 69:28</p> <p>CLUMPING [1] - 71:25</p> <p>CLUSTER [1] - 85:5</p> <p>CLUSTERS [1] - 85:9</p> <p>CO [1] - 33:10</p> <p>COACHES [1] - 21:10</p> <p>COALESCED [1] - 82:26</p>
--	--	---	---	---	--

<p>COAST [2] - 20:18, 20:20</p> <p>COLLEAGUE [4] - 3:12, 3:13, 103:21, 106:12</p> <p>COLLEAGUES [3] - 103:9, 134:12, 138:20</p> <p>COLLECTED [1] - 141:13</p> <p>COLLISIONS [2] - 102:6, 111:15</p> <p>COLUMN [1] - 84:7</p> <p>COLÁISTE [2] - 10:2, 10:7</p> <p>COMFORT [1] - 57:2</p> <p>COMING [15] - 7:9, 8:22, 9:4, 22:22, 31:13, 46:24, 55:5, 55:14, 91:16, 102:14, 123:23, 124:10, 129:2, 133:3, 137:9</p> <p>COMMEND [2] - 93:9, 93:16</p> <p>COMMENT [2] - 35:21, 128:9</p> <p>COMMENTS [5] - 35:17, 35:29, 36:3, 36:4, 114:5</p> <p>COMMITTEE [1] - 100:3</p> <p>COMMITTEE [8] - 8:9, 12:1, 12:6, 12:7, 12:15, 92:23, 110:26, 111:21</p> <p>COMMITTEES [1] - 6:29</p> <p>COMMON [2] - 118:26, 131:29</p> <p>COMMONS [1] - 14:23</p> <p>COMMUNITIES [2] - 23:15, 28:1</p> <p>COMMUNITY [17] - 5:26, 23:18, 29:9, 29:10, 31:8, 65:15, 66:17, 67:7, 68:4, 70:3, 71:11, 71:14, 71:28, 72:5, 72:7, 106:26, 106:29</p> <p>COMMUNITY [4] - 62:20, 92:27, 94:9, 94:22</p> <p>COMMUTABLE</p>	<p>[1] - 23:23</p> <p>COMMUTERS [1] - 21:27</p> <p>COMPANIES [2] - 65:22, 67:13</p> <p>COMPANY [6] - 16:7, 65:8, 68:10, 129:27, 135:19, 135:21</p> <p>COMPANY'S [1] - 121:27</p> <p>COMPARED [1] - 108:21</p> <p>COMPARING [1] - 8:17</p> <p>COMPETITION [2] - 120:15, 139:25</p> <p>COMPETITIVE [2] - 139:18, 139:25</p> <p>COMPLAINING [1] - 43:25</p> <p>COMPLETED [1] - 72:14</p> <p>COMPLETELY [4] - 34:7, 104:18, 135:9, 140:25</p> <p>COMPLEX [2] - 51:16, 120:11</p> <p>COMPLEXITY [1] - 140:24</p> <p>COMPLICATE [1] - 34:6</p> <p>COMPLIMENT [1] - 92:5</p> <p>COMPLYING [1] - 119:18</p> <p>COMPREHENSION [1] - 110:20</p> <p>COMPROMISING [1] - 67:7</p> <p>COMPULSORY [2] - 54:21, 54:26</p> <p>CONCENTRATING [3] - 109:4, 137:17, 137:20</p> <p>CONCENTRATING [1] - 25:1</p> <p>CONCEPT [1] - 21:15</p> <p>CONCEPTS [1] - 87:9</p> <p>CONCERN [3] - 71:8, 91:9, 127:1</p> <p>CONCERNED [12] - 43:29, 64:25, 64:28, 65:18, 69:19, 104:26, 105:2,</p>	<p>118:13, 126:3, 126:18, 126:26, 136:29</p> <p>CONCERNS [6] - 12:20, 71:24, 108:19, 135:5, 135:22</p> <p>CONCERTINA [1] - 123:4</p> <p>CONCLUDED [1] - 141:23</p> <p>CONCRETE [1] - 117:24</p> <p>CONCUR [1] - 106:12</p> <p>CONDITION [5] - 54:7, 72:19, 72:21, 72:25, 108:20</p> <p>CONDITIONS [3] - 73:8, 73:14, 118:28</p> <p>CONFIDENTIAL [8] - 8:19, 129:20, 129:26, 130:26, 133:7, 133:12, 133:13, 133:15</p> <p>CONFIDENTIALITY [13] - 129:3, 129:11, 129:14, 129:28, 130:18, 130:26, 131:13, 132:2, 132:13, 133:1, 133:24, 133:28, 138:5</p> <p>CONFIRM [3] - 10:10, 10:16, 10:22</p> <p>CONFUSING [1] - 85:19</p> <p>CONFUSION [2] - 33:11, 57:8</p> <p>CONGRATULATE [1] - 94:26</p> <p>CONGRATULATIONS [1] - 95:7</p> <p>CONNECTING [1] - 105:27</p> <p>CONNECTION [1] - 27:22</p> <p>CONNECTIVITY [1] - 33:14</p> <p>CONSENSUS [1] - 106:21</p> <p>CONSENT [7] - 53:25, 119:7, 119:9, 119:17, 119:23, 121:6</p> <p>CONSEQUENT</p>	<p>[3] - 78:20, 80:24, 83:3</p> <p>CONSIDER [12] - 10:27, 11:11, 13:19, 14:22, 15:19, 34:1, 34:4, 37:9, 82:11, 98:4, 98:12, 115:3</p> <p>CONSIDERABLE [3] - 25:15, 29:19, 93:1</p> <p>CONSIDERATION [2] - 63:23, 73:9</p> <p>CONSIDERED [2] - 63:12, 117:25</p> <p>CONSIDERS [1] - 119:23</p> <p>CONSORTIA [1] - 115:17</p> <p>CONSTITUENT [1] - 10:5</p> <p>CONSTRUCTIVE [3] - 87:11, 108:7</p> <p>CONSULT [1] - 57:21</p> <p>CONSULTANT [1] - 118:10</p> <p>CONSULTATION [22] - 4:25, 17:27, 22:25, 22:26, 25:20, 43:23, 48:14, 48:22, 49:4, 49:13, 50:11, 50:13, 50:15, 52:8, 56:16, 57:18, 57:29, 61:11, 61:13, 61:15, 69:22, 75:5</p> <p>CONSULTATIONS [2] - 19:1, 120:9</p> <p>CONTACT [3] - 24:12, 99:26, 117:2</p> <p>CONTACTED [1] - 117:2</p> <p>CONTAIN [1] - 124:29</p> <p>CONTENTIOUS [1] - 132:11</p> <p>CONTINUATION [1] - 49:24</p> <p>CONTINUE [1] - 20:20</p> <p>CONTINUED [1] - 135:16</p>	<p>CONTINUES [1] - 28:27</p> <p>CONTRACT [8] - 87:13, 114:17, 128:25, 128:28, 130:12, 131:11, 133:2, 134:16</p> <p>CONTRACTS [1] - 128:29</p> <p>CONTRADICT [1] - 134:13</p> <p>CONTROL [2] - 72:21, 121:12</p> <p>CONTROLLED [2] - 89:7, 89:12</p> <p>CONTROVERSIAL [2] - 43:24, 104:23</p> <p>CONTROVERSIES [4] - 121:10, 122:11, 132:7, 132:23</p> <p>COOLKENNA [3] - 33:5, 35:1, 35:3</p> <p>COPIES [2] - 128:19, 128:21</p> <p>COPY [5] - 10:12, 12:14, 12:24, 83:20, 128:28</p> <p>CORNER [2] - 21:7, 70:7</p> <p>CORPORATE [1] - 92:23</p> <p>CORRECT [8] - 46:27, 60:28, 67:26, 79:18, 84:12, 84:29, 130:4, 138:21</p> <p>CORRECTION [2] - 77:11, 80:6</p> <p>CORRIDOR [1] - 107:29</p> <p>COSGRAVES [2] - 65:10, 65:18</p> <p>COST [3] - 121:3, 121:15, 127:6</p> <p>COSTS [1] - 120:24</p> <p>COUNCIL [66] - 4:24, 5:6, 5:15, 6:12, 6:16, 9:7, 9:28, 10:11, 10:17, 10:23, 13:26, 24:20, 34:11, 36:8, 44:20, 52:23, 52:27, 54:8,</p>	<p>54:13, 54:16, 54:19, 56:7, 60:2, 60:4, 87:6, 89:10, 98:5, 100:2, 102:14, 102:26, 103:8, 103:9, 103:17, 107:6, 107:11, 108:14, 108:17, 109:6, 113:11, 114:12, 114:16, 114:19, 114:20, 116:8, 116:16, 116:20, 119:9, 119:17, 119:22, 121:23, 125:3, 125:9, 125:11, 125:17, 131:1, 131:21, 132:5, 132:26, 134:2, 136:26, 140:2, 141:11, 141:15, 141:19</p> <p>COUNCIL [1] - 102:9</p> <p>COUNCIL'S [2] - 35:11, 132:1</p> <p>COUNCILLOR [18] - 7:8, 43:17, 45:3, 47:7, 47:13, 62:25, 64:4, 68:19, 70:27, 84:1, 105:5, 106:17, 117:14, 135:5, 135:22, 135:24, 138:14, 139:10</p> <p>COUNCILLOR [1] - 103:18</p> <p>COUNCILLOR [14] - 6:9, 12:22, 24:11, 39:20, 40:3, 57:2, 59:15, 70:10, 79:1, 93:3, 101:21, 105:18, 107:20, 116:5</p> <p>COUNCILLOR [1] - 93:16</p> <p>COUNTED [1] - 84:22</p> <p>COUNTERPART [1] - 35:7</p> <p>COUNTIES [3] - 7:25, 16:23, 55:9</p> <p>COUNTING [1] - 95:12</p> <p>COUNTRY [14] - 50:9, 55:9, 65:8, 65:10, 68:10, 89:22, 89:25, 89:26, 110:13,</p>
--	--	--	--	---	--

<p>112:20, 113:22, 129:21, 129:23, 131:27</p> <p>COUNTRYSIDE E [1] - 84:18</p> <p>COUNTY [5] - 23:27, 25:12, 26:14, 26:19, 104:17</p> <p>COUNTY [82] - 5:5, 6:12, 6:16, 7:27, 9:6, 10:11, 10:17, 10:23, 10:29, 11:12, 14:24, 14:26, 15:21, 15:22, 16:14, 18:6, 18:8, 18:28, 22:17, 24:20, 26:7, 26:9, 26:12, 26:24, 27:10, 30:9, 30:11, 30:18, 31:10, 31:25, 32:7, 32:9, 33:25, 35:11, 36:8, 43:17, 46:11, 46:19, 49:12, 50:4, 50:5, 52:23, 52:27, 53:12, 55:1, 82:10, 82:14, 82:19, 82:20, 82:29, 84:21, 85:3, 92:6, 93:7, 98:5, 100:1, 100:13, 100:24, 100:26, 100:28, 101:6, 101:9, 101:22, 103:9, 105:8, 105:26, 106:10, 106:11, 107:15, 108:22, 114:12, 114:20, 116:29, 117:3, 117:9, 119:9, 119:17, 119:22, 134:2, 141:11</p> <p>COUNTYWIDE [1] - 43:12</p> <p>COUPLE [10] - 34:12, 55:12, 96:27, 101:25, 101:29, 127:16, 132:5, 132:6, 137:8, 141:21</p> <p>COURSE [2] - 20:10, 141:5</p> <p>COURT [2] - 79:20, 97:20</p> <p>COURTESY [1] - 103:20</p>	<p>COURTHOUSE [6] - 87:15, 92:12, 92:13, 92:14, 93:15, 94:15</p> <p>COURTS [1] - 55:11</p> <p>COVER [3] - 54:10, 54:22, 76:27</p> <p>COVERED [1] - 123:20</p> <p>COX [1] - 11:2</p> <p>CPO [13] - 15:12, 50:10, 51:16, 51:27, 54:9, 54:11, 54:13, 54:17, 54:20, 54:22, 54:23, 56:29, 57:9</p> <p>CPO'D [3] - 59:16, 59:18, 59:26</p> <p>CRACK [1] - 21:2</p> <p>CRACKS [1] - 118:15</p> <p>CRANES [2] - 125:24, 125:25</p> <p>CRASH [1] - 72:9</p> <p>CREATING [2] - 29:8, 88:28</p> <p>CREDIT [1] - 96:2</p> <p>CRISIS [4] - 7:28, 7:29, 67:6, 68:7</p> <p>CRITERIA [1] - 127:13</p> <p>CRITICAL [2] - 24:22, 36:10</p> <p>CRITICISED [1] - 125:18</p> <p>CROSS [1] - 26:2</p> <p>CROSS [6] - 33:8, 33:9, 33:10, 74:26, 78:6, 112:22</p> <p>CROSS-BORDER [1] - 26:2</p> <p>CROSSING [3] - 25:12, 51:14, 53:29</p> <p>CRYING [1] - 69:17</p> <p>CRYSTAL [1] - 53:1</p>	<p>CULLEN [42] - 3:20, 5:9, 13:2, 13:22, 15:27, 26:5, 54:4, 54:24, 58:3, 58:21, 61:2, 86:4, 86:13, 86:17, 86:20, 86:21, 91:27, 96:15, 96:22, 98:11, 99:28, 103:15, 107:3, 112:6, 113:24, 133:5, 133:11, 133:18, 133:27, 134:22, 134:27, 136:1, 136:5, 136:8, 136:10, 138:9, 138:12, 138:17, 139:5, 140:28, 141:4, 141:7</p> <p>CULLEN [21] - 11:13, 13:1, 15:28, 26:4, 36:13, 54:3, 58:1, 80:9, 91:26, 94:15, 96:7, 96:17, 97:16, 99:26, 102:8, 103:14, 106:2, 107:2, 111:24, 111:29, 114:1</p> <p>CULLEN'S [2] - 3:19, 113:6</p> <p>CULTURAL [3] - 92:27, 94:9, 94:22</p> <p>CUMBERSOME E [1] - 30:24</p> <p>CURRAN [11] - 15:10, 68:6, 68:14, 99:1, 128:25, 128:28, 129:2, 129:6, 129:12, 129:17, 130:4</p> <p>CURRENT [2] - 15:2, 44:29</p> <p>CURVED [1] - 34:26</p> <p>CUT [2] - 32:4, 50:24</p> <p>CUTTING [1] - 95:9</p> <p>CYCLING [1] - 62:1</p>	<p>133:20, 134:7</p> <p>DAMAGING [1] - 49:25</p> <p>DANGER [2] - 60:16, 112:17</p> <p>DANGEROUS [9] - 7:3, 48:29, 81:4, 106:25, 108:9, 110:3, 111:12, 112:15, 112:20</p> <p>DANGLE [7] - 48:2, 49:19, 50:8, 55:20, 57:22, 61:6, 61:8</p> <p>DART [10] - 18:13, 19:25, 20:3, 20:21, 21:18, 22:12, 27:2, 27:26, 29:28, 31:7</p> <p>DATE [1] - 111:23</p> <p>DAVID [2] - 122:3, 130:13</p> <p>DAYS [3] - 95:13, 123:14, 123:16</p> <p>DEAL [7] - 9:18, 12:4, 14:20, 43:18, 61:29, 115:23, 136:25</p> <p>DEALING [8] - 8:1, 28:16, 45:4, 45:6, 58:5, 58:11, 60:5, 135:6</p> <p>DEALS [2] - 64:6, 137:21</p> <p>DEALT [4] - 37:13, 66:3, 107:20, 132:27</p> <p>DEBATE [4] - 53:8, 58:4, 59:27, 82:28</p> <p>DECEASED [1] - 11:14</p> <p>DECEMBER [1] - 98:6</p> <p>DECEPTION [1] - 137:3</p> <p>DECIDE [5] - 58:7, 75:25, 76:5, 109:29, 116:21</p> <p>DECIDED [3] - 14:15, 64:1, 125:11</p> <p>DECIDES [1] - 48:28</p> <p>DECISION [17] - 4:13, 5:7, 5:12,</p>	<p>5:16, 7:16, 45:11, 79:8, 100:17, 102:17, 103:12, 103:22, 103:23, 114:23, 115:7, 125:13, 125:21</p> <p>DECISIONS [1] - 39:24</p> <p>DECREASING [1] - 84:5</p> <p>DEFER [2] - 13:19, 14:11</p> <p>DEFINED [1] - 16:23</p> <p>DEFINES [1] - 14:17</p> <p>DEFINITELY [1] - 35:10</p> <p>DELAY [4] - 82:3, 125:4, 128:18</p> <p>DELAYED [3] - 119:10, 124:15, 125:5</p> <p>DELAYS [1] - 126:17</p> <p>DELEGATE [1] - 98:20</p> <p>DELEGATES [1] - 5:25</p> <p>DELGANY [1] - 19:27</p> <p>DELIBERATE [1] - 85:11</p> <p>DELIGHTED [5] - 22:19, 36:3, 91:6, 112:9, 113:9</p> <p>DELIVER [3] - 16:9, 70:15, 95:29</p> <p>DELIVERED [1] - 66:28</p> <p>DELIVERING [2] - 69:20, 70:2</p> <p>DELIVERS [1] - 16:7</p> <p>DELIVERY [2] - 80:11, 88:23</p> <p>DELL [1] - 76:16</p> <p>DEMAND [5] - 17:20, 21:24, 24:14, 24:15, 28:15</p> <p>DEPART [2] - 119:15, 119:24</p> <p>DEPARTMENT [8] - 4:4, 13:17, 25:9, 42:21, 62:20, 63:4,</p>	<p>73:29, 80:12</p> <p>DEPARTMENT [2] - 13:13, 120:25</p> <p>DEPARTS [2] - 119:27, 119:28</p> <p>DEPARTURE [1] - 119:23</p> <p>DEPOSIT [2] - 133:22, 134:9</p> <p>DEREK [1] - 141:14</p> <p>DERELICTION [1] - 87:27</p> <p>DEROGATION S [1] - 100:25</p> <p>DES [1] - 39:9</p> <p>DESCEND [1] - 31:25</p> <p>DESIGN [4] - 87:9, 114:21, 114:29, 116:27</p> <p>DESIGNATED.. [1] - 44:12</p> <p>DESIGNED [2] - 89:16, 117:17</p> <p>DESIGNING [1] - 122:29</p> <p>DESIRABLE [2] - 55:19, 55:22</p> <p>DESK [1] - 89:19</p> <p>DESKS [1] - 90:13</p> <p>DESPITE [1] - 40:2</p> <p>DETAILED [2] - 112:18, 118:4</p> <p>DETAILS [4] - 95:12, 95:16, 132:15, 132:20</p> <p>DETERMINED [1] - 134:29</p> <p>DETRIMENTAL [1] - 45:22</p> <p>DEVELOP [2] - 27:10, 42:5</p> <p>DEVELOPED [2] - 29:16, 75:24</p> <p>DEVELOPER [24] - 4:17, 72:10, 116:2, 116:6, 116:9, 116:15, 118:9, 119:6, 119:14, 120:3, 122:27, 123:3, 123:29, 127:29, 129:10, 129:14, 129:15, 129:20, 130:2, 130:23, 133:16, 134:21, 136:25, 140:7</p>
D					
			DAMAGES [2] -		

<p>DEVELOPER'S [1] - 131:9</p> <p>DEVELOPERS [13] - 46:11, 46:21, 46:24, 65:9, 66:13, 67:28, 71:12, 122:18, 124:2, 127:25, 129:7, 132:3, 133:28</p> <p>DEVELOPING [2] - 50:14, 67:4</p> <p>DEVELOPMEN T [28] - 18:25, 43:28, 67:15, 68:23, 68:25, 82:11, 82:14, 83:1, 84:22, 92:28, 94:9, 94:22, 119:1, 129:1, 129:3, 130:15, 130:25, 133:9, 133:23, 134:2, 134:7, 134:17, 136:27, 136:29, 137:1, 138:27, 139:20, 140:11</p> <p>DEVELOPMEN T [44] - 4:19, 26:7, 26:21, 29:9, 45:13, 45:19, 46:25, 47:19, 47:22, 47:23, 48:24, 48:28, 49:11, 49:27, 61:8, 67:16, 68:6, 69:17, 75:28, 75:29, 77:11, 81:5, 91:5, 91:24, 95:4, 95:9, 114:18, 118:3, 119:8, 119:16, 119:19, 119:24, 119:27, 119:28, 120:16, 127:4, 127:11, 130:21, 134:5, 137:16, 137:17, 140:3</p> <p>DEVELOPS [1] - 28:27</p> <p>DEVEREUX [1] - 3:12</p> <p>DEVIATION [3] - 134:23, 134:28, 141:1</p> <p>DIALOGUE [4] - 56:6, 139:18, 139:25, 139:26</p> <p>DICK [2] - 27:15,</p>	<p>28:29</p> <p>DIFFERENCE [4] - 23:25, 60:12, 84:28, 93:21</p> <p>DIFFERENCES [1] - 101:10</p> <p>DIFFERENT [17] - 19:16, 44:22, 55:10, 58:15, 67:3, 81:26, 85:17, 100:11, 100:12, 100:25, 100:26, 101:6, 118:1, 130:28, 140:10</p> <p>DIFFICULT [6] - 18:14, 53:10, 93:25, 111:11, 111:20, 123:10</p> <p>DIFFICULTIES [1] - 120:13</p> <p>DIGGING [1] - 118:13</p> <p>DIRECT [1] - 47:8</p> <p>DIRECTION [2] - 19:11, 33:25</p> <p>DIRECTLY [1] - 38:27</p> <p>DIRECTOR [16] - 58:19, 59:11, 91:8, 92:26, 94:26, 95:7, 95:28, 114:24, 115:16, 115:25, 116:29, 117:10, 124:1, 125:16, 125:18, 136:19</p> <p>DISABILITIES [2] - 31:5, 31:9</p> <p>DISABILITY [2] - 31:4, 35:23</p> <p>DISABLED [1] - 94:2</p> <p>DISABLED [1] - 90:4</p> <p>DISAGREE [3] - 64:20, 64:28, 81:19</p> <p>DISAPPOINTE D [1] - 66:5</p> <p>DISCOVER [1] - 115:19</p> <p>DISCUSS [4] - 4:12, 5:29, 7:21, 125:20</p> <p>DISCUSSED [13] - 8:20, 8:23, 9:3, 35:4, 53:11, 65:14, 70:29,</p>	<p>86:22, 92:1, 92:8, 99:7, 99:13, 109:8</p> <p>DISCUSSING [10] - 7:23, 8:10, 59:22, 59:24, 63:18, 65:14, 85:10, 132:3, 135:29, 137:13</p> <p>DISCUSSION [7] - 3:24, 7:15, 8:25, 19:12, 69:10, 70:27, 107:7</p> <p>DISGRACE [1] - 137:7</p> <p>DISPLAY [6] - 37:14, 37:20, 39:16, 43:3, 48:12, 62:26</p> <p>DISPOSAL [14] - 10:27, 11:11, 11:23, 12:2, 12:4, 12:21, 14:22, 15:7, 15:8, 15:19, 36:18, 37:2, 117:13, 127:18</p> <p>DISPOSALS [1] - 11:29</p> <p>DISPOSE [2] - 36:20, 130:1</p> <p>DISPOSED [1] - 66:3</p> <p>DISPOSING [2] - 15:1, 129:29</p> <p>DISPUTE [3] - 50:2, 50:16, 102:19</p> <p>DISQUALIFIED [2] - 139:1, 139:3</p> <p>DISTANCES [2] - 91:17, 105:13</p> <p>DISTRICT [3] - 25:5, 25:24, 101:7</p> <p>DISTRICT [14] - 4:21, 37:8, 37:11, 80:25, 92:1, 92:9, 93:3, 95:18, 98:19, 100:10, 101:2, 102:23, 114:27, 141:13</p> <p>DISTRICTS [1] - 100:6</p> <p>DISTRICTS [2] - 66:19, 132:9</p> <p>DIVIDE [1] - 106:16</p> <p>DJOUCE [1] - 97:15</p>	<p>DOCTORS [1] - 27:22</p> <p>DOCUMENT [2] - 115:11, 129:15</p> <p>DOCUMENTAT ION [9] - 4:22, 12:8, 62:24, 85:15, 87:10, 89:8, 114:26, 126:28, 127:2</p> <p>DOCUMENTS [4] - 84:13, 115:18, 135:16, 138:18</p> <p>DOG [1] - 57:26</p> <p>DONARD [1] - 27:16</p> <p>DONE [43] - 4:5, 4:20, 4:25, 9:20, 16:15, 18:11, 24:5, 26:1, 29:16, 30:4, 39:21, 43:15, 50:10, 51:16, 62:2, 64:9, 69:16, 75:4, 79:16, 79:18, 88:5, 92:29, 94:4, 94:10, 95:3, 95:29, 101:25, 109:2, 109:18, 112:18, 117:22, 118:2, 126:20, 131:9, 131:10, 131:23, 136:25, 136:28, 137:21, 137:22, 140:6, 141:19</p> <p>DOUBLE [2] - 88:9, 91:15</p> <p>DOWN [34] - 5:15, 8:5, 16:23, 17:10, 20:12, 32:4, 34:18, 51:10, 51:15, 51:20, 51:23, 58:12, 67:20, 83:24, 88:29, 95:12, 103:21, 104:16, 105:28, 106:10, 107:25, 110:12, 112:15, 113:7, 113:25, 118:14, 118:17, 121:29, 122:11, 123:4, 126:11, 132:25, 140:5</p> <p>DOYLE [1] - 102:21</p> <p>DOZEN [1] - 138:20</p>	<p>DRAFT [3] - 37:10, 45:25, 70:28</p> <p>DRAFT [1] - 38:10</p> <p>DRAFTED [2] - 18:1, 45:1</p> <p>DRAG [2] - 132:12, 132:24</p> <p>DRAW [1] - 40:2</p> <p>DRAWING [2] - 109:15, 130:12</p> <p>DRAWINGS [3] - 86:26, 120:4, 123:16</p> <p>DRAWN [2] - 59:29, 130:15</p> <p>DREW [1] - 134:2</p> <p>DRINK [1] - 35:4</p> <p>DRIVE [3] - 111:11, 111:13, 112:14</p> <p>DRIVEN [1] - 22:26</p> <p>DRIVERS [1] - 29:10</p> <p>DRIVING [1] - 32:10</p> <p>DROPPED [1] - 28:8</p> <p>DROVE [1] - 105:12</p> <p>DROVER [1] - 105:6</p> <p>DUAL [1] - 104:4</p> <p>DUBLIN [14] - 18:6, 18:21, 23:28, 26:16, 26:17, 27:3, 30:21, 68:24, 89:26, 99:9, 105:28, 108:10, 111:7, 113:13</p> <p>DUN [1] - 46:23</p> <p>DUNNE [5] - 11:26, 14:1, 15:24, 91:4, 97:21</p> <p>DUNNE [8] - 11:27, 13:29, 15:25, 36:22, 91:3, 92:18, 96:6, 97:22</p> <p>DUNNE'S [1] - 21:10</p> <p>DURING [2] - 21:28, 30:14</p> <p>DVDS [1] - 90:8</p> <p>DÁIL [1] -</p>	<p>104:26</p> <p style="text-align: center;">E</p> <p>E-MAIL [2] - 35:27, 36:2</p> <p>EARLY [1] - 67:17</p> <p>EASIER [3] - 42:5, 65:26, 85:17</p> <p>EASILY [1] - 6:16</p> <p>EAST [1] - 26:29</p> <p>EAST [6] - 37:26, 74:17, 87:20, 104:27, 105:9, 108:21</p> <p>EASTERN [1] - 77:19</p> <p>EASY [3] - 67:13, 67:18, 124:4</p> <p>ECHO [2] - 71:7, 94:7</p> <p>ECONOMICAL LY [2] - 112:29, 140:6</p> <p>EDGE [1] - 95:9</p> <p>EDITION [1] - 35:12</p> <p>EDUCATION [1] - 42:21</p> <p>EDUCATION [2] - 8:11, 42:21</p> <p>EFFECT [6] - 67:26, 67:29, 68:2, 68:6, 74:15, 118:20</p> <p>EFFECTIVELY [5] - 48:23, 65:6, 66:14, 69:5, 115:1</p> <p>EFFORTS [2] - 4:6, 56:5</p> <p>EIA [1] - 117:22</p> <p>EIGHT [10] - 16:12, 19:14, 19:23, 73:25, 75:12, 86:1, 96:7, 101:27, 103:17, 117:22</p> <p>EIGHTH [1] - 36:24</p> <p>EILEEN [1] - 3:13</p> <p>EITHER [5] - 18:18, 23:28, 38:8, 57:4, 84:18</p>
--	---	--	---	--	--

<p>ELDERLY [1] - 23:19</p> <p>ELECTED [2] - 104:17, 105:25</p> <p>ELECTION [3] - 111:29, 112:7</p> <p>ELECTORAL [1] - 100:7</p> <p>ELECTORAL/WEST [1] - 104:1</p> <p>ELEMENT [2] - 4:18, 115:29</p> <p>ELEMENTS [2] - 81:18, 115:4</p> <p>ELEVEN [1] - 115:17</p> <p>EMANATED [1] - 13:12</p> <p>EMPLOYMENT [3] - 65:11, 77:10, 78:29</p> <p>EMULATE [1] - 95:29</p> <p>ENABLE [1] - 23:22</p> <p>ENCOURAGED [2] - 30:12, 91:18</p> <p>END [20] - 7:10, 7:13, 22:17, 25:2, 25:13, 51:11, 52:26, 53:2, 55:11, 56:3, 58:6, 58:21, 67:8, 69:23, 91:13, 94:1, 94:12, 101:12, 121:24, 131:18</p> <p>ENDED [1] - 98:5</p> <p>ENDS [1] - 131:17</p> <p>ENGAGED [1] - 87:8</p> <p>ENGINEER [2] - 90:29, 118:10</p> <p>ENGINEERING [1] - 118:26</p> <p>ENJOY [3] - 47:20, 49:21, 89:18</p> <p>ENJOYED [1] - 49:22</p> <p>ENNISCORTHY [1] - 67:20</p> <p>ENORMOUS [1] - 65:19</p> <p>ENQUIRIES [1] - 115:22</p> <p>ENSURE [3] - 27:8, 28:21,</p>	<p>127:11</p> <p>ENTIRE [2] - 25:4, 80:21</p> <p>ENTITLED [3] - 115:14, 119:6, 137:29</p> <p>ENVIRONMEN TAL [3] - 117:19, 117:27, 117:29</p> <p>ENVIRONS [1] - 83:6</p> <p>EPA [1] - 82:21</p> <p>EQUAL [1] - 127:2</p> <p>EQUALLY [3] - 101:6, 109:17, 109:18</p> <p>EQUIPPED [1] - 31:2</p> <p>EQUIVALENT [1] - 118:7</p> <p>ERIC [9] - 16:3, 16:6, 16:14, 22:22, 22:23, 23:15, 23:26, 24:5, 29:18</p> <p>ERRONEOUSLY [1] - 79:28</p> <p>ERROR [8] - 33:7, 79:21, 83:15, 83:26, 84:10, 85:12, 85:24</p> <p>ESPECIALLY [4] - 6:24, 30:11, 30:20, 67:19</p> <p>ESTATE [3] - 47:18, 74:28, 79:20</p> <p>ESTATES [4] - 46:10, 46:18, 46:25, 96:13</p> <p>ET [8] - 19:2, 21:8, 25:9, 88:24, 89:5, 89:11, 90:20, 99:5</p> <p>EUROPEAN [1] - 110:11</p> <p>EVENING [10] - 20:6, 22:4, 22:11, 22:13, 23:8, 34:26, 35:1, 35:4, 35:12, 111:7</p> <p>EVENINGS [2] - 25:26, 34:18</p> <p>EVENTS [1] - 90:21</p> <p>EVENTUALLY [2] - 128:14, 138:25</p>	<p>EVEREST [1] - 42:15</p> <p>EVERYWHERE [1] - 113:14</p> <p>EXACTLY [1] - 7:9</p> <p>EXAMPLE [3] - 10:1, 26:14, 27:1</p> <p>EXCEL [1] - 84:19</p> <p>EXCEPT [1] - 113:14</p> <p>EXCITED [1] - 90:2</p> <p>EXCITING [3] - 30:9, 30:28, 95:11</p> <p>EXCLUSIVE [1] - 99:14</p> <p>EXCUSE [2] - 129:13, 129:18</p> <p>EXECUTIVE [46] - 37:17, 38:13, 41:10, 41:22, 42:7, 42:17, 42:23, 43:2, 48:5, 62:28, 63:6, 63:14, 63:20, 64:7, 64:15, 64:21, 65:23, 67:12, 67:22, 68:12, 74:2, 74:13, 75:20, 76:19, 77:2, 77:10, 77:22, 78:9, 78:20, 79:2, 79:22, 79:29, 80:6, 80:13, 82:26, 93:10, 115:10, 116:20, 121:8, 122:24, 129:13, 130:7, 130:8, 130:12, 130:28, 140:26</p> <p>EXECUTIVE'S [14] - 37:9, 38:4, 38:13, 39:12, 39:28, 40:7, 41:13, 48:21, 61:12, 67:27, 80:21, 82:12, 83:2, 99:5</p> <p>EXERCISE [2] - 54:29, 55:4</p> <p>EXHIBITION/MEETING [1] - 90:17</p> <p>EXHIBITIONS [1] - 90:19</p> <p>EXISTENCE [2]</p>	<p>- 45:24, 102:3</p> <p>EXISTING [17] - 15:6, 16:27, 17:7, 17:13, 20:25, 21:6, 21:10, 34:19, 38:22, 38:26, 44:11, 44:29, 49:24, 79:19, 79:26, 79:28, 87:15</p> <p>EXPAND [2] - 32:8, 43:21</p> <p>EXPANDED [1] - 32:11</p> <p>EXPECTING [1] - 18:17</p> <p>EXPEDITIOUSLY [1] - 107:21</p> <p>EXPENDITURE [1] - 135:1</p> <p>EXPENSES [1] - 8:15</p> <p>EXPENSIVE [1] - 29:13</p> <p>EXPERIENCE [5] - 32:8, 55:1, 56:9, 58:10, 71:12</p> <p>EXPERT [1] - 62:9</p> <p>EXPIRED [1] - 14:4</p> <p>EXPLAIN [4] - 13:10, 130:6, 130:7, 130:10</p> <p>EXPLAINED [4] - 16:18, 48:7, 141:2, 141:3</p> <p>EXPLANATION [4] - 12:13, 13:6, 14:10, 117:10</p> <p>EXPLORING [1] - 32:12</p> <p>EXPRESSED [1] - 124:4</p> <p>EXTEND [2] - 75:14, 107:26</p> <p>EXTENDED [3] - 88:16, 104:2, 104:5</p> <p>EXTENDING [1] - 86:11</p> <p>EXTENSIONS [1] - 111:19</p> <p>EXTENT [1] - 118:1</p> <p>EXTRA [8] - 13:4, 13:7, 13:26, 27:2, 28:2, 113:21, 122:9,</p>	<p>135:2</p> <p>EXTRACURRICULAR [1] - 30:26</p> <p>EXTREME [2] - 47:1, 47:3</p> <p>EXTREMELY [1] - 47:18</p> <p>EYE [2] - 127:12, 132:26</p>	<p>FAMILY [1] - 3:6</p> <p>FAMOUS [1] - 116:13</p> <p>FANTASTIC [6] - 23:1, 23:24, 29:15, 81:25, 94:4, 122:14</p> <p>FAR [16] - 16:15, 32:17, 43:29, 49:27, 64:24, 64:28, 65:17, 65:29, 104:7, 104:26, 105:2, 122:10, 126:2, 126:18, 136:29</p> <p>FAR-REACHING [1] - 49:27</p> <p>FARMERS [2] - 103:1, 108:2</p> <p>FARMING [1] - 111:4</p> <p>FASSAROE [2] - 64:7, 71:4</p> <p>FASTER [1] - 123:3</p> <p>FAVOUR [6] - 29:12, 40:24, 41:22, 112:10, 112:11, 124:8</p> <p>FEATURE [1] - 88:18</p> <p>FEATURES [2] - 88:14, 95:19</p> <p>FEBRUARY [1] - 70:21</p> <p>FEDERATION [1] - 90:4</p> <p>FEED [3] - 20:26, 21:19, 21:21</p> <p>FEEDBACK [5] - 19:13, 21:12, 22:18, 25:21, 34:29</p> <p>FEEDER [2] - 18:13, 25:4</p> <p>FEELINGS [1] - 31:19</p> <p>FELL [1] - 12:5</p> <p>FELT [4] - 12:19, 65:23, 110:25, 124:20</p> <p>FERGAL [1] - 69:29</p> <p>FEW [10] - 6:8, 29:5, 33:12, 33:22, 43:10, 68:11, 71:12, 87:17, 88:14,</p>
F					
				<p>FACEBOOK [1] - 19:2</p> <p>FACILITATE [3] - 38:26, 38:29, 135:2</p> <p>FACILITIES [18] - 25:16, 25:18, 65:17, 65:26, 71:11, 71:19, 71:22, 71:28, 72:5, 72:7, 72:11, 72:16, 74:25, 89:28, 89:29, 93:29, 131:22</p> <p>FACILITY [3] - 89:23, 94:3, 94:11</p> <p>FACT [17] - 9:3, 10:1, 28:17, 29:23, 55:21, 55:28, 109:26, 116:27, 119:2, 124:6, 125:15, 126:7, 126:28, 127:23, 137:8, 137:15, 140:13</p> <p>FACTORY [2] - 110:29, 111:1</p> <p>FAIL [1] - 132:6</p> <p>FAIR [5] - 6:21, 33:12, 46:11, 68:1, 124:15</p> <p>FAIRLY [4] - 58:22, 112:6, 113:16, 134:12</p> <p>FAIRNESS [7] - 6:19, 9:8, 46:4, 99:25, 112:6, 113:27, 138:11</p> <p>FALLS [2] - 61:24, 61:25</p> <p>FAMILIAR [3] - 53:22, 103:18, 130:9</p> <p>FAMILIES [4] - 71:20, 94:1, 100:16, 100:19</p>	

123:9 FIELD [1] - 74:16 FIELD [2] - 110:12, 135:16 FIGHT [1] - 55:11 FIGHTING [2] - 70:6, 104:26 FIGURE [3] - 19:14, 19:23, 134:8 FIGURES [2] - 40:28, 84:21 FILLED [1] - 117:16 FILTER [1] - 113:17 FINALISE [1] - 101:13 FINALLY [1] - 101:13 FINANCE [1] - 29:6 FINANCIAL [2] - 96:28, 97:28 FINE [1] - 126:4 FINGAL [1] - 16:10 FINISH [3] - 109:3, 134:27, 141:9 FINISHED [4] - 116:13, 126:21, 129:18, 129:19 FIRST [33] - 3:19, 19:14, 21:26, 37:24, 37:25, 38:14, 38:18, 40:15, 40:16, 40:17, 63:29, 64:23, 69:5, 69:9, 71:13, 73:12, 87:17, 88:20, 89:9, 89:14, 89:22, 91:27, 97:2, 99:26, 102:12, 109:7, 113:9, 113:12, 116:24, 116:28, 119:16, 130:22, 139:11 FIRSTLY [1] - 92:7 FITS [1] - 101:1 FITZGERALD [7] - 3:4, 3:8, 10:13, 32:29, 97:6, 110:23 FITZGERALD	[5] - 33:1, 40:15, 110:24, 112:3, 138:3 FITZPATRICK [1] - 15:21 FITZWILLIAM [1] - 87:24 FIVE [12] - 6:11, 7:24, 7:27, 17:29, 47:27, 61:26, 71:4, 89:26, 104:16, 122:29, 123:4, 124:3 FIVE-MINUTE [1] - 71:4 FIVE-MONTH [2] - 122:29, 123:4 FLEXIBLE [2] - 23:23, 30:3 FLOOD [2] - 51:17, 130:13 FLOOD [2] - 49:16, 49:17 FLOOR [5] - 88:28, 89:1, 89:21, 90:7, 122:19 FLOOR [40] - 3:27, 4:1, 5:2, 10:15, 11:9, 15:29, 36:16, 36:28, 37:6, 39:6, 41:8, 41:20, 42:2, 42:13, 42:28, 62:18, 63:9, 63:17, 74:11, 75:16, 76:24, 77:7, 77:16, 77:26, 78:18, 78:26, 79:15, 79:25, 80:3, 80:10, 80:19, 97:7, 97:14, 97:19, 97:24, 97:27, 98:27, 101:17, 105:3, 114:6 FLOORS [5] - 88:13, 88:21, 92:5, 94:2, 115:2 FLORENTINE [9] - 4:13, 114:13, 114:27, 123:19, 124:2, 125:29, 126:14, 135:2, 136:13 FLY [1] - 120:11 FOCUS [2] - 45:12, 45:27 FOGGY [1] -	74:16 FOLLOW [2] - 55:25, 105:4 FOLLOWING [3] - 15:12, 97:2, 117:2 FOOLS [1] - 116:22 FOOTBALL [1] - 70:3 FOOTPATH [1] - 88:6 FORCED [1] - 58:16 FORDE [1] - 130:13 FOREIGN [1] - 9:28 FORM [2] - 73:1, 127:1 FORMALLY [5] - 65:1, 67:9, 75:7, 92:18, 105:15 FORMER [7] - 42:4, 42:15, 75:18, 76:16, 92:4, 103:16, 103:21 FORMERLY [1] - 87:6 FORTHWITH [1] - 132:14 FORTUNE [1] - 98:23 FORTUNE [2] - 12:27, 127:19 FORTUNE [5] - 12:28, 14:14, 62:21, 62:23, 99:21 FORUM [1] - 102:23 FORUM [1] - 115:7 FORWARD [13] - 23:11, 24:19, 27:29, 28:11, 28:19, 30:5, 45:3, 65:24, 67:25, 68:19, 102:25, 107:19, 110:18 FOUGHT [1] - 3:9 FOUR [11] - 22:6, 22:7, 22:10, 71:21, 73:25, 88:2, 89:26, 104:7, 121:25, 138:28, 139:8 FOX [22] - 6:27,	11:6, 14:27, 15:4, 15:8, 15:14, 15:17, 36:29, 38:18, 38:21, 39:4, 39:8, 39:14, 48:10, 50:2, 51:13, 52:6, 52:10, 63:28, 64:3, 66:24, 81:10 FOX [2] - 61:5, 85:26 FOX [24] - 7:9, 11:7, 37:4, 38:6, 38:17, 40:18, 48:9, 50:1, 54:6, 56:9, 56:27, 61:3, 61:18, 63:15, 63:25, 66:23, 73:24, 74:21, 75:10, 76:12, 78:22, 81:12, 82:6 FOX'S [8] - 38:15, 39:18, 40:16, 52:21, 53:4, 53:22, 54:21, 56:13 FOX'S [1] - 39:25 FRANCHISE [1] - 4:4 FREEDOM [2] - 128:10, 128:12 FREEDOM [1] - 123:13 FREEHOLD [3] - 10:28, 14:4, 36:25 FREEZE [1] - 110:14 FREQUENCY [1] - 71:4 FRIDAY [2] - 22:13, 114:10 FRIENDSHIPS [1] - 29:9 FROM [40] - 3:27, 4:1, 5:2, 10:15, 11:9, 15:29, 36:16, 36:28, 37:6, 39:6, 41:8, 41:20, 42:2, 42:13, 42:28, 62:18, 63:9, 63:17, 74:11, 75:16, 76:24, 77:7, 77:16, 77:26, 78:18, 78:26, 79:15,	79:25, 80:3, 80:10, 80:19, 97:7, 97:14, 97:19, 97:24, 97:27, 98:27, 101:17, 105:3, 114:6 FRONT [10] - 32:3, 36:1, 87:29, 88:3, 88:8, 88:10, 89:17, 91:8, 111:25, 118:14 FRONTING [1] - 37:27 FROZEN [2] - 102:29, 110:16 FRUITS [1] - 93:2 FULL [8] - 4:24, 4:25, 36:23, 89:2, 102:14, 103:7, 113:9, 128:7 FULL-TIME [1] - 89:2 FULLY [4] - 46:3, 93:4, 121:26, 125:20 FUND [2] - 24:7, 24:15 FUNDAMENTA L [2] - 81:20, 128:22 FUNDAMENTA LLY [1] - 81:19 FUNDED [2] - 23:14, 35:2 FUNDER [1] - 139:22 FUNDING [12] - 22:9, 23:4, 23:6, 23:8, 24:10, 24:23, 27:8, 32:26, 32:27, 35:15, 36:12, 123:1 FUNDS [2] - 135:7 FURNISHED [1] - 7:2 FURTHEST [1] - 31:28 FUTURE [6] - 27:11, 31:4, 31:12, 33:20, 65:6, 128:2	GAIN [4] - 65:12, 65:15, 65:18, 67:7 GALLAGHER [47] - 3:11, 10:19, 10:21, 10:25, 11:8, 11:10, 11:17, 12:7, 12:17, 13:11, 14:9, 15:25, 15:28, 16:1, 36:8, 36:20, 36:27, 40:14, 40:18, 41:19, 47:26, 61:3, 61:14, 61:17, 61:26, 62:17, 62:22, 73:22, 74:6, 74:9, 75:9, 76:11, 78:1, 78:17, 78:24, 80:17, 82:6, 84:19, 86:1, 96:6, 98:2, 98:14, 98:18, 99:18, 99:22, 114:4, 141:20 GALWAY [2] - 50:11, 113:15 GAME [2] - 23:15, 46:11 GAME- CHANGERS [1] - 23:15 GAOL [1] - 20:14 GAP [2] - 106:6 GARDEN [3] - 51:9, 52:2, 56:3 GARDEN [1] - 51:11 GARDENS [11] - 51:19, 51:21, 55:29, 57:1, 57:4, 57:8, 57:16, 58:8, 58:17, 60:8, 80:4 GAUGE [1] - 15:4 GENERAL [2] - 21:27, 34:3 GENERALLY [4] - 17:10, 17:14, 21:29, 38:9 GENERATION [1] - 28:17 GENERATION S [1] - 49:22 GENTLEMEN [6] - 16:4, 24:28, 27:14, 31:17, 32:15, 32:21
G					
GAA [1] - 69:29					

<p>GEOGRAPHIC AL^[1] - 100:13</p> <p>GEOGRAPHY ^[1] - 30:18</p> <p>GERMANS^[1] - 110:12</p> <p>GERRY^[1] - 111:14</p> <p>GESTATION^[1] - 99:29</p> <p>GIG^[1] - 134:10</p> <p>GILTSPUR^[1] - 77:21</p> <p>GIVEN^[11] - 6:13, 6:15, 7:12, 45:15, 48:25, 111:13, 114:28, 124:28, 124:29, 130:29</p> <p>GLAD^[1] - 85:21</p> <p>GLANCING^[1] - 84:3</p> <p>GLEN^[4] - 51:20, 57:1, 59:16, 79:20</p> <p>GLENCAP^[2] - 14:23, 14:24</p> <p>GLENDALOUGH</p> <p>H^[18] - 18:15, 18:17, 20:10, 20:11, 21:17, 23:14, 26:15, 26:16, 26:22, 29:25, 31:23, 31:27, 32:1, 32:6, 32:11, 32:13, 34:15, 34:16</p> <p>GOD'S^[1] - 7:22</p> <p>GOLF^[2] - 75:18, 126:10</p> <p>GOREY^[1] - 33:10</p> <p>GOVERNMENT^[1] - 104:10</p> <p>GRANT^[1] - 134:28</p> <p>GRANTED^[1] - 136:14</p> <p>GRAPH^[2] - 21:26, 21:29</p> <p>GRAVEYARD^[3] - 3:21, 3:22, 99:28</p> <p>GRAVEYARDS^[3] - 100:12, 100:18, 101:2</p> <p>GREAT^[18] - 21:12, 25:29, 27:17, 27:27, 28:18, 33:13,</p>	<p>34:7, 53:15, 81:2, 91:6, 91:23, 94:29, 96:2, 96:3, 111:8, 112:2, 112:11, 113:12</p> <p>GREATLY^[1] - 94:12</p> <p>GREEN^[5] - 11:22, 13:18, 45:15, 45:17</p> <p>GREEN^[1] - 18:19</p> <p>GREENWAY^[1] - 50:11</p> <p>GREENWAYS^[1] - 50:24</p> <p>GREYSTONES^[25] - 17:23, 18:26, 19:6, 19:7, 19:15, 19:18, 19:23, 19:25, 19:27, 20:2, 20:21, 21:18, 22:12, 23:12, 23:13, 27:2, 29:28, 29:29, 30:23, 98:19, 132:10, 141:12, 141:13</p> <p>GROUND^[9] - 14:5, 38:24, 38:28, 59:28, 66:28, 69:27, 88:2, 88:21</p> <p>GROUNDS^[1] - 112:22</p> <p>GROUP^[1] - 16:18</p> <p>GROUP^[2] - 12:22, 102:22</p> <p>GROUPS^[4] - 5:26, 16:22, 106:27, 106:29</p> <p>GROWING^[2] - 91:5, 91:13</p> <p>GUIDED^[1] - 40:4</p> <p>GUIDELINES^[2] - 40:5</p> <p>GUYS^[1] - 116:26</p>	<p>88:17</p> <p>HALL^[4] - 92:13, 92:15, 93:11, 94:14</p> <p>HAND^[6] - 24:25, 69:24, 70:2, 89:3</p> <p>HANDING^[2] - 123:28</p> <p>HANDLE^[1] - 8:2</p> <p>HANDS^[1] - 18:12</p> <p>HAPPY^[18] - 9:9, 9:21, 11:23, 12:24, 13:21, 14:16, 37:1, 39:2, 46:2, 58:14, 62:4, 63:5, 77:1, 96:20, 99:2, 128:20, 130:23, 138:10</p> <p>HARBOUR^[1] - 61:6</p> <p>HARD^[6] - 15:4, 42:6, 48:6, 69:27, 90:4, 94:21</p> <p>HATCHED^[1] - 13:18</p> <p>HEAD^[2] - 102:5, 111:15</p> <p>HEAD-ON^[2] - 102:5, 111:15</p> <p>HEADING^[2] - 95:27, 114:26</p> <p>HEADSTONES^[1] - 100:17</p> <p>HEALTH^[4] - 7:29, 25:8, 25:19, 129:22</p> <p>HEAR^[11] - 6:24, 10:3, 22:19, 24:13, 105:3, 109:8</p> <p>HEARD^[4] - 22:5, 111:3, 125:18, 132:1</p> <p>HEAVY^[1] - 30:13</p> <p>HECTARES^[3] - 14:22, 15:20, 75:24</p> <p>HEIGHT^[3] - 41:21, 76:18, 88:9</p> <p>HEITON^[1] - 42:4</p> <p>HELD^[3] - 10:11, 10:17, 10:23</p> <p>HELP^[7] -</p>	<p>21:13, 26:11, 29:27, 30:1, 67:27, 81:25, 140:23</p> <p>HELPS^[2] - 121:19</p> <p>HERBERT^[2] - 116:13, 128:11</p> <p>HERITAGE^[3] - 63:3, 63:4, 74:1</p> <p>HERITAGE^[1] - 62:20</p> <p>HERSELF^[1] - 7:4</p> <p>HI^[1] - 106:2</p> <p>HIATUS^[1] - 100:16</p> <p>HIGH^[2] - 45:21, 91:22</p> <p>HIGHLIGHTED^[2] - 11:21, 29:26</p> <p>HIGHLY^[3] - 45:22, 92:3, 108:1</p> <p>HIMSELF^[2] - 46:6, 114:29</p> <p>HISTORY^[1] - 87:5</p> <p>HIT^[1] - 72:9</p> <p>HOLD^[3] - 36:19, 102:13, 118:12</p> <p>HOLDINGS^[1] - 65:9</p> <p>HOLIDAYS^[1] - 126:12</p> <p>HOLLY^[1] - 85:20</p> <p>HOLLYWOOD^[5] - 25:5, 101:28, 102:29, 108:26, 112:22</p> <p>HOME^[5] - 23:21, 57:13, 76:15, 111:1, 111:7</p> <p>HOMES^[1] - 25:27</p> <p>HONEST^[1] - 106:20</p> <p>HONESTLY^[1] - 104:22</p> <p>HOOPS^[1] - 6:17</p> <p>HOPE^[10] - 28:27, 31:11, 32:24, 32:26, 87:10, 87:14, 90:4, 92:14, 102:13, 123:18</p>	<p>HOPED^[1] - 66:18</p> <p>HOPEFULLY^[10] - 22:15, 26:23, 30:1, 30:12, 91:15, 94:14, 94:19, 113:22, 126:10, 140:6</p> <p>HOPING^[1] - 22:7</p> <p>HOPPING^[1] - 95:27</p> <p>HOSPITAL^[3] - 25:8, 25:17, 25:18</p> <p>HOSPITALS^[1] - 27:22</p> <p>HOTEL^[3] - 31:27, 32:12, 33:3</p> <p>HOTEL^[1] - 34:18</p> <p>HOURLY^[2] - 20:6, 23:16</p> <p>HOUSE^[7] - 14:25, 74:17, 77:18, 88:12, 88:25, 107:23, 108:19</p> <p>HOUSE^[3] - 100:1, 111:17, 134:15</p> <p>HOUSED^[1] - 89:11</p> <p>HOUSEHOLDE RS^[1] - 60:1</p> <p>HOUSES^[22] - 37:27, 64:28, 66:14, 67:18, 67:25, 68:12, 68:27, 69:21, 70:8, 71:9, 71:10, 71:13, 71:27, 72:8, 72:10, 72:15, 72:16, 73:16, 75:3, 76:18, 131:28, 132:29</p> <p>HOUSING^[17] - 7:28, 46:10, 46:18, 46:25, 47:18, 64:26, 65:11, 67:6, 67:21, 68:7, 69:18, 71:18, 72:27, 74:27, 75:28, 96:13,</p>	<p>108:3</p> <p>HOUSING^[4] - 13:17, 38:3, 39:10, 80:12</p> <p>HUGE^[14] - 4:6, 22:23, 25:3, 30:17, 50:12, 67:29, 68:21, 93:26, 102:6, 105:13, 122:1, 125:28, 132:23</p> <p>HUGELY^[4] - 26:6, 27:9, 141:17</p> <p>HUMAN^[3] - 110:2, 112:22, 112:24</p> <p>HUNDRED^[3] - 51:24, 70:7, 70:12</p> <p>HUNDREDS^[1] - 49:15</p> <p>HURLING^[1] - 69:29</p>
				I	
				<p>IDEA^[8] - 21:16, 99:16, 101:24, 124:9, 126:8, 127:27, 131:20, 139:9</p> <p>IDEAL^[1] - 91:12</p> <p>IDEAS^[3] - 17:29, 21:2, 91:7</p> <p>IDENTIFY^[1] - 66:11</p> <p>IGNORED^[1] - 104:18</p> <p>ILLNESS^[1] - 3:9</p> <p>IMAGE^[3] - 88:4, 88:15, 122:12</p> <p>IMAGINE^[1] - 71:2</p> <p>IMMEDIATELY^[1] - 110:22</p> <p>IMPACT^[3] - 57:5, 57:12, 118:20</p> <p>IMPACTED^[1] - 59:7</p> <p>IMPACTS^[3] - 117:20, 117:27, 117:29</p> <p>IMPLEMENT^[1] - 110:18</p>	

<p>IMPLEMENTED [1] - 29:5</p> <p>IMPLEMENTING [1] - 71:28</p> <p>IMPLICATIONS [4] - 48:26, 49:10, 49:28, 50:3</p> <p>IMPORTANT [14] - 13:28, 17:1, 27:4, 47:18, 49:14, 89:10, 91:29, 92:24, 93:11, 107:17, 109:19, 122:10, 130:19, 139:21</p> <p>IMPOSE [1] - 60:9</p> <p>IMPOSED [1] - 60:7</p> <p>IMPOSSIBLE [1] - 66:20</p> <p>IMPRESS [1] - 108:18</p> <p>IMPRESSION [1] - 128:6</p> <p>IMPROVED [2] - 108:10, 119:15</p> <p>IMPROVEMENT [1] - 95:2</p> <p>IMPROVEMENTS [1] - 33:20</p> <p>IMPROVING [2] - 112:16, 113:1</p> <p>INADVERTENTLY [1] - 13:16</p> <p>INAUDIBLE [13] - 49:25, 54:9, 54:15, 54:21, 68:24, 87:19, 94:28, 109:3, 109:12, 109:20, 110:4, 110:16, 140:15</p> <p>INAUDIBLE [3] - 45:28, 69:6, 109:4</p> <p>INCH [1] - 33:10</p> <p>INCHANAPPA [2] - 15:20, 15:22</p> <p>INCLUDE [6] - 4:20, 10:7, 61:20, 72:6, 102:23, 127:5</p> <p>INCLUDED [3] - 13:4, 13:16, 32:28</p> <p>INCLUDES [3] - 63:4, 63:18, 73:29</p> <p>INCLUDING [2] -</p>	<p>94:26, 116:12</p> <p>INCLUSION [2] - 11:24, 39:1</p> <p>INCOMES [1] - 29:14</p> <p>INCORPORATED [1] - 73:14</p> <p>INCORRECTLY [1] - 44:23</p> <p>INCREASE [5] - 83:12, 84:8, 84:25, 135:13, 135:14</p> <p>INCREASED [1] - 118:19</p> <p>INCREASES [1] - 127:29</p> <p>INCREASING [3] - 71:26, 84:4, 84:5</p> <p>INCREDIBLE [1] - 110:4</p> <p>INCREDIBLY [1] - 4:7</p> <p>INCREMENTAL [1] - 73:15</p> <p>INDEED [2] - 92:6, 108:3</p> <p>INDEFINITELY [1] - 67:20</p> <p>INDEPENDENCE [1] - 29:11</p> <p>INDICATE [1] - 17:20</p> <p>INDICATED [1] - 100:11</p> <p>INDIVIDUAL [4] - 12:5, 12:10, 12:21, 12:23</p> <p>INDIVIDUALS [1] - 137:5</p> <p>INDUSTRIAL/BUSINESS [1] - 65:11</p> <p>INDUSTRY [2] - 108:7, 113:2</p> <p>INFERENCE [2] - 136:24</p> <p>INFORMATION [14] - 4:24, 6:11, 18:3, 34:3, 34:5, 34:8, 34:9, 86:10, 124:5, 124:10, 124:11, 125:12, 128:11, 128:12</p> <p>INFORMATION [1] - 123:13</p> <p>INFORMED [4] - 101:29, 102:20, 117:4, 117:5</p>	<p>INFRASTRUCTURE [2] - 69:20, 105:26</p> <p>INFRASTRUCTURE [1] - 82:22</p> <p>INITIAL [2] - 22:5, 121:4</p> <p>INITIATIVE [6] - 29:20, 29:21, 29:24, 30:5, 108:24</p> <p>INITIATIVES [1] - 27:8</p> <p>INITIATIVES [1] - 141:12</p> <p>INQUIRIES [1] - 81:26</p> <p>INSERTED [1] - 56:15</p> <p>INSIDE [1] - 136:28</p> <p>INSIGHT [1] - 111:8</p> <p>INSINUATE [1] - 138:2</p> <p>INSINUATED [1] - 136:26</p> <p>INSINUATIONS [1] - 137:28</p> <p>INSOFAR [1] - 38:25</p> <p>INSOLVENT [1] - 139:2</p> <p>INSTALLED [1] - 90:5</p> <p>INSTANCE [3] - 33:26, 54:11, 100:27</p> <p>INSTEAD [5] - 64:11, 64:19, 83:25, 84:8, 117:23</p> <p>INSURMOUNTABLE [1] - 140:25</p> <p>INTEGRATE [1] - 16:27</p> <p>INTEGRATED [1] - 103:29</p> <p>INTEGRATING [1] - 18:13</p> <p>INTENTION [3] - 45:7, 45:11, 68:1</p> <p>INTEREST [4] - 10:28, 68:17, 122:1, 128:22</p> <p>INTERESTED [8] - 68:18, 126:17, 126:18, 135:10, 135:18, 138:18, 139:10,</p>	<p>140:29</p> <p>INTERESTING [1] - 53:7</p> <p>INTERESTS [1] - 9:8</p> <p>INTERNAL [1] - 87:12</p> <p>INTERPRETATION [1] - 53:27</p> <p>INTERVIEWED [3] - 122:1, 122:3, 138:20</p> <p>INTERVIEWS [1] - 139:12</p> <p>INTRIGUED [1] - 123:27</p> <p>INTRODUCE [2] - 49:10, 49:26</p> <p>INTRODUCES [1] - 81:3</p> <p>INTRODUCING [2] - 48:27, 60:14</p> <p>INUNDATED [2] - 69:25, 94:28</p> <p>INVESTIGATIONS [1] - 123:7</p> <p>INVESTING [1] - 112:24</p> <p>INVITATION [1] - 107:26</p> <p>INVITATIONS [1] - 106:28</p> <p>INVITE [4] - 103:16, 103:21, 106:3, 113:6</p> <p>INVITED [1] - 5:27</p> <p>INVITING [2] - 5:24, 107:24</p> <p>INVOKE [2] - 54:13, 54:20</p> <p>INVOLVE [1] - 85:3</p> <p>INVOLVED [5] - 95:3, 118:11, 129:27, 130:12, 137:6</p> <p>IPAD [1] - 83:21</p> <p>IRELAND [5] - 82:22, 90:4, 110:3, 141:10, 141:17</p> <p>IRISH [1] - 55:11</p> <p>IRRELEVANT [2] - 135:29, 136:2</p> <p>IRRESPECTIVE [1] - 105:19</p> <p>ISLAND [1] - 141:10</p> <p>ISLE [1] - 135:21</p>	<p>ISOLATED [1] - 25:28</p> <p>ISOLATION [1] - 30:17</p> <p>ISSUE [28] - 3:21, 5:18, 8:19, 9:19, 15:3, 18:16, 20:29, 27:25, 29:25, 31:5, 43:29, 45:4, 46:6, 51:15, 54:2, 55:5, 58:10, 58:26, 59:3, 68:21, 68:22, 100:21, 100:24, 101:13, 103:28, 107:17, 141:12, 141:16</p> <p>ISSUED [2] - 49:6, 135:12</p> <p>ISSUES [7] - 10:5, 17:28, 29:27, 30:2, 55:1, 109:25, 140:19</p> <p>IT [3] - 90:12, 90:13, 90:14</p> <p>ITEM [14] - 10:9, 10:27, 11:11, 12:25, 14:22, 16:2, 36:20, 37:1, 37:2, 86:3, 86:9, 87:3, 97:29</p> <p>ITEM [32] - 10:16, 10:22, 15:19, 24:28, 37:7, 47:9, 62:10, 62:13, 62:16, 62:22, 73:27, 74:5, 74:12, 75:14, 75:17, 77:29, 78:5, 78:27, 82:10, 85:22, 86:15, 91:28, 91:29, 92:20, 96:20, 97:1, 98:4, 98:14, 101:18, 117:15</p> <p>ITEMS [5] - 40:26, 40:27, 96:26, 96:27, 98:10</p> <p>ITSELF [2] - 19:15, 19:27</p>	<p>JAM [1] - 17:19</p> <p>JANUARY [2] - 105:21, 127:18</p> <p>JD [1] - 21:9</p> <p>JENNIFER [2] - 24:25, 31:18</p> <p>JIM [1] - 111:14</p> <p>JOB [2] - 108:17, 126:20</p> <p>JOBS [2] - 113:2</p> <p>JOE [1] - 96:1</p> <p>JOHN [2] - 5:24, 15:21</p> <p>JOKING [2] - 112:4</p> <p>JOURNEY [1] - 23:22</p> <p>JPC [2] - 98:3, 98:5</p> <p>JUDGE [1] - 49:6</p> <p>JUDGED [1] - 121:26</p> <p>JULY/AUGUST [1] - 87:13</p> <p>JUNE [8] - 5:15, 13:20, 14:13, 22:16, 100:22, 101:14, 102:18, 111:23</p> <p>JUSTICE [2] - 6:19, 6:21</p>
K					
<p>KAVANAGH [3] - 47:15, 95:5, 131:25</p> <p>KAVANAGH [4] - 47:16, 95:6, 96:16, 131:26</p> <p>KAVANAGHS [1] - 21:9</p> <p>KEEN [1] - 18:27</p> <p>KEEP [8] - 57:17, 89:8, 110:11, 113:11, 121:23, 122:2, 129:20, 129:26</p> <p>KENNEDY [3] - 32:19, 96:10, 97:5</p> <p>KENNEDY [4] - 32:20, 96:12, 96:21, 97:4</p> <p>KEPT [1] - 55:5</p> <p>KEVIN'S [2] - 26:15, 26:17</p> <p>KEY [6] - 16:26, 22:22</p>					

18:3, 55:7, 125:4, 125:27, 134:6 KIDS [2] - 30:25, 46:26 KILBRIDE [1] - 25:6 KILCOOLE [6] - 19:6, 19:26, 20:1, 30:20, 30:24 KILDARE [5] - 8:11, 23:28, 33:25, 35:6, 35:7 KILKENNY [3] - 16:9, 16:19, 33:23 KILLARNEY [3] - 51:20, 57:1, 59:16 KILMAC [2] - 83:12, 83:29 KILMACANOG UE [9] - 14:25, 14:29, 37:27, 38:1, 40:20, 82:25, 84:24, 84:25, 85:2 KILMURRAY [7] - 38:2, 40:20, 82:25, 84:21, 84:24, 85:1, 85:6 KILMURRAY'S [1] - 85:7 KILOMETRES [1] - 31:29 KILRUDDERY [3] - 74:13, 74:16, 74:17 KILTER [1] - 108:20 KIND [14] - 9:29, 36:4, 46:5, 46:13, 46:14, 46:22, 56:6, 56:19, 65:26, 79:21, 93:24, 101:8, 110:12, 132:20 KITCHEN [1] - 111:17 KNOCKED [2] - 109:16, 132:25 KNOCKROE [1] - 112:21 KNOWLEDGE [3] - 7:5, 8:13, 118:16 KNOWN [4] - 10:28, 11:12, 19:2, 31:19 KNOWS [2] - 51:13, 51:23	KWETB [9] - 6:11, 6:12, 6:23, 6:28, 7:22, 8:18, 9:18, 9:27, 10:1 L LACK [3] - 50:10, 50:12, 70:24 LACKEN [1] - 25:6 LADS [1] - 79:16 LADY [1] - 23:20 LAKE [1] - 31:26 LAKE [3] - 25:4, 25:24, 26:1 LAKES [1] - 32:13 LAND [84] - 9:28, 11:21, 11:24, 13:4, 13:7, 13:18, 13:23, 13:26, 14:23, 15:11, 37:26, 37:29, 38:1, 38:16, 40:19, 41:12, 46:21, 50:23, 50:24, 50:26, 50:28, 51:1, 51:2, 51:5, 51:6, 51:8, 51:12, 51:14, 51:15, 51:18, 51:19, 51:24, 51:26, 52:14, 52:16, 53:29, 55:12, 55:29, 56:2, 56:29, 57:9, 57:10, 57:19, 57:20, 58:6, 58:27, 58:28, 59:12, 59:13, 59:15, 59:17, 59:18, 59:21, 59:22, 59:23, 59:25, 59:29, 60:5, 60:10, 60:15, 60:18, 60:19, 60:20, 60:21, 60:24, 64:25, 65:5, 65:7, 65:10, 66:4, 74:15, 78:29, 103:3, 111:5, 117:13 LANDOWNER [6] - 15:13, 48:25, 53:28, 54:11, 57:20, 58:9	LANDOWNERS [31] - 48:4, 48:22, 50:6, 50:13, 51:3, 51:8, 52:3, 52:4, 52:7, 52:14, 53:11, 55:7, 55:15, 57:18, 57:23, 58:11, 58:13, 58:16, 58:22, 58:29, 59:2, 59:6, 59:24, 60:22, 60:25, 61:10, 61:13, 67:4, 103:1, 108:1 LANDOWNERS " [5] - 49:13, 52:13, 56:17, 57:29, 60:27 LANDS [11] - 50:21, 55:6, 57:6, 67:5, 75:18, 77:18, 81:6, 103:7, 108:2, 126:10 LANE [3] - 88:12, 88:25, 96:1 LANEWAY [2] - 23:19, 23:21 LANEWAYS [1] - 28:8 LAOGHAIRE/RATHDOWN [1] - 46:24 LAP [1] - 82:18 LARAGH [4] - 26:20, 32:6, 32:10, 32:25 LARGE [5] - 30:19, 89:23, 91:13, 103:24, 118:12 LARGER [1] - 90:1 LAST [29] - 6:8, 16:12, 17:28, 23:7, 33:1, 33:5, 37:14, 37:19, 45:3, 48:7, 62:26, 65:12, 65:14, 65:21, 66:3, 74:15, 79:1, 79:8, 82:24, 96:18, 100:8, 101:25, 108:9, 111:10, 111:28, 114:10, 114:27, 120:17, 123:24 LATE [3] - 58:26,	133:21, 134:8 LAUNCHED [4] - 27:16, 28:28, 111:29, 112:4 LAW [4] - 3:11, 3:13, 13:12, 118:3 LAWLESS [2] - 10:13, 85:26 LAWLESS [4] - 30:6, 74:9, 78:23, 106:13 LAWLESS [14] - 5:20, 6:2, 30:7, 83:8, 83:10, 83:20, 83:24, 83:28, 84:3, 84:13, 84:16, 85:24, 106:14, 107:5 LAWN [1] - 100:27 LAWYER [1] - 130:27 LAWYERS [9] - 120:9, 129:7, 130:16, 131:10, 132:1, 133:17, 134:1, 134:15, 139:22 LAY [1] - 89:5 LAYOUT [2] - 118:22, 118:23 LEAD [1] - 118:15 LEASEHOLD [1] - 36:25 LEAST [7] - 75:19, 95:17, 103:12, 104:5, 104:7, 104:25, 132:4 LEAVE [7] - 8:22, 9:18, 99:13, 110:13, 111:6, 115:21, 131:22 LEAVING [3] - 67:7, 90:18, 135:1 LED [2] - 81:23, 128:8 LEFT [6] - 21:7, 21:27, 87:21, 104:16, 104:29, 110:9 LEGACY [1] - 96:3 LEGAL [1] - 11:13 LEGAL [16] -	6:7, 6:9, 6:13, 6:18, 6:29, 7:4, 7:12, 8:15, 9:5, 9:7, 46:22, 53:19, 54:15, 115:11, 127:7, 127:12 LEGALITIES [1] - 125:2 LEINSTER [2] - 107:23, 108:18 LEISURE [1] - 61:7 LENDING [2] - 89:15, 90:7 LENGTH [2] - 121:2, 124:21 LESS [4] - 90:18, 108:5, 113:16, 118:18 LETTER [9] - 75:5, 102:17, 102:26, 103:10, 105:19, 106:19, 107:19, 108:13, 110:6 LETTING [3] - 44:28, 56:25, 56:27 LEVEL [5] - 9:21, 25:23, 29:11, 86:23, 90:17 LIBRARIAN [1] - 92:6 LIBRARY [3] - 87:5, 88:5, 90:20 LIBRARY [14] - 87:14, 87:15, 88:29, 90:21, 90:28, 91:16, 91:18, 93:20, 93:22, 93:23, 93:26, 94:18, 95:1, 95:25 LIEN [1] - 121:24 LIFE [9] - 87:25, 87:28, 91:14, 93:9, 93:10, 104:13, 112:23, 112:25, 134:4 LIFELINE [2] - 30:3 LIFETIME [1] - 71:23 LIGHT [2] - 3:19, 6:7 LIKELY [1] - 24:15 LIMBO [1] - 103:2	LIMERICK [1] - 89:27 LIMITED [5] - 22:5, 27:26, 49:18, 71:11, 123:18 LIMITS [1] - 45:26 LINE [7] - 21:28, 60:11, 63:13, 63:29, 73:16, 104:2, 104:5 LINER [1] - 102:13 LINK [12] - 16:3, 16:7, 16:18, 16:20, 17:13, 18:8, 19:16, 21:11, 23:5, 26:10, 29:6, 33:6 LINK [6] - 16:8, 16:26, 25:10, 26:3, 35:4, 87:24 LINKED [1] - 34:10 LINKING [3] - 34:4, 35:10, 109:18 LINKS [3] - 16:13, 23:7, 29:28 LIQUIDATED [2] - 133:20, 134:7 LISA [1] - 85:20 LIST [4] - 37:18, 42:22, 133:20 LISTENED [1] - 111:3 LISTENING [3] - 58:3, 70:5, 133:5 LISTS [1] - 132:29 LITIGATION [2] - 55:17, 125:4 LIVE [6] - 23:19, 29:14, 46:18, 47:24, 60:1, 74:26 LIVED [1] - 104:13 LIVES [1] - 110:2 LIVING [4] - 66:17, 71:21, 111:17, 121:18 LOAD [1] - 67:16 LOADS [4] - 90:10, 90:14, 123:12 LOAF [1] - 74:24
---	---	--	--	---	---

<p>LOBBIES [1] - 36:14</p> <p>LOBBYING [1] - 27:7</p> <p>LOCAL [23] - 16:3, 16:20, 17:13, 18:8, 18:24, 19:16, 21:10, 23:5, 26:10, 29:6, 33:6, 35:20, 37:8, 37:11, 37:12, 37:17, 70:9, 80:21, 80:25, 83:5, 83:6, 89:22, 118:2</p> <p>LOCAL [15] - 16:13, 21:3, 25:8, 25:18, 26:28, 34:22, 70:29, 88:22, 88:26, 89:25, 90:29, 91:23, 92:1, 101:10</p> <p>LOCALISED [1] - 141:11</p> <p>LOCALISED [1] - 20:16</p> <p>LOCALLY [1] - 19:17</p> <p>LOCALS [1] - 21:27</p> <p>LOCATION [3] - 75:25, 87:20, 87:23</p> <p>LOGIC [1] - 15:2</p> <p>LOGICAL [1] - 72:28</p> <p>LONG-TERM [1] - 44:2</p> <p>LOOK [39] - 7:8, 12:2, 12:8, 12:9, 12:24, 14:2, 15:14, 16:24, 17:16, 20:8, 23:25, 24:29, 25:23, 28:19, 31:12, 32:15, 35:8, 35:10, 35:27, 46:14, 53:9, 87:29, 88:9, 99:9, 103:12, 103:29, 108:16, 111:20, 114:11, 114:17, 116:27, 119:3, 125:11, 128:16, 130:29, 135:13, 136:14, 137:2, 138:8</p> <p>LOOKED [8] -</p>	<p>17:7, 18:1, 20:28, 28:22, 128:1, 128:5, 128:15, 135:11</p> <p>LOOKING [20] - 9:5, 16:19, 20:16, 20:17, 21:2, 26:11, 31:3, 45:13, 46:25, 53:8, 65:6, 75:6, 87:29, 88:12, 88:14, 102:25, 106:2, 122:22, 128:12, 129:21</p> <p>LOOKS [2] - 15:5, 117:19</p> <p>LOOP [4] - 20:24, 21:3, 21:21, 23:12</p> <p>LORRIES [1] - 108:8</p> <p>LOUD [1] - 105:24</p> <p>LOVE [3] - 29:15, 31:10, 136:22</p> <p>LOVELY [1] - 90:21</p> <p>LOWER [2] - 25:13, 29:13</p> <p>LOWEST [1] - 88:22</p> <p>LUAS [2] - 104:2, 104:5</p> <p>LUCK [3] - 29:1, 30:4, 96:3</p> <p>LUCKILY [1] - 18:2</p>	<p>113:3, 141:16</p> <p>MAJORITY [8] - 31:25, 32:14, 56:15, 56:16, 56:18, 56:19, 56:20, 66:5</p> <p>MALL [2] - 87:7, 93:8</p> <p>MALL [1] - 128:7</p> <p>MAN [1] - 135:21</p> <p>MANAGEMENT [1] - 114:12</p> <p>MANAGEMENT [3] - 56:6, 63:13, 75:29</p> <p>MANAGER [3] - 116:29, 117:3, 117:9</p> <p>MANAGER'S [1] - 73:19</p> <p>MANAGING [2] - 40:5, 71:1</p> <p>MANNER [1] - 55:23</p> <p>MANOR [1] - 25:6</p> <p>MAP [15] - 11:19, 11:21, 12:11, 13:3, 13:5, 14:17, 14:29, 15:4, 17:8, 17:17, 24:29, 38:21, 77:11, 80:4, 80:5</p> <p>MAPPED [2] - 17:13, 80:5</p> <p>MAPPING [3] - 15:3, 36:23, 79:21</p> <p>MAPS [1] - 23:26</p> <p>MARCH [3] - 10:12, 10:18, 103:3</p> <p>MARIA [1] - 3:12</p> <p>MARINA [2] - 134:16, 134:17</p> <p>MARK [1] - 3:12</p> <p>MARKET [2] - 87:25, 93:11</p> <p>MARKETED [2] - 138:19, 139:7</p> <p>MARKETING [3] - 122:5, 139:13, 141:6</p> <p>MARLTON [1] - 97:20</p> <p>MARTIN [4] - 92:7, 94:8, 94:27, 95:8</p> <p>MASSIVE [2] -</p>	<p>26:21, 65:7</p> <p>MASSIVELY [2] - 26:25, 65:12</p> <p>MATERIAL [41] - 37:16, 37:19, 38:9, 38:11, 42:3, 42:14, 42:20, 48:1, 61:23, 62:1, 62:25, 63:2, 63:10, 63:11, 63:19, 64:6, 75:17, 76:14, 76:25, 76:28, 77:8, 77:17, 78:28, 79:26, 80:11, 81:3, 82:13, 82:15, 82:24, 117:25, 118:1, 118:21, 119:7, 122:22, 122:23, 127:6, 132:17, 132:19, 132:20, 140:13</p> <p>MATERIAL [1] - 37:24</p> <p>MATERIALLY [8] - 58:29, 59:5, 119:24, 119:27, 119:28, 126:6, 126:27, 127:13</p> <p>MATHS [1] - 84:4</p> <p>MATTER [14] - 6:25, 55:22, 57:2, 58:20, 103:20, 106:21, 107:20, 116:22, 125:16, 126:6, 127:19, 128:22, 137:9, 137:16</p> <p>MATTERS [3] - 54:9, 54:22, 109:28</p> <p>MATTHEWS [1] - 10:25</p> <p>MATTHEWS [38] - 39:26, 41:4, 41:27, 42:12, 42:19, 42:25, 43:4, 44:25, 46:3, 46:16, 47:17, 47:26, 48:19, 50:16, 50:20, 52:6, 53:18, 54:2, 55:13, 56:24, 61:10, 61:14, 62:16, 63:7, 69:13, 70:18, 74:4, 75:22, 76:17, 76:22,</p>	<p>77:3, 77:13, 77:25, 78:2, 78:10, 79:23, 80:27, 81:17</p> <p>MATTHEWS [36] - 39:27, 40:12, 40:29, 41:3, 41:26, 42:11, 42:24, 43:5, 44:27, 48:20, 56:25, 58:19, 59:11, 59:14, 59:20, 59:24, 60:4, 60:9, 60:13, 60:24, 61:13, 61:20, 62:15, 63:27, 64:2, 70:19, 74:3, 75:23, 76:2, 76:4, 76:7, 76:20, 78:11, 78:14, 80:16, 80:28</p> <p>MATTHEWS [2] - 40:9, 46:27</p> <p>MAURA [1] - 14:25</p> <p>MAXIMUM [1] - 108:17</p> <p>MEADOW [1] - 97:2</p> <p>MEADOWS [1] - 97:15</p> <p>MEALY [2] - 16:3, 16:6</p> <p>MEALY [2] - 16:5, 35:19</p> <p>MEAN [36] - 6:20, 7:8, 7:25, 7:26, 9:5, 9:26, 26:21, 29:6, 33:11, 43:8, 44:4, 47:14, 50:2, 51:4, 52:26, 52:27, 54:25, 58:6, 58:10, 65:4, 67:19, 71:15, 72:28, 73:7, 73:10, 96:29, 110:5, 126:2, 127:25, 128:4, 128:14, 131:29, 132:4, 132:19, 137:15</p> <p>MEANS [4] - 48:24, 69:5, 91:16, 103:1</p> <p>MEANT [2] - 47:2, 139:19</p> <p>MEANTIME [1] - 9:21</p>	<p>MEAT [1] - 23:22</p> <p>MEDIA [1] - 126:25</p> <p>MEDIAN [1] - 117:23</p> <p>MEET [9] - 16:27, 21:18, 21:19, 66:16, 89:15, 103:11, 106:29, 108:16, 111:21</p> <p>MEETING [67] - 4:21, 5:15, 5:22, 5:27, 12:6, 13:20, 14:10, 14:11, 33:1, 33:13, 37:14, 37:20, 41:10, 45:3, 45:5, 45:14, 48:7, 62:26, 63:24, 65:12, 65:14, 66:3, 75:14, 79:2, 79:8, 82:3, 86:10, 92:23, 99:7, 101:14, 101:22, 102:9, 102:14, 102:18, 102:21, 102:25, 105:7, 105:10, 105:12, 106:15, 106:21, 106:28, 107:1, 107:16, 107:22, 108:18, 109:22, 109:23, 110:24, 111:4, 111:15, 111:21, 111:22, 111:26, 114:28, 115:13, 120:5, 120:13, 120:14, 120:22, 121:1, 123:25, 123:26, 126:24, 137:8, 140:19</p> <p>MEETING [1] - 141:23</p> <p>MEETING [3] - 10:11, 10:17, 10:23</p> <p>MEETING'S [1] - 62:8</p> <p>MEETINGS [6] - 92:1, 106:17, 107:10, 117:15, 121:22, 121:23</p> <p>MEGA [2] - 65:13</p> <p>MEMBER [5] - 6:13, 6:16, 103:16, 106:8, 141:13</p>
M					
	<p>M7 [1] - 113:18</p> <p>M9 [1] - 113:18</p> <p>MADNESS [1] - 8:5</p> <p>MAGAZINE [1] - 35:12</p> <p>MAGNIFICENT [1] - 92:4</p> <p>MAIL [2] - 35:27, 36:2</p> <p>MAIN [4] - 21:4, 105:27, 112:16, 134:13</p> <p>MAITH [6] - 6:4, 6:25, 52:19, 53:5, 127:15, 128:17</p> <p>MAJOR [4] - 112:25, 112:28,</p>				

<p>MEMBERS [42] - 4:16, 4:24, 5:1, 7:2, 8:12, 10:9, 11:18, 11:20, 11:22, 12:20, 13:19, 14:7, 29:21, 36:17, 37:7, 37:18, 38:25, 39:5, 43:3, 43:10, 70:6, 80:24, 82:9, 86:3, 86:29, 87:4, 90:25, 95:18, 96:4, 96:9, 99:13, 105:25, 107:15, 112:8, 118:24, 121:5, 122:28, 125:11, 128:23, 141:8, 141:20</p> <p>MEMBERS [9] - 6:12, 6:23, 7:24, 8:4, 31:8, 40:24, 75:13, 124:3</p> <p>MEMO [1] - 114:25</p> <p>MEMORY [2] - 33:2, 76:17</p> <p>MEND [1] - 133:14</p> <p>MENTION [3] - 35:25, 54:25, 123:12</p> <p>MENTIONED [7] - 22:8, 26:14, 26:19, 59:4, 59:13, 102:8, 110:15</p> <p>MENTIONING [1] - 127:23</p> <p>MERIT [2] - 50:20, 52:11</p> <p>MERITS [1] - 39:1</p> <p>METRE [1] - 117:23</p> <p>METRES [2] - 55:12, 90:8</p> <p>MICHAEL [6] - 14:24, 92:6, 92:26, 93:12, 93:20, 94:8</p> <p>MICHAEL'S [1] - 86:28</p> <p>MID [3] - 14:29, 25:27</p> <p>MID-AFTERNOON [1] - 25:27</p> <p>MID-MORNING [1] - 25:27</p>	<p>MIDDLE [1] - 117:24</p> <p>MIDST [1] - 22:3</p> <p>MIGHT [15] - 19:5, 21:2, 33:7, 34:1, 48:6, 52:28, 59:4, 59:19, 78:11, 86:7, 111:25, 116:6, 121:15, 124:11, 137:21</p> <p>MIGHTN'T [3] - 19:5, 46:13, 60:29</p> <p>MILES [2] - 111:1, 112:14</p> <p>MILLION [9] - 112:21, 121:16, 123:29, 133:21, 134:10, 135:3, 140:22, 140:23</p> <p>MILLION-AND-A-HALF [1] - 121:16</p> <p>MILLIONS [1] - 65:13</p> <p>MIND [7] - 6:7, 13:8, 45:12, 45:20, 45:27, 96:17, 117:12</p> <p>MINE [1] - 89:17</p> <p>MINEFIELD [3] - 53:19, 55:3, 55:10</p> <p>MINISTER [1] - 109:29</p> <p>MINISTER [34] - 5:6, 5:13, 5:23, 22:8, 27:15, 28:29, 31:19, 38:3, 39:10, 39:19, 40:1, 82:21, 101:24, 102:8, 102:11, 102:17, 102:19, 102:25, 103:10, 103:16, 105:16, 105:20, 106:3, 106:4, 106:11, 106:19, 106:29, 107:5, 107:22, 108:13, 111:21, 111:25, 113:7, 113:25</p> <p>MINOR [2] - 126:3, 126:4</p> <p>MINUSED [1] - 83:14</p> <p>MINUTE [5] - 71:4, 83:11, 89:9,</p>	<p>96:14, 96:16</p> <p>MINUTE'S [1] - 3:15</p> <p>MINUTES [19] - 10:10, 10:16, 10:22, 21:1, 32:2, 32:3, 32:5, 32:6, 32:10, 33:27, 33:28, 86:16, 86:27, 87:1, 96:19, 136:6, 136:9, 141:21</p> <p>MISFORTUNE [1] - 52:24</p> <p>MISS [1] - 34:29</p> <p>MISSED [3] - 59:19, 134:25, 138:12</p> <p>MISTAKE [1] - 83:18</p> <p>MITCHELL [2] - 131:15, 141:14</p> <p>MITCHELL [2] - 131:16, 141:16</p> <p>MITIGATE [1] - 65:28</p> <p>MIXED [1] - 77:10</p> <p>MIXING [1] - 122:2</p> <p>MODEL [3] - 26:10, 50:7</p> <p>MODERN [3] - 94:11, 95:10, 95:19</p> <p>MODIFICATIO N [3] - 38:7, 64:8, 64:10</p> <p>MODIFICATIO NS [3] - 38:7, 82:16, 83:3</p> <p>MODIFIED [1] - 80:23</p> <p>MODIFY [3] - 38:21, 43:28, 73:23</p> <p>MOMENT [22] - 20:29, 22:14, 23:25, 24:8, 26:12, 28:13, 31:6, 32:28, 34:25, 51:27, 73:11, 74:27, 84:21, 87:26, 99:4, 102:3, 102:27, 102:29, 103:2, 109:14, 113:18, 129:22</p> <p>MONDAY [2] - 10:12, 10:24</p>	<p>MONEY [10] - 7:11, 7:13, 14:3, 14:5, 59:26, 93:14, 122:1, 122:9, 131:21</p> <p>MONIES [1] - 102:2</p> <p>MONTH [8] - 71:3, 87:13, 101:12, 111:10, 122:29, 123:4, 125:12, 137:24</p> <p>MONTHS [9] - 6:8, 16:12, 68:18, 96:26, 101:25, 102:1, 103:13, 132:6</p> <p>MORNING [5] - 11:20, 20:5, 25:25, 25:27, 92:24</p> <p>MORNINGS [1] - 103:26</p> <p>MOST [20] - 18:25, 28:16, 37:18, 38:25, 50:4, 53:11, 55:26, 69:6, 69:18, 70:9, 82:18, 87:11, 91:17, 103:20, 110:2, 110:27, 112:19, 126:19, 129:24, 134:11</p> <p>MOTHER [2] - 3:11, 3:13</p> <p>MOTHER-IN-LAW [2] - 3:11, 3:13</p> <p>MOTION [4] - 24:19, 103:10, 106:18, 114:3</p> <p>MOTIONS [1] - 81:26</p> <p>MOTORWAY [1] - 15:16</p> <p>MOTORWAYS [3] - 113:13, 113:15</p> <p>MOTTOS [1] - 18:20</p> <p>MOVE [5] - 13:3, 21:29, 110:28, 113:9, 118:28</p> <p>MOVED [1] - 132:27</p> <p>MOVES [1] - 64:25</p> <p>MOVING [3] - 71:20, 88:29,</p>	<p>93:22</p> <p>MR [85] - 15:10, 16:5, 16:17, 34:12, 35:19, 37:13, 37:24, 38:20, 39:10, 40:27, 41:1, 41:9, 41:21, 41:25, 42:3, 42:14, 42:20, 42:29, 48:1, 59:13, 59:18, 61:23, 61:28, 62:8, 62:19, 62:24, 63:10, 63:18, 64:4, 67:11, 68:6, 68:14, 70:27, 73:28, 74:7, 74:13, 75:17, 75:27, 76:3, 76:6, 76:14, 76:25, 76:28, 77:8, 77:17, 78:6, 78:19, 78:28, 79:17, 79:19, 79:26, 80:4, 80:11, 80:20, 82:17, 83:19, 84:1, 84:15, 85:11, 85:14, 86:26, 87:4, 96:9, 99:1, 99:4, 117:11, 128:25, 128:28, 129:2, 129:6, 129:12, 129:17, 130:4, 130:6, 130:11, 133:9, 133:13, 133:19, 134:1, 134:25, 136:22, 138:14, 138:19, 139:7, 141:5</p> <p>MS [54] - 3:11, 10:19, 10:21, 10:25, 11:8, 11:10, 11:17, 12:7, 12:17, 13:11, 14:9, 15:25, 15:28, 16:1, 36:8, 36:20, 36:27, 40:14, 40:18, 41:19, 47:26, 61:3, 61:14, 61:17, 61:26, 62:17, 62:22, 73:22, 74:6, 74:9, 75:9, 76:11, 78:1, 78:17, 78:24, 80:17, 82:6, 83:27, 84:12,</p>	<p>84:19, 84:20, 84:29, 85:7, 85:10, 85:13, 86:1, 96:6, 98:2, 98:14, 98:18, 99:18, 99:22, 114:4, 141:20</p> <p>MULTIPLE [1] - 19:28</p> <p>MULTIPLIER [1] - 36:24</p> <p>MUNICIPAL [1] - 100:4</p> <p>MUNICIPAL [18] - 4:21, 37:8, 37:11, 66:19, 80:25, 82:18, 83:5, 86:23, 91:29, 92:9, 93:3, 95:18, 98:19, 100:10, 102:10, 114:27, 132:9, 141:13</p> <p>MURPHY [2] - 90:1, 90:5</p> <p>MUST [10] - 7:10, 9:3, 9:4, 25:20, 58:21, 84:19, 102:7, 112:3, 134:3, 134:25</p>
N					
<p>N11 [7] - 14:28, 15:2, 15:5, 15:6, 37:27, 38:27, 108:21</p> <p>N81 [11] - 5:5, 101:26, 102:4, 102:18, 106:5, 106:20, 106:23, 112:10, 112:25, 113:14, 113:16</p> <p>N9 [1] - 109:19</p> <p>NAAS [7] - 25:9, 25:11, 25:16, 25:18, 25:19, 26:3, 113:19</p> <p>NAIL [1] - 55:12</p> <p>NAILED [1] - 51:23</p> <p>NAME [4] - 3:7, 7:23, 16:6, 28:5</p> <p>NARROW [1] - 88:6</p> <p>NATIONAL [6] - 28:24, 40:4, 40:5, 102:5, 108:9, 117:21</p>					

<p>NATIONAL [2] - 18:23, 22:14</p> <p>NATURAL [1] - 61:7</p> <p>NATURALLY [1] - 100:19</p> <p>NATURE [1] - 28:6</p> <p>NAVYBROOK [1] - 135:18</p> <p>NEAR [2] - 33:10, 77:20</p> <p>NEARBY [2] - 76:18, 118:13</p> <p>NEARLY [1] - 50:6</p> <p>NECESSARILY [5] - 7:2, 53:27, 60:29, 66:14, 115:10</p> <p>NECESSARY [3] - 24:23, 36:12, 110:26</p> <p>NECESSITATE D [1] - 83:4</p> <p>NEED [35] - 19:13, 19:20, 21:11, 24:2, 25:4, 25:10, 25:26, 25:29, 28:21, 40:24, 46:1, 47:21, 47:22, 53:25, 56:7, 57:17, 57:19, 57:20, 57:21, 57:23, 62:6, 70:15, 71:18, 71:19, 92:9, 103:28, 104:24, 117:27, 118:14, 123:7, 126:8, 130:25, 131:16, 131:18, 132:12</p> <p>NEEDED [4] - 28:14, 67:19, 110:6, 110:22</p> <p>NEEDS [10] - 9:20, 21:7, 53:20, 66:17, 91:14, 100:11, 104:14, 105:24, 108:29</p> <p>NEGATIVE [1] - 72:23</p> <p>NEGLIGIBLE [1] - 118:21</p> <p>NEGOTIATE [4] - 60:2, 115:21, 121:2, 131:21</p> <p>NEGOTIATING [5] - 56:10,</p>	<p>123:10, 130:16, 132:3, 133:15</p> <p>NEGOTIATION [2] - 115:23, 115:25</p> <p>NEIGHBOURH OOD [4] - 72:6, 78:7, 78:8, 79:27</p> <p>NEVER [7] - 9:29, 10:3, 126:17, 131:11, 132:9, 132:26, 139:11</p> <p>NEW [20] - 13:3, 15:5, 16:26, 17:2, 30:22, 33:4, 34:13, 35:1, 45:1, 87:5, 93:9, 93:20, 93:23, 94:14, 94:18, 101:27, 105:26, 112:10, 112:29, 113:19</p> <p>NEWCASTLE [1] - 20:20</p> <p>NEWS [1] - 99:11</p> <p>NEWTOWN [4] - 23:13, 26:20, 30:20, 30:23</p> <p>NEWTOWNMO UNTKENNEDY [3] - 19:26, 19:29, 20:1</p> <p>NEXT [20] - 8:22, 19:25, 21:29, 37:7, 41:21, 42:29, 43:10, 64:6, 71:3, 75:13, 75:17, 86:15, 87:13, 88:28, 90:7, 90:12, 93:15, 96:12, 125:12, 137:24</p> <p>NICE [5] - 87:20, 88:9, 88:14, 88:17, 95:21</p> <p>NICHOLSON [5] - 91:8, 92:6, 92:26, 94:8, 95:7</p> <p>NICHOLSON [3] - 86:26, 87:4, 96:9</p> <p>NICOLA [2] - 10:13, 84:15</p> <p>NIGHT [5] - 22:10, 115:6, 124:1, 124:7, 125:7</p> <p>NIGHTTIME [1] - 28:2</p>	<p>NINE [6] - 78:3, 87:13, 101:21, 103:17, 111:24, 140:28</p> <p>NINE-MONTH [1] - 87:13</p> <p>NINETIES [1] - 15:1</p> <p>NO.1 [1] - 82:13</p> <p>NOBODY [4] - 51:13, 51:23, 104:29, 124:7</p> <p>NOLAN [1] - 94:5</p> <p>NOLAN [2] - 94:6, 97:17</p> <p>NOMINATION [1] - 98:19</p> <p>NOMINEE [2] - 98:12, 98:20</p> <p>NON [5] - 29:10, 125:3, 133:22, 134:9, 140:13</p> <p>NON-DRIVERS [1] - 29:10</p> <p>NON-MATERIAL [1] - 140:13</p> <p>NON-REFUNDABLE [1] - 134:9</p> <p>NON-RESIDENTIAL [1] - 125:3</p> <p>NON-RETURNABLE [1] - 133:22</p> <p>NONE [1] - 89:24</p> <p>NORMALLY [4] - 44:16, 44:20, 45:9, 45:21</p> <p>NORTH [7] - 14:24, 16:10, 20:2, 20:23, 21:21, 26:29, 69:18</p> <p>NORTH [4] - 25:13, 28:25, 104:27, 105:9</p> <p>NORTHWARD S [1] - 23:28</p> <p>NORTHWEST [1] - 25:2</p> <p>NOTE [3] - 6:14, 11:22, 97:28</p> <p>NOTHING [8] - 4:23, 7:21, 12:29, 56:12, 66:11, 100:13, 103:7,</p>	<p>130:24</p> <p>NOTICE [4] - 4:22, 11:19, 12:10, 13:3</p> <p>NOTICES [2] - 12:2, 123:6</p> <p>NOTING [1] - 98:3</p> <p>NOTWITHSTA NDING [2] - 26:28, 54:10</p> <p>NTA [15] - 16:22, 16:26, 22:2, 23:4, 23:11, 24:8, 24:10, 24:12, 24:13, 24:20, 36:9, 62:2, 71:1, 76:26, 76:29</p> <p>NTA'S [2] - 16:20, 34:20</p> <p>NUB [3] - 57:1, 58:9, 59:27</p> <p>NUMBER [1] - 37:25</p> <p>NUMBER [29] - 3:5, 13:5, 27:18, 37:8, 37:15, 40:27, 41:24, 41:25, 42:3, 42:14, 42:20, 47:4, 48:1, 54:28, 68:18, 71:9, 71:27, 73:16, 76:11, 76:14, 77:8, 78:2, 81:3, 82:29, 99:1, 100:15, 111:15, 117:12, 124:17</p> <p>NUMBERS [5] - 22:2, 40:25, 71:16, 84:4, 112:23</p> <p>NUMEROUS [1] - 124:24</p> <p>NURSING [1] - 76:15</p>	<p>40:27, 41:1, 41:9, 41:21, 41:25, 42:3, 42:14, 42:20, 42:29, 48:1, 56:15, 59:13, 59:18, 61:23, 61:28, 62:8, 62:19, 62:24, 63:10, 63:18, 64:4, 67:11, 70:27, 73:28, 74:7, 74:13, 75:17, 75:27, 76:3, 76:6, 76:14, 76:25, 76:28, 77:8, 77:17, 78:6, 78:19, 78:28, 79:17, 79:19, 79:26, 80:4, 80:11, 80:20, 82:17, 83:19, 84:1, 84:15, 85:11, 85:14, 99:4, 109:22, 117:11, 130:6, 130:11, 133:9, 133:13, 133:19, 134:1, 134:25, 136:22, 138:14, 138:19, 139:7, 141:5</p> <p>O'BYRNE [2] - 10:28, 11:2</p> <p>O'CLOCK [5] - 20:5, 20:6, 99:10, 102:22, 111:7</p> <p>O'NEILL [9] - 5:3, 5:10, 5:21, 101:19, 105:16, 106:12, 107:9, 107:29, 110:15</p> <p>O'NEILL [3] - 5:4, 101:20, 114:3</p> <p>O'NEILL'S [2] - 106:18, 113:8</p> <p>OAKMOUNT [1] - 135:20</p> <p>OBESITY [1] - 141:10</p> <p>OBESITY [1] - 141:16</p> <p>OBJECT [2] - 51:12, 131:27</p> <p>OBJECTING [1] - 75:5</p> <p>OBJECTION [4] - 39:19, 41:14, 81:19, 124:13</p>	<p>OBJECTIONS [2] - 38:15, 82:3</p> <p>OBJECTIVE [1] - 60:14</p> <p>OBJECTIVES [1] - 81:2</p> <p>OBLIGE [1] - 77:1</p> <p>OBLIGED [3] - 119:3, 119:26, 119:29</p> <p>OBSERVED [1] - 3:15</p> <p>OBTAINING [1] - 119:16</p> <p>OBVIOUS [4] - 69:15, 71:18, 105:8, 140:15</p> <p>OBVIOUSLY [31] - 13:3, 18:24, 26:20, 28:12, 29:6, 29:19, 30:22, 31:24, 34:26, 38:4, 38:23, 49:17, 50:25, 50:26, 57:18, 71:1, 74:23, 79:12, 81:23, 91:15, 92:4, 92:18, 93:8, 110:8, 113:12, 115:14, 120:26, 126:23, 127:6, 134:29, 139:10</p> <p>OCCASIONS [3] - 47:10, 92:9, 102:11</p> <p>OCTOBER [3] - 17:28, 22:25, 33:2</p> <p>OFFER [3] - 26:10, 26:24, 34:6</p> <p>OFFERS [1] - 49:17</p> <p>OFFICE [8] - 17:15, 25:9, 90:10, 120:26, 120:27, 123:11, 123:15, 128:10</p> <p>OFFICES [1] - 139:12</p> <p>OFFICIALS [1] - 136:26</p> <p>OFTEN [1] - 46:21</p> <p>OG'S [1] - 69:29</p> <p>OLD [4] - 87:15, 93:10, 93:13, 110:13</p>
O					
<p>O'BRIEN [13] - 56:14, 56:23, 69:29, 79:12, 81:23, 109:21, 116:1, 127:23, 128:10, 133:6, 138:9, 138:10, 141:4</p> <p>O'BRIEN [69] - 37:13, 37:24, 38:20, 39:10,</p>					

<p>OLDCOURT [1] - 77:18</p> <p>OLDER [1] - 28:16</p> <p>OLIVER [1] - 69:29</p> <p>ONCE [4] - 74:6, 85:24, 121:12, 133:22</p> <p>ONE [1] - 3:15</p> <p>ONE [108] - 6:13, 16:24, 18:3, 18:18, 18:20, 18:25, 18:26, 19:14, 19:23, 19:25, 20:19, 20:28, 22:7, 24:28, 27:10, 32:23, 32:28, 34:15, 36:18, 36:24, 37:22, 40:2, 40:15, 40:17, 40:22, 41:9, 41:21, 42:16, 42:29, 43:14, 43:18, 43:19, 43:28, 45:23, 47:9, 53:13, 53:26, 55:5, 56:17, 56:26, 58:4, 61:24, 61:27, 62:6, 62:19, 62:27, 64:6, 65:9, 66:25, 67:4, 67:5, 73:29, 74:3, 75:5, 75:7, 75:12, 76:17, 76:26, 76:29, 77:20, 77:21, 84:26, 86:2, 87:17, 88:20, 88:22, 89:26, 90:12, 96:18, 96:23, 97:2, 101:1, 102:12, 102:13, 105:27, 106:14, 110:16, 111:16, 112:19, 115:25, 115:26, 118:7, 118:8, 118:21, 121:25, 121:26, 122:6, 124:5, 124:6, 124:12, 124:16, 124:25, 125:28, 128:8, 129:24, 134:3, 137:22, 137:26, 138:28, 139:1, 139:25, 139:28,</p>	<p>141:8</p> <p>ONE [1] - 99:11</p> <p>ONE-LINER [1] - 102:13</p> <p>ONE-SIZE-FITS</p> <p>-ALL [1] - 101:1</p> <p>ONE-STOREY</p> <p>[2] - 118:7, 118:8</p> <p>ONES [6] - 34:14, 34:19, 34:24, 34:26, 76:26, 129:29</p> <p>ONLINE [1] - 22:26</p> <p>ONUS [1] - 24:11</p> <p>OPEN [44] - 10:3, 30:10, 30:16, 30:22, 31:22, 43:1, 43:25, 44:11, 45:13, 46:10, 46:18, 46:21, 46:25, 47:4, 47:13, 49:7, 57:17, 64:9, 64:14, 65:16, 65:25, 66:4, 66:12, 66:15, 67:1, 68:9, 72:14, 73:15, 75:20, 75:25, 75:26, 79:20, 80:5, 81:5, 84:18, 87:14, 90:18, 92:14, 95:26, 107:7, 123:19, 127:6, 131:8, 132:13</p> <p>OPENED [3] - 10:2, 92:12, 125:3</p> <p>OPENING [2] - 46:20, 111:2</p> <p>OPENS [1] - 95:13</p> <p>OPERATORS [1] - 22:17</p> <p>OPINION [9] - 47:8, 60:12, 118:16, 120:28, 121:8, 121:9, 124:29</p> <p>OPPORTUNITY [5] - 23:6, 24:3, 27:21, 44:28, 45:16</p> <p>OPPOSED [2] - 64:15, 124:6</p> <p>OPTION [1] - 68:14</p>	<p>ORDER [3] - 19:12, 54:26, 88:7</p> <p>ORDERS [3] - 12:4, 12:21, 51:16</p> <p>ORDERS [15] - 3:24, 4:12, 4:27, 5:5, 6:6, 7:17, 7:28, 86:5, 86:8, 86:15, 96:25, 98:9, 99:27, 101:19, 114:8</p> <p>ORDINARY [2] - 10:11, 10:23</p> <p>ORGANISATIO</p> <p>NS [1] - 69:25</p> <p>ORGANISED [3] - 102:18, 102:20, 107:22</p> <p>ORIGINAL [4] - 13:5, 14:28, 15:13, 140:28</p> <p>ORIGINS [1] - 19:15</p> <p>OTHERWISE [1] - 105:20</p> <p>OURSELVES [3] - 16:22, 128:20, 134:20</p> <p>OUT-OF-KILTER [1] - 108:20</p> <p>OUTCOMES [1] - 22:26</p> <p>OUTLINED [1] - 107:29</p> <p>OUTLINING [1] - 108:13</p> <p>OUTSET [2] - 127:26, 135:18</p> <p>OUTSIDE [3] - 18:6, 38:12, 120:15</p> <p>OVERALL [1] - 30:2</p> <p>OVERARCHIN</p> <p>G [1] - 101:8</p> <p>OVERDUE [1] - 106:1</p> <p>OVERWHELMI</p> <p>NG [2] - 120:6, 121:6</p> <p>OWN [1] - 141:11</p> <p>OWN [23] - 6:15, 7:21, 7:22, 9:19, 9:20, 24:2, 27:25, 39:1, 46:21, 51:6, 52:5, 52:23,</p>	<p>55:29, 56:1, 56:2, 67:21, 100:5, 100:8, 104:20, 104:24, 104:25, 130:5</p> <p>OWNED [10] - 50:21, 57:10, 59:25, 59:29, 60:10, 60:15, 65:7, 118:3</p> <p>OWNER [2] - 38:28, 123:16</p> <p>OWNERS [1] - 56:11</p> <p>OWNERSHIP [6] - 46:23, 51:15, 51:18, 51:26, 55:2, 60:5</p> <p>OWNS [1] - 57:9</p>	<p>126:14, 135:13</p> <p>PARKLAND [2] - 65:16, 68:11</p> <p>PART [14] - 49:3, 57:14, 57:15, 90:26, 91:1, 91:25, 92:19, 93:5, 116:4, 117:7, 117:19, 117:22, 118:2</p> <p>PART [25] - 14:28, 15:7, 16:18, 33:6, 34:28, 35:3, 37:25, 47:18, 49:21, 52:5, 66:9, 67:3, 73:1, 76:15, 84:24, 87:26, 87:27, 92:11, 94:13, 104:3, 109:1, 115:22, 120:2, 134:25, 140:1</p> <p>PARTICULAR</p> <p>[24] - 19:5, 19:19, 27:20, 38:28, 47:9, 52:22, 55:4, 56:29, 63:5, 65:5, 66:21, 69:8, 71:23, 93:8, 100:6, 101:5, 101:7, 109:7, 109:12, 109:17, 115:8, 115:20, 120:22</p> <p>PARTICULARL</p> <p>Y [12] - 8:3, 10:8, 18:15, 25:17, 26:7, 26:29, 27:25, 35:12, 50:11, 69:26, 81:24, 107:23</p> <p>PARTIES [8] - 5:11, 127:3, 135:10, 135:18, 135:24, 138:18, 139:26, 140:29</p> <p>PARTNER [1] - 116:16</p> <p>PARTNERS [1] - 116:1</p> <p>PARTNERS" [1] - 116:8</p> <p>PARTNERSHIP</p> <p>[1] - 27:17</p> <p>PARTS [8] - 26:19, 37:25, 50:9, 91:17, 100:24, 100:26, 100:28, 103:24</p>	<p>PARTY [4] - 48:27, 49:26, 60:14, 81:4</p> <p>PASS [6] - 4:4, 4:8, 46:9, 46:20, 53:4, 64:4</p> <p>PASSAGES [1] - 47:10</p> <p>PASSED [6] - 3:5, 37:19, 41:9, 54:16, 62:25, 63:23</p> <p>PASSENGERS</p> <p>[2] - 19:19, 22:2</p> <p>PAST [6] - 19:20, 28:9, 46:23, 51:11, 71:12, 91:10</p> <p>PAT [3] - 3:6, 3:8, 10:13</p> <p>PATIENTLY [1] - 115:12</p> <p>PAUL'S [7] - 6:10, 6:21, 52:29, 116:13, 123:11, 132:24, 135:3</p> <p>PAY [4] - 3:3, 85:14, 120:24, 120:29</p> <p>PENALTY [1] - 134:9</p> <p>PENNY [1] - 33:7</p> <p>PEOPLE [123] - 4:8, 6:20, 6:23, 8:3, 9:6, 17:5, 17:23, 18:6, 18:7, 18:16, 19:2, 19:17, 21:4, 21:28, 23:17, 23:26, 24:16, 25:14, 25:17, 25:22, 25:26, 26:28, 27:21, 28:8, 28:20, 28:13, 28:14, 28:26, 29:13, 30:3, 30:12, 30:26, 31:4, 33:13, 33:15, 33:25, 34:4, 34:5, 35:14, 35:24, 43:14, 43:25, 43:26, 44:1, 46:18, 46:26, 47:10, 47:19, 47:20, 47:24, 49:20, 51:1, 51:9, 51:12, 51:29,</p>
P					
<p>PACK [1] - 83:11</p> <p>PAGE [6] - 36:1, 83:10, 83:20, 83:21, 83:28</p> <p>PAID [2] - 14:5, 59:26</p> <p>PAINTINGS [1] - 90:19</p> <p>PALTRY [1] - 25:23</p> <p>PAPER [3] - 123:24, 124:15, 124:24</p> <p>PAPERWORK</p> <p>[1] - 8:20</p> <p>PARALLEL [1] - 52:29</p> <p>PARCEL [2] - 13:18, 13:23</p> <p>PARDON [1] - 128:27</p> <p>PARK [15] - 75:20, 79:28, 91:19, 116:10, 116:15, 118:19, 122:27, 123:6, 123:8, 123:18, 123:19, 126:6, 135:2, 136:16, 140:10</p> <p>PARKING [16] - 29:29, 114:29, 115:2, 116:12, 116:17, 116:19, 117:4, 118:6, 118:22, 126:5, 126:7, 126:8,</p>					

<p>52:16, 52:28, 53:3, 55:11, 55:26, 56:20, 60:7, 60:21, 65:5, 68:18, 69:6, 69:12, 69:26, 70:7, 72:23, 74:26, 82:20, 88:25, 89:4, 89:18, 90:14, 90:15, 91:18, 91:23, 94:20, 95:11, 99:11, 102:6, 103:6, 105:7, 105:9, 106:10, 108:27, 109:24, 110:7, 110:15, 110:20, 111:3, 111:5, 111:8, 111:16, 111:18, 112:10, 115:17, 115:26, 121:18, 121:25, 122:2, 122:4, 124:8, 124:12, 124:24, 126:1, 128:11, 137:19, 137:23, 137:24, 137:25, 138:21, 138:28, 139:7, 139:8, 139:16</p> <p>PEOPLE'S [14] - 8:2, 49:19, 50:24, 51:7, 51:19, 51:20, 55:29, 56:29, 57:12, 57:16, 58:6, 58:8, 68:17, 80:4</p> <p>PER [5] - 38:21, 39:15, 48:11, 80:22, 134:8</p> <p>PERCEIVED [2] - 137:3, 137:21</p> <p>PERCENT [3] - 51:24, 70:8, 70:12</p> <p>PERCEPTION [1] - 93:23</p> <p>PERHAPS [5] - 54:6, 67:4, 106:5, 113:8, 113:13</p> <p>PERIOD [2] - 122:29, 123:1</p> <p>PERIPHERALL Y [1] - 56:1</p> <p>PERMANENT [2] - 17:3, 98:20</p> <p>PERMISSION [15] - 36:17, 48:25, 52:3,</p>	<p>72:22, 72:26, 75:14, 114:18, 116:4, 117:20, 120:23, 128:4, 134:24, 134:28, 135:12, 136:15</p> <p>PERMISSIONS [2] - 111:19, 124:27</p> <p>PERMIT [2] - 45:9, 45:21</p> <p>PERMIT.. [1] - 44:20</p> <p>PERSON [5] - 53:26, 56:17, 99:26, 122:6, 140:16</p> <p>PERSON [1] - 11:13</p> <p>PERSONALLY [1] - 81:25</p> <p>PERSPECTIVE [1] - 6:15</p> <p>PERSUADE [1] - 111:25</p> <p>PHASE [12] - 64:9, 64:12, 64:13, 64:16, 66:9, 66:12, 72:1, 72:2, 72:13, 73:21, 97:15</p> <p>PHASE [5] - 64:23, 69:1, 69:9, 72:27, 73:17</p> <p>PHASED [1] - 72:12</p> <p>PHASES [11] - 64:11, 64:19, 64:20, 64:22, 64:24, 66:10, 67:6, 70:14, 70:22</p> <p>PHASING [1] - 64:8</p> <p>PHRASE [1] - 139:23</p> <p>PIECE [6] - 13:4, 13:7, 13:26, 15:1, 38:28, 54:17</p> <p>PILING [1] - 118:17</p> <p>PINCHING [1] - 33:7</p> <p>PITCHES [3] - 65:16, 68:11, 70:3</p> <p>PITFALLS [1] - 25:12</p> <p>PITY [1] - 90:2</p> <p>PLACE [15] -</p>	<p>8:26, 12:11, 22:16, 38:14, 51:18, 51:26, 55:17, 68:7, 70:11, 101:23, 108:28, 117:5, 130:22, 132:14, 139:11</p> <p>PLACES [2] - 17:21, 47:19</p> <p>PLAN [25] - 24:8, 37:28, 38:8, 40:3, 66:21, 66:25, 66:27, 67:16, 68:28, 69:1, 69:4, 69:8, 73:20, 80:29, 81:7, 81:9, 81:10, 81:18, 82:18, 90:18, 91:21, 110:17, 110:19, 124:28, 126:16</p> <p>PLAN [21] - 37:8, 37:11, 37:12, 38:10, 39:21, 39:22, 40:25, 43:28, 45:1, 68:23, 68:25, 80:21, 80:25, 82:11, 82:14, 82:19, 82:20, 83:1, 83:5, 83:6, 84:22</p> <p>PLANNED [1] - 38:22</p> <p>PLANNERS [1] - 45:10</p> <p>PLANNING [5] - 38:3, 39:11, 67:15, 80:13, 119:18</p> <p>PLANNING [36] - 43:19, 43:29, 48:26, 49:1, 49:2, 49:8, 49:11, 49:26, 50:3, 54:29, 68:20, 69:6, 72:19, 72:22, 72:25, 73:1, 76:4, 81:21, 85:15, 108:3, 111:19, 114:18, 116:3, 117:18, 117:20, 119:7, 120:12, 121:13, 122:23, 124:27, 128:4, 134:24, 135:11, 135:17, 140:19</p> <p>PLANS [2] -</p>	<p>18:25, 37:17</p> <p>PLANS [6] - 46:15, 89:5, 99:5, 110:25, 122:19, 127:10</p> <p>PLAQUE [1] - 141:12</p> <p>PLAY [1] - 47:20</p> <p>PLAYING [1] - 135:16</p> <p>PLEANÁLA [12] - 4:16, 75:27, 114:22, 117:18, 117:28, 121:14, 134:24, 134:29, 135:12, 136:14, 141:1</p> <p>PLEASED [1] - 141:19</p> <p>PLENTY [1] - 18:2</p> <p>PLOT [2] - 42:5, 42:16</p> <p>PLUS [2] - 22:10, 93:27</p> <p>PLUSSSED [1] - 83:15</p> <p>PLUSSES [2] - 84:23</p> <p>POINT [21] - 5:20, 6:19, 9:25, 26:25, 27:20, 33:24, 41:2, 43:16, 44:2, 44:24, 55:4, 68:1, 75:23, 95:15, 96:19, 101:14, 109:9, 109:12, 125:23, 127:22, 127:25</p> <p>POINTING [1] - 54:8</p> <p>POINTS [3] - 22:28, 118:4, 127:16</p> <p>POLICIES [2] - 100:25, 101:2</p> <p>POLICY [20] - 3:22, 40:4, 43:1, 44:29, 45:1, 45:2, 45:6, 45:11, 45:23, 47:8, 49:11, 50:3, 60:5, 81:6, 99:29, 101:2, 101:4, 101:5, 101:9, 103:29</p> <p>POLICY [2] - 92:23, 98:21</p> <p>POLITICAL [1] -</p>	<p>5:11</p> <p>POLITICIANS [1] - 5:11</p> <p>POPULATION [3] - 40:28, 68:26, 85:4</p> <p>PORTION [3] - 11:21, 11:24, 13:17</p> <p>POSITION [4] - 49:6, 72:23, 73:19, 106:20</p> <p>POSSIBILITY [1] - 32:13</p> <p>POSSIBLE [15] - 3:21, 5:13, 5:16, 19:10, 19:11, 19:13, 20:11, 32:24, 95:21, 103:11, 107:21, 108:17, 121:24, 140:6, 141:1</p> <p>POSSIBLY [5] - 31:3, 35:11, 111:12, 116:6, 117:26</p> <p>POST [1] - 17:15</p> <p>POTENTIAL [3] - 17:29, 122:20, 136:12</p> <p>POTENTIALLY [2] - 31:22, 122:14</p> <p>POWERS [6] - 39:20, 54:9, 54:11, 54:17, 54:20, 54:22</p> <p>PRACTICALLY [1] - 100:28</p> <p>PRACTICE [1] - 131:29</p> <p>PRAGMATIC [2] - 67:1, 67:24</p> <p>PRE [1] - 68:20</p> <p>PRE- PLANNING [1] - 68:20</p> <p>PRECEDENCE [1] - 81:4</p> <p>PRECEDENT [3] - 7:3, 48:29, 60:16</p> <p>PREDECESSO R [1] - 96:1</p> <p>PREPARED [3] - 5:14, 109:28, 110:18</p> <p>PREQUALIFIC ATION [2] - 138:26, 139:17</p> <p>PRESCRIPTIV</p>	<p>E [3] - 43:19, 72:29, 73:3</p> <p>PRESENCE [1] - 25:7</p> <p>PRESENT [11] - 16:4, 40:23, 47:28, 61:27, 73:26, 75:12, 76:13, 78:4, 82:8, 86:1, 96:8</p> <p>PRESENTATIO N [21] - 8:8, 16:2, 16:15, 17:28, 22:18, 22:23, 24:28, 26:6, 27:14, 29:4, 29:10, 30:8, 31:14, 31:17, 32:21, 86:9, 86:24, 86:28, 92:25, 92:26, 93:20</p> <p>PRESENTED [1] - 33:4</p> <p>PRESERVATIO N [1] - 63:11</p> <p>PRESS [1] - 121:28</p> <p>PRESSING [1] - 109:17</p> <p>PRESUMABLY [2] - 131:10, 134:3</p> <p>PRESUME [1] - 84:10</p> <p>PREVAILED [1] - 53:15</p> <p>PREVIOUS [14] - 29:22, 29:23, 41:9, 42:16, 63:23, 69:15, 93:2, 105:11, 105:18, 106:8, 106:15, 114:25, 118:11, 124:26</p> <p>PREVIOUSLY [5] - 11:14, 37:11, 39:12, 118:17, 131:1</p> <p>PRICE [2] - 13:15, 135:1</p> <p>PRICES [1] - 123:27</p> <p>PRIMARY [3] - 117:21, 126:26, 127:7</p> <p>PRINCIPAL [1] - 124:13</p> <p>PRINCIPLE [2] - 124:8, 125:27</p> <p>PRINTED [1] -</p>
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<p>83:20 PRIORITY [2] - 100:21, 109:2 PRIVATE [21] - 22:16, 49:3, 51:14, 54:5, 55:2, 57:19, 58:6, 58:16, 59:12, 59:16, 59:21, 59:23, 59:29, 60:7, 60:10, 60:17, 60:19, 60:20, 60:21, 65:18, 81:4 PROBLEM [12] - 9:20, 30:17, 60:19, 68:9, 96:24, 101:9, 107:18, 110:21, 114:1, 126:5, 129:22, 132:9 PROBLEMS [6] - 7:26, 29:29, 50:12, 125:1, 132:28, 139:19 PROCEDURE [1] - 12:16 PROCEDURES [1] - 12:9 PROCEED [39] - 11:23, 15:19, 39:13, 39:15, 39:29, 40:7, 40:10, 40:21, 41:2, 43:2, 43:5, 45:25, 48:11, 48:15, 48:24, 50:14, 62:28, 68:14, 73:22, 74:14, 74:19, 75:11, 75:21, 76:12, 76:19, 77:2, 77:22, 78:2, 78:21, 79:3, 79:5, 79:10, 79:11, 79:17, 79:22, 80:6, 92:19, 116:6 PROCEEDS [1] - 48:28 PROCESS [19] - 12:9, 12:11, 49:4, 49:8, 49:26, 51:27, 71:2, 76:1, 81:22, 117:18, 117:28, 122:23, 126:9, 127:1, 128:14, 129:25, 135:17, 139:18, 139:25</p>	<p>PROCUREMENT T [2] - 120:12, 140:19 PRODUCED [6] - 72:27, 85:16, 133:17, 133:26, 134:15, 138:27 PROFIT [5] - 65:27, 67:14, 67:28, 67:29, 68:12 PROFITABLE [1] - 116:7 PROGRAMME [3] - 95:1, 95:2 PROGRAMME [1] - 16:21 PROGRESS [5] - 9:29, 48:13, 108:25, 109:12, 113:23 PROJECT [12] - 93:15, 94:28, 114:20, 115:8, 115:18, 116:28, 117:14, 117:17, 118:26, 124:16, 125:6, 134:17 PROJECTS [1] - 119:1 PROMISED [1] - 101:27 PROMOTE [1] - 61:5 PROOF [2] - 56:2, 60:1 PROPER [5] - 10:10, 55:23, 58:8, 69:6, 94:3 PROPERTY [10] - 10:28, 11:12, 36:20, 54:5, 54:17, 54:20, 129:29, 131:17, 135:15 PROPOSAL [55] - 3:28, 4:20, 4:28, 7:18, 9:12, 9:18, 12:25, 14:6, 14:16, 16:26, 24:19, 24:26, 27:6, 36:7, 37:28, 38:15, 39:18, 39:25, 40:10, 40:16, 40:21, 46:27, 48:18, 50:17, 53:4, 54:7, 54:21, 56:13, 56:23, 61:1, 61:18, 65:28,</p>	<p>66:11, 66:29, 67:9, 67:13, 67:23, 67:27, 82:28, 85:23, 92:19, 96:5, 98:22, 99:2, 100:23, 101:11, 105:15, 106:3, 113:6, 113:8, 113:24, 116:2, 125:15, 125:18 PROPOSALS [5] - 22:24, 23:11, 24:7, 71:4, 113:22 PROPOSE [46] - 4:12, 5:4, 11:1, 11:4, 11:26, 15:24, 36:26, 37:1, 38:21, 38:24, 39:2, 39:28, 40:6, 40:29, 41:3, 41:26, 42:9, 42:18, 43:5, 46:4, 48:20, 49:12, 57:28, 62:7, 62:10, 64:18, 65:1, 74:3, 75:7, 76:20, 77:24, 79:4, 80:8, 80:16, 81:10, 85:25, 88:3, 91:25, 96:21, 97:4, 97:10, 97:21, 98:15, 99:17, 100:21, 103:15 PROPOSED [60] - 10:12, 10:25, 11:5, 11:16, 23:16, 24:21, 36:9, 36:12, 36:21, 37:4, 37:10, 37:17, 37:24, 38:10, 38:14, 40:1, 40:17, 40:18, 41:4, 41:16, 42:10, 42:24, 42:25, 47:26, 54:14, 55:28, 58:15, 61:3, 65:15, 68:29, 73:23, 73:24, 74:4, 75:9, 76:11, 76:22, 77:13, 77:23, 78:1, 78:10, 79:13, 79:23, 80:29, 81:12, 82:12, 85:26, 91:7, 96:6,</p>	<p>97:5, 97:8, 97:16, 97:22, 97:25, 97:29, 98:6, 98:22, 99:18, 119:27, 119:28, 135:28 PROPOSER [14] - 15:23, 62:6, 63:7, 63:15, 63:25, 76:8, 77:3, 78:22, 80:1, 80:7, 80:15, 81:9, 83:7, 85:22 PROPOSERS [1] - 53:21 PROPOSING [20] - 4:26, 39:14, 45:25, 46:16, 48:10, 48:14, 52:6, 53:18, 61:10, 61:11, 61:14, 65:1, 66:8, 69:4, 69:8, 74:19, 79:9, 79:10, 125:9 PROSED [1] - 82:6 PROTECT [1] - 47:21 PROTECTED [1] - 56:8 PROTECTION [2] - 51:17, 51:22 PROTECTION [2] - 49:17, 51:17 PROTOCOL [1] - 141:20 PROUD [1] - 95:24 PROVE [1] - 112:23 PROVED [2] - 27:27, 57:10 PROVIDE [13] - 12:12, 24:3, 24:22, 24:23, 36:10, 36:11, 67:18, 67:21, 68:8, 68:11, 71:17, 89:22, 113:20 PROVIDED [9] - 46:22, 66:9, 66:12, 66:15, 71:22, 74:25, 89:25, 119:14, 127:3 PROVIDES [6] - 27:2, 30:2, 45:9, 46:17, 113:17,</p>	<p>126:7 PROVIDING [2] - 66:18, 74:27 PROVISION [7] - 12:11, 45:8, 65:25, 70:22, 72:8, 73:15, 114:14 PROVISIONS [1] - 138:13 PUB [1] - 28:3 PUBLIC [1] - 8:9 PUBLIC [55] - 7:5, 7:11, 8:13, 17:7, 17:27, 19:1, 19:18, 19:21, 19:29, 20:25, 21:6, 22:24, 25:10, 25:20, 25:21, 26:2, 27:23, 30:13, 31:6, 37:15, 39:16, 48:12, 49:4, 50:28, 51:14, 51:19, 51:24, 52:27, 57:20, 58:28, 59:12, 59:17, 59:18, 60:24, 62:1, 68:4, 70:22, 70:24, 75:4, 75:25, 75:26, 81:5, 81:6, 92:10, 93:26, 104:11, 105:7, 124:20, 125:24, 126:19, 128:22, 129:29, 132:21, 135:6, 135:7 PUBLICLY [7] - 8:23, 50:21, 59:25, 60:10, 60:15, 104:14, 105:25 PUBLICLY- ELECTED [1] - 105:25 PULLED [2] - 18:3, 18:25 PUNCTUAL [1] - 34:21 PURCHASE [3] - 54:22, 54:26, 135:1 PURCHASED [1] - 136:13 PURCHASERS [1] - 135:19 PURELY [1] - 112:22</p>	<p>PURSUE [1] - 140:26 PURSUIING [4] - 120:7, 121:17, 122:16, 140:21 PUSH [2] - 43:8, 44:3 PUSHING [1] - 90:3 PUT [66] - 4:6, 6:17, 12:10, 14:12, 20:3, 22:1, 22:10, 22:23, 24:19, 29:20, 36:18, 38:15, 38:29, 40:12, 40:16, 43:3, 43:18, 46:25, 48:23, 49:15, 49:19, 51:25, 52:1, 54:7, 56:3, 57:14, 58:16, 59:8, 63:5, 63:21, 64:10, 65:27, 66:1, 67:12, 67:21, 68:19, 71:13, 72:4, 73:8, 77:20, 80:13, 87:17, 93:14, 99:6, 99:14, 100:17, 101:12, 110:18, 111:18, 118:17, 123:6, 127:20, 129:6, 130:4, 130:17, 132:2, 132:14, 133:15, 133:16, 133:23, 133:24, 133:28, 134:6, 134:11, 136:15, 139:27 PUTTING [9] - 34:25, 45:3, 55:28, 64:21, 66:27, 73:21, 112:29, 115:4, 134:14</p> <p style="text-align: center;">Q</p> <p>QUALIFIED [2] - 139:3, 139:17 QUALITY [1] - 45:21 QUERIES [2] - 13:20, 123:20 QUERY [1] - 31:20 QUESTIONNAI RE [2] - 138:26,</p>
--	---	---	---	---	--

<p>139:17 QUESTIONS [7] - 8:15, 22:18, 70:10, 109:9, 117:12, 137:29, 138:2 QUICK [2] - 5:20, 127:16 QUICKER [3] - 33:28, 91:24, 132:25 QUICKLY [5] - 23:5, 67:28, 131:24, 132:27, 137:18 QUITE [22] - 9:9, 14:17, 17:9, 19:22, 21:24, 22:5, 25:28, 26:8, 27:17, 30:8, 30:24, 31:5, 62:4, 87:26, 88:6, 90:2, 92:29, 108:27, 115:8, 118:26, 121:28, 123:10 QUOTED [2] - 123:27, 124:15</p>	<p>REACHED [2] - 58:13, 116:26 REACHING [1] - 49:27 READ [12] - 38:12, 44:23, 68:23, 84:13, 85:13, 89:18, 95:21, 119:4, 123:23, 128:19, 128:20, 133:6 READING [2] - 84:2, 90:13 READS [1] - 51:3 REAL [5] - 24:11, 29:9, 67:24, 68:13, 92:10 REALISE [1] - 29:5 REALITY [3] - 55:27, 75:27, 99:7 REALLY [32] - 15:11, 17:10, 23:29, 24:13, 30:10, 32:7, 38:11, 41:2, 44:22, 46:14, 48:26, 48:29, 49:1, 49:25, 54:19, 55:3, 57:11, 62:3, 71:15, 73:12, 80:5, 84:6, 86:26, 89:29, 95:25, 103:28, 104:19, 106:20, 113:10, 116:19 REAR [6] - 37:26, 38:22, 56:29, 57:3, 57:7, 59:15 REARED [1] - 104:12 REASON [11] - 13:27, 14:4, 35:24, 67:22, 81:7, 90:26, 112:20, 112:25, 112:28, 113:3, 118:23 REASONABLE [1] - 56:5 REASONABLY [4] - 57:25, 119:22, 119:26, 135:4 REASONS [3] -</p>	<p>63:21, 110:16, 112:16 REBUFFED [1] - 60:3 RECEIVE [2] - 16:2, 61:12 RECEIVED [2] - 38:5, 49:5 RECENT [1] - 18:26 RECENTLY [4] - 68:23, 70:24, 92:12, 121:28 RECEPTION [3] - 89:19, 90:9, 90:19 RECESS [2] - 88:3, 91:8 RECESSING [1] - 88:8 RECOGNISE [1] - 36:10 RECOGNISING [1] - 24:21 RECOMMEND [5] - 79:2, 82:27, 90:25, 91:1, 137:11 RECOMMEND [10] - 38:13, 39:12, 39:29, 40:8, 40:20, 48:21, 68:3, 100:9, 135:27, 140:25 RECOMMEND [6] - 12:15, 12:24, 83:2, 90:29, 100:5, 100:7 RECOMMEND [12] - 39:11, 41:10, 42:8, 42:17, 43:2, 62:28, 63:20, 64:7, 64:15, 74:2, 77:9, 78:9 RECOMMENDI [3] - 74:14, 135:27, 137:13 RECOMMEND [14] - 41:2, 42:23, 48:5, 63:6, 63:14, 75:20, 76:19, 77:2, 77:22, 78:21, 79:22, 79:29, 80:6, 80:14 RECORD [8] - 9:13, 57:14,</p>	<p>60:13, 67:11, 67:22, 102:4, 112:7, 112:17 RECORDS [1] - 93:26 RECREATIONA [7] - 64:21, 64:25, 68:28, 68:29, 69:21, 70:3, 73:20 RED [3] - 61:5, 83:14, 83:25 REDEVELOPM [1] - 108:7 REDISTRIBUTI [1] - 85:4 REDUCED [1] - 49:18 REDUCING [1] - 67:5 REDUCTION [1] - 85:5 REFER [1] - 52:28 REFERENCE [1] - 4:16 REFERRED [2] - 28:3, 31:22 REFLECTED [1] - 66:26 REFUNDABLE [1] - 134:9 REFURBISHED [1] - 94:14 REFURNISHIN [1] - 93:15 REFUSED [2] - 70:23, 82:16 REGARD [34] - 27:27, 28:15, 28:23, 28:24, 31:18, 39:21, 43:16, 43:19, 47:12, 55:2, 58:11, 59:28, 64:29, 68:21, 68:22, 68:25, 69:1, 69:2, 69:9, 72:20, 72:22, 72:24, 72:29, 82:1, 105:23, 109:16, 115:18, 124:2, 124:18, 125:1, 125:5, 125:14, 126:9, 137:5 REGARDING [1] - 5:5 REGARDS [17] - 3:18, 31:1, 31:21,</p>	<p>53:11, 53:19, 55:8, 69:16, 69:20, 69:23, 70:2, 93:7, 102:7, 105:16, 106:2, 109:13, 124:5, 129:22 REGION [1] - 107:17 REGIONAL [1] - 28:23 REGISTER [1] - 4:8 REGISTERED [1] - 135:20 REGISTERING [1] - 4:5 REGULAR [4] - 10:4, 17:9, 19:21, 34:21 REITERATE [2] - 39:19, 50:17 REJECT [1] - 39:23 REJECTED [1] - 60:14 RELATE [1] - 119:19 RELATED [1] - 111:16 RELATION [14] - 6:6, 6:10, 6:25, 13:20, 36:7, 39:22, 75:10, 98:14, 98:18, 101:1, 112:12, 117:1, 123:25, 128:10 RELAX [1] - 41:13 RELEASE [2] - 131:2, 137:23 RELEASED [1] - 132:15 RELEVANT [2] - 13:25, 137:7 REMAINING [2] - 13:25, 64:13 REMEMBER [3] - 7:10, 110:27, 127:17 REMIT [1] - 33:23 REMOVED [2] - 132:14, 133:1 REMOVING [2] - 60:4, 79:17 REPEAT [1] - 124:14 REPEATED [1] -</p>	<p>124:17 REPLACE [2] - 87:14, 98:13 REPLY [1] - 102:11 REPORT [11] - 4:21, 9:29, 10:4, 10:6, 18:4, 36:23, 80:22, 82:12, 98:5, 107:8, 107:11 REPORT [3] - 37:9, 38:4, 98:3 REPORTER [1] - 123:25 REPORTS [6] - 10:5, 18:1, 49:6, 99:5, 99:22, 126:25 REPRESENTA [3] - 12:5, 12:22, 104:11 REPRESENTA [1] - 11:14 REPRESENTA [1] - 9:26 REPRESENTIN [4] - 9:26, 9:28, 104:17, 134:1 REQUEST [4] - 5:22, 75:14, 129:6, 131:9 REQUESTED [4] - 129:10, 129:14, 134:20 REQUESTS [2] - 4:17, 19:28 REQUESTS [1] - 123:13 REQUIRE [1] - 25:14 REQUIREMEN [2] - 15:11, 119:18 RESEARCH [2] - 29:20, 89:4 RESERVED [1] - 54:9 RESI [2] - 122:8, 122:16 RESIDENTIAL [3] - 4:18, 44:11, 64:13, 66:9, 72:2, 72:3, 78:8, 79:19, 79:27, 79:29, 115:5, 116:3, 116:7, 119:29, 120:4, 120:23, 121:11, 124:5, 124:26, 124:27,</p>
R					
<p>R747 [1] - 109:18 RADIATING [1] - 113:14 RAIBH [6] - 6:4, 6:25, 52:19, 53:4, 127:15, 128:17 RAISE [2] - 135:6, 141:18 RAISED [5] - 12:20, 17:29, 27:20, 126:29, 135:4 RAN [1] - 50:12 RATHDRUM [2] - 32:25, 97:3 RATHER [6] - 29:12, 59:6, 60:5, 62:3, 70:4, 131:8 RATHNEW [2] - 20:12, 26:20 RATIO [2] - 42:6, 42:16 RATIONALE [1] - 15:9 RAVENSWELL [1] - 123:19 REACH [1] - 101:14</p>					

124:29, 125:3, 127:5, 127:27, 131:20, 135:14, 136:15, 137:12, 140:1 RESIDENTS [2] - 38:26, 48:4 RESOLUTION [2] - 54:16, 108:5 RESOLUTIONS [1] - 36:18 RESOLVED [1] - 51:21 RESOURCE [1] - 31:29 RESOURCES [1] - 68:8 RESPECT [3] - 119:8, 130:8, 130:11 RESPOND [2] - 23:5, 34:12 REST [4] - 32:7, 66:19, 134:12, 134:14 RESTRICTION S [1] - 41:13 RESTRICTIVE [2] - 41:11, 108:1 RESULT [1] - 78:20 RESULTING [1] - 127:4 RETAIL [3] - 120:16, 140:3, 140:18 RETROGRADE [1] - 103:23 RETURN [1] - 140:7 RETURNABLE [1] - 133:22 REVERSE [3] - 5:6, 102:17, 106:19 REVERSED [3] - 5:12, 5:16, 107:20 REVERT [1] - 36:18 REVIEW [2] - 103:4, 103:12 REVITALISATI ON [1] - 94:13 REVITALISE [1] - 94:11 REZONING [3] - 65:7, 65:13, 116:7 RICHEST [2] -	65:8, 68:10 RID [1] - 137:23 RIDE [1] - 33:18 RIDICULED [1] - 127:21 RIDICULOUS [1] - 137:15 RIGHTLY [1] - 110:9 RIGHTS [4] - 4:24, 43:26, 56:10, 56:11 RING [2] - 16:7, 16:18 RINGS [1] - 6:17 RISKY [1] - 118:18 RIVER [7] - 48:2, 49:19, 50:8, 51:22, 55:20, 57:22, 61:8 RIVER [14] - 48:6, 49:14, 49:19, 49:20, 49:21, 49:23, 51:10, 51:17, 55:28, 56:4, 57:6, 57:7, 60:6, 61:9 RIVERBANK [1] - 61:6 RIVERWALK [1] - 97:25 ROAD [7] - 10:29, 11:2, 36:29, 78:6, 116:13, 123:19, 128:11 ROAD [29] - 5:7, 38:29, 74:28, 101:27, 102:1, 102:7, 103:5, 103:25, 104:3, 104:28, 106:25, 108:9, 108:21, 108:26, 108:29, 109:7, 109:18, 109:27, 110:2, 110:3, 111:9, 111:11, 111:12, 111:16, 112:14, 112:15, 113:1 ROADS [9] - 15:10, 28:24, 30:14, 61:29, 110:13, 112:20, 113:18, 117:21 ROADSTONE [3] - 65:8, 65:18, 68:9 ROADWORKS	[1] - 113:19 ROCHE [2] - 27:15, 28:29 ROCK [1] - 118:13 ROLE [2] - 7:1, 49:1 ROLL [2] - 32:24, 98:28 RONAN [2] - 14:24, 14:25 ROOM [8] - 45:10, 89:14, 89:15, 90:10, 90:12, 90:15, 90:17, 109:23 ROOMS [1] - 89:3 ROSS [8] - 5:14, 5:23, 101:24, 102:11, 103:16, 106:11, 111:25, 113:25 ROUGHLY [2] - 64:14, 89:15 ROUND [1] - 131:12 ROUNDBOUT [1] - 34:16 ROUNDWOOD [12] - 19:25, 19:28, 20:12, 21:17, 21:18, 22:12, 23:13, 26:20, 27:1, 29:28, 58:12, 97:15 ROUTE [1] - 104:6 ROUTE [18] - 20:4, 20:11, 21:3, 22:3, 23:16, 30:20, 30:22, 30:27, 33:16, 51:14, 51:23, 57:3, 57:5, 57:16, 57:22, 101:23, 106:5, 108:9 ROUTES [22] - 17:29, 19:10, 19:13, 20:8, 20:16, 20:26, 22:27, 23:2, 23:14, 24:9, 24:13, 24:14, 24:21, 27:29, 29:4, 29:10, 29:16, 32:24, 36:9, 40:6, 105:27	RULED [1] - 47:6 RULES [1] - 90:23 RUN [3] - 19:20, 27:17, 116:7 RUNNING [3] - 94:16, 137:18, 137:19 RURAL [23] - 16:8, 16:13, 17:4, 17:16, 17:23, 17:24, 19:16, 23:3, 23:7, 26:7, 27:16, 27:23, 28:22, 29:14, 30:16, 30:17, 83:11, 83:29, 84:22, 84:23, 85:5, 85:9 RURAL [1] - 16:21 RUTTLE [6] - 6:13, 6:24, 6:27, 24:26, 94:24, 107:13 RUTTLE [6] - 5:8, 24:27, 94:25, 101:15, 107:14, 112:2 RUTTLE'S [1] - 8:14 RÁITHÍN [2] - 10:2, 10:8	SAVE [1] - 112:24 SAVILLS [2] - 122:4, 139:13 SAW [4] - 3:18, 132:23, 132:24, 132:26 SCANDAL [1] - 129:23 SCANDALOUS [1] - 129:24 SCARE [1] - 129:23 SCARNAGH [2] - 33:8, 33:10 SCHEDULE [1] - 80:12 SCHEMATIC [1] - 17:8 SCHEME [11] - 30:2, 117:20, 120:10, 121:18, 121:24, 122:10, 123:4, 135:28, 138:22, 139:13, 140:23 SCHEME [2] - 51:17, 51:22 SCHOOL [1] - 30:25 SCHOOLS [5] - 20:1, 20:2, 28:18, 42:22, 91:12 SCOPE [1] - 45:9 SCRATNAGH [1] - 33:9 SCREEN [1] - 3:18 SCUTTLE [1] - 56:18 SEA [1] - 19:3 SEARCHING [1] - 93:13 SEATS [2] - 24:17, 35:15 SECOND [52] - 3:28, 4:28, 5:8, 7:18, 11:28, 12:25, 14:16, 15:27, 17:15, 27:6, 37:3, 37:29, 39:3, 39:18, 39:24, 41:5, 41:15, 41:29, 45:25, 46:2, 48:17, 61:16, 62:15, 64:22, 66:29, 67:9, 69:1, 74:8, 76:16,	76:21, 77:5, 77:14, 77:25, 78:16, 81:11, 92:19, 96:22, 97:12, 97:17, 98:1, 98:17, 98:25, 100:23, 101:18, 102:12, 105:15, 106:3, 107:2, 114:1, 114:2, 115:29 SECONDARY [1] - 38:23 SECONDED [38] - 10:13, 10:19, 10:25, 11:6, 11:7, 36:13, 36:22, 37:4, 40:18, 41:6, 41:27, 42:11, 42:12, 42:25, 47:26, 61:4, 61:18, 63:15, 73:24, 74:9, 75:9, 76:12, 76:22, 78:1, 79:13, 79:23, 80:9, 80:17, 81:12, 82:6, 96:6, 97:5, 97:22, 97:26, 98:6, 98:23, 99:18, 113:28 SECONDER [18] - 11:27, 15:26, 40:9, 40:11, 41:28, 46:2, 56:22, 61:15, 62:13, 63:25, 74:4, 74:5, 74:21, 77:4, 77:13, 80:1, 97:11, 106:2 SECONDS [1] - 78:23 SECONDING [1] - 113:24 SECONDLY [1] - 115:3 SECONDS [1] - 85:27 SECTION [8] - 11:18, 12:10, 36:29, 40:1, 92:28, 94:10, 94:22, 119:12 SECTION [7] - 42:21, 81:21, 88:28, 92:29, 133:6, 133:7, 133:11 SECTIONS [1] - 19:17
S					
SAC [1] - 74:2 SAFE [2] - 63:12, 93:14 SAFELY [1] - 111:10 SAFER [1] - 106:24 SAFETY [1] - 63:21 SAGA [2] - 65:5, 116:13 SAKE [1] - 32:9 SALLY [1] - 106:6 SALT [2] - 88:12, 88:24 SAT [2] - 58:12, 103:17 SATISFIED [1] - 73:7 SATURDAY [1] - 22:13					

<p>SECURITY [2] - 46:17, 121:19</p> <p>SEE [56] - 3:17, 7:9, 9:6, 17:8, 22:1, 27:7, 28:5, 29:4, 29:15, 32:16, 33:6, 36:14, 46:15, 50:8, 52:12, 53:9, 54:5, 57:6, 68:5, 68:15, 70:10, 70:16, 71:16, 83:17, 83:27, 83:28, 87:23, 88:5, 88:15, 94:13, 103:26, 106:19, 107:18, 107:23, 108:7, 112:2, 112:9, 115:14, 120:23, 125:23, 125:25, 128:23, 129:7, 129:15, 129:16, 129:19, 130:2, 130:18, 130:23, 130:29, 133:2, 137:2, 137:3, 138:6</p> <p>SEEKING [1] - 5:6</p> <p>SEEM [4] - 13:8, 31:28, 57:11, 132:8</p> <p>SEEMINGLY [1] - 125:8</p> <p>SELL [2] - 138:21, 138:22</p> <p>SELLING [1] - 120:19</p> <p>SEND [3] - 67:19, 95:17, 106:18</p> <p>SENSE [3] - 6:19, 29:9, 126:24</p> <p>SENSITIVE [1] - 8:19</p> <p>SENT [4] - 35:19, 100:4, 102:12, 114:22</p> <p>SENTENCE [1] - 139:23</p> <p>SENTIMENT [2] - 105:19, 106:7</p> <p>SEPARATELY [2] - 35:2, 79:6</p> <p>SEPTEMBER [1] - 100:8</p> <p>SEPTEMBER/OCTOBER [1] -</p>	<p>87:12</p> <p>SERIES [1] - 23:2</p> <p>SERIOUS [7] - 6:6, 71:24, 82:2, 108:27, 109:27, 109:28, 125:1</p> <p>SERIOUSLY [1] - 116:19</p> <p>SERVES [1] - 33:2</p> <p>SERVICE [26] - 19:5, 20:7, 21:9, 21:10, 21:22, 22:12, 22:13, 24:3, 24:24, 25:14, 25:23, 25:29, 27:26, 28:7, 28:10, 28:18, 28:28, 30:9, 33:4, 33:16, 35:1, 35:23, 35:26, 36:10, 36:12</p> <p>SERVICES [2] - 17:13, 18:8</p> <p>SERVICES [29] - 16:8, 16:9, 16:13, 16:14, 16:26, 17:3, 17:4, 17:9, 18:13, 19:3, 21:4, 21:7, 21:25, 22:4, 22:6, 22:10, 23:17, 23:18, 25:7, 27:1, 28:2, 28:13, 28:21, 30:15, 31:7, 31:10, 34:13, 35:13, 71:14</p> <p>SET [9] - 12:1, 12:7, 31:21, 67:11, 68:2, 100:3, 111:22, 135:23, 139:13</p> <p>SETS [1] - 48:29</p> <p>SETTING [1] - 89:12</p> <p>SEVEN [8] - 23:16, 61:26, 76:13, 82:7, 102:5, 124:3, 139:6, 139:9</p> <p>SEVEN-DAY [1] - 23:16</p> <p>SEVERAL [1] - 122:4</p> <p>SHALL [2] - 119:6, 140:14</p> <p>SHAME [3] - 106:9, 106:11,</p>	<p>110:17</p> <p>SHANE [3] - 5:14, 5:23, 103:16</p> <p>SHAPE [1] - 42:7</p> <p>SHAPED [1] - 112:5</p> <p>SHARE [1] - 121:8</p> <p>SHARPEN [2] - 45:12, 45:19</p> <p>SHAY [8] - 13:1, 15:28, 36:13, 80:9, 91:26, 94:15, 96:7, 97:16</p> <p>SHAY [9] - 13:2, 13:22, 15:27, 26:5, 58:3, 58:21, 86:21, 91:27, 96:22</p> <p>SHEET [2] - 84:19, 118:17</p> <p>SHELF [1] - 135:21</p> <p>SHELVING [2] - 110:1, 110:2</p> <p>SHOCKED [3] - 110:14, 115:5, 115:8</p> <p>SHOCKING [1] - 110:5</p> <p>SHOPPING [9] - 23:20, 25:16, 115:4, 128:7, 132:18, 133:19, 133:20, 140:2, 141:6</p> <p>SHOPS [1] - 17:15</p> <p>SHORT [1] - 16:15</p> <p>SHORTER [1] - 123:5</p> <p>SHORTFALL [2] - 66:19, 104:8</p> <p>SHORTLY [2] - 8:14, 126:12</p> <p>SHOVED [1] - 69:5</p> <p>SHOW [4] - 21:26, 71:3, 106:24, 115:10</p> <p>SHOWED [3] - 11:19, 95:16, 139:1</p> <p>SHOWING [3] - 11:21, 86:26, 117:22</p>	<p>SHOWN [1] - 112:19</p> <p>SHOWS [3] - 87:18, 88:13</p> <p>SHUT [1] - 123:20</p> <p>SHUTTING [2] - 116:10, 116:15</p> <p>SHUTTLE [1] - 23:16</p> <p>SIC [1] - 8:14</p> <p>SIDE [10] - 47:10, 55:20, 55:21, 61:9, 70:1, 77:19, 77:20, 101:21, 121:2, 131:3</p> <p>SIDES [1] - 58:4</p> <p>SIGHT [1] - 138:7</p> <p>SIGN [5] - 10:10, 10:16, 10:22, 84:6, 84:10</p> <p>SIGNED [2] - 114:11, 114:16</p> <p>SIGNIFICANT [12] - 21:24, 26:6, 26:26, 27:9, 64:26, 73:9, 92:3, 92:20, 109:1, 117:27, 117:29, 118:19</p> <p>SIGNIFICANTLY [2] - 59:7, 127:5</p> <p>SILENCE [1] - 3:15</p> <p>SIMILAR [5] - 42:15, 62:19, 63:3, 73:29, 88:6</p> <p>SIMPLE [5] - 4:7, 73:21, 84:4, 136:16, 140:21</p> <p>SIMPLY [1] - 12:10</p> <p>SINCERELY [2] - 28:27, 53:21</p> <p>SISTER [2] - 3:4, 3:8</p> <p>SIT [3] - 8:7, 47:20, 89:18</p> <p>SITE [29] - 34:16, 35:21, 36:24, 42:4, 42:7, 43:18, 43:20, 43:24, 45:4, 45:7, 76:16, 77:9, 77:19, 78:7, 118:12, 118:14, 118:16, 119:8, 120:19, 120:24,</p>	<p>120:29, 121:12, 121:19, 123:6, 124:27, 127:18, 127:20, 128:17</p> <p>SITE-SPECIFIC [1] - 45:4</p> <p>SITES [1] - 46:5</p> <p>SITTING [1] - 111:24</p> <p>SITU [1] - 12:1</p> <p>SITUATION [7] - 13:10, 26:13, 58:16, 115:15, 126:16, 129:21, 135:8</p> <p>SIX [1] - 99:11</p> <p>SIX [10] - 7:27, 16:12, 47:28, 88:1, 88:13, 91:21, 92:5, 93:3, 93:16, 138:3</p> <p>SIX-STOREY [1] - 88:1</p> <p>SIZABLE [2] - 72:26, 126:13</p> <p>SIZE [1] - 101:1</p> <p>SIZEABLE [1] - 19:22</p> <p>SLIDES [2] - 87:17, 95:16</p> <p>SLIGHT [2] - 13:13, 33:7</p> <p>SLIGHTLY [1] - 140:10</p> <p>SLIGO [1] - 50:11</p> <p>SLOW [1] - 128:13</p> <p>SMACK [1] - 15:14</p> <p>SMALL [11] - 13:18, 14:18, 24:1, 30:3, 30:14, 54:7, 66:13, 90:9, 123:11, 123:15</p> <p>SMALLER [1] - 89:28</p> <p>SMITH [1] - 77:9</p> <p>SNELL [13] - 10:19, 14:15, 31:15, 36:22, 42:27, 53:6, 69:12, 92:21, 97:23, 97:26, 98:6, 105:4, 113:27</p> <p>SNELL [12] - 11:28, 12:4, 12:14, 12:19, 14:16, 31:16,</p>	<p>42:26, 53:7, 69:14, 92:22, 105:5, 113:29</p> <p>SOCCER [1] - 69:28</p> <p>SOCIAL [3] - 64:26, 64:27, 70:8</p> <p>SOCIAL [3] - 92:28, 94:9, 94:22</p> <p>SOCIOECONOMIC [1] - 18:4</p> <p>SOLD [3] - 13:26, 121:28, 140:4</p> <p>SOLICITORS [1] - 130:5</p> <p>SOLVE [1] - 59:3</p> <p>SOLVENT [1] - 121:26</p> <p>SOMEONE [5] - 13:9, 23:18, 99:8, 104:25, 120:15</p> <p>SOMETIMES [2] - 110:10, 139:22</p> <p>SOMEWHERE [2] - 56:4, 129:10</p> <p>SOON [2] - 92:15, 94:15</p> <p>SOONER [1] - 105:1</p> <p>SORCHA [2] - 81:23, 85:21</p> <p>SORCHA'S [1] - 85:11</p> <p>SORRY [11] - 8:16, 14:1, 51:13, 59:18, 59:21, 79:11, 85:28, 129:12, 129:13, 129:19, 139:5</p> <p>SORT [8] - 21:3, 51:21, 69:23, 72:9, 88:16, 110:21, 131:11, 137:20</p> <p>SOUND [1] - 63:13</p> <p>SOUTH [4] - 61:8, 68:24, 105:9, 112:21</p> <p>SOUTH [7] - 16:10, 27:25, 103:24, 104:15, 104:24, 105:1</p> <p>SOUTHERN [2] - 74:26, 78:6</p> <p>SOUTHWARDS [1] - 23:29</p>
--	---	--	--	--	--

<p>SOUTHWEST [1] - 113:21</p> <p>SPACE [20] - 44:11, 46:22, 64:9, 64:14, 65:17, 65:26, 66:4, 66:12, 66:15, 67:1, 68:9, 70:3, 72:4, 72:14, 73:15, 75:25, 75:26, 80:5, 135:13, 135:14</p> <p>SPACE" [1] - 75:20</p> <p>SPACES [15] - 43:2, 43:26, 45:13, 45:14, 45:15, 45:18, 46:10, 46:19, 46:26, 47:4, 47:13, 47:22, 81:5, 117:4, 136:16</p> <p>SPC [5] - 94:25, 99:2, 99:12, 100:2, 101:12</p> <p>SPEAKERS [10] - 29:22, 29:23, 30:10, 32:22, 69:15, 73:6, 93:2, 105:11, 105:18, 106:15</p> <p>SPEAKING [1] - 126:19</p> <p>SPECIAL [2] - 63:22, 100:3</p> <p>SPECIAL [1] - 10:17</p> <p>SPECIFIC [8] - 7:1, 16:23, 45:4, 45:7, 46:5, 59:1, 71:9, 77:1</p> <p>SPECIFICALLY [5] - 68:25, 68:28, 71:14, 114:14, 116:24</p> <p>SPECIFICS [3] - 12:20, 13:15, 117:1</p> <p>SPECIFY [1] - 73:8</p> <p>SPECTACULA R [2] - 87:20, 90:23</p> <p>SPEED [1] - 70:22</p> <p>SPEND [1] - 32:5</p> <p>SPLIT [1] - 65:25</p> <p>SPORT [1] -</p>	<p>67:2</p> <p>SPORTING [1] - 69:21</p> <p>SPORTS [3] - 64:21, 69:25, 72:4</p> <p>SPREADSHEE TS [1] - 85:13</p> <p>SQUARE [1] - 55:12</p> <p>SQUARE [3] - 87:24, 87:25, 93:12</p> <p>SQUARED [1] - 90:8</p> <p>ST [9] - 6:10, 6:21, 26:15, 26:17, 52:29, 116:13, 123:11, 132:24, 135:3</p> <p>STAFF [12] - 81:21, 81:29, 92:27, 93:12, 93:17, 93:24, 94:9, 94:21, 94:26, 123:12, 123:14, 123:18</p> <p>STAGE [12] - 38:8, 40:23, 68:20, 70:20, 93:4, 94:28, 110:7, 122:9, 138:26, 138:28, 139:20</p> <p>STAGES [2] - 67:17, 117:17</p> <p>STAKEHOLDER R [1] - 17:27</p> <p>STANDARD [2] - 131:11, 134:12</p> <p>STANDING [1] - 117:15</p> <p>STANDING [16] - 3:24, 4:12, 4:26, 5:4, 6:5, 7:17, 7:28, 86:5, 86:8, 86:15, 96:25, 98:9, 98:21, 99:27, 101:19, 114:7</p> <p>STANDS [1] - 53:24</p> <p>START [8] - 20:16, 24:2, 24:7, 30:13, 56:11, 72:14, 115:18, 125:27</p> <p>STARTED [4] - 20:7, 72:13, 129:25, 133:22</p>	<p>STARTING [5] - 31:1, 87:12, 88:20, 94:13, 141:20</p> <p>STATE [1] - 79:20</p> <p>STATEMENT [2] - 6:22, 104:23</p> <p>STATEMENTS [2] - 96:28, 97:29</p> <p>STATING [2] - 40:23, 48:2</p> <p>STATION [2] - 20:13, 21:17</p> <p>STATION [5] - 20:19, 29:28, 33:26, 33:27, 33:29</p> <p>STATIONS [1] - 90:14</p> <p>STATISTICS [3] - 106:24, 111:13, 111:14</p> <p>STATUS [1] - 54:15</p> <p>STATUTORY [1] - 54:18</p> <p>STAY [2] - 18:20, 20:25</p> <p>STAYING [2] - 34:18, 34:19</p> <p>STEPHEN [1] - 53:17</p> <p>STEPHEN'S [1] - 18:19</p> <p>STERILISED [1] - 111:5</p> <p>STICK [4] - 17:20, 17:21, 39:23, 49:12</p> <p>STILL [17] - 9:3, 10:2, 12:1, 27:19, 29:1, 32:5, 40:4, 46:21, 46:22, 59:9, 64:16, 66:3, 74:14, 105:22, 114:3, 126:1</p> <p>STOCKING [1] - 108:4</p> <p>STONE [1] - 87:19</p> <p>STOP [2] - 66:15, 128:7</p> <p>STOPPED [1] - 138:1</p> <p>STOPS [2] - 19:19, 21:20</p> <p>STOPS [1] - 21:15</p> <p>STOREY [6] -</p>	<p>88:1, 118:7, 118:8, 118:19, 120:28</p> <p>STOREYS [3] - 88:2, 91:21</p> <p>STORY [2] - 38:24, 65:4</p> <p>STRADDLES [1] - 67:3</p> <p>STRAIGHT [2] - 20:20, 88:1</p> <p>STRAIGHTFOR WARD [1] - 99:1</p> <p>STRANGER [1] - 103:19</p> <p>STRATEGIC [1] - 75:28</p> <p>STRATEGY [1] - 110:11</p> <p>STRAY [1] - 38:11</p> <p>STREAM [2] - 64:27, 126:11</p> <p>STREET [1] - 89:14</p> <p>STREET [4] - 11:12, 13:5, 13:6, 36:21</p> <p>STRESS [3] - 45:5, 100:15</p> <p>STRETCH [5] - 102:28, 106:25, 108:29, 109:7</p> <p>STRICT [1] - 46:17</p> <p>STRIPPED [1] - 140:4</p> <p>STRONG [3] - 38:2, 60:11, 106:7</p> <p>STRONGLY [1] - 56:26</p> <p>STUCK [1] - 33:18</p> <p>STUDIES [2] - 88:22, 88:26</p> <p>STUDY [1] - 141:9</p> <p>STUDY [5] - 18:11, 70:20, 70:26, 70:28, 89:4</p> <p>STUFF [1] - 85:16</p> <p>STYMIE [1] - 45:19</p> <p>SUBJECT [6] - 54:21, 54:25, 83:2, 85:8, 85:23, 93:7</p>	<p>SUBMISSION [1] - 41:1</p> <p>SUBMISSIONS [11] - 18:24, 37:9, 37:15, 37:21, 38:2, 49:5, 62:27, 65:23, 82:12, 82:21, 90:28</p> <p>SUBSEQUENT [1] - 82:25</p> <p>SUBSEQUENT LY [1] - 139:27</p> <p>SUBSTANTIAL [3] - 7:11, 135:6, 135:7</p> <p>SUBSTITUTED [1] - 74:16</p> <p>SUCCESS [6] - 17:2, 27:17, 27:27, 50:7, 95:28, 113:12</p> <p>SUCCESSFUL [8] - 24:9, 50:4, 53:12, 95:25, 114:12, 114:15, 115:19, 135:19</p> <p>SUED [1] - 16:21</p> <p>SUFFERED [1] - 94:12</p> <p>SUFFERING [1] - 109:24</p> <p>SUFFICIENT [1] - 66:16</p> <p>SUGAR [1] - 74:24</p> <p>SUGGEST [4] - 45:8, 51:29, 61:28, 106:4</p> <p>SUGGESTED [1] - 65:2</p> <p>SUGGESTING [2] - 47:3, 50:16</p> <p>SUGGESTION [3] - 124:1, 125:15, 125:19</p> <p>SUIT [1] - 134:5</p> <p>SUMMER [5] - 30:15, 34:25, 34:28, 35:11, 126:12</p> <p>SUNDAY [1] - 22:13</p> <p>SUPER [1] - 21:15</p> <p>SUPER [1] - 21:20</p> <p>SUPPLY [2] - 25:23, 26:2</p> <p>SUPPORT [38] - 5:9, 5:21, 9:17,</p>	<p>18:26, 18:27, 24:5, 24:20, 29:22, 29:24, 31:17, 36:9, 46:28, 47:17, 56:13, 57:13, 57:15, 67:8, 70:7, 70:12, 70:16, 81:6, 81:20, 92:10, 93:4, 101:15, 101:23, 102:16, 103:10, 105:8, 105:26, 106:18, 108:24, 109:8, 110:5, 110:26, 113:6, 113:7, 113:22</p> <p>SUPPORTED [5] - 6:21, 27:9, 29:21, 70:15, 81:1</p> <p>SUPPORTING [3] - 54:1, 70:17, 81:7</p> <p>SUPPORTIVE [2] - 24:13, 31:20</p> <p>SUPPOSE [18] - 13:6, 13:12, 13:22, 13:24, 23:1, 26:8, 26:12, 29:8, 35:29, 37:21, 38:5, 38:24, 58:4, 66:26, 67:1, 67:2, 89:27, 93:1</p> <p>SUPPOSED [1] - 3:21</p> <p>SURFACE [1] - 115:1</p> <p>SURFACE- TYPE [1] - 115:1</p> <p>SURPLUS [1] - 15:11</p> <p>SURPRISED [2] - 105:11, 114:24</p> <p>SURROUNDIN G [1] - 52:16</p> <p>SURVEYS [1] - 112:18</p> <p>SURVIVE [1] - 24:1</p> <p>SUSPECT [1] - 72:24</p> <p>SUSPECTED [1] - 124:11</p> <p>SUSPEND [2] - 7:16, 101:26</p> <p>SUSPEND [1] - 3:23</p> <p>SUSPENSION</p>
--	--	--	---	--	--

<p>[1] - 5:19</p> <p>SUSPENSION</p> <p>[13] - 4:12, 4:26, 5:4, 6:5, 7:27, 86:5, 86:7, 86:15, 96:25, 98:9, 99:27, 101:18, 114:7</p> <p>SUSPENSIONS</p> <p>[1] - 99:25</p> <p>SUSTAINABLE</p> <p>[1] - 18:27</p> <p>SWEETHEART</p> <p>[1] - 136:25</p> <p>SWERVE [1] - 88:7</p> <p>SYMPATHISE</p> <p>[1] - 3:6</p> <p>SYMPATHY [2] - 3:3, 3:7</p> <p>SYMPHONY [1] - 14:25</p> <p>SYSTEM [5] - 30:13, 33:21, 49:8, 49:9</p>	<p>TDS [7] - 5:25, 27:7, 36:14, 104:16, 104:26, 105:20, 107:1</p> <p>TEAM [3] - 85:15, 95:8, 130:13</p> <p>TEASE [1] - 139:19</p> <p>TECHNICAL [3] - 82:17, 85:23, 85:24</p> <p>TECHNICALLY</p> <p>[1] - 99:5</p> <p>TEED [1] - 123:1</p> <p>TELEPHONE [1] - 35:27</p> <p>TEN [3] - 40:22, 123:16, 138:3</p> <p>TENANTS [1] - 122:20</p> <p>TEND [3] - 23:27, 53:17, 71:12</p> <p>TENDER [13] - 28:20, 87:10, 125:2, 125:3, 126:28, 127:1, 127:13, 130:21, 133:16, 139:8, 139:27, 140:8</p> <p>TENDERED [4] - 122:6, 135:15, 140:12, 140:16</p> <p>TENDERER [1] - 139:28</p> <p>TENDERERS [3] - 137:13, 137:14, 138:16</p> <p>TENDERS [1] - 28:12</p> <p>TERM [1] - 44:2</p> <p>TERMINATE [1] - 20:14</p> <p>TERMS [5] - 4:14, 12:11, 40:25, 135:11, 136:14</p> <p>TEST [1] - 121:4</p> <p>TESTAMENT [1] - 94:21</p> <p>TEXT [4] - 38:29, 42:29, 64:2, 64:3</p> <p>TEXTED [1] - 111:28</p> <p>THAN'S [1] - 35:17</p> <p>THAT [1] - 43:15</p> <p>THE [41] - 3:27,</p>	<p>4:1, 5:2, 10:15, 11:9, 15:29, 36:16, 36:28, 37:6, 39:6, 41:8, 41:20, 42:2, 42:13, 42:28, 62:18, 63:9, 63:17, 74:11, 75:16, 76:24, 77:7, 77:16, 77:26, 78:18, 78:26, 79:15, 79:25, 80:3, 80:10, 80:19, 97:7, 97:14, 97:19, 97:24, 97:27, 98:27, 101:17, 105:3, 114:6, 141:23</p> <p>THEIRS [1] - 58:28</p> <p>THEMSELVES</p> <p>[4] - 8:3, 121:12, 135:13, 138:22</p> <p>THEN [1] - 141:23</p> <p>THEORY [1] - 66:13</p> <p>THERE'LL [2] - 51:9, 64:12</p> <p>THEREABOUT</p> <p>S [1] - 14:23</p> <p>THEREFORE [1] - 135:3</p> <p>THEREOF [1] - 119:20</p> <p>THEY'VE [6] - 4:6, 4:7, 49:22, 62:26, 69:15, 137:25</p> <p>THINKING [3] - 32:9, 47:12, 94:29</p> <p>THIRD [8] - 41:9, 48:27, 49:26, 60:14, 64:22, 69:1, 81:4, 114:7</p> <p>THORNHILL [8] - 4:28, 6:4, 7:8, 9:1, 9:13, 52:19, 97:12, 127:15</p> <p>THORNHILL [12] - 6:3, 7:7, 8:16, 8:17, 8:24, 8:27, 8:28, 9:21, 52:18, 98:15, 98:22, 127:14</p> <p>THREE [23] - 22:10, 23:11, 24:7, 32:1, 32:10,</p>	<p>64:11, 64:19, 66:10, 70:14, 71:21, 82:8, 83:22, 86:27, 87:1, 96:18, 98:10, 99:29, 103:13, 109:26, 111:1, 116:10, 123:8</p> <p>THREE-NIGHT</p> <p>[1] - 22:10</p> <p>THREW [4] - 17:19, 22:6, 22:9, 34:26</p> <p>THROUGHOUT</p> <p>[3] - 46:19, 55:1, 55:9</p> <p>THROW [1] - 19:13</p> <p>THROWN [2] - 17:29, 18:15</p> <p>TIED [1] - 55:16</p> <p>TIGHT [1] - 134:18</p> <p>TIGHTENED [1] - 53:21</p> <p>TII [3] - 41:1, 101:29, 103:4</p> <p>TIMED [1] - 22:27</p> <p>TIMETABLE [4] - 31:21, 31:27, 33:3, 34:21</p> <p>TIMINGS [1] - 22:29</p> <p>TIMMINS [1] - 111:28</p> <p>TIPPERARY [1] - 16:10</p> <p>TODAY [19] - 3:22, 4:27, 14:12, 14:19, 16:17, 24:19, 31:14, 33:4, 34:13, 34:28, 45:5, 45:26, 66:2, 90:1, 92:25, 95:17, 99:23, 105:22, 140:20</p> <p>TOGETHER [6] - 22:1, 34:25, 34:27, 61:29, 71:25, 87:17</p> <p>TOILET [2] - 89:23, 90:1</p> <p>TOILETS [2] - 90:10, 94:2</p> <p>TOMMY [2] - 54:3, 103:14</p> <p>TOMMY [33] -</p>	<p>3:20, 5:9, 54:4, 54:24, 61:2, 86:4, 86:13, 86:17, 86:20, 96:15, 98:11, 99:28, 103:15, 107:3, 112:6, 113:24, 133:5, 133:11, 133:18, 133:27, 134:22, 134:27, 136:1, 136:5, 136:8, 136:10, 138:9, 138:12, 138:17, 139:5, 140:28, 141:4, 141:7</p> <p>TONIGHT [1] - 137:9</p> <p>TOOK [7] - 55:10, 73:18, 74:15, 110:29, 115:27, 123:11, 139:23</p> <p>TOOTH [1] - 55:12</p> <p>TOP [11] - 21:26, 28:7, 34:19, 87:21, 88:16, 92:13, 92:15, 114:22, 116:5, 125:8, 134:15</p> <p>TOT [1] - 84:18</p> <p>TOTAL [5] - 84:5, 84:7, 84:24, 84:25, 85:3</p> <p>TOTALLY [3] - 45:16, 64:20, 136:2</p> <p>TOTALS [4] - 83:13, 83:24, 84:17, 85:2</p> <p>TOURISM [12] - 18:11, 18:26, 21:24, 21:25, 26:9, 26:11, 26:13, 26:18, 26:25, 29:23, 29:24, 30:11</p> <p>TOURISTS [6] - 21:29, 26:14, 26:18, 26:22, 32:14, 34:21</p> <p>TOWARDS [3] - 24:10, 95:27, 133:3</p> <p>TOWN [20] - 18:16, 20:10, 20:13, 20:18, 22:11, 23:13, 45:1, 87:7, 87:26,</p>	<p>91:5, 92:11, 92:13, 92:15, 93:7, 93:10, 93:12, 93:21, 94:12, 94:14</p> <p>TOWN [29] - 21:4, 33:29, 49:18, 49:21, 66:13, 83:11, 83:29, 85:7, 87:27, 91:6, 91:13, 91:14, 91:17, 92:3, 92:8, 92:14, 92:16, 93:22, 94:19, 94:20, 95:9, 95:11, 121:19, 122:14, 122:15, 125:28, 126:8, 127:28, 137:19</p> <p>TOWNLAND [2] - 14:23, 15:20</p> <p>TOWNS [9] - 23:3, 24:1, 24:2, 24:22, 26:23, 28:8, 30:3, 33:14, 36:11</p> <p>TRACK [1] - 28:25</p> <p>TRADING [1] - 122:15</p> <p>TRAFFIC [5] - 29:25, 30:14, 108:5, 111:12, 113:17</p> <p>TRAILS [1] - 50:14</p> <p>TRAIN [6] - 18:14, 18:17, 20:19, 33:26, 33:27, 33:29</p> <p>TRAIN [2] - 20:13, 21:17</p> <p>TRAINING [1] - 8:11</p> <p>TRAINS [3] - 17:1, 17:3, 27:24</p> <p>TRAMPLING [1] - 56:11</p> <p>TRANSCRIPT</p> <p>[1] - 127:24</p> <p>TRANSPAREN</p> <p>CY [2] - 6:20, 127:2</p> <p>TRANSPAREN</p> <p>T [2] - 49:7, 99:9</p> <p>TRANSPORT</p> <p>[30] - 16:13, 16:27, 16:28, 17:7, 18:27,</p>
T					
<p>TABLE [10] - 59:15, 65:21, 66:1, 78:19, 84:22, 104:21, 104:29, 112:12, 125:8, 125:19</p> <p>TABLES [2] - 89:5, 89:17</p> <p>TAKEN [10] - 40:22, 47:27, 61:19, 73:25, 75:11, 76:12, 78:3, 82:7, 85:29, 96:7</p> <p>TAKERS [1] - 78:22</p> <p>TALLAGHT [4] - 68:24, 101:28, 102:29, 108:26</p> <p>TARGET [2] - 75:19, 85:4</p> <p>TARGETS [1] - 42:17</p> <p>TAXIS [1] - 29:12</p> <p>TAXPAYERS</p> <p>[1] - 7:13</p> <p>TCU [1] - 35:7</p> <p>TD [5] - 104:20, 104:24, 104:25, 105:1</p>					

<p>19:16, 19:18, 19:21, 19:29, 20:26, 21:6, 23:7, 25:10, 26:2, 27:2, 27:16, 27:23, 29:7, 29:8, 30:13, 31:6, 34:21, 62:1, 70:20, 70:23, 70:24, 70:26, 70:28, 103:29, 109:29</p> <p>TRANSPORT [5] - 16:20, 16:21, 18:23, 22:14, 82:22</p> <p>TRANSPORT/ LOCAL [1] - 16:8</p> <p>TRAVEL [3] - 23:27, 33:25, 104:7</p> <p>TRAVELLED [1] - 111:9</p> <p>TRAVELLING [2] - 103:25, 108:8</p> <p>TREAT [1] - 116:21</p> <p>TREATMENT [1] - 127:3</p> <p>TREES [1] - 63:11</p> <p>TREMENDOUS [1] - 93:21</p> <p>TRIBUTE [1] - 85:14</p> <p>TRIED [3] - 21:25, 45:4, 60:2</p> <p>TRIP [2] - 21:1, 30:23</p> <p>TRIPS [1] - 18:5</p> <p>TRUST [3] - 49:8, 86:29, 137:4</p> <p>TRUSTED [1] - 115:25</p> <p>TRY [7] - 6:18, 14:19, 19:20, 30:22, 43:28, 56:6, 92:10</p> <p>TRYING [16] - 6:9, 20:4, 20:7, 20:23, 20:25, 38:26, 66:26, 78:12, 78:14, 121:23, 130:19, 130:20, 136:10, 138:21, 138:22, 141:18</p> <p>TULLOW [3] - 20:28, 21:21, 35:2</p>	<p>TULLOW- ARKLOW [1] - 21:21</p> <p>TUPPENCE [1] - 32:17</p> <p>TURN [2] - 19:11, 34:16</p> <p>TURNED [1] - 134:18</p> <p>TURNING [2] - 88:7, 107:16</p> <p>TURNS [1] - 123:8</p> <p>TWELVE [1] - 115:17</p> <p>TWICE [1] - 64:4</p> <p>TWO [44] - 22:1, 27:14, 31:16, 31:20, 32:15, 37:25, 44:8, 64:11, 64:19, 64:24, 66:10, 67:3, 67:6, 69:12, 70:14, 70:21, 70:29, 71:21, 75:11, 75:24, 76:13, 78:3, 86:27, 87:1, 88:1, 88:21, 90:28, 91:12, 95:26, 101:23, 102:10, 106:16, 115:2, 118:7, 118:19, 121:29, 122:6, 124:26, 128:19, 128:23, 128:29, 132:5, 139:3, 139:16</p> <p>TWO-STOREY [2] - 118:7, 118:19</p> <p>TYPE [3] - 52:29, 72:23, 115:1</p> <p>TYPO [2] - 83:26, 84:10</p> <p>TYRES [1] - 19:11</p>	<p>42:20, 66:20, 69:6, 84:22, 114:26, 117:7, 117:18, 119:12, 119:18, 128:6</p> <p>UNDERCROFT [3] - 114:29, 118:6, 118:8</p> <p>UNDERDEVEL OPED [1] - 112:29</p> <p>UNDERGROU ND [3] - 89:7, 115:2, 118:8</p> <p>UNDERMINES [1] - 49:1</p> <p>UNFAIR [2] - 56:17, 67:14</p> <p>UNFORTUNAT E [1] - 67:3</p> <p>UNFORTUNAT ELY [7] - 3:23, 26:13, 26:17, 31:27, 32:2, 65:21, 130:26</p> <p>UNHEARD [1] - 100:28</p> <p>UNIFORMITY [2] - 100:14</p> <p>UNILATERAL [1] - 4:13</p> <p>UNIQUE [1] - 89:21</p> <p>UNIT [1] - 70:25</p> <p>UNITS [11] - 64:12, 64:14, 66:9, 69:18, 70:4, 70:23, 72:2, 72:3, 73:19</p> <p>UNIVERSAL [1] - 105:17</p> <p>UNLESS [7] - 48:3, 48:24, 52:2, 55:16, 71:14, 120:6, 121:5</p> <p>UNNECESSARI LY [1] - 57:12</p> <p>UNNECESSAR Y [1] - 57:4</p> <p>UNREALISTIC [1] - 32:5</p> <p>UNREASONAB LY [2] - 119:10, 140:14</p> <p>UNUSUAL [1] - 132:4</p> <p>UP [97] - 3:17, 8:21, 12:1, 12:7, 16:28, 17:10, 18:1, 18:15, 19:10, 19:14,</p>	<p>20:4, 20:10, 20:17, 20:20, 20:24, 23:19, 23:21, 24:25, 28:7, 30:11, 30:16, 30:22, 31:21, 31:23, 32:11, 35:22, 40:28, 46:20, 53:21, 55:11, 55:16, 57:26, 64:12, 64:27, 65:25, 66:8, 68:20, 69:5, 69:27, 70:22, 71:16, 72:23, 73:12, 83:13, 83:17, 83:19, 83:23, 83:25, 83:28, 85:18, 87:7, 87:8, 87:15, 88:12, 88:17, 88:28, 90:7, 90:12, 91:14, 91:22, 93:4, 93:13, 93:26, 94:1, 94:16, 99:14, 99:23, 100:3, 100:17, 104:8, 105:22, 107:16, 111:22, 112:5, 112:14, 112:23, 113:11, 115:23, 115:24, 120:5, 122:2, 122:24, 123:1, 123:11, 123:14, 125:3, 125:26, 127:6, 127:19, 130:12, 130:15, 132:24, 134:2, 137:18, 137:19, 139:13, 139:20</p> <p>UPFRONT [3] - 65:27, 67:14, 69:8</p> <p>UPGRADED [2] - 106:23, 112:26</p> <p>UPGRADING [2] - 5:7, 103:5</p> <p>UPPER [1] - 92:11</p> <p>UPPER [3] - 31:26, 32:13, 93:8</p> <p>UPSET [1] - 100:18</p> <p>UPSTAIRS [1] - 120:25</p> <p>UPWARDS [1] -</p>	<p>88:14</p> <p>URBAN [1] - 17:24</p> <p>URGE [3] - 69:23, 102:16, 103:8</p> <p>USEFUL [1] - 23:3</p> <p>USES [2] - 90:21, 131:14</p> <p>USURP [1] - 39:20</p> <p>UTILISED [1] - 94:19</p> <p>UTTER [1] - 116:17</p>	<p>81:13, 82:7, 99:18, 123:22, 137:27</p> <p>VANCE [43] - 7:20, 11:1, 11:4, 11:16, 36:26, 37:3, 39:3, 41:5, 41:15, 41:17, 41:29, 42:9, 42:18, 43:7, 43:24, 47:1, 54:28, 62:7, 62:12, 64:18, 68:17, 72:19, 73:18, 74:19, 75:2, 76:21, 77:5, 77:14, 77:24, 78:16, 80:8, 81:11, 96:24, 96:29, 97:10, 99:17, 123:23, 135:26, 136:2, 136:20, 136:23, 137:28, 141:2</p> <p>VANCE'S [2] - 66:29, 67:9</p> <p>VANS [1] - 108:8</p> <p>VARIATION [8] - 20:19, 20:23, 82:14, 82:17, 82:27, 82:29, 114:17, 117:6</p> <p>VARIATION [2] - 82:10, 82:13</p> <p>VARIOUS [11] - 17:28, 18:24, 19:1, 43:27, 47:11, 55:1, 65:17, 93:4, 100:4, 100:10, 133:23</p> <p>VARTRY [1] - 58:11</p> <p>VARY [1] - 82:19</p> <p>VAST [2] - 31:24, 32:14</p> <p>VEC [1] - 126:10</p> <p>VEHICLE [1] - 32:2</p> <p>VERANDA [1] - 90:22</p> <p>VERBAL [1] - 4:21</p> <p>VIA [2] - 19:25, 32:25</p> <p>VIABLE [3] - 20:4, 24:1, 63:12</p> <p>VIBRANCY [3] - 110:7, 121:19, 127:28</p>
V					
<p>VAGUE [2] - 59:9, 105:23</p> <p>VAIN [1] - 29:22</p> <p>VALLEE [1] - 61:7</p> <p>VALLEYMOUN T [2] - 25:5, 35:25</p> <p>VALLEYMOUN T/ BLESSINGTON [1] - 35:21</p> <p>VALUATION [11] - 12:12, 12:13, 13:8, 13:12, 13:25, 36:23, 127:20, 127:21, 127:29, 128:17</p> <p>VALUE [4] - 36:24, 120:18, 120:26, 120:27</p> <p>VALUER [1] - 121:1</p> <p>VALUING [1] - 112:22</p> <p>VANCE [38] - 7:19, 10:20, 11:5, 37:5, 41:6, 42:1, 42:10, 42:19, 43:22, 46:29, 54:27, 55:25, 56:8, 56:9, 56:28, 62:10, 63:8, 63:16, 63:26, 64:10, 64:17, 65:27, 66:8, 68:16, 72:18, 73:24, 74:18, 75:9, 76:11, 76:23, 78:1, 79:14, 80:2,</p>					

<p>VIEW [9] - 6:19, 26:25, 56:8, 67:1, 81:3, 100:6, 100:8, 124:4, 125:23</p> <p>VIEWS [4] - 19:2, 53:22, 87:20, 108:13</p> <p>VILLAGES [6] - 24:1, 24:22, 26:23, 30:4, 33:14, 36:11</p> <p>VIRTUALLY [1] - 130:24</p> <p>VISIT [5] - 18:21, 25:19, 26:14, 26:18, 113:26</p> <p>VISITING [1] - 24:2</p> <p>VISITORS [4] - 31:23, 31:25, 32:5, 95:26</p> <p>VISITS [1] - 91:15</p> <p>VISTA [1] - 46:20</p> <p>VITAL [1] - 55:15</p> <p>VITALLY [1] - 93:11</p> <p>VOLUNTARY [1] - 69:25</p> <p>VOTE [10] - 40:22, 47:27, 61:19, 73:25, 75:11, 76:12, 78:3, 82:7, 85:29, 96:7</p> <p>VOTE [29] - 4:6, 40:12, 40:24, 47:25, 55:23, 58:2, 59:10, 61:17, 67:10, 69:9, 69:11, 73:4, 73:5, 75:1, 76:9, 76:10, 77:27, 77:29, 79:5, 79:9, 80:20, 81:13, 82:5, 85:27, 110:5, 117:13, 121:6, 124:16, 125:6</p> <p>VOTED [4] - 114:19, 114:20, 115:26, 117:14</p> <p>VOTES [1] - 104:19</p> <p>VOTING [4] - 61:2, 66:22, 74:28, 82:2</p>	<p style="text-align: center;">W</p> <p>WAIT [4] - 8:24, 9:22, 68:4, 124:21</p> <p>WAITED [2] - 115:12, 124:19</p> <p>WAITING [3] - 70:4, 96:26, 132:29</p> <p>WALK [9] - 32:3, 48:3, 48:6, 55:28, 57:26, 60:6, 60:9, 89:14, 91:18</p> <p>WALK [3] - 48:2, 49:20, 61:8</p> <p>WALKED [1] - 134:10</p> <p>WALKING [3] - 32:6, 51:11, 91:17</p> <p>WALKS [1] - 58:11</p> <p>WALKWAY [1] - 50:8</p> <p>WALKWAY [8] - 49:23, 49:24, 50:4, 52:5, 53:12, 53:15, 58:7, 58:17</p> <p>WALKWAYS [5] - 48:13, 50:9, 50:15, 54:29, 55:8</p> <p>WALSH [2] - 29:17, 98:7</p> <p>WALSH [9] - 29:18, 83:27, 84:12, 84:20, 84:29, 85:7, 85:10, 85:13, 98:1</p> <p>WANTS [4] - 39:22, 123:3, 126:15, 129:20</p> <p>WARNING [1] - 4:22</p> <p>WAS [2] - 3:15, 141:23</p> <p>WASH [1] - 9:9</p> <p>WASTE [2] - 8:10, 124:19</p> <p>WATCH [1] - 68:4</p> <p>WATER [2] - 121:4, 134:18</p> <p>WAVELENGTH [1] - 106:23</p> <p>WAYS [1] -</p>	<p>85:17</p> <p>WEATHER [1] - 47:21</p> <p>WEB [1] - 99:23</p> <p>WEBSITE [6] - 34:4, 34:10, 34:11, 35:10, 99:6, 99:15</p> <p>WEDNESDAY [2] - 10:18, 17:15</p> <p>WEE [1] - 91:9</p> <p>WEEK [12] - 22:10, 22:16, 23:7, 23:8, 33:5, 99:13, 99:23, 116:11, 123:16, 123:24, 134:8</p> <p>WEEKEND [2] - 16:14, 84:2</p> <p>WEEKENDS [1] - 4:7</p> <p>WEEKS [6] - 3:5, 8:23, 101:23, 123:8, 123:9, 137:8</p> <p>WEEKS' [1] - 116:10</p> <p>WELCOME [14] - 16:4, 31:24, 33:3, 33:11, 33:19, 34:7, 36:6, 68:17, 69:18, 70:9, 91:5, 91:10, 91:24, 103:20</p> <p>WELCOMED [7] - 29:21, 30:19, 31:13, 49:16, 93:3, 106:26, 107:6</p> <p>WEST [27] - 5:25, 24:29, 25:13, 33:24, 35:6, 100:27, 103:6, 103:23, 104:11, 104:12, 104:15, 104:18, 104:19, 104:23, 104:28, 105:1, 105:6, 105:10, 105:26, 105:27, 105:28, 106:27, 109:24, 110:7, 110:11, 111:29, 112:28</p> <p>WEST [4] - 33:25, 74:15, 105:9, 106:10</p> <p>WESTERN [1] - 77:20</p> <p>WESTWARDS</p>	<p>[1] - 23:28</p> <p>WET [1] - 128:19</p> <p>WEXFORD [5] - 21:11, 23:29, 33:8, 33:10, 105:29</p> <p>WHATSOEVER [4] - 73:20, 125:14, 131:14</p> <p>WHEELCHAIR [1] - 88:8</p> <p>WHEELS [1] - 122:15</p> <p>WHEREAS [1] - 52:1</p> <p>WHICHEVER [1] - 128:5</p> <p>WHILHELMINA [1] - 11:2</p> <p>WHISTLES [1] - 140:5</p> <p>WHITE'S [2] - 20:17, 22:11</p> <p>WHITMORE [9] - 4:2, 22:20, 28:6, 31:18, 36:13, 58:24, 71:6, 98:13, 126:22</p> <p>WHITMORE [6] - 4:3, 22:21, 58:25, 71:7, 73:7, 126:23</p> <p>WHITMORE'S [2] - 27:6, 36:7</p> <p>WHO'LL [1] - 75:25</p> <p>WHOLE [18] - 6:25, 14:3, 56:18, 65:5, 69:16, 81:22, 89:1, 89:26, 95:1, 95:8, 96:25, 120:10, 123:11, 128:14, 128:16, 129:25, 130:20, 133:14</p> <p>WHOLEHEART [2] - 24:4, 106:18</p> <p>WICKLOW [133] - 5:5, 5:11, 5:26, 6:12, 6:16, 8:10, 8:11, 9:6, 10:11, 10:17, 10:23, 10:29, 11:12, 11:13, 14:24, 14:26, 15:21, 15:22, 16:3, 16:9, 16:14, 16:19, 17:7, 17:14, 17:22, 18:2, 18:5,</p>	<p>18:14, 18:16, 18:21, 20:10, 20:13, 20:18, 21:7, 21:17, 21:25, 22:6, 22:11, 23:3, 23:4, 23:13, 23:27, 24:20, 24:29, 25:2, 25:14, 26:7, 26:8, 26:10, 26:21, 26:23, 27:1, 27:11, 27:17, 27:19, 27:25, 31:9, 32:9, 33:23, 33:24, 34:4, 34:10, 35:6, 36:8, 36:21, 50:4, 50:5, 52:23, 52:27, 69:18, 82:10, 82:13, 82:29, 87:5, 87:7, 87:8, 87:26, 89:10, 91:5, 91:29, 92:3, 92:11, 93:12, 93:21, 94:12, 94:13, 95:17, 95:28, 97:20, 98:3, 98:4, 100:1, 100:27, 103:6, 103:9, 103:24, 104:1, 104:11, 104:12, 104:15, 104:16, 104:18, 104:19, 104:24, 104:27, 104:28, 105:1, 105:6, 105:9, 105:10, 105:26, 105:27, 105:28, 106:5, 106:10, 106:11, 106:27, 109:24, 110:8, 110:12, 110:13, 112:1, 112:28, 114:12, 114:20, 119:9, 119:17, 119:22, 132:10, 134:1, 141:11</p> <p>WIDE [2] - 57:11, 117:23</p> <p>WIDENING [1] - 14:28</p> <p>WILLING [1] - 38:28</p> <p>WINDFALL [2] - 121:15, 140:22</p> <p>WINDOW [2] - 88:17, 89:17</p> <p>WINDOWS [1] -</p>	<p>88:16</p> <p>WINTERS [9] - 29:2, 44:6, 50:18, 53:17, 54:1, 59:4, 61:17, 71:29, 93:18</p> <p>WINTERS [3] - 80:1, 97:26, 99:19</p> <p>WINTERS [17] - 29:3, 44:7, 50:19, 51:28, 52:8, 52:11, 60:19, 60:26, 60:29, 61:16, 72:1, 73:3, 74:8, 86:28, 87:2, 93:19, 99:16</p> <p>WISH [7] - 12:28, 14:14, 28:26, 92:14, 95:28, 96:3, 119:15</p> <p>WISHES [1] - 53:14</p> <p>WITHDRAW [4] - 9:11, 9:14, 137:10</p> <p>WITHHELD [3] - 119:10, 132:21, 140:15</p> <p>WITHHOLD [1] - 119:22</p> <p>WOMAN [2] - 111:16, 129:25</p> <p>WONDER [2] - 3:20, 95:15</p> <p>WONDERFUL [4] - 28:10, 94:2, 94:10, 95:9</p> <p>WONDERING [5] - 5:12, 31:3, 32:23, 32:25, 83:14</p> <p>WOOD [1] - 77:21</p> <p>WOODIES [1] - 78:29</p> <p>WORD [7] - 51:6, 56:15, 57:29, 58:26, 58:29, 59:7, 115:27</p> <p>WORDING [20] - 42:5, 42:16, 43:11, 48:22, 49:10, 51:25, 53:13, 53:20, 53:24, 57:21, 62:3, 62:4, 62:5, 63:5, 74:1, 74:7,</p>
---	--	--	---	---	---

<p>75:19, 77:1, 139:20, 140:14 WORDINGS [1] - 139:21 WORDS [3] - 33:22, 42:15, 48:23 WORKS [3] - 49:16, 49:17, 101:26 WORKSHOP [1] - 121:22 WORLD [1] - 67:24 WORRY [1] - 107:3 WORTH [5] - 40:23, 65:5, 121:10, 121:17, 140:21 WORTHWHILE [2] - 112:24, 122:13 WRIGGLE [1] - 45:10 WRITE [6] - 5:6, 5:13, 24:20, 36:8, 103:10, 108:12 WRITING [4] - 31:18, 105:16, 105:19, 119:17 WRITTEN [2] - 114:25, 119:9 WROTE [2] - 102:10, 114:9</p>	<p>YOURSELF [5] - 8:7, 29:1, 31:7, 59:14, 104:13 YOURSELVES [2] - 85:19, 120:12 YOUS [2] - 31:3, 31:12</p>
Z	
<p>ZONE [3] - 38:1, 40:19, 72:5 ZONED [8] - 37:29, 65:10, 66:4, 78:7, 78:8, 78:29, 79:28, 82:26 ZONED.. [1] - 44:16 ZONING [8] - 4:18, 37:26, 38:14, 38:23, 41:11, 67:2, 78:19</p>	
€	
<p>€ [2] - 112:21, 123:29 €1,000 [1] - 14:2 €3,000 [1] - 134:8</p>	
É	
Y	<p>ÉIREANN [2] - 25:24, 31:7</p>
<p>YE [1] - 35:22 YEAR [5] - 87:13, 98:5, 117:16, 120:17, 138:19 YEAR-AND-A- HALF [1] - 120:17 YEARS [23] - 27:15, 27:18, 28:29, 43:10, 49:15, 52:25, 54:28, 56:10, 71:12, 71:22, 83:22, 95:26, 99:29, 101:27, 103:18, 108:28, 109:6, 111:24, 112:18, 124:18, 132:5 YOUNG [1] - 71:20</p>	