

# WICKLOW COUNTY COUNCIL



Wicklow County Council  
COMHAIRLE CHONTAE CHILL MHANTAIN

## **Transcript of the County Council Special Meeting Held on 10 November 2014 In the County Council Chamber, Wicklow**



Text streamed live to the web on [www.seewritenow.ie](http://www.seewritenow.ie)



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7 Wicklow County Council Special Meeting, 10th of November 2014:

8  
9 CATHAOIRLEACH: Good afternoon members, we're here, this is a Special Meeting, it was a  
10 requisition signed by nine members of the Council, and the purpose of the meeting is to discuss  
11 the following, that a Special Meeting of Wicklow County Council be held on Monday 10th of  
12 November in county buildings at 2 o'clock to discuss Irish Water and water charges.

13  
14 So to be fair to Cllr Brady, we didn't get to him, his suspension of standing orders last week, but  
15 just before I let in Cllr Brady, Cllr Walsh, you wanted to offer...

16 Cllr WALSH: Thank you Cathaoirleach before we commence I'd like to take the opportunity on  
17 behalf of the chamber to congratulate Eire Óg player Steven Kelly on his recent All-Star award  
18 in the Christy Ring category, this was Steven's second award, first in 2010, Stephen represented  
19 Wicklow in both hurling and football for number of years with distinction up until 2013 when he  
20 was forced to choose one code and went for his first love, hurling. He is ever present on Mick  
21 O'Dwyer's team, performance levels never dipped in spite of lining out for the hurlers regularly,  
22 in fact he would have lined out for both teams on the one day in national league games in  
23 Aughrim and had the distinction of playing championship on successive days in Aughrim in  
24 hurling and in Portlaoise with the footballers.

25  
26 He also lined out for Ireland at Shinty in Nolan Park, with Tommy Walsh and Sean Óg O'Halpin,  
27 and he was not out of his depth in such company. He also received a sports person of the year  
28 award at the Greystones people of the year awards in 2012, he was also a recipient of the player  
29 of the year award for Wicklow hurlers. Thank you.

30 CATHAOIRLEACH: Thank you councillor. I'd like to concur with everything you said, he has  
31 been a fantastic ambassador for the GAA.

32 Cllr FORTUNE: Chair, I'd just like to be associated with those remarks from Cllr Walsh, he is  
33 an absolutely outstanding individual, and while he is a naturalised Greystones man, for a number  
34 of years he cut his teeth with Kilcoole, so I'd like to be associated, a great honour, fully

1 deserving. He is an individual that has the ability, he could actually play in most county teams  
2 around the country, he has that much skill. I'd like to be associated with the comments.

3 CATHAOIRLEACH: Okay. Thank you. Okay. I'll let in Cllr Brady.

4 Cllr SNELL: Cathaoirleach, if I could just say on behalf of all the members our condolences to  
5 the O'Flaherty family on the dreadful accident in the early hours of this morning, a very  
6 prominent family in the Glenealy area, known beyond Glenealy, Ashford, Rathdrum, Rathnew,  
7 lovely family and I think it's just the passing of condolences to the family and his parent in  
8 particular.

9 CATHAOIRLEACH: We'll stand for a moment.

10  
11 (Minute's silence)

12  
13 CATHAOIRLEACH: Okay Cllr Brady?

14 Cllr BRADY: Thanks Cathaoirleach, and thanks for facilitating the meeting here this afternoon  
15 Cathaoirleach, as you know and you rightfully said I tried to have this issue raised at the last  
16 Council meeting, unfortunately time wouldn't permit, so the six Sinn Fein councillors along with  
17 three independents signed a requisition for today's Special Meeting, just to specifically discuss  
18 and focus on Irish Water and water charges, and the purpose of that is, obviously there's huge  
19 public concern out there at the moment in relation to Irish Water, but also the issue of water  
20 charges, and that was shown by the huge turn out of people right across this State, including here  
21 in Wicklow, where we had tens of thousands taking to the streets of Wicklow in five protests  
22 that were organised within the county under the Right To Water banner.

23  
24 As I stated at the last meeting, it would be wrong for us as public representatives not to take heed  
25 of what people are saying, take heed of what people are saying with their feet, as I said tens of  
26 thousands taking to the streets, hundreds of thousands right across the State. So it's only right  
27 and proper that we as public representatives, people who claim to represent the people and their  
28 views, who have been given a mandate by those people, it would be wrong for us not to come  
29 into this chamber and to discuss these important issues, and thankfully we're being given the  
30 opportunity to do that here today.

31  
32 Now unfortunately I don't think the government has heeded the message that the people, the  
33 citizens of this country have said, and the message was certainly, I as a public representative  
34 heard the message and I agree with the message, that people simply cannot and won't pay for

1 water charges. Unfortunately that message has been lost on the government, and not taking heed  
2 of that message, unfortunately what we have now is bribe politics, where we've different ideas  
3 being floated at people, if they go on a register with Irish Water they'll get €100 bribe from the  
4 country.

5  
6 The threats are continuing, and indeed the spin is continuing from the government, and it shows  
7 clearly that they haven't got a clue what they're doing. They're all over the place on this issue.  
8 And it's no wonder people are up in arms on it.

9  
10 The bottom line here is, irrespective as to whether it's 200, 300, 100 or 50, people cannot afford  
11 to pay the water charges and people simply will not pay the water charges.

12  
13 When you take it at a county level, if everyone in this county was to pay the water charges, what  
14 they are talking about, the average 240 to 280, that would mean a loss to the economy here in  
15 Wicklow of in the region of 14 million. That's on top of the other unjust taxes, such as property  
16 tax, universal social charge, etcetera.

17  
18 And it's no wonder local businesses here in Wicklow are struggling to keep their doors open,  
19 struggling to keep afloat, because more money, the limit of disposable income in people's  
20 pockets is being sucked out. It's 14 million alone would come from people here in Wicklow if  
21 everyone was to pay the unjust water tax. But we know that's not going to be the case, because  
22 people won't pay. People simply can't afford to pay.

23  
24 Bottom line here is we're dealing with what is classed by the UN as a fundamental human right.  
25 And that's the right to clean, drinking water. And we're being told now that every other  
26 European country has to pay for water, so we should be the proper and good decent Europeans  
27 and follow suit.

28  
29 But I suppose the point that this government seems to be missing is we already pay for our  
30 water, through our general taxation and have done for a long, long time. So we're being asked,  
31 not just to pay for it once, not just to pay for it twice, but to pay for it three times. And we're  
32 paying for it three times or being asked to pay for it three times, one through general taxation,  
33 number two through water charges and number three through the property tax.

1 Because last year we know the money collected here in Wicklow and in other local authorities  
2 through the property tax went directly over to Irish Water to install water meters, so we're being  
3 asked to pay for it a third time now with the commencement of the water charges.

4  
5 When we talk about the water meters, and we talk about trying to develop and grow our  
6 economy. There's 539 million euro being wasted by this government from our National Pension  
7 Reserve Fund through the installation of water meters, and I and Sinn Fein and hopefully other  
8 members here would agree that that money would be best served investing back in the economy,  
9 investing in fixing the burst and leaking water infrastructure right across the entire State, where  
10 we have over 40% of all our clean water being lost through burst or leaking pipes, it shows  
11 exactly what this is, what this tax is, it's not about water conservation, it's about sucking the last  
12 bit of disposable income that people may, in most cases do not, have.

13  
14 So it's making people make a choice now, that you pay this unjust charge, or you put bread on  
15 the table for your family. And I know from one, what choice I'm taking, I certainly won't be  
16 paying it. And I know that's a choice that has been made for a lot of people. Because a choice  
17 that they have to face like that, pay this unjust charge or put food on the table, that choice is  
18 being made for them already.

19  
20 The other point, and it's very important and I think we need to take a clear stand on it here today  
21 as members, is the future of the ownership of the water infrastructure in this State. There's  
22 serious question marks there around the future of Irish Water and the privatisation of that  
23 essential service. And I would hope that the government do the right thing and call for a  
24 constitutional referendum on the future of the ownership of our natural resource.

25  
26 I think this Council here should also send out a clear message to government, to hold a  
27 constitutional referendum.

28  
29 Now I'm going to finish off by just saying look, we have an opportunity here today as elected  
30 representatives and unfortunately we don't have a full chamber of 32 members, it would be good  
31 to see a full chamber here, because this is the most important issue for people on the ground,  
32 people we claim to represent at the moment, is water charges, and Irish Water, the quango that is  
33 Irish Water.

1 And I think we need to take a principled stand here. I think we need to send a powerful message  
2 to government, to Enda Kenny, Joan Burton, the Minister for the Environment Alan Kelly as  
3 well. I want to propose the following motion Cathaoirleach...

4 CATHAOIRLEACH: Can I just say if there is motions being proposed, to just circulate it to the  
5 other members if that's possible?

6 Cllr BRADY: I have a copy if someone wants to get a copy they can circulate it. But I'll read it  
7 first. The motion I'm proposing is Wicklow County Council calls on the government to listen to  
8 the widespread public anger that exists towards this government and Irish Water by the Irish  
9 people, who are now rightly organising and mobilising in protest and opposition to these water  
10 charges, through the Right To Water public campaign, which includes activists, citizens,  
11 community groups, political parties and trade unions.

12  
13 And that they immediately reverse domestic water charges which are an unfair, unjust double  
14 charge being forced on already struggling households. And that they stop the roll-out of water  
15 metering and redirect the 539 million loan financed from the National Pension Reserve Fund and  
16 put it towards fixing the massive leaking problems and interruption to the supply.

17  
18 That they hold a constitutional referendum to retain public ownership of water services and  
19 infrastructure and lastly, that Irish Water is abolished, as it doesn't have the confidence of the  
20 Irish people, nor indeed Wicklow County Council. And I propose that as a motion. Thank you.  
21 I'll pass it up to Lorraine.

22 CATHAOIRLEACH: Thank you councillor, if you can get that circulated, it would be great.  
23 Okay. Cllr McDonald?

24 MR O'DONNELL: I will definitely second that motion. Just to sort of agree with everything  
25 that Cllr Brady has said. What the government and just at local level what the local authority  
26 need to realise and take on board today is that the Right To Water campaign has been singly the  
27 largest most successful campaign in Ireland in tens of years.

28  
29 They need to sit back and say well okay we can take this on board or we can just ignore it. But  
30 they need to realise the fact it's not going to stop and not going away, just because last Saturday  
31 and last month we had two successful protests it doesn't mean that that's it, it's going to stop.  
32 They need to realise it's actually just the beginning.

33  
34 Just to touch on something Cllr Brady said, if every individual household in County Wicklow

1 paid the 200 and whatever odd euro they are proposing is going to be the bill, so we lose 14  
2 million, that 284 euro is in fact so far removed from the actual reality of what the bills are going  
3 to be, it's not funny.

4  
5 In County Kildare in Newbridge where the meters are already up and running, and a family of  
6 two adults and one school going child, I think both adults are out of the house every day, five  
7 days a week from 7 until 7, there is nobody at home except at the weekend the 24 hours a day,  
8 reading their meter in a 7-day period from one Monday to the next, they used 3,000 litres of  
9 water which equates to over 52 weeks to almost 800 euro, 761 euro. So for Irish Water and the  
10 government to throw out figures of 284 and less to families is so far removed from reality it's not  
11 even worth talking about.

12  
13 But I definitely think today that we appeal to every member here in the chamber today to get on  
14 board with the people that we represent, and say no, we're not going to put up with it anymore.  
15 We need Wicklow County Council to pass this motion and get it to government ASAP, no point  
16 dragging it out, it has to happen today, it has to be done and dusted before any more nonsense  
17 goes on. Thank you chair.

18 CATHAOIRLEACH: Thank you councillor. Cllr Walsh?

19 Cllr WALSH: Thank you Cathaoirleach, I think it's accepted that an adequate system to treat,  
20 conserve and supply drinking water and essential waste water treatment services whilst  
21 addressing economic and environmental issues is of paramount importance to us all, the current  
22 infrastructure is dysfunctional, with 42% wastage in the delivery system. The water network  
23 supply system is based on Victorian piping and is on a knife edge as far as its continued viability  
24 is concerned. For instance the Vartry reservoir and water treatment centre in Roundwood would  
25 supply most of Dublin and north Wicklow with drinking water, is under severe pressure and we  
26 saw earlier this year and water shortages occurred in Wicklow and needs upgrading.

27  
28 There is a myriad of issues that relate to water contamination, boil notices, hard water and water  
29 unfit for human consumption becoming increasingly prevalent, not to mention many towns with  
30 absolutely no sewage treatment systems. It's unbelievable to consider in a country that relies on  
31 tourism human excrement flows freely into the rivers and seas including Wicklow where the  
32 sewage from 13,000 homes flows into the Avoca river in Arklow at present.

33  
34 The concept of Irish Water was a factor in the Troika bail-out programme, from the inception it

1 has been a major PR disaster, it's been rushed in in too short of a timeframe.  
2 Mis-communication, lack of information and lack of clarity regarding cost have surrounded the  
3 company causing concern, the government coming under mounting pressure to address a whole  
4 range of issues.

5  
6 Genuine public concern regarding such issues as privatisation, PPS numbers, over staffing  
7 levels, staff bonuses, board appointments, average cost per litre, call out fees, coupled with the  
8 extraordinary set up costs of 180 million for this semi-state company, have all compounded the  
9 public's resistance to the entity that is Irish Water.

10  
11 And to illustrate this figure of 180 million it represents over 4,000 workers' annual income on an  
12 average industrial wage. Yet another example of the government's disregard for public money.

13  
14 Also I'd like to point out the average daily use figure in Britain is 150 litres per person, whilst  
15 Irish Water determine the figure to be 110 litres without any statistical grounding.

16  
17 So it's only a root and branch overhaul of this company is now acceptable to the vast majority of  
18 Irish people, a referendum should be held constitutionally to enshrine Irish Water as a public  
19 utility. This was proposed in a recent Fianna Fail successful Seanad motion, supported by  
20 Labour, the roll-out of meter charging needs to be put on pause until the design of the service is  
21 fit for purpose under new leadership. The problem of under investment in the water service  
22 needs to be addressed before the network of Victorian pipes rot and eventually collapse under  
23 the increased demand of growing society.

24  
25 For any solution, Cathaoirleach, must include a palatable payment system based on ability to  
26 pay. Water is a human right and an essential necessity. And the idea of treating citizens as  
27 water customers rather than consumers has resulted in much of the anger and tension which Irish  
28 Water generated, leaving people bewildered and disgruntled.

29 CATHAOIRLEACH: Thank you councillor. Cllr Kavanagh?

30 Cllr KAVANAGH: Thank you Cathaoirleach. Cathaoirleach I have the honour of sitting in this  
31 chamber today as a representative of the people of the Wicklow municipal district and County  
32 Wicklow, I'm not here as a government representative, and I'm certainly not here as a  
33 representative of Irish Water.

1 Irish Water in sending out letters and correspondence refers to people of this country as  
2 customers, and by doing that defines itself as a commercial entity. So as a representative of the  
3 people of this county, what I'm here today is to ask what can this Council do to represent those  
4 people and how we can represent the interests of the people who are not only here today, but  
5 who have marched throughout this county over recent weeks in their hundreds and thousands?  
6

7 What I am calling on this Council today is to ensure with policies that we create ourselves, that  
8 no information of Council tenants or RAS tenants will be given to Irish Water without the  
9 consent of those tenants on an individual basis. That RAS tenants cannot be forced to sign any  
10 agreements to pay Irish Water as part of their tenancy agreement, and I'm here as well to raise  
11 the concerns of people that, as regarding hygiene and sanitation and welfare issues at the  
12 restriction of water, that they may have to employ, which may affect their children and their  
13 children's health, the health of elderly people in the community as well.  
14

15 And also the economic interests of this county. Because if people are pinned to the collar and  
16 cannot pay these bills and they can't pay them, then there is less money circulating within the  
17 economy of this county as well and I want that borne in mind.  
18

19 As well as that, a letter went out from this Council to RAS tenants which, very much alerted and  
20 upset the tenants and we did ask that a letter of apology would be sent to those tenants and I  
21 would just like confirmed that that letter will go out to those tenants, that letter of apology?  
22

23 I have given you maybe a motion I would like to propose as well, which is signed by myself,  
24 Cllr Tom Fortune and Cllr Daire Nolan with your permission can I read that motion?

25 CATHAOIRLEACH: Yeah, if you circulate it to the members.

26 Cllr KAVANAGH: I've circulated, you have it there yeah. So the motion says, asks that  
27 Wicklow County Council calls on the government to respect the wishes of hundreds of  
28 thousands of people throughout this county and country, by abolishing Irish Water, and returning  
29 the staff and financial resources to the local authorities to upgrade the water infrastructure  
30 throughout the county.  
31

32 Furthermore, that the government reviews all taxation, revenue and prepares a budget which will  
33 include upgrading of the water infrastructure with new fiscal and capital spending budgets by  
34 cutting quangos and waste.

1 Cllr FORTUNE: I second that motion chair.

2 CATHAOIRLEACH: We'll come back to that. Cllr Fortune?

3 Cllr FORTUNE: Thanks Cathaoirleach. I think there's a number of factors here that need to be  
4 put in context about this whole situation.

5

6 I fundamentally disagree with the way, with water charges and the tax being imposed on people,  
7 because people as we all know are already paying for it. I also believe that, as we say in the  
8 motion, Irish Water should immediately be disbanded, I believe also that the water services  
9 should be returned to the local authority.

10

11 I think if the local authority were given the amount of funding that's been given out to Irish  
12 Water, I think they could very competently put in place what has to be done, if that was done on  
13 county by county basis you wouldn't need to be hitting people with the crazy charges.

14

15 Now there's a number of factors that make this whole thing untenable, and why I believe none of  
16 it, this Irish Water organisation should no longer exist. They have already spent 86 million on  
17 consultants, and if you read the current media, that's continuing to be spent, I think in yesterday's  
18 media they were talking about an additional million per week, I think it is, being spent on  
19 consultants at the moment. This thing is just off the wall. No organisation anywhere, that I'm  
20 aware of, would be operated this way.

21

22 The way the place was structured, the communication has been absolutely ridiculous, it's a  
23 mushroom method. Pat Kavanagh already mentioned about RAS and the fear that's been put  
24 into, especially people like senior citizens, I'm sure all of us get calls; I certainly get a lot of calls  
25 from people, and people of a certain age are in fear of what's going on, because they are actually  
26 being bullied if you step back from it.

27

28 I think that in this day and age that's not acceptable whatsoever. Now also if you look at an  
29 organisation like Irish Water, and you go back to January, just to take a period in time, in  
30 January we were told that they were paying 6,000 for 300 of the workers to attend Yoga classes,  
31 think about this for a minute, this is an organisation set up at a time of austerity when people  
32 haven't got the money to pay what's been put on the table.

33

34 There was also a mini quango set up in January called Water Services Transition Office,

1 something like the guts of 8 million spent on that. Also in April there was articles in the media  
2 about the standard and quality of the meters. Now I attended a meeting in Bray a month or so  
3 ago, where a lady at the meeting stood up and talked about this and she had done extensive  
4 research on it.

5  
6 Also then the price hikes we were told about in July, you had various members of government  
7 coming out with different stories and different price hikes, originally it was 240, then we were  
8 told it would be 500 and something, in latter times when the pressure has come on, it's floating  
9 around like a football sitting on the Irish Sea.

10  
11 In September we were told that 150 people had been appointed to Irish Water without any open  
12 competition, that doesn't happen in business, it doesn't happen in industry, it's just crazy stuff.  
13 Then we had the bonus culture, people were getting -- an organisation that hasn't really operated,  
14 has just been using costs and spending money, but yet we were paying out bonuses to the people  
15 and not alone that, while none of us have seen properly what the criteria was for the bonuses, but  
16 coming across in the media was that for people who even didn't hit expectations were getting a  
17 bonus.

18  
19 Then right up into October and November, we've had the debacle of various members of  
20 government coming out, talking about pricing, making statements, they've been contradicted.  
21 Then there was the threat that the collection of this particular tax was going to be collected by  
22 Revenue. Again this is all scare tactics, it's trying to put the fear of God into people. And the  
23 answer was given to that a number of weeks ago, when you had over 100,000 people marched in  
24 the capital and the week before last we had at least 150,000 people marched around the country,  
25 and in those 150,000 people and in the 100,000 people that walked in Dublin, there were people  
26 being represented by different groupings, but also a lot of people who were there on their own  
27 volition representing no group and representing independents.

28  
29 So this is across the board, this issue. There is only one solution in my opinion to this particular  
30 problem. And that is for Irish Water to be abolished. And that the whole thing be just wiped  
31 out, and they go back to the drawing board and in the first instance what they have to do is fix  
32 the leaks and I believe the best way to do all of that and achieve that in an efficient manner and  
33 in a business like manner is to give that particular function back to the local authorities, because  
34 in my experience of being involved with the local authority, there's one section in particular, I've

1 said it in the chamber a while back, the environmental section is run very, very well and very,  
2 very efficiently, they are more than capable of doing this. But you cannot, you cannot impose  
3 this kind of tax on the people.

4  
5 What's after happening in actual fact is there's been so much austerity over the last number of  
6 years that there has to come a moment in time when the straw breaks the camel's back and it's  
7 arrived. And it's arrived because of arrogance, bullying, and a greed mentality. People moving  
8 out of jobs where they are coming out on big fat pensions, going into a massive big salary  
9 pension job again.

10  
11 I just think you wouldn't run a sweet shop the way this is being run.

12 CATHAOIRLEACH: Okay thank you councillor. Cllr Snell.

13 Cllr SNELL: Thanks Cathaoirleach. Again just to follow on from some of the previous  
14 speakers, all across County Wicklow and Ireland, the anger and frustration is quite evident out  
15 there. To anyone that partook in the protests, it was plain to see that it was the people organised  
16 these protests, it was the ordinary people, members of our communities, that got out there and  
17 want the abolition, the abolishment of Irish Water.

18  
19 The reason they want it is because they can see that this is probably the biggest quango that  
20 Ireland ever had in its history. This is a fiasco beyond words. We thought we were finished  
21 with the bonus pay, we heard about that for the last six or seven years, and it all went back to the  
22 bankers in this country. And within a few short months Irish Water are talking about bonuses.  
23 Bonuses for people who by and large are faceless people.

24  
25 We see them out there trying to install meters covering their faces. That's why I feel so angry  
26 that some of our TDs and our Senators are trying to insinuate that there's a sinister element to  
27 people protesting against the installation of water meters. It couldn't be further from the truth.

28  
29 If they got up off their backsides and went out and had a look, they'd see it's grandparents, it's  
30 parents, it's children, it's your neighbour from down the road, it's local farmers, the shop keeper,  
31 it's ordinary people out there saying that enough's enough. And it's four simple words. Can't  
32 pay, won't pay.

33  
34 The reason they won't pay is because they haven't got the money to pay it. It's plain and simple.

1  
2 Ireland, as we all know, is one of the most generous countries in the world. We've been sending  
3 money out to third world countries for decades and decades, trying to make sure that they had  
4 the simple basic human right of clean, drinking water. Something that we haven't got ourselves  
5 at times. We all know, only quite recently here in the town there was a water notice for boiling  
6 water before anything could be done with it. North Wicklow experienced it, and we know that  
7 our assets, which were built up by generations and generations before us, Wicklow provides  
8 water to the greater Dublin area.

9  
10 And that was infrastructure that was put in by our fore fathers before us, and yet at the stroke of  
11 a pen we're giving it away, giving it away to people who we know are going to hammer not just  
12 this generation, but the next generation and the generation after that. They're going to hammer  
13 us with prices and basically what they are doing, they are not happy and content to send our  
14 young people away to emigration, we are actually living too long for them, that's what I believe.  
15 That's the problem.

16  
17 At the end of the day it's up to each and every one of us here, we were elected by the people,  
18 we're public representatives and I know that there was people out there who actually, when all  
19 this started didn't have too much of a problem in paying for water, people who had money, who  
20 said they'd pay for water. And then very same people are now saying no they won't pay for  
21 water, even though they have the money to pay for it, they are saying no they won't pay for it  
22 because they see that this is the greatest fiasco of an organisation that this country ever seen.

23  
24 And I believe when 200,000 people and I've no doubt in me mind, 200,000 people will take to  
25 the streets of Dublin on the 10th of December, I hope everyone in this chamber is there to  
26 support them. I believe that will be the end of Irish Water. I'd like to second Cllr Brady's  
27 proposal. Thank you.

28 CATHAOIRLEACH: Thank you councillor. Cllr Casey?

29 Cllr CASEY: Thank you Chairman, I would like to put on record my opposition to Irish Water  
30 and I did so about 18 to 19 months ago in this chamber when it was first mooted about the  
31 creation of Irish Water. I spoke passionately at that time about the duplicity of costs that would  
32 have been incurred by Irish Water and I have been proved to be correct in that case.

33  
34 The other thing I mentioned at the time was the lack of, the removal of local democracy, from

1 the infrastructure and development of this county and our right to decide how our county grows  
2 and expands, and we used to always decide how our villages and towns would expand by  
3 providing them with waste water treatment plants and water supply, that right has been taken  
4 away from us and given to Irish Water.

5  
6 Now it's used on two basis, one is on an economic basis and the other one is on pollution basis.  
7 And if you don't tick either of them boxes you will have no waste water infrastructure developed  
8 within a number of years, that will mean the majority of this county cannot grow for the next ten  
9 years and we have no say in that.

10  
11 We're told that the Irish public utility company Irish Water was needed to take the debt off the  
12 balance sheet, that's all it does. It's creative accounting by taking the debt of Irish Water or  
13 potential debt off the balance sheet, but who still is liable for that debt only the people of Ireland.  
14 So it changes nothing, only creative accounting.

15  
16 And we created Irish Water in a period of time when the whole of Europe and most of Europe is  
17 moving away from the privatisation of water, it's moving away from public/private partnerships  
18 and moving away from public utility companies and 21 cities across Europe have now moved  
19 away from that model, Sofia, Lyon, Marseilles, Toulouse, Lille, Brest, Castre, Montpellier, Nice,  
20 Paris, Berlin, Budapest, Naples, so on, have now gone back to restoring public water supply into  
21 local democracy and Irish Water is going completely the other way around.

22  
23 I have another major problem, one month or one year from now, when Irish Water takes control  
24 of the commercial sector. And if the energy regulator gets its way it will charge 4.88 per cubic  
25 metre of water on to businesses, will adversely affect the potential of job creation and indeed  
26 will lead to job losses, because at the moment there are certain counties in this country only  
27 paying 1.24 per cubic metre of water. They will be faced with a 300% increase in the cost of  
28 water provision. Indeed here in Wicklow we're at 3.04 per cubic metre and businesses will be  
29 faced with increase of 60% in the cost of water charges, that will put jobs at risk moving  
30 forward.

31  
32 Finally Chairman, I will support any motion that will enshrine in legislation to maintain public  
33 ownership for the people of Ireland, I will have no problem with that. And I will support any  
34 proposal that will abolish Irish Water, because I have never supported it from day one. Thank

1 you Chairman.

2 CATHAOIRLEACH: Thank you councillor. Cllr Winters.

3 Cllr WINTERS: Thanks Cathaoirleach. I suppose I'd like to say I agree with a lot of what has  
4 been said here, everybody in this room and right around the country knows that there have been  
5 many, many problems with the setup of Irish Water. Wicklow probably has more reason to be  
6 aggrieved than most, we used to have an out-of-hours service for water since the introduction of  
7 Irish Water, whether it is through the County Council or through Irish Water, but that service no  
8 longer exists. And that's something that I think needs to be addressed.

9

10 I think it's wrong to say that the government parties haven't reacted to the marches or realised the  
11 aggression and the frustration that people feel in relation to everything that they've heard about  
12 Irish Water and how they've handled their set up and the introduction of charges and all of the  
13 rest of it. I wish they'd heard it sooner.

14

15 But last week I attended a meeting, last Wednesday night and, a Fine Gael meeting, there was  
16 over a thousand people at it, 7 of the front bench at it and they left the room in no doubt that  
17 people were extremely aggrieved and that the issues that were being raised by people of all  
18 parties and non, were issues that had to be addressed.

19

20 And what they have said since then is that they will have it, all of the answers in relation to costs  
21 and the other issues that were, in relation to PPS numbers and data protection and everything, by  
22 the end of this month. I wish I had those answers here today to give to people, I don't. I have to  
23 wait till the end of the month.

24

25 In relation to the leakage, whether or not we -- and I do believe we should be investing money  
26 into the infrastructure. But in order to repair the leaks you have to find them, and if there was  
27 never to be a water charge, one of the most efficient ways of detecting leaks is the installation of  
28 meters, even if you were never to use them for charging. Because it pinpoints geographically  
29 within a very close proximity where the leaks are. If they were never to be used for charging,  
30 they are one of the most accurate ways of finding out where a leak is, so that the pipework can  
31 be repaired. You can't dig up every single pipe in the county to see whether there's a problem or  
32 not, you put in the meters and you will find where the leaks are. If they were never to use them  
33 for charging, it is one of the most effective and efficient ways of finding leaks. Thank you.

34 CATHAOIRLEACH: Thank you councillor. Cllr Matthews.

1 Cllr MATTHEWS: Thank you Chairman, this meeting was called to discuss Irish Water, I'm  
2 glad to hear people putting on public record their views and opinions on it. In regards to the  
3 demonstrations that were organised by the Right To Water, they brought together a very diverse  
4 group of people, with various different views on water, some people can't pay and won't pay,  
5 because they don't have the money, as Cllr Snell said. Other people who are concerned about the  
6 set up of Irish Water, there is other people concerned about the huge waste of money involved in  
7 it and the double taxation element.

8  
9 So to bring all those people together and to have the demonstrations that took place, and in the  
10 main every one of those demonstrations was peaceful and went to show that they were not in  
11 support of the current set up.

12  
13 So to get back to the motion that's before us there, I have a motion before Wicklow County  
14 Council at the moment that would call for a constitutional referendum to ensure that the water  
15 services in this country remain in public ownership, I think that's imperative, that's one of the  
16 main issues that needs to be addressed out of this whole debate and discussion. That we don't  
17 have a situation where in the future, who knows what the future will bring or what government  
18 will bring, that they'll be in a position to privatise what is an essential public service.

19  
20 So my motion is down before Wicklow County Council, it's in the process, so I'd ask that would  
21 be taken in that order and that due process is followed on that. I see all parties are in support of  
22 it. The trade unions are in support of it, and a lot of TDs have come out in support of that. So I'd  
23 be happy for the other parties to join my motion on that.

24  
25 In terms of Irish Water, it's an absolute disaster. It's an example of what happens when you take  
26 on a massive project, infrastructural project of that sort and you don't prepare for it, you rush into  
27 it, you don't think it through. Huge civil engineering work is required, huge administration work  
28 is required, huge misjudgement of people's concerns about water as well. And the programme  
29 manager or private manager for Irish Water I would not like to be in their shoes!

30  
31 People have said they think it should be left with local authorities, I would agree with that, but it  
32 wasn't enough just to leave it with the local authority, there was huge inefficiencies, we had 30  
33 or 40 essentially separate water services in this country, and that led to huge inefficiency, but I  
34 have no doubt if there had been the will in the Department of the Environment those

1 inefficiencies could have been ruled out, they could have, over a realistic five to ten-year period  
2 of time, probably implemented an efficient water services programme, run by the local  
3 authorities, without the need for Irish Water and it would have kept it in public ownership and  
4 that was a huge misjudgement by the government to have done that.

5  
6 At the heart of any water management and we're talking about water management here,  
7 conservation has to be at the heart of it. Now we were wasting water all over the place in this  
8 country. Mostly by leaks, and mostly by leaks in the Council infrastructure and that needs to be  
9 addressed, but people were wasting water as well. There was no value on it whatsoever. And  
10 there is a value on water, it costs money to produce. You need to store it and you need to treat it  
11 and pump it and deliver it to people's houses, then you have to take it all back out and clean it  
12 again. There is a cost to providing water, and people need to bear that in mind, it's not free.

13  
14 To meet that conservation requirement, investment is needed and nobody in this room can be in  
15 any doubt the size of the investment needed in the water infrastructure, antiquated in places, we  
16 have sewage treatment plants pumping out raw sewage, I don't know about this county but I  
17 know around the country, the water services investment of previous government, this  
18 government, -- of this Labour and Fine Gael, the previous government of which my party was a  
19 member of, there wasn't enough money put into water services investment programme, we were  
20 just keeping the system hobbling along there, it wasn't sufficient, so that needs to be part of it as  
21 well, there needs to be a huge investment in it to detect and repair leaks.

22  
23 Now I don't think water meters should have gone into individual houses, I think we should have  
24 area water meters, I stand to correction on this, I'm not an expert in this area, if you have a water  
25 meter serving an estate you will be able to detect whether there was leakage, simply by turning  
26 off every stop cock and seeing if water was going through the meter, so I don't think there is a  
27 need to invest in individual water meters for every household, that was a waste of money and  
28 didn't need to be done.

29  
30 I think a flat rate is probably something that should be charged. I know it's very unpopular and I  
31 know the majority of people in the room say you shouldn't pay for water, I am aware of the  
32 argument of the taxation, that it's paid by taxation, but our taxation is not meeting our costs at the  
33 moment. We are not taking in enough money for the amount of money we're spending, I  
34 apologise for sounding like a government party there, but it's true. If you look at the figures it's

1 just not adding up. And water is expensive.

2  
3 I think a flat rate that's affordable and that's in line with allowing people what's a normal  
4 allowance of water and we have a range given between 110 and 160 litres a day of water per  
5 person, now somewhere in between those two figures there's a rate that we could set to allow  
6 people to use that amount of water at an affordable rate.

7  
8 I think the figures on that affordable rate you'd be looking at something 2.50 per week per  
9 household, that's the kind of figure you should be looking at. I think that's fair.

10  
11 If you use over and above the rate, then you should be charged for it, that's normal in everything.  
12 Your phone company bill is the same thing, it's gives you a usable rate, when you go over it, you  
13 pay more. We should make allowances for people that need to use more water on compassionate  
14 and medical grounds, but that's not beyond us to be able to do that.

15  
16 Just to discuss this motion now before us, just on one of the points here on it, it says that we  
17 should stop the roll-out of metering and redirect the 539 million from the National Pension  
18 Reserve Fund, I would like to know do we have figures on how much of that money has already  
19 been spent on metering and what percentage of metering is in at this stage, before I agree to that  
20 part of it, because that may not be the most efficient way to proceed with that, so I'd ask Sinn  
21 Fein, through the chair if they have figures on how much metering has been installed and how  
22 much of the 539 has been spent so far on it?

23  
24 And I would ask would they support my motion to have a constitutional referendum to enshrine  
25 the Irish Water services in public ownership. Thank you chair.

26 Cllr BRADY: The only motion down is the Sinn Fein one dealing with this issue, yours hasn't  
27 come before us.

28 CATHAOIRLEACH: To be fair I'm happy to take Cllr Matthew's motion today if there's a  
29 seconder for it.

30 Cllr CASEY: I'll second it Chairman.

31 Cllr BRADY: It's covered there.

32 CATHAOIRLEACH: Yes, okay. I just don't want to exclude people's motions when we're  
33 taking other motions, okay. So is that it councillor?

34 Cllr MATTHEWS: Thank you councillor.

1 CATHAOIRLEACH: Thank you. Cllr O'Neill.

2 Cllr O'NEILL: It's fairly clear here there's a lot of humming and hawing in Fine Gael and the  
3 Green Party on these issues.

4 Cllr MATTHEWS: There's no humming and hawing, don't insult me.

5 Cllr O'NEILL: It's very clear, I remember going back to the 80s we had the same thing, it was  
6 the same combination of government by the way, Fine Gael and Labour, we had the same  
7 problem in Wicklow, and my appeal here today to, will endorse Cllr Brady's motion too, to put it  
8 to the 7 Fine Gael councillors in here today, they know that this is wrong. They know it's a  
9 complete disaster from the word go. And this can be solved if they put their mind to it, put pen  
10 to paper, and tell their bosses in Leinster House that they have this one wrong. There's going to  
11 be more money spent on this codology, it will go on and on and on and who is paying for it all?

12

13 There's an alarming issue with the amount of Gardaí out day in day out at protests and helping  
14 Gerry McCloskey & Company put in meters. It's sad to say -- I know plenty of Gardaí in the  
15 county, and they are supportive of the protesters, they don't have the money either to come up  
16 and pay these bills. But it's been the ordinary people have been put in against the Gardaí, and  
17 you do have the odd Colombo type guard who wants to have a crack at things.

18

19 So it's a pity, who is paying the Gardaí, who is paying the bill? Whether it be Irish Water or it's  
20 probably the ordinary Joe Soap one way or another.

21

22 But I'd also like to take with a pinch of salt what Fianna Fail are saying here. Fianna Fail were  
23 in power, the last lot of social housing that was built in the county put together, including  
24 Glending in west Wicklow in Blessington, and they were putting in meters at that time. So all  
25 these little estates going up in the last 7, 8, 9 years, the meters were going in and it was Fianna  
26 Fail people in power at the time.

27

28 I am from a part of Wicklow here, west Wicklow, that throughout the 80s when the likes of  
29 myself got ourselves locked up over these protests when Labour -- there is two ex Labour  
30 councillors in the chamber here, people were in power at the time, but we're looking at an area of  
31 land in west Wicklow, we're looking at the lakes and the amount of, I believe it feeds the Dublin  
32 City with two thirds of the supply of water. And in the 80s we were told the same thing, we had  
33 to pay in Blessington and west Wicklow for water and at the same time it was go to Dublin and  
34 they quite rightly refused to pay for the same thing.

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Another issue there that I think that we should be mindful of councillors, and the public, is that Irish Water have a huge role in sewerage as well as water. And I have expressed concern here, I know Wicklow and my part of the county, where we find it very difficult to get one-off housing allowed, up to now it was Dublin City Council who objected. Now we have Irish Water, they will be the main people who will decide whether we are allowed one-off housing or not.

In Blessington alone, like other parts of the county here, where you have sewerage at capacity, it's very important that we all realise that from here on in, it's Irish Water that will decide on whether these plants are upgraded or when they will be. So I was just talking to a lady outside on the protest, she just said what the whole country is saying, the money isn't there for it. There's people in big debt with mortgages and whatever. The money just isn't there.

She just reminded me too, how people can really be forced to the very edge, in ending their own life with these extra charges, it's a huge burden. I'd really appeal here. I know, I hope to God that we do get this motion passed here today. But I would again appeal, the 7 councillors of Fine Gael, to write to their masters in Dublin and let them know that this is not on.

CATHAOIRLEACH: Thank you councillor. Cllr Lawless?

Cllr LAWLESS: Thank you Cathaoirleach. Just two points I'd like to pick up on. One from Cllr Walsh's statement earlier on, saying that there should be a pause to the roll-out of meters, well as far as I'm concerned, there should be a full stop to the roll-out of meters and is this another Fianna Fail tactic again, let's pause the meters, but we'll roll them out later on. As far as I'm concerned, no meters, no water charges.

The other point as well I'd like to make, from Cllr Winters' statement, your government have not listened to the people, your government are still trying to entice people to sign up to Irish Water. There's incentives out there, we'll give you 100 back if you sign up. The people have spoken and have spoken very clearly. They do not want Irish Water. They do not want meters and they do not want to pay for the water again. Thank you.

CATHAOIRLEACH: Thank you. Cllr Ruttle?

Cllr RUTTLE: Yes Cathaoirleach, my own view on the establishing of Irish Water, like what Cllr Casey said earlier, were well known. I would put the issues of their establishment and the problems that we identified at the very outset when it was proposed, in the same category as what happened with the HSE and when it was established and how it became a sort of a large

1 ungainly monster that couldn't be handled.

2  
3 We've seen something -- the same type of development with the, making it bigger with the  
4 abolition of the VEC and the ETB. Fundamentally there are two issues here, one is the issue of  
5 charging for water and the other one is the issue of how do we establish a fit for purpose going  
6 forward water system that looks after private residential people, wherever they may be and also  
7 the development of industry going forward. They are the two issues.

8  
9 I think it is totally wrong though to attempt to charge for a system that is not fixed at all. We  
10 have water meters going in on systems that are basically defective in any case, their water is  
11 either not up to standard, we have areas where we have boiling notices, there is not enough of it,  
12 there's problems and there is a colossal amount of leaks. It's terrible to hear people from Irish  
13 Water referring to the evils of a fellow washing the car, when they are not, they don't dwell on  
14 the 40% of the water that's gone before it gets to the guy washing the car, which is the real  
15 infrastructural problem that exists in that way, and that kind of setting up of Irish Water with  
16 huge consultancy fees being spent, and obviously more projected.

17  
18 When in actual fact the best advice was available in the County Councils of Ireland in the water  
19 and sewerage department, that's where the knowledge was, that's where the advice was. I have  
20 been here for a long time and seen men coming through here with a deep and intimate  
21 knowledge of the system. The problem was not that the Councils didn't do the job, the problem  
22 was been the successive administrations over the years have bled them of the finances required  
23 to bring the water system and sewerage system up to standard.

24  
25 Like my colleague here Cllr O'Neill said earlier, like in west Wicklow we have a situation say at  
26 Blessington we have a sewerage system at capacity and virtually unlimited water supply, but in  
27 Dunlavin we have a new sewerage system, but no water supply available, so whatever way you  
28 want to look at that, by way of residential or commercial activity, it's very, very poor.

29  
30 Basically the whole thing is done the wrong way around. The effort to deal with the issue are far  
31 too telescoped, it would take years and years and years to do a system like this properly. My  
32 own idea would be that you first get the system right, you get the supply right, you get the  
33 quality of the water right, and then if you want to consider putting in some charge, only then  
34 might that ever be considered, if at all.

1  
2 Now this issue of charging and charges, as people will say, all of us who pay income tax will pay  
3 for the water system one way or another. In some cases some people might get some form of  
4 service, however poor it might be, then there are other people who live in rural areas who live on  
5 farms, in cottages, in one-off bungalows, they drill their own wells, put in their own sewerage  
6 system, pay their own ESB bill for the pump that lifts the water and they are still paying and they  
7 are getting nothing from the system at all, that's another group.

8  
9 But at the present time metering activity simply has to stop, this thing of looking for people's  
10 PPS numbers has to come to an end. And any future work that's proposed to go forward should  
11 concentrate on fixing the system and bringing about a system to improve the quality of the water  
12 and everything else. That is what has to be done.

13  
14 The charges to a lot of people are a bridge too far, people have endured the USC, Universal  
15 Social Charge, the property taxation and they feel that it is just going too far. The other thing is,  
16 what I would call this idea that you have virtually roulette billing, Cllr McDonald mentioned a  
17 figure she mentioned over in Kildare, I've heard figures below that, figures over that. To enter  
18 into any system where you don't actually know what's going to happen and what it is, is wrong.  
19 That's even if you accept that the whole system is cart before the horse, because they haven't  
20 dealt with the issues of the quality of the water, they haven't dealt with the issue of the  
21 infrastructure, the leaks and as well as that too the other issue of sewerage, because they'll charge  
22 for both. That's an issue in a lot of the towns.

23  
24 So certainly there are issues here. Irish Water is not fit for purpose, it is far too quickly done.  
25 Wrong set up, far too much money being spent, total lack of public confidence on one side, and  
26 then on the other side we have the other problem, how do we upgrade the water and sewerage  
27 system? And some of that would come into the second paragraph of the other motion there with  
28 Cllr Fortune and Kavanagh, the government produce a budget as to how this would be done, to  
29 do that. Make no mistake about it.

30  
31 If water charges were done away with in the morning, we still have a problem with the water  
32 supply and how it's run and how effective it would be for the future. So we have to deal with it.

33  
34 As regards referendums I have no problem, if it was needed. I'm not so sure whether it's

1 definitely needed, but it couldn't do any harm, I don't know, the cost of a referendum is high  
2 again, but I'm not opposed to it at all. So thank you Chairman.

3 CATHAOIRLEACH: Thank you councillor. Cllr McDonald you want to get back in very  
4 quickly.

5 MR O'DONNELL: Just a short reply to Cllr Winters snippet of good news from the government  
6 that all the answers are going to be forthcoming by the end of the month with regards PPS  
7 numbers, allowances and rates and they make it sound like a good thing. It's not a good thing,  
8 there's only one answer that the vast majority of people here today and all across the county  
9 want, that's that Irish Water is history. That's the only answer that's going to be acceptable.

10 CATHAOIRLEACH: Okay. Thank you. Cllr Mitchell?

11 Cllr MITCHELL: Thank you Cathaoirleach. About three or four weeks ago I attended a  
12 briefing from Irish Water to which all councillors here were invited, I was the only one actually  
13 who went to that meeting, and I'm surprised we're having another meeting when nobody, the  
14 councillors didn't bother to attend that meeting...

15 Cllr BRADY: We've heard enough PR and spin from your government, we didn't need to go.

16 Cllr MITCHELL: At that we were able to question senior management of Irish Water about  
17 what was going on, in fact there were only ten councillors from a wide area about 100 or 150  
18 were asked.

19  
20 Now at that, in the last two years in Greystones, a large town, and Delgany, every spring the  
21 water is gone off at night for a period of around a month, which is a very serious for any  
22 businesses, restaurants, any other public pubs, and people in their homes as well. This has been  
23 going on for two years and seemed to have no means of fixing it.

24  
25 So I asked about this and I was actually quite surprised and impressed with the answer, that they  
26 have agreed a budget to improve the water supply to Greystones by installing a large pump, and  
27 this will be done before next spring. They have -- I have been demanding this nearly every  
28 month for the last two years and have got no response from anybody and was pleased to hear  
29 that this was going to happen.

30  
31 In addition to this, they have already installed a pump in Delgany where quite a number of  
32 houses at high level got no water, and this now will fix that. So when these water shortages  
33 occur in the spring these houses will now get a water supply.

1 Now these works should have been done ten years ago, we had no influence over the water  
2 supply to north Wicklow, because it was run by Dublin City Council, and we were ignored in  
3 terms of necessary infrastructure for a major town, so in some ways while people here all seem  
4 to be giving out about the establishment of Irish Water, it has actually generated significant  
5 investment, which should have been done for ten years and was ignored by the previous system,  
6 which we had.

7  
8 So in my view, in that sense Greystones and Delgany are going to benefit from the establishment  
9 of Irish Water by having a reliable water system. And this is a major improvement.

10  
11 In terms of various aspects, I understand that there are ten times more plants for water and  
12 sewerage in Ireland than Scotland, which has a larger population and it seems to me that the past  
13 practice of doing this by 30 separate counties has been extremely inefficient, wasteful, there are  
14 40% leaks apparently, and that policy has failed, and I think the establishment of a central water  
15 system so far, I think, is a better chance of providing a proper and effective investment, and a  
16 proper utilisation of plants, probably larger scale plants than individual counties could consider,  
17 so I have to say that I think the establishment of a centralised water system seems to be a  
18 reasonable thing to do, and has already directly benefited County Wicklow.

19  
20 Now every other EU country has water charges of some sort, and I don't think Ireland is so  
21 different that we can do without them, that there's magic in this country that we should be do  
22 different not to have them. Each one of them also has the same income taxes and other things as  
23 well, in many countries they are very much higher than they are going to be here.

24  
25 I understand the water charges were actually agreed in the water services directive in the year  
26 2000 and that they would come into place in 2015 by the government of the day, at that time,  
27 and we all know that the Troika has been in here telling us what to do, and has insisted that this  
28 is done.

29  
30 In my view charging for water is necessary in order to cut down the consumption, in the northern  
31 part of the county, which is part of the greater Dublin water supply area, we have about 1% spare  
32 capacity should anything go wrong. That's completely unacceptable, we should have 15%. And  
33 we need to urgently deal with that.

1 So first of all, it has benefited this country, I think it is the right idea. Now I think mistakes have  
2 been made in terms of how Irish Water has been managed, the whole thing has been far too  
3 rushed. In my view it should have been what some countries did, which was to have a flat rate  
4 and people could opt for meters to save money if they wished, however that was not the way it  
5 was set up. And I think such things should be considered.

6  
7 I just want to say I have heard some public representatives here from Sinn Fein state that they  
8 weren't going to pay, even though the taxpayers are paying them a handsome salary. I think  
9 that's very unfair on compliant taxpayers, that when taxpayers pay councillors a salary that they  
10 should refuse to pay utilities. And it should be taken directly from State payments, if people  
11 who are being paid by the State refuse to pay, I think it's completely unfair on the rest of the  
12 taxpayers in this country.

13 CATHAOIRLEACH: Sorry, you can't be talking in the gallery. Just to be fair.

14 Cllr MITCHELL: So I'd like to say it's important that we do have a centralised water system and  
15 it should be given a chance to work. I think that there should be some changes to the charges  
16 and, but I don't accept that public representatives paid by the taxpayer have a right not to pay  
17 this, or should have lots of public servants chasing around after them with the bill, that's  
18 completely wrong. It should be done and taken directly from those councillors' salaries, thank  
19 you.

20 CATHAOIRLEACH: Thank you councillor. Okay Cllr Ryan.

21 Cllr RYAN: Thanks Cathaoirleach. I've listened to what the councillors around the table have  
22 said, I do respect a lot of what they've said, and I know the roll-out of this has been an absolute  
23 appalling mess, plain and simply it has, I don't think anybody is going to stand over it or say it's  
24 anything but that, it's been just a mistake after mistake.

25  
26 I think it's, as Cllr Matthews said a lot of people were forced onto the street to protest basically  
27 from lots of different angles, but they were brought together through absolute frustration and I  
28 think it's really important that the government does get their act together and actually address the  
29 concerns of people and come back, as Cllr Winters said, on a number of issues that have been  
30 raised.

31  
32 At the end of the day there's been a massive opportunity missed in the good times in this country  
33 to actually invest in a water service, that's first in class and that was absolutely missed, and  
34 unfortunately it's at a time where the country is actually bust that we have to try and now invest

1 and make the water system work, that's not an easy job to do.

2  
3 I suppose when we actually -- Cllr Matthews is putting forward that motion about Irish Water, to  
4 keep it in Irish hands, I absolutely would be 100% behind that, I don't think anybody has any  
5 interest, or not that I know of anyway, in actually seeing it be privatised in the future. I think it's  
6 really important that we keep all those assets in Irish people's hands and that's plain and simple.

7  
8 So they are the areas that I kind of agree with what people are saying here, but just, I have a  
9 completely different view of the world to a lot of people around this table.

10  
11 Number one is the thing that really annoys me most is democracy is really important to me, and  
12 at the end of the day people may disagree, and they have different views on things, that's  
13 absolutely fine, I think people have the right to have different views, but at the end of the day  
14 you get a chance to vote a government in. And you get a choice to see what that government is  
15 going to do, and I think if the present government, the Fine Gael part of the present government  
16 had actually said they weren't going to have water rates, I think people maybe could have a  
17 reason to be annoyed, but they didn't. They said they were going to introduce water rates and  
18 they have.

19  
20 So this isn't trying to fool people or mess around. And it really annoys me that there's TDs in  
21 Dáil Eireann, who are elected to make laws, to legislate, to tell each and every one of the people  
22 in this room what they can and can't do, that those people turn around and say I'm not going to  
23 pay. What they are saying is two fingers up to everybody who is a believer in democracy.

24  
25 It's like somebody coming out of here tonight and saying listen I don't care what the speed limit  
26 is on the road out there, I don't believe it's the right speed limit so I'll drive at a speed limit that I  
27 want to. To me that's not what democracy is about. So please, if you have different views  
28 absolutely have different views and go forward to the electorate with those different views and if  
29 the electorate, a majority of them vote you in, well then that's the government that the country  
30 has and they can actually put the laws forward, and I'll follow those laws.

31  
32 So that's what democracy is about. So the next thing is the principle of actually paying for  
33 water. And I know people are saying we're paying for it anyway through central, as Cllr  
34 Matthews again said, this country is not paying for enough, we're borrowing money just to keep

1 the show on the road.

2 CATHAOIRLEACH: Sorry, excuse me, you can't be shouting from the gallery. Give the  
3 elected member some courtesy and respect please. Continue councillor.

4

5 (Interruption)

6

7 CATHAOIRLEACH: Sorry. Cllr Ryan was democratically elected okay. Now continue  
8 councillor.

9 Cllr RYAN: Thank you, unfortunately when people don't agree with what you say, some people  
10 feel they have to do that, that's okay.

11

12 I actually do believe that it's really important that, let's say the household next to me are very  
13 careful with the amount of electricity that they use, but then if I leave my lights on day and night,  
14 I don't believe we should actually be paying the exact same amount for electricity. It's the same  
15 for water. I believe it's such an important resource and I have absolutely no problem. Do I want  
16 to pay more tax, no I don't. But will I? Yes I will. Because I actually believe it's the right thing  
17 to do.

18

19 I believe we need to be really careful about the amount of water we use. We need to reduce it.  
20 And I think it's a great education for everybody in this country to get smarter about the amount  
21 of water that they are actually using.

22

23 I think it's important that we also invest in the infrastructure and I believe if the government had  
24 another way to try and actually bring the investment in they'd be doing it, straight away. But I  
25 don't think they have. And I think actually having this mechanism in place is probably the only  
26 way they can do it. And I know, I want Vartry sorted out, because for the people I represent in  
27 Enniskerry, Kilmacanogue and Bray and all the people in north Wicklow who have suffered  
28 constantly over the last summers with their water turned off, I don't think that's fair. And I think  
29 it's right that we get it sorted out and we get it sorted out now. Thank you.

30 CATHAOIRLEACH: Thank you councillor. Cllr Doran?

31 Cllr DORAN: Thank you. I don't want to go over ground that people has already went over.  
32 But I just want to say that Irish Water in its present form is a complete and utter disaster and  
33 should be abolished. That is my belief. I have had reason to ring Irish Water on three occasions  
34 last week, the answer I got was to go back to the local authority, that they were only a new set up

1 and they weren't sure. And I had to go back to Wicklow County Council.

2  
3 I think that's where it should have stayed. And then they're talking about pricing, the pricing that  
4 they are bringing in, they are talking about the same price for a person that is 188 a week on  
5 disability as people on 200,000. So that's another reason why I think that it should be abolished,  
6 and start again.

7  
8 They started up Irish Water and they hadn't a clue. They brought people, cronies from one end  
9 of the country to the other, of their own. And they know nothing about water. Why they  
10 couldn't employ somebody that knew what they were doing, such is the people that are in and  
11 was in other County Councils. That's all I would like to say.

12 CATHAOIRLEACH: Thank you councillor. Cllr Tommy Cullen.

13 Cllr Tommy CULLEN: Chairman first and foremost my position is clear, water is a human  
14 right. People should remember that. Water is a human right. Without water people can't live.  
15 It's not a commodity, it's not something that people should say well I can raise taxes on. Water  
16 is -- we all need water to live and if we don't have it we die. So water is like air, it's a human  
17 right. And that's my views on water.

18  
19 Chairman, I think this goes back to the night of the bank guarantee, when all the parties in this  
20 chamber, all the parties in this chamber voted to bail-out the banks. They left the taxpayer with  
21 68,000 million euro of debt. 68,000 million of debt.

22  
23 As a consequence the IMF and the ECB said we're going to bring in property taxes and water  
24 taxes. So we became simply a province of the Germans. They now basically rule us. We lost  
25 our sovereignty that night of the bank bail-out.

26  
27 Now Chairman I want to pay tribute to the Right To Water campaign, who have been leading the  
28 campaign, and other voluntary groups around this county of Wicklow and throughout the  
29 country. I don't think the right to water should be hijacked by any one political group or other, I  
30 think it's a human right and it's a community resistance to this proposed new taxation is what's  
31 forcing the government I believe ultimately into a u-turn.

32  
33 But people talk about, we have the water taxes in other countries, well for instance in Germany  
34 they start their income tax rate at 17 percent. We start ours at 40%. In Britain they have a

1 national health service, free health, free medicine, free education, free doctors, we have none of  
2 that. So to compare -- we have, if you buy a motor car in this country, you pay another 9,000  
3 extra than you would in Germany, that's an extra taxation.

4  
5 So we are already paying the highest income tax and highest indirect taxes in the EU, and this  
6 new taxation, because that's all it can be described as, is new taxation, is going to make that  
7 situation even further.

8  
9 It has been said that people don't have the money, and people don't have the money. I was  
10 listening to someone on the radio today, the government are saying well it's only going to be new  
11 measures up to 350 a year, have they lost touch with reality, that many people don't have 350  
12 cent let alone 350 euro to put water, or boil a kettle or wash a child.

13  
14 Chairman, I have a view and I've argued this, I put the first report to the Council in 1992, that  
15 Wicklow supplied the greater Dublin area and we had something like a two thirds more water in  
16 the greater Leinster region is coming from the two reservoirs.

17 Cllr O'NEILL: You brought in water charges in '85, Labour and Fine Gael, your party Tommy.

18 Cllr Tommy CULLEN: Perhaps, Cllr O'Neill, when your party vote to bail-out the bankers...

19 Cllr O'NEILL: That's another lie, talk a bit of sense...

20 Cllr Tommy CULLEN: I don't want to go there, if you want to we will. But Chairman, I  
21 brought back in a report in 1992, pointing out in this Council that Wicklow was being robbed by  
22 Dublin Corporation. We were giving Dublin all the free water, whereas we had no water charges  
23 in Dublin, we had them in Wicklow. That is still the situation. Irish Water now is going to get  
24 huge -- hundreds and hundreds of millions of water from two reservoirs in this county, they are  
25 going to charge people of greater Dublin area from water they are extracting free from County  
26 Wicklow. To make matters worse and add insult to injury, they are going to have the neck to  
27 come back and charge people of Wicklow for their own water.

28  
29 This is how bizarre the situation has become. I think Cllr Matthews' proposal that it should go to  
30 a referendum was a good proposal and I believe it should go and water should be in public  
31 ownership, it's one of those vital services, it should be in public ownership, and I would appeal  
32 to the government -- and I think Cllr Winters, I would ask Cllr Winters and the other groups  
33 close to the government, to look to abolish Irish Water and to abolish the water charges, because  
34 ultimately they are simply another tax, no matter how you try and dress it up, they are going to

1 penalise people. And people no longer can afford to pay them.

2  
3 I believe that most genuine people now realise that this is a tax too far, and what my big concern  
4 is going to be is this, that what the government may do, they may come down and say we're  
5 going to reduce it to 200 a year for the next three years. But then in March 2016 each house in  
6 the county is going to be revalued for property tax, so they will increase their property tax on the  
7 family home and make up the difference of money they're cutting from the water charges, so  
8 we'll have extra property taxes in March 2016 along with water charges and if you are a tenant of  
9 a Council house, remember the Council have to pay that property tax, so that means Council  
10 house rents will also go up.

11  
12 I believe, Chairman, the economy is turning around, I think in the next year and a half the  
13 government will be in surplus, that's to be welcomed. And I ask the government to abolish these  
14 charges, based on the right, that water is a human right and therefore like air, it shouldn't be  
15 subject to taxation. So I would support the motion to abolish the water charges and to have a  
16 referendum, keeping the public water in public ownership.

17 CATHAOIRLEACH: Thank you councillor. Very quickly Cllr Kavanagh, you are coming back  
18 in. There is other speakers haven't spoken yet. Very, very quickly.

19 Cllr KAVANAGH: It is very quickly, I want to take up a point that Cllr Ryan made there, I can't  
20 let it go without making a comment about it, Cllr Ryan spoke eloquently about the democratic  
21 process, which we all appreciate and enjoy in this country, but I have to mention that the debate  
22 on Irish Water, the bill that was rushed through the Dáil, it was guillotined by Fine Gael, three  
23 hours was given to that debate in the Dáil, before that bill was rushed through, that bill was to set  
24 up a commercial entity which is Irish Water, so it's not breaking any law, to operate a  
25 commercial entity.

26  
27 A law written into legislation it's the law of the land, you are talking about dealing with a  
28 commercial entity, which is people's choice, it's the choice of people whether they want to  
29 purchase this deal or not. It won't be public servants, as Cllr Mitchell referred to, who will be  
30 chasing after the bill, it will be employees of a commercial entity. I would like to add my name  
31 to the list of the people who won't pay one red cent to Irish Water.

32 CATHAOIRLEACH: Okay Cllr O'Brien.

33 Cllr O'BRIEN: Cathaoirleach all the -- all the people sitting here what they are interested in is  
34 being looked after properly, it's evident that a centralised system like Irish Water like the HSE is

1 an absolute disaster, Cllr Fortune mentioned the tremendous department in relation to water and  
2 stuff in this County Council, I would back him on that, that's what we should do. It's a terrible  
3 scene and a terrible crime when you see what happened the water system in this country, it didn't  
4 happen overnight to say there's no money in this country, I don't think that's correct. I think the  
5 problem with the money in this country is it's in all the wrong places.

6  
7 I'm shocked when I hear people saying about 1 million and a half. If we were to redirect some of  
8 the money going into administration into water and sewerage system in the country, overnight  
9 we could have it. I think we are looking at a much wider issue, the country and how it's operated  
10 for a long number of years, there is a need for a massive change, because water is a human right  
11 and look at the way we looked after the country, it's a shame and absolute disgrace, I back the  
12 motion put forward by our own party. Go raibh mile maith agat.

13 Cllr WALSH: Just a reference for one of the motions before us, I agree that an alternative to  
14 Irish Water would be one authority with the merging of 32 local authorities at one utility, this  
15 should be seriously considered, the local authorities are already providing expertise to Irish  
16 Water via the service level agreements in place for 12 years, so I think the government really  
17 should seek to provide funding to finance this concept which would prove cost effective in the  
18 long-term and keep water service in public ownership.

19 CATHAOIRLEACH: John very quickly. Sorry, Cllr Bourke.

20 Cllr BOURKE: There's a lot of discussion here today, Cathaoirleach, and certainly a lot of  
21 emotion as well, I'm not here to play to the gallery myself, speaking as my own man, and I  
22 remember first of all when the water charges were introduced, were mentioned as someone  
23 previously said, we had been expecting them for a long time now, a long number of years, it was  
24 talked about since we agreed the bail-out and that's a fact. It's been talked about successively  
25 since the last government and current government came in.

26  
27 So it didn't just spring up overnight. And it costs money to deliver water, my father lives in a  
28 rural area and I would say he spends 3 to 400, sometimes 500 a year just maintaining his well,  
29 between water softeners and repairs, it's an ongoing cost, to anybody who lives in a rural area, to  
30 have to pay money for your water. That's one principle that every rural dweller accepts.

31  
32 Now there's a lot of statements made and a lot of general statements, which aren't always very  
33 true. I mean some people throw out and say people don't have money, people can't afford it. A  
34 great many people can't afford it and a great many probably can afford it. Like any cost that you

1 have, you have to modulate and cut back on other spending if you are going to pay your bills.  
2 I'll have to do that. I'm a customer of Irish Water, I feel like an awful eejit, because I submitted  
3 my PRSI number and my family's and my children's without a second thought. And I don't  
4 understand why, what I've done wrong. What risk am I at, all of a sudden, for allowing my PPS  
5 numbers to be submitted to Irish Water, nobody has explained that to me yet, sorry I missed that  
6 one.

7  
8 One thing that this motion in front of us does not address is how much more tax I, as a taxpayer,  
9 will have to pay if we vote this through, this motion of Sinn Fein's, how much more tax will my  
10 tax bill increase by, because the water investment that's needed is so colossal that a great amount  
11 of money has to be raised somewhere to invest in the water treatment and delivery of water and  
12 upgrading it. So that's one thing that hasn't been quantified, is how much more the ordinary  
13 taxpayer will have to pay in their ordinary tax bills, if they abolish Irish Water and abolish the  
14 concept of water charges.

15  
16 The percentage of leakages that have been thrown out, the mind boggles because when I was on  
17 Arklow Town Council five years ago, we were very proud of the fact that our leakage rate was  
18 down to 9%. Now somebody threw out a figure of 40% leakage in the county at large, I'd love  
19 to see that clarified, I know the chief water engineer is here, perhaps he can clarify for us what  
20 the actual percentage of leakage rate is, because there's a huge disparity in figures based on my  
21 experience as a public representative.

22  
23 The water rate, I think what it all boils down to, I believe most people don't mind paying a fair  
24 price for water, is the rate, the rate that we're being proposed to be charged at 4.88 per cubic  
25 metre, Cllr Casey alluded to it already, that really set the alarm bells ringing for me. I objected  
26 to that very strongly with the government minister, with Minister Harris last July, that hasn't  
27 been properly addressed. I can't understand why we were the most expensive in the delivery of  
28 water up until this year at 3.05 or whatever per cubic metre, and to suddenly jack that up by 60%  
29 without any explanations as to how those figures were arrived at, I think was absolutely  
30 scandalous. And I would certainly feel that that rate should be reducing every year, it shouldn't  
31 have started at more than what we were, one of the most expensive in the country, you imagine  
32 with the proposed savings that we were told we would gain from the amalgamation of all the  
33 water services of the whole country that all those savings surely would allow us to reduce water  
34 rates annually if we were going to become so efficient at delivering the service.

1  
2 The other point I'd like to come back to is the water, waste water treatment plant, we don't have a  
3 waste water treatment plant in Arklow, as you know, we have been looking for one for the last  
4 20 years, I have submitted a motion, I'm not sure if it was circulated yet, but I was proposing that  
5 we would ask Irish Water to give a derogation to the people of Arklow on the waste water  
6 element charge of their proposed water charges. That they wouldn't have to pay that until a new  
7 sewage plant is built, and I believe that in fairness and a gesture of goodwill, Irish Water could  
8 easily do that, they have stated already they won't charge people for water that's unfit for human  
9 consumption, if they are not able to give a service of waste water treatment to people of Arklow  
10 they shouldn't be charged for it, and I'm calling on the Council here to support that motion and I  
11 hope it will come up later on when we are voting on all these motions.

12  
13 So those are the points, Cathaoirleach, that I wanted to make, I'd ask for your indulgence to  
14 come back in again, there may be one or two points I've missed.

15 Cllr WINTERS: I'd like to second his motion.

16 CATHAOIRLEACH: Thank you councillor. We'll deal with the motions now in a minute,  
17 okay. Just from my own perspective, we are all democratically elected and we don't all have the  
18 same opinion, but we have to understand and respect opinions that aren't the same as our own.

19  
20 I think there's no doubt there's been many valid points made around the chamber, the legislation  
21 was rushed, there's no doubt about that. I'd be very critical of the former Minister for the  
22 Environment, Minister Hogan. Minister Kelly has acknowledged that the legislation was rushed  
23 and when you rush legislation you invariably get it wrong and they have got it wrong. The  
24 creation of Irish Water has been hugely flawed.

25  
26 One of the biggest issues that I have is the amount of information now that they are seeking from  
27 people, and Cllr Ruttle alluded to PPS numbers being looked for and I certainly would not be in  
28 favour of that and I would like to see motions incorporate that PPS numbers would not be  
29 required.

30  
31 Also as you know last week we were made aware of the fact that the Council had received  
32 correspondence from Irish Water looking for the names and addresses of all Council tenants,  
33 which I think was a very, it wasn't a very nice development, and the manager has sought legal  
34 opinion on that, that has been circulated.

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The legislation clearly states that Irish Water are entitled to get the names and addresses of Council tenants which is very, very worrying.

Cllr SNELL: I want clarification on that Cathaoirleach.

CATHAOIRLEACH: I think we should get clarification on that. Because I certainly will not be happy about that situation.

Cllr SNELL: There is an EU law which will override that, Cathaoirleach, and it needs to be looked at.

CATHAOIRLEACH: We have to clarify that. But as many members said the service is simply not good enough, it's not up to standard, when the local authorities ran the service, it was poorly invested because they did not get the funding from central government, it's as simple as that. And as Cllr Ruttle said as well, when all this is done and dusted we'll still have a poor service. When it's all finished, whether we get water charges abolished or not, we still will have a poor water service, and it will have to be invested -- huge amount of investment is required, I know from personal experience, the Roundwood reservoir and Vartry reservoir was built in 1868, a lot of the infrastructure up there dates back to the previous century and a half, not just the last century, it's incredible.

So I'm going to take the motions as they were submitted. So Cllr Brady's motion is first.

Cllr FORTUNE: Just a point of clarification, can we comment on the letter?

CATHAOIRLEACH: Yeah, okay. Very quickly.

Cllr WINTERS: Cllr Bourke's motion hasn't been circulated yet.

Cllr FORTUNE: Just on the covering letter where it says the law in this case is very clear, it's my understanding, I stand open to correction, but I think when this particular thing is rushed through, as we know it was, that they picked a portion of an Act that is debatable whether that was the right thing to do or not. So I think while Mr Sweetman has written to Mr Sheehy and given him this opinion, I think we need another opinion on this, to be very honest, I think that's fair to the people of the county, I think we should get that opinion.

I'm also very, very concerned with the letter that's come from Mr Tierney, and we have all read and seen what's been going on from that level of Irish Water, both where the current Minister has basically had to almost force them out into the public. But the last paragraph where he talks about protocols and provide tenancy, everyone should read that last paragraph, that's another threat coming from Irish Water. Really maybe I'm living in a different planet or have a different

1 view of the world, but I really think that it's incumbent on our CEO to challenge the like of this  
2 on behalf of the residents of Wicklow.

3  
4 Wicklow has a population of 136 or 140,000 people. The local authority is charged with running  
5 that organisation on behalf of those people. I don't think it's good enough for a letter to just  
6 come outlining this willy-nilly and be flashed out to us as we come to vote on motions. I just  
7 think that paragraph needs to be seriously challenged, I'd like to hear Mr Sheehy's comments on  
8 it and I seriously believe that paragraph in Mr Sweetman's letter that talks about the law is in this  
9 case very clear, I'm not so sure it is. And I'd like another opinion on that.

10 CATHAOIRLEACH: Okay, I'm fine with that, if the members are in agreement will we seek a  
11 second legal opinion?

12 Cllr SNELL: Cathaoirleach, I think it's hugely important. I will have further information for  
13 you to pass onto the law agent, as Cathaoirleach, to look up, because I do believe that this is  
14 contrary to EU law, and the other thing is there's a thing called common courtesy, and decency,  
15 and it may not be a law or legislation, but we certainly owe it to our tenants in local authority  
16 houses to ask them, and that's enshrined in the law that I'm talking about, that they have to be  
17 consulted to see do they want their information passed. And if they say no, therefore they are  
18 entitled not to have their data shared with Irish Water or anybody else.

19  
20 I think this is -- I don't think this is right Cathaoirleach.

21 CATHAOIRLEACH: Hold on, if we get a second legal opinion first, and we ask the officials  
22 not to send out any information until such time as a second legal opinion has been sought.

23 Cllr SNELL: And again just through the chair, I haven't heard, I know every local authority has  
24 been approached with this same correspondence, but I haven't heard of any other local authority  
25 giving that information yet. We were only issued this five minutes ago here. I think it's very  
26 unfair of us to get this five minutes ago.

27 CATHAOIRLEACH: To be fair to be officials they have not responded.

28 Cllr SNELL: I don't want them to respond -- it's hugely important no-one's data is shared with  
29 anybody until we come back to this chamber with a second opinion.

30 CATHAOIRLEACH: Okay Cllr Whitmore and Cllr Brady.

31 Cllr WHITMORE: Just in relation to the letter, if we're getting a second opinion and I think we  
32 should, it's important that they'll actually refer to other legislation as well, this legal advice only  
33 refers to the Water Services Act. And it hasn't incorporated any of the other primary legislation  
34 that might govern it, such as the Data Protection Act, I think it's imperative that any secondary

1 advice would look into other legislation as well.

2 CATHAOIRLEACH: Okay. Cllr Brady?

3 Cllr BRADY: Thanks Cathaoirleach, I had asked for the legal opinion to be sought and it raises  
4 more questions than it actually answers here, and I agree with what other speakers have said on  
5 it.

6  
7 I stated at the meeting in which this issue was brought up here, I as a Council tenant and as a  
8 public representative, I'm hugely concerned about sharing my information, the information of the  
9 other 4,000 Council tenants here within the county. It's coming at a time, we have to bear this in  
10 mind, Irish Water, right up until this point still have their vacancy for a data protection officer  
11 advertised, they haven't actually filled that position, yet they are asking for this information to be  
12 shared with them and they haven't got anyone in place to ensure that their own house is in order.  
13 That is hugely concerning.

14  
15 This is in my mind a breach of data protection. Now it's concerning to see what the Data  
16 Protection Commissioner is saying there, I don't agree with that, I think it's as Cllr Snell and  
17 others say, there is other legislation that needs to be checked out. Because I as a public  
18 representative and I'm sure other members have experienced it as well, I make legitimate  
19 representations to the Council here on behalf of constituents, I'm told that look because of data  
20 protection I need to have the consent of the individual involved and get written consent from  
21 them, and yet we're able to somehow tear up that legislation and hand out this information  
22 because Irish Water asked for it.

23  
24 Not one piece of information should be shared with Irish Water from this Council without the  
25 consent, without the consent -- that's a very, very important word here. Without the consent of  
26 the tenants. A second legal opinion needs to be sought.

27 CATHAOIRLEACH: We'll get the second legal opinion first.

28 Cllr BRADY: I'd be interested to find out who we'll seek the opinion of, maybe a list of people  
29 can be circulated here to the councillors and the councillors here ourselves choose as to who we  
30 should seek the legal opinion of, because different barristers, different legal people specialise in  
31 different areas, different skills and I think we...

32 CATHAOIRLEACH: It will be somebody independent.

33 Cllr BRADY: Can we have guarantees that no information will be shared with Irish Water until  
34 it comes back before this Council, can we get 100% guarantee on that?

1 COUNTY MANAGER: Chairman just to respond in relation to that, this legal opinion from the  
2 law agent was requested at last Monday's Council meeting and on foot of that request I asked the  
3 law agent to advise in relation to it.

4  
5 Irish Water have said in their letter that they have the authority to request this information and  
6 they have pointed out that we're obliged to give the information to them. They have also  
7 emphasised that they've consulted with the office of the Data Protection Commissioner who  
8 agrees that they are entitled to the information and that the request complies with the statutory  
9 powers they have.

10  
11 The law agent has pointed out that the position is very clear, and is satisfied that Irish Water are  
12 obliged -- are entitled to seek the information and that we have no option but to supply it.

13  
14 The Irish Water letter also requests that we would notify the tenants that we're providing the  
15 name to Irish Water, there is no requirement under the legislation to get the tenant's consent or  
16 agreement to the handover of the names and addresses of tenants, no requirement in the  
17 legislation whatsoever.

18  
19 So the position seems to be very clear, Chairman, however if the members are of the view that  
20 they would like a second opinion on this we can do that. I can get a number, names of a number  
21 of barristers who have knowledge and expertise in this area and I'll discuss with you which one  
22 we should seek the advice from. And we'll obtain that advice.

23  
24 In relation to timescale for releasing this information, I haven't released it yet. But I equally can't  
25 give a guarantee that it won't be released by a particular date or whatever, depending on the  
26 timescale for that information, but we'll try and get a very quick second opinion and I'll advise  
27 the members of the outcome of that.

28 CATHAOIRLEACH: Okay Cllr Behan.

29 Cllr BEHAN: I didn't really want to delay the meeting further by adding my own two pence  
30 hay-penny worth, but on this particular issue, I recall at the housing SPC meeting initially when  
31 this first came to light, and at the Council meeting last week or two weeks ago, when we  
32 discussed this, that I felt we should be asking the Data Protection Commissioner directly.

33  
34 We're accepting the word of John Tierney that he says that the Data Protection Commissioner

1 says it's okay, but I would have thought in addition to getting the legal advice, or additional legal  
2 advice that we should write to the Data Protection Commissioner and get a proper response from  
3 him, I think that's a very basic thing, that actually should have been done before today.

4  
5 But the other point I'd make is if you look at the date on the letter from John Tierney, it's the  
6 23rd of October, it's practically a week before the massive public demonstration of opposition to  
7 Irish Water and the introduction of water charges. What we have seen since then is a lot of back  
8 paddling by the government and government Ministers on a daily basis, and I most certainly  
9 would say that that letter now is completely out of date.

10  
11 We don't know what the government are going to decide. They seem to be as confused now as  
12 they were two weeks ago. The people aren't confused, but the government seem to be very  
13 confused about what they are going to do. I would think it would be reckless in the extreme for  
14 us to act on a letter that came out before all of this government re-think, which is supposed to be  
15 going on at the moment.

16  
17 So I would be very disappointed if the manager were to release that information, at the very  
18 minimum until we get an opportunity to meet again and discuss the content of a second legal  
19 opinion, the Data Protection Commissioner's opinion and thirdly what decision the government  
20 eventually might make on this.

21 CATHAOIRLEACH: Okay. Thank you.

22 Cllr BRADY: Just on a point of information. Very quickly, just reading the opening paragraph  
23 of this it says, "Dear chief executive, I refer to my letter of the 9th of October and my follow up  
24 e-mail of the 17th of October," so there was correspondence from John Tierney to the chief  
25 executive prior to this letter being brought to the full Council here. I would be interested to see  
26 the...

27 CATHAOIRLEACH: It did go to the SPC.

28 Cllr BRADY: It went to the SPC, but look I would be interested to see what is contained in  
29 those letters and e-mails that had been sent prior to this one. That John Tierney felt the need to  
30 clarify the position. I would be interested, maybe the chief executive would circulate the  
31 previous correspondence from John Tierney on behalf of Irish Water with regard to this, in my  
32 mind, unjustifiable request for that information. So can I ask that that correspondence be  
33 circulated as well?

34 CATHAOIRLEACH: We'll note your concern.

1 Cllr BRADY: It's not a concern, it's a direct question, can that information be circulated?

2 CATHAOIRLEACH: I'm not sure of the relevance councillor, we're going to move onto the  
3 motions okay. Your motion is first. So I'll get the administrator just to read out the motion.

4 MS GALLAGHER: Proposed by Cllr Brady and seconded by Cllr McDonald, "That Wicklow  
5 County Council calls on the government to listen to the widespread public anger that exists  
6 towards this government and Irish Water by the Irish people who are now rightly organising and  
7 mobilising to protest in opposition to these water charges through the right to public water --  
8 right to water public campaign, which includes activists, political groups and trade unions, to  
9 reverse the domestic water charges which are an unfair and unjust double charge being forced on  
10 already struggling households. To stop the roll-out of metering and redirect the 539 million loan  
11 financed from the National Pension Reserve Fund towards fixing the massive leak and  
12 interruption to supply. Hold a constitutional referendum to retain public ownership of water  
13 services and infrastructure. Abolish Irish Water as it doesn't have the confidence of the Irish  
14 people or Wicklow County Council. And to send to all Councils and the Taoiseach Enda Kenny  
15 and Joan Burton and Minister of the Environment Alan Kelly."

16 CATHAOIRLEACH: Now before we take the roll call, it has made reference to a similar  
17 motion that Cllr Matthews has put in in relation to the constitutional referendum. Are you happy  
18 that that wording covers your motion as well Cllr Matthews?

19 Cllr MATTHEWS: I'd be happy if, if that part was withdrawn from Sinn Fein's motion and my  
20 motion was taken separately. If that would be acceptable?

21 CATHAOIRLEACH: What we can do is if this motion falls we can then take your motion  
22 separately, but if this is passed then your motion is automatically agreed. Okay?

23 Cllr MATTHEWS: I understand Chairman.

24 Cllr RYAN: Who submitted first?

25 Cllr MITCHELL: The first submission of this was from Cllr Matthews.

26 Cllr BRADY: No, no.

27 CATHAOIRLEACH: This is the Sinn Fein motion.

28 Cllr RYAN: Cllr Matthews put his forward first didn't he through the normal process?

29 MS GALLAGHER: He did submit to the meetings administrator two weeks ago to be  
30 considered at the 8th of December meeting, so he did in fairness, it was submitted first.

31 Cllr MITCHELL: It should be voted on separately.

32 Cllr BRADY: It wasn't submitted first to this meeting, stop trying to muddy the water.

33 Cllr RYAN: Sorry Cllr Brady, the first person to submit a motion with regard to this was Cllr  
34 Matthews.

1 CATHAOIRLEACH: No, hold on. Cllr -- in relation to today's meeting Cllr Brady's was the  
2 first, Cllr Matthews we agreed to take it today before it was agreed after Cllr Brady submitted his  
3 motion.

4 Cllr RYAN: But it came first.

5 CATHAOIRLEACH: It came to the normal Council meetings channels and we've agreed to  
6 take it today, but we agreed that after the other motions had been submitted, okay?

7 Cllr BRADY: Sorry Cathaoirleach, just as the proposer of the motion I'm entitled to speak on a  
8 couple of points that have been raised.

9 CATHAOIRLEACH: You have already spoken.

10 Cllr BRADY: As proposer of the motion I'm entitled to -- according to standing orders I'm  
11 entitled to speak.

12 CATHAOIRLEACH: Hold on, you have spoken to this and then you have spoken.

13 Cllr BRADY: No I can speak on the motion proposing it and also follow up, check the standing  
14 orders, I can speak for three minutes as proposer of the motion.

15 CATHAOIRLEACH: I have let you in four times already. Four times.

16 Cllr BRADY: On different issues specific to the motion.

17 CATHAOIRLEACH: Make it very quick. We're going over old ground.

18 Cllr BRADY: We're not. I'm carrying out in accordance to standing orders Cathaoirleach. Just  
19 a few points I think need to be clarified Cathaoirleach.

20  
21 Firstly for anyone to be under the illusion that this government has a mandate from the people to  
22 impose water charges on anyone is delusional. Absolutely delusional. It's a fact that Brendan  
23 Howlin in 2011 went before the people in his position and said under no circumstances will  
24 Labour allow for water charges, or bring forward water charges. That was followed up by their  
25 leader of the day, Eamon Gilmore, who included in their manifesto prior to the election in 2011  
26 that they would not include water charges, or implement them in the formation of any  
27 government. So to say that this government has a mandate from the people is delusional. This  
28 government is being propped up by lies that were foisted upon the people.

29 CATHAOIRLEACH: Just come on.

30 Cllr BRADY: In fairness Cathaoirleach!

31  
32 Secondly in relation to the motion to enshrine Irish Water as a right, constitutional referendum,  
33 we fully agree to it, that's why it's contained in our motion, but to hear Fine Gael now say they  
34 agree to that, this was put forward as an amendment by Sinn Fein at the time this bill was being

1 discussed in Leinster House and Fine Gael objected to that amendment being proposed by Sinn  
2 Fein at that stage, they opposed it. So I'm glad to hear they're backtracking on it now and are  
3 agreeing to it being enshrined in our constitution.

4  
5 Just on the point Cllr Matthews raised in relation to -- one of the councillors, I forget who it was  
6 now, as to how much of the water metering process is being carried out, if anyone read the Irish  
7 Times today you will read just over 400,000 have been installed of the 1.3 million that's  
8 estimated are needed, so that would equate to probably 33%, 35% in and around that. So that  
9 would lead you to believe that of the 539 million that was being allocated towards the water  
10 metering process, approximately 359 to 360 million would be left of that. Just to answer that  
11 question.

12  
13 Just finally, the last point here, this is not about water conservation, be under no illusions, Irish  
14 Water have already said and the government have said, that if people do not use enough water  
15 charges will increase. So there's no incentive there, it was never about water conservation, this is  
16 about raising revenue by a government. So the more water we conserve the more we're going to  
17 pay. That is the philosophy of this government. It's about bringing in money for them. And the  
18 bottom line here is people have an opportunity here, it's not about kicking this issue down the  
19 road for another two or three years, this is about calling a halt to this failed process of Irish  
20 Water. It's about calling a halt to the process of water metering.

21 CATHAOIRLEACH: We're taking a vote.

22 Cllr BRADY: People have an opportunity to get off the fence and vote with the people that have  
23 given them a mandate or vote against them. Just one point there. There's two similar motions  
24 there, one by ourselves here and one put forward by Pat Kavanagh signed by two other  
25 councillors there, I think if Pat would agree, that we would include that motion in the last section  
26 of the motion that Sinn Fein have put forward here, deal with the abolishment of Irish Water as it  
27 doesn't have the confidence of the Irish people or Wicklow County Council, I think we can  
28 include where Cllr Kavanagh is talking about returning the staff and financial resources to the  
29 local authorities, to upgrade the water infrastructure throughout the country, to include all of that  
30 and the last paragraph in the last section.

31 CATHAOIRLEACH: Cllr Kavanagh do you want to take your motion independently or  
32 incorporate it?

33 Cllr KAVANAGH: I have my light, I want to ask one thing before I answer that about Cllr  
34 Matthews motion that's on the cards, I would like to hear the wording of Cllr Matthews motion

1 to see if that could be blended in with this one about the constitutional referendum, that's one  
2 thing.

3  
4 And the second thing is I do feel that this second motion, my motion is slightly different in that  
5 it's asking for -- so I would like to keep it separately.

6 CATHAOIRLEACH: We'll clarify Cllr Matthews when we get to it. We're going with Cllr  
7 Brady's motion. So roll call.

8  
9 (Vote taken)

10  
11 MS GALLAGHER: That's 23 for, 6 against and 3 not present.

12 CATHAOIRLEACH: I did have three apologies from the three members not present, Cllr  
13 Timmins, Cllr McLoughlin and Cllr Vance, apologised for not being able to attend today.

14  
15 So we'll now go to Cllr Kavanagh's and Cllr Fortune's, Cllr Nolan's motion.

16 MS GALLAGHER: "That Wicklow County Council calls on the government to respect the  
17 wishes of hundreds of thousands of people throughout this country and county, by abolishing  
18 Irish Water and returning the staff and financial resources to the local authorities to upgrade the  
19 water infrastructure throughout the country. Furthermore that the government reviews all  
20 taxation revenue and prepares a budget which will include upgrading of the water infrastructure  
21 with new fiscal and capital spending budgets by cutting quangos and waste."

22  
23 (Vote taken)

24  
25 MS GALLAGHER: 23 for, 6 against and 3 not present.

26 CATHAOIRLEACH: In relation to Cllr Matthews, I suppose we do recognise he submitted a  
27 motion to have a constitutional referendum, that has been agreed through Cllr Brady's motion. Is  
28 there anything further on the motion councillor that hasn't been voted on, will we read it out?

29 MS GALLAGHER: Proposed by Cllr Matthews seconded by Cllr Pat Casey. "As a former  
30 provider of public water services in County Wicklow, this Council calls for the amendment of  
31 the constitution in order to prohibit privatisation of water provision and waste water services and  
32 forward the motion to the relevant government departments and to all of the local authorities."

33 CATHAOIRLEACH: So it does mention that it stays in public ownership and not be privatised.  
34 I think we'll take that motion.

1 Cllr MATTHEWS: Chairman there is a difference in those two. So I would accept that.

2 CATHAOIRLEACH: Okay, we'll go on a roll call on that as well.

3

4 (Vote taken)

5

6 MS GALLAGHER: 29 for and 3 not present.

7 Cllr BRADY: Cathaoirleach can I ask that not just the motion that, the Sinn Fein motion, but all  
8 motions that passed here, they would be all sent to the Taoiseach Enda Kenny, the Tanaiste Joan  
9 Burton, the Minister for Environment Alan Kelly and also the Minister for Finance, as well as all  
10 other local authorities here.

11 Cllr KAVANAGH: I'll second that.

12 Cllr NOLAN: I would expand that to include all local TDs here in Wicklow.

13 CATHAOIRLEACH: Okay, we still have another motion in the name of the Cllr Bourke and  
14 Cllr Winters.

15 MS GALLAGHER: "That Wicklow County Council ask Irish Water for a derogation on waste  
16 water for the people of Arklow until the proposed waste water plant is built."

17 CATHAOIRLEACH: We'll have a roll call.

18 Cllr SNELL: Would it be possible to get a copy of the last motion and this one sent to us at  
19 some stage?

20

21 (Vote taken)

22

23 MS GALLAGHER: That's 28 for and 4 not present.

24 CATHAOIRLEACH: Okay I think that concludes the meeting. Just to say that the retired  
25 members will be in on the 8th of December at 12 o'clock, before our meeting at 2 o'clock for a  
26 presentation. And the budget is on Monday week.

27

28 Meeting concluded at 4pm

29

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