

# WICKLOW COUNTY COUNCIL



Wicklow County Council  
COMHAIRLE CHONTAE CHILL MHAINTAIN

## **Transcript of the County Council Special Meeting Held on 28 September 2015 In the County Council Chamber, Wicklow**



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7 Special Meeting of Wicklow County Council, 28th of September 2015:

8  
9 CATHAOIRLEACH: Okay members, good afternoon to you. I suppose for the first time ever it  
10 is a fairly unusual event that we have a third member -- or a 33rd member of the chamber, Cllr  
11 Whitmore has brought her daughter to be with us today, which I think is an absolutely wonderful  
12 thing. And maybe we should all just speak a little bit quieter if she's asleep -- no that was too  
13 much to ask I suppose!

14 Cllr BRADY: Through the chair, is she entitled to speaking rights?

15 CATHAOIRLEACH: I don't think we'll have a say about that John!

16 Cllr CASEY: We'll cut you by half John.

17 Cllr VANCE: Chairman, if she was in Bray she'd be entitled to speak!

18 CATHAOIRLEACH: Okay. Moving from that to just on behalf of all of the councillors around  
19 here to give our sympathies to you and your family about the passing of your dad, William  
20 recently, Jennifer so. Any other sympathies?

21 MS GALLAGHER: Yes, for Mrs Fitzpatrick, the mother of a former Assistant County Manager  
22 here in the County Council and Elizabeth Gileen.

23 Cllr ANNESLEY: I would just like to sympathise with Cllr Whitmore as well, could I just ask a  
24 question, we never got any notification about Cllr Whitmore's father and Jennifer I do apologise,  
25 I didn't realise it until the Monday. I would like that noted, and could I also congratulate Arklow  
26 Tidy Towns.

27 CATHAOIRLEACH: Would it be okay just with regard to congratulations we'll come back  
28 around. Sympathies, there is two others showing here, Cllr Walsh and Cllr Kennedy, either of  
29 those sympathies?

30 Cllr KENNEDY: I'd like to send sympathies to the Twomey family in Glenmalure on the death  
31 of Mrs Twomey's sister Lucy Carthy who passed away at the weekend in her 106th year.  
32 Probably one of the oldest ladies in the country.

33 CATHAOIRLEACH: Thank you. No others? Okay we'll stand.

1 (Minute's silence)

2  
3 CATHAOIRLEACH: Okay, so any congratulations? Cllr Walsh?

4 Cllr WALSH: Thank you Cathaoirleach, before I commence could I propose that this Council  
5 acknowledge and recognise the wonderful achievements of the Wicklow under 21 hurlers in  
6 their All-Ireland B success in Semple Stadium, Thurles, on Saturday the 12th of September,  
7 where they beat Meath in a thrilling game.

8  
9 In the words of our esteemed sports writer, Peter Keogh, All-Ireland cups do not come too often  
10 to counties like Wicklow, the last time Wicklow got to this stage in the competition was 1967.  
11 So I think it justifies the recognition by the Council.

12 Cllr ANNESLEY: I'd just like to congratulate Arklow Tidy Towns, they received another  
13 bronze medal, they are the largest tidiest town in County Wicklow, I think it's a great  
14 achievement, they went up three points. We beat our neighbours Wicklow, and it was a great  
15 achievement and just to stay Straffan and Aughrim did very well as well, thank you very much  
16 Cathaoirleach.

17 CATHAOIRLEACH: Fantastic. Thank you. Okay members moving to item number 1, to  
18 consider the variation of basic rate of the Local Property Tax and the setting of the local  
19 adjustment factor in accordance with the Finance Act 2012. So we'll get a short presentation  
20 from the Director of Finance, Lorraine.

21 Cllr O'NEILL: Cathaoirleach just on the point of order, if we can ask the procedure here in the  
22 chamber at the last meeting, there was leaflets handed out here, by a councillor, distributed  
23 around the benches, is that the procedure of the policy group, what way does it work?

24  
25 It was signed by business people in Baltinglass and it was distributed around the chamber here  
26 by Cllr Tommy Cullen, is that the right way to do things?

27 CATHAOIRLEACH: Maybe I'll pass to the meeting administrator.

28 MS GALLAGHER: No, we circulate with official documentation, normally a request to  
29 circulate would come through the executive prior to the meeting, I'm not aware of the  
30 correspondence you're referring to.

31 Cllr O'NEILL: It's just a bit ironic, we were talking about ironic and then for the procedure of  
32 the councillors to lobby in that fashion.

33 CATHAOIRLEACH: Maybe that can be raised at the protocol committee? Thank you.  
34 Lorraine when you're ready.

1 DIRECTOR LYNCH: Local Property Tax, we had the workshop last week, so what I'm going  
2 through today is just in some ways a repetition of that, so some of you will have heard it before,  
3 but also just to set out the framework and the factors that have to be considered if we're talking  
4 about the LPT rate and the variation of it.

5  
6 The LPT variation consideration, one of the key tasks of budget 2016 is one element of a  
7 multi-step process at this stage, it was changed last year, so today before the 30th of September  
8 there's the consideration of the variation of the basic rate of LPT, following on from that we'll be  
9 preparing the district budget plans, which arise from the municipal allocation, that's the pool of  
10 discretionary funding made available after we accounted for every other non-discretionary and  
11 fixed cost and the pool available there for discretionary funding, obviously LPT will impact on  
12 that depending on income from it.

13  
14 Step 3 is annual budget, which includes determination for the adjustment of base rates and after  
15 that we do the schedule of Municipal District works. And that's -- so this is the first step of those  
16 key tasks in formulating a budget for next year, so we can deliver the services in each of the  
17 districts and divisions as we go through the year 2016.

18  
19 Behind all of this the part you don't want to hear, the part I have to say is expenditure has to  
20 equal income, we can't spend more than we're due to receive, we have to present a balanced  
21 budget, that feeds back into the general government balance is what we're being measured on  
22 and where we have to report back to the Department. So we can't have a revenue deficit, we  
23 need to manage our capital as well as income, so that feeds into what we can use, the income we  
24 have, what income we'll have for 2016 and how we choose to spend it.

25  
26 The budget process therefore means we collect all the information we have for income, Local  
27 Property Tax which is today's topic, commercial rates, what we charge for services, what grants  
28 and subsidies we expect to get, we don't have all that information yet, that gives us the income  
29 which gives us expenditure we have to allocate, budgets we need to allocate -- we can't budget  
30 on a deficit.

31  
32 So Local Property Tax is critical, and it is the power that the members have to decide to vary the  
33 rates if they choose to do so by a maximum of plus or minus 15%, anywhere in that range.

1 The decision has to be made by September 30th we then notify the decision taken by the  
2 members to the Revenue Commissioners and to the Department of the Environment as well.

3  
4 This was circulated back at the start of December and went through it last Monday's workshop as  
5 well. This is our LPT allocation for 2016.

6  
7 We have an allocation of 16.6 million, of which 20% goes into equalisation fund, so locally we  
8 retain 13.3 million. That's compared to the General Purpose Grant in 2014, which gives a  
9 surplus to be retained locally of 6.4 million.

10  
11 Of that, 3.1 million, 3,126,000 has to be given to self funding for housing or roads surfaces, in  
12 our case for Wicklow for 2015 it was all for housing services and we expect it to be the same for  
13 2016, so for housing acquisition, construction programme, the capital side I suppose as well as  
14 funding loan charges we have for voluntary housing.

15  
16 The balance then of 3.3 million is what's available, of which we can vary a rate by plus or minus  
17 15%.

18  
19 In making that decision, in trying to decide whether to vary the rate or by what to vary the rate,  
20 there's four matters members have to consider. One is our estimation of income and expenditure  
21 for 2016. And these are all laid out in the report that was sent last week as well, but I'll just go  
22 through it a little bit.

23  
24 So if you take page 7 -- page 4 of the report, that show what is our pest mated expenditure and  
25 income as it stands at the moment, what we expect them to be. Note our income is 87.9 million  
26 and our estimated expenditure taking into account what all the directors want to include in their  
27 budget what we have been told from central government we need to account for, including the  
28 likes of the pay agreements, including accounting for deficit and making in roads into that, we  
29 estimate we'll need 92.3 million. So we have a gap there of 4.3 million. And that income is two  
30 points to make -- one, is that it includes the full LPT as it stands without a variation and 2, you  
31 will note there is a big drop in other income from €40 million to 28 million. Two reasons for  
32 that.

33  
34 One is the landfill levy, there's 10 million of a landfill levy we collect from Ballynagran, out the

1 road here, and pay to the Department, Revenue Commissioners, it's in and out, it skews the  
2 figures in terms of budget, it's a 10 million reduction in income and expenditure. The other part  
3 is Irish Water, just as costs are reduced, we are not doing the service anymore, obviously the  
4 income is reduced as well -- that's the main reason behind those two.

5  
6 So expenditure includes maintaining service levels, requests for additional services across house,  
7 roads community, there is requests for services to be accounted for.

8  
9 One thing that we have to -- sorry I'll go on to this -- one thing we have to consider is feedback  
10 from public consultation. We advertised per regulations in the paper on the 22nd of July and  
11 also on our website in terms of inviting people to make submissions, we received two  
12 submissions on the LPT variation and consideration of it, one requested a 15% reduction, one  
13 requested to maintain the basic rate.

14  
15 The other part that has to be considered is financial effect of the varied rate, both on individual  
16 liable person and the local authority -- this is hard to see, but it's just a table showing the bands  
17 and the effect of 1% variation across the bands. The top three bands I highlighted because 58%  
18 of the properties in Wicklow come in those three bands. So the 58% of the population, for every  
19 1% variation it's a maximum of €3.15 per annum is the impact of a variation of 15%.

20  
21 If we look at it and compare to the impact of 1% for resources of the local authority, 1% will  
22 give €166,206 of impact in terms of income, be it reduction or increase in income.

23  
24 That table sets out the percentage of the overall LPT so 16.6 million is overall LPT, 1% is  
25 166,000, 10% is 1.6 million and 15% is 2.493 million.

26  
27 In terms of the report, the further details and tables were provided in the report as well, in both  
28 appendices and pages 7 and 8 and 9. I'm not going to go through them in any great detail, the  
29 table we looked at there give you the same type of information.

30  
31 One thing that is there, I said verbally that 58% of the properties are valued at less than 200,000,  
32 so 58% of the properties sit in the first three bands. And the maximum impact for them is €3.15.

33  
34 Going back to the financial position of the local authority, which must be considered as well as

1 expenditure and income estimates that we are looking at for 2016. These are costs and measures  
2 which we must account for in our budget. These are impacts that we have little or no control  
3 over -- no control over. The likes of the Lansdowne Road pay agreement and Haddington Road,  
4 the impact of that we estimate will cost 500,000 next year, so we have to budget for that in our  
5 estimates.

6  
7 We expect a reduction in income for recycling, the subvention will be reduced, control of horses  
8 has already been reduced in 2015 and will remain that way for 2016, homeless, our income for  
9 homeless services reduced in 2015 and will remain that way for 2016. There's income we would  
10 have gotten 100% funding for LEO up to this, they are changing the way funding is structured,  
11 so we are losing 100,000 of funding for LEO.

12  
13 Department of Education; we would have gotten funding for finding sites for schools, that  
14 activity will not be there next year, so we won't get funding for it. In addition we have land  
15 loans we would have purchased for housing, while we are aiming to get them used for  
16 construction of housing, in the meantime we have to meet interest payments on those.  
17 Additionally library staff being sought for Arklow library and to some way going towards to  
18 mediate the losses from for the number of years through retirement of staff, that's 200,000 and  
19 housing, because of emphasis and activities that's there we are also looking for additional staff  
20 and hired staff in terms of quantity surveyor and architect.

21  
22 The part you don't want to hear, deficit reduction; we have 3.38 million of a deficit at the end of  
23 2014, we have gotten meetings, letters, instructions, auditor's reports telling us to reduce it, to  
24 have a plan to reduce it. Currently the provision of 100,000, if we take 10% and reduce over 10  
25 years I need to increase that to 270,000.

26  
27 This year, 2015, we hired three people under the Graduates Programme, their services are being  
28 used and their knowledge being used in terms, there's two working in economic development in  
29 helping with implementation of the economic think tank and there's one assisting through IT as  
30 well, in adding to that work, so those, between the three of them cost 100,000. The good news is  
31 there's income increase there is as well in terms of marginal increase in planning, increases in  
32 terms of, as we begin to get more rental customers and also pension cost reduction, we don't  
33 have the same level of people retiring in 2016 as have retired in 2014, that's a saving in terms of  
34 lump sums.

1  
2 So that leaves us with 1.9 million which has to be met from the budget to keep us at a standstill.  
3 Not to keep us at a standstill, that has to be met. If there's additional income available through  
4 LPT we can meet it in that way, that's one way we have of meeting that 1.9 million. If we don't  
5 have additional through LPT means a reduction in services, so level of services there in 2015  
6 will have to be reduced for 2016.

7  
8 In addition to that, I'll go back through that in a minute, as it stands the money that was there for  
9 2015, that was funded by the NPPR surplus and that's not there for 2016. So, 100,000 for  
10 tourism, economic development, 150 for central heating fund, extra 60,000 for community  
11 grants and environmental projects, extra 80,000 for book fund and 450 split over the Municipal  
12 Districts is not currently in the budget, the estimated expenditure of 92.3 million that's not in it,  
13 that was surplus funding brought in from 2014, which isn't there in 2015 to be brought forward.  
14 So those aren't provided for.

15  
16 Additional service requests; just to give members an idea of what the different directorates and  
17 yourself have been looking for, Rates Incentive Scheme that's something, unless we have  
18 additional income we won't provide for that. A request for homeless activity -- homeless  
19 services, and activity in that area has increased and there's a request for additional funding there.  
20 There's a request, road maintenance, you know yourselves, road maintenance, that has been cut  
21 back, we are trying to find money to pay for payroll, as it is there never mind anything else, they  
22 are looking for an increase obviously. Library, again through cut backs of the last couple of  
23 years, particularly in point of view of the book fund, they are looking for additional resources for  
24 the book fund, Arklow library and in terms of additional staff.

25  
26 Increased activity under community involvement and community development, the Local  
27 Economic Community Plan, LCDC, access programme, all additional services that have been  
28 asked for, again because of the increased playgrounds, maintenance, parks and open spaces,  
29 directors all doing their jobs and looking for increased funding for their areas. Economic  
30 development, the implementation of the think tank and driving that forward and all staff,  
31 additional staff across all services, we're always trying to manage with reduced number of staff  
32 and there are needs to, as things begin to pick up, to replace those staff, but we have to have  
33 funding to replace them.



1 Without any additional funding that can't happen. Without additional funding anything that was  
2 funded by NPPR, similar projects can't be put back in.

3  
4 In addition the 1.9 million has to be cut. It will mean, if the decision to vary the rate today is  
5 taken it will mean we have to go back across all the services, and we'll have to take 1.9 million  
6 out of the budget to meet the reduction in income, the costs of interest payments, payroll costs,  
7 deficit reductions and so on. It will mean in housing maintenance you're talking about cutting  
8 that back again and they are already just doing, you know yourselves in Municipal Districts, they  
9 are already doing emergency maintenance only.

10  
11 It will mean in terms of discretionary funding, we have about 1.5 million in the budget that we  
12 allocate, be it through community grant, arts grants, swimming pools, residents association  
13 grants, it's discretionary grants and contributions, that's 1.5 million, that would have to be cut, be  
14 it significantly reduced, reduced by an equivalent, whatever 10 or 20% that will have been to be  
15 cut.

16  
17 We have said it in last year's budget there's about 87% of our budget is non-discretionary, it  
18 leaves a limited amount of what we can cut. If you are looking at roads, they are talking about  
19 district engineers and again you will all hear through your own Municipal Districts and you have  
20 requests in terms of hedge cutting, road marking -- you're talking about cutting back on those  
21 again, so whatever service is there this year they won't be able to maintain the same level for  
22 next year.

23  
24 The economic development, that will be -- there is no additional provision in there for  
25 implementation of the think tank. And additionally in terms of environment, if we were losing  
26 our recycling grant, our recycling services will also have to be looked at and reduced, be it get  
27 rid of mobile collection, reduce opening hours, introducing a charge for centres, all that have will  
28 have to be taken into account in terms of finding the 1.9 million.

29  
30 To be honest no area will be exempt, you have to look at fire services, library services, burial  
31 grounds, you will have to look at the small amount of Municipal District discretionary funding  
32 that is there in terms of the small amount for tourism contributions, economic development,  
33 there is a small amount for twinning, all of that would have to be looked at. As well as the  
34 community grants that we provide as well.

1  
2 That's one side of it. If the basic rate is maintained there's the opportunity there to be able to  
3 invest in the likes of tourism, economic development, library book fund, what you had looked  
4 for last year. That's where the consideration of the financial position as we stand in terms of our  
5 deficit and our need to properly address that, in terms of we also have to consider your estimated  
6 expenditure and income for next year and what the Council wants to leave on the ground as  
7 services.

8  
9 Looking at the impact on Council and individual person, which is outlined in those tables and  
10 comparing 1% being a maximum of 3.15 for 58% of the households as opposed to being worth  
11 166,000 to the local authority, to be able to invest in services and deliver programmes and  
12 provide targeted investment or to use the money to prevent cuts in services, which we'll have to  
13 consider if the rate is varied.

14  
15 The report and the workshop last week gave it a bit more detail, I'm going to finish up now, but  
16 obviously any questions?

17 CATHAOIRLEACH: Thanks a million, I have to say nothing to do with your presentation, but  
18 she's gone straight asleep hasn't she! So first question is Nicola, Cllr Lawless.

19 Cllr LAWLESS: Thank you Lorraine for the presentation, just a couple of questions if you don't  
20 mind. Just to clarify a few things. Last year we reduced the LPT by 15% and our surplus was  
21 880,657 isn't that correct? So this year if my figures are right it's 831,032 so there's only a  
22 difference of under 50,000 if we reduce it? Am I correct?

23 DIRECTOR LYNCH: No.

24 Cllr LAWLESS: If we reduce by 15% what is the figure we're left with surplus, unless my  
25 maths is wrong is 831 -- so that's only 50,000 of a difference compared to last year if we do  
26 reduce by 15%, which is nowhere near the 1.9 million.

27  
28 Also the 1.9 million, is it extra money that's needed compared to last year's budget? If I can get  
29 a clarification on that as well please. The other thing is on page four of the document you sent  
30 us out, maybe I misunderstood, but could you just explain the Local Property Tax again, you  
31 have that we're receiving less Local Property Tax this year for 2016, yet the figures you show are  
32 10.1 million compare to 7.7 -- I know the variation isn't on that, but it's still a larger number,  
33 maybe if you can just explain that to me in better detail? The other thing as well, you were  
34 saying surplus of 3.6 million from last year, the NPPR we allocated 1 million to actually help

1 that surplus, but yet only 300,000 went off it, which I don't understand why that happened.

2  
3 The other thing as well I want to query is in regards to figures, we got six monthly figures from  
4 the finance committee and it shows, if you go through it there's various areas that are below their  
5 budget, they have only spent maybe 2%, 5% of their budget at six months. So in theory, I'm  
6 thinking -- I could be wrong you can correct me -- that by the end of the year maybe they might  
7 have spent if it's 5% they can spend maybe 15% of that. Therefore they haven't spent all their  
8 budget that was allocated to that specific year. Can this money or do we have the function to  
9 allocate that money from that section to another section that is underfunded? So something that's  
10 overfunded can we allocate to something that's underfunded and would that help towards it? I  
11 think that's all my questions.

12  
13 Just before I finish, I would also just like to put a proposal forward in accordance with the  
14 Finance Act 2012, Sinn Fein are proposing a reduction of 15% to the Local Property Tax. Thank  
15 you Cathaoirleach.

16 CATHAOIRLEACH: Do you have a seconder for that?

17 Cllr MCDONALD: Yes.

18 CATHAOIRLEACH: Cllr Shay Cullen first.

19 Cllr Shay CULLEN: Thanks Chairman just a couple of questions for Lorraine. Thanks for the  
20 presentation, just on page 3 of the document, Wicklow's income from general purpose grants  
21 was not compared favourably to other comparable local authorities, I remember this question  
22 being asked last year with regards to pursuing funding from the Department and I suppose the  
23 question I'm asking is has anything changed with regard to our mechanism to try and get the  
24 maximum amount of funding from the Department? Because there's no reason why we shouldn't  
25 be comparable to other local authorities.

26  
27 The second question I have is with regards to the deficit, it was agreed last year that 1 million  
28 was to come off our deficit and it seems 300,000 is the figure that was taken off, I suppose again  
29 why did that happen, where was the overruns and is there a mechanism in place that this doesn't  
30 happen again? Because obviously 700,000 is a lot of money of an overrun, thank you.

31 CATHAOIRLEACH: Cllr Tommy Cullen.

32 Cllr Tommy CULLEN: Thank you Chairman. I opposed the property tax, any property tax,  
33 whether it's 85% or 100%, because if we vote for whether it's a reduction or even an increase, we  
34 would still be voting on the principle of the property tax. Ireland is one of the few countries in

1 western democracies that you front load property tax in the form of stamp duty. At one stage in  
2 this country it was up to 9% stamp duty on the capital value of the property. And now it's down  
3 to whether it is around 2 and a half or 3%.

4  
5 So we already pay property tax. You don't pay property tax in the UK until the house you're  
6 purchasing is in excess of almost € million, and yet we're paying property tax upfront with the  
7 stamp duty.

8  
9 On top of that Chairman we're now paying something up to 50% inheritance tax on the same  
10 property, over a certain threshold. So for an average, say a house worth 400,000, currently, if  
11 that was to be left to one child that child would have to pay the government almost 200,000 in  
12 inheritance tax on that house, on top of the stamp duty the parent would have paid to buy the  
13 house. Then if you factor in the various VAT on the various transactions and interest rates, I  
14 look at someone buying a house, or people paying off a mortgage, for every pound they would  
15 have borrowed or euro, they now have to pay 53% tax to the government, then try and pay the  
16 mortgage out of the remaining 47 pence on the pound, and now on top of that they're being asked  
17 to pay another tax and when they die they'll be clamoured with a huge property tax. So how can  
18 we justify any -- I have sympathy with the executive, strangely in this, because this is a Fine  
19 Gael/Labour trap, it's a trap to get opposition politicians on record of supporting and voting for  
20 the property tax.

21  
22 I can assure people here that come the next local elections, they won't be too long reminding  
23 people exactly how they voted. So if I vote for property tax, whether it's 100%, leaving it as it is  
24 or 85%, in principle it's still voting for property tax, whether the media report that statement or  
25 not is another matter.

26  
27 We have a situation here now, for instance Irish Water, Irish Water is now crucifying this  
28 Council with cut backs in the payments they are making to us, and when this Council in this  
29 budget are now having to subsidise Irish Water with a huge amount of money. That's not being  
30 allocated for the government. The government in the past five years have taken over 30% out of  
31 the general budget of this Council, and they put the property tax in and most of the property tax  
32 now is being removed from this county to pay-off the German bondholders. We're supposed to  
33 think that this is wonderful, having 15% reduction, but leaving the 85% property tax on the  
34 record. That would be like somebody saying I'm against the water charges of 400 a year, but I

1 support water charges of 360.

2 Cllr O'NEILL: Your party brought them in, Labour Party brought them in.

3 CATHAOIRLEACH: Cllr Cullen continue.

4 Cllr Tommy CULLEN: Just finishing up Chairman, you're either for something or against  
5 something. Some people will vote for anything. And I suppose if you vote for anything you'll  
6 do anything. But you have to look at the overall consequence of this vote. This vote is  
7 consolidating the government's cut back of funding to this Council over the past five years, and  
8 what we're being asked to do here today is to consolidate that cut back by cutting back another  
9 15% on services to this, to the running of this county and to crucify people who can't get their  
10 houses repaired or can't get potholes filled or can't get various services that they are entitled to.

11

12 Chairman I don't support any property tax, I think we pay enough indirect property tax in this  
13 country without crucifying people with another 85% tax, no matter how you want to frame it.

14 Cllr KAVANAGH: First of all I don't support property tax at all, it's a double taxation on the  
15 people of this country, who already pay for their services through general taxation. So to look  
16 for any increase on a second tax to me just doesn't sit well at all, so I won't be supporting  
17 property tax at all.

18

19 Now I'll refer back again, Cllr Shay Cullen already mentioned it, the shortfall from the General  
20 Purpose Grant. That is unacceptable for this Council, as a full body, to accept that there would  
21 be more cuts, or that we don't compare favourably to other counties, I'd like to know why our  
22 TDs aren't here to answer those questions, why they allow the people of Wicklow to suffer more  
23 challenges than any other county, they're very quiet on the matter, I'd like to call upon them to  
24 explain why this county is less favourable in its allocation.

25

26 Also, how this has been pursued within the past year by this Council, I'd like to know what  
27 letters have gone and what correspondence has been made to pursue that funding that we're short  
28 of?

29

30 One of the questions I want to ask is regarding the increase in expenditure or income reductions,  
31 we have for instance here listed on page 5 the Haddington Road, Lansdowne pay agreement, so  
32 the government agrees these pay conditions and yet the people of Wicklow and throughout the  
33 country have to pay for these agreements, the government themselves are not funding these pay  
34 increases, but the people who own a property in Wicklow are expect to cover that. For me this is

1 the most important question in all of this, a reduction in homelessness of 130,000, I would like to  
2 know who reduced that income by 130,000? Was that done by this Council or was that a  
3 decision made by government to reduce funding for homelessness? Because that is something  
4 that needs to be highlighted, particularly in the current circumstances, regarding homelessness,  
5 that anyone would make a decision to cut the homeless budget is a shame on whoever made that  
6 decision, I would like to know who made that decision. Thanks.

7 Cllr BRADY: Can I just say I think the members of this chamber here, we've effectively been --  
8 there's a gun effectively been put to our heads here this afternoon, we've had Alan Kelly come  
9 out a couple of weeks ago saying Wicklow was one of the counties that is in a position to reduce  
10 our property tax by the full 15%, yet what he doesn't say is that the income or the grants coming  
11 into this county for issues such as the homelessness, for recycling, for control of horses, the LEO  
12 funding and provision of school sites has all been cut to the tune of 780,000, yet he is saying it's  
13 up to us as to whether we reduce it or not. He is not being realistic, because we're now being  
14 faced with a distinct option here as to whether we go ahead and reduce the property tax, which I  
15 fully agree we should do, Sinn Fein made that commitment to the electorate prior to the last  
16 year's local elections that we would cut it by the full 15% on an annual basis, until we get to a  
17 position and Sinn Fein has committed to abolishing the property tax, because it is an unjust tax,  
18 but unfortunately we are bound by the legislation and all we can do is reduce it by -- but the  
19 reality here and the headline has to be that this Council has again been sold short by this  
20 government. To the tune of 780,000 plus. We also have huge implications in terms of payroll  
21 for staff, which I've no problem with. But the government should be funding that.

22  
23 We've also had the recruitment embargo on this Council which left us devastated in terms of  
24 staff. We are now in a position where we can start recruiting and hiring the critical staff for the  
25 housing construction programme and that, again it has a further implications on this Council, as  
26 opposed to central government funding all of that. So we've been left with a gun to our head that  
27 if we choose to cut the LPT by 15% it is going to have a further impact on our core services,  
28 that's not a choice of this Council, nor indeed a choice of Sinn Fein, that's a choice of this  
29 government. It follows the gross underfunding of all local authorities right across the State and  
30 they are using the LPT now as another opportunity to come in and further erode and undermine  
31 the functions of local authorities and carve out all of that money.

32  
33 Cllr Kavanagh, when she spoke about the General Purpose Grant, and I raised this at last week's  
34 meeting when we sat around this chamber, if Wicklow -- we get 6.8 million in a General Purpose

1 Grant. We also have to, when we speak about LPT, we take in over €16 million here, 16.6  
2 million, automatically we have to give away 20% of that to other counties across the State, some  
3 of the counties, I used the example of Mayo last week. It has a similar population to Wicklow,  
4 they get a General Purpose Grant of 17.492 million, they also get the 20% from us and the other  
5 couple of counties, that have to pay into that equalization fund, they get a further 9.32 million on  
6 top of that, that's not the worst. Donegal, in the General Purpose Grant, they get 22.7 million in  
7 the General Purpose Grant and get a further 14.25 million from that equalization fund that we're  
8 paying for.

9  
10 So we're subsidising counties who are getting more money in direct funding from the  
11 government and that needs to be the story here. That this county has been sold out time and time  
12 again, we're grossly underfunded and these cuts, that's what they are. These cuts, further cuts by  
13 central government are further undermining our position here and our ability to provide the core  
14 services.

15  
16 I totally oppose the property tax, but the only option we have here today is to cut the property tax  
17 by 15% and make the case to this government, and the TDs, I said it last week, the five TDs need  
18 to have a huge input in this. We have three government TDs here in Wicklow, and I've never  
19 once heard them talk about the underfunding of this local authority here in Wicklow. And they  
20 need to be part of that process. They need to sit down here and devise a business plan to take it  
21 to government to ensure that this county gets our just, what we're justly entitled to, no more, no  
22 less than any other county, but certainly we're being sold a pup here.

23  
24 Just the last comment I'll reserve for the farce that was a public consultation process around the  
25 LPT, I said it last week, I said it last year as well, that sticking an ad in the back of a local paper  
26 does not come anywhere near public consultation. I'm a public representative and the other  
27 members around this chamber here, we weren't informed that the public consultation process had  
28 initiated. I only found out subsequent to that, is it any wonder only two submissions were made  
29 to this Council, one goes either way. I think there's a deeper agenda there, certainly I don't think  
30 it would suit people in power to have the people of Wicklow here demanding that we reduce the  
31 property tax. That's part of the reason as to why it is hidden in the back pages of a local paper.  
32 So there needs to be a serious re look at the whole public consultation process.

33  
34 Can I finish by saying we need -- the five TDs should be sitting around this table here, talking

1 about how we're going to bring proper funding into this county as opposed to this farce, as I  
2 described the gun being put to our heads here today, that it's the councillor's fault, if we decide to  
3 cut property tax, it's our fault that the core services are cut, it's the government's fault and their  
4 fault only.

5 Cllr FOX: Thanks Chairman, I think there's quite a lot of hypocrisy going around here. Cllr  
6 Brady just before me said you make a case with the Department, how do you make a case with  
7 the Department if you are going to reduce your own funding by two and a half million? How do  
8 you make a case with the Department when you go in, the first thing they said is you reduce your  
9 own funding by two and a half million and you want money? That totally undermines any case  
10 you make with the Department.

11  
12 When I pick up the local paper every week, I see certain councillors calling for this service and  
13 calling for that, but they're not prepared to back it up with providing the funding. So if Sinn Fein  
14 are proposing to make two and a half million in cuts to our budget...

15 Cllr BRADY: The government is making those cuts, he needs to be honest.

16 Cllr FOX: The Sinn Fein proposal is to take two and a half million out of our budget, that's the  
17 reality. We all know there is flaws in the LPT system and it's totally unjust in relation to  
18 Wicklow. To take 3.324 million from Wicklow taxpayers and give it to other counties is unjust,  
19 it is what it is, it's national legislation, we have to deal with what's in front of us.

20  
21 So if Sinn Fein are proposing to make two and a half million in cuts, I'd like to know where they  
22 proposing to make those cuts? Is that the closing of the swimming pool in Arklow? Is the new  
23 Arklow library, will we not staff that? Will we charge in recycling centres? What exactly are  
24 the cuts going to be that they're proposing? I need to know what the cuts are. That's what's been  
25 proposed, two and a half million in cuts. You can dress it up any way you like, but that's what it  
26 is. So I certainly would like to know, you can't talk out of both sides of your mouth here. If  
27 we're going to reduce the budget by two and a half million I'd like to know where those cuts are  
28 going to be made, thank you Chairman.

29 Cllr MATTHEWS: Thank you Chairman, a number of questions have been asked and well  
30 covered already. Just if I could ask Lorraine on page 5, the cuts to income that are listed there,  
31 the Haddington Road agreement, is that a back payment? Is it a one-off payment or a continual  
32 500,000 per annum increase?

33  
34 And the reductions in income there that are listed on the third point, recycling, homelessness,



1 etcetera, in terms of a percentage reduction what are we looking at there? I think Cllr Kavanagh  
2 asked where did that decision come from and have we questioned it and have we had a response  
3 to it? Are those the fixed figures? I appreciate this isn't the budget meeting, this is preliminary  
4 to the budget meeting, but is there room for maneuverability on the figures. And expenses for  
5 the graduate programme and additional housing -- they have to be welcomed, we are always  
6 looking for additional resources for housing. We had a long debate here earlier in the year, last  
7 year about the cut to library services, I don't have a problem with that increase, I think that's the  
8 right area to spend the money on.

9  
10 The bottom line here, you've laid it out quite clearly, a lot of discussion was on the General  
11 Purpose Grant being cut, and I don't see a very strong rigorous argument being made for  
12 Wicklow at all, it's very weak. Our General Purpose Grant has been cut, it's been well covered  
13 and you've been asked a number of questions on that. But the bottom line is the cut in property  
14 taxes, equates to cut in services. That's what we're looking at. And I don't agree with cuts in  
15 services, property tax may be unpopular, but that's the rules that we're playing by at the moment.

16  
17 Now things may change in the future, if we do have a change in government, I don't know who  
18 will be there, but somebody has to be in there fighting better for Wicklow, for general purpose  
19 allowances. But if we cut property taxes it's a double hit to Wicklow. I'm not prepared to do  
20 that. It will reduce our income stream, we have to reduce our expenditure, that's cuts in services.

21  
22 Now Cllr Fox covered it very well, I won't repeat everything he said, I hope councillors  
23 proposing to cut property tax and gaining whatever popularity it is to be gotten out of that, I hope  
24 they are to the forefront the rest of the year explaining to people why they had to cut services as  
25 well. It is unpopular, but it's the right thing to do and I think we need to do it, I'll leave it at that  
26 Chairman, thank you.

27 Cllr WINTERS: The Local Property Tax as people say, it's the figure within which we have to  
28 work, I agree with Christopher Fox it's very difficult to go in to government and say please give  
29 us more, we gave our two and a half million back to the people of Wicklow we'd like to you  
30 supply us with more.

31  
32 Yes, we have taken reductions in the General Purpose Grant, but when this government came  
33 into power there was a 20 billion deficit between what the country was spending and what the  
34 country was taking in and we were getting money, effectively that the government didn't have to

1 give, and it's really important that in the same way that Lorraine tells us that we have to balance  
2 our budget, as a country we have to balance our budget and it has been really, really difficult.  
3 But if you don't have 20 billion you don't have 20 billion. And unfortunately we all have to wear  
4 it.

5  
6 I want us to be able to support the homeless, I want us to be able to support the libraries and the  
7 services and the footpaths and street lighting and to do things within our communities that will  
8 benefit residents and people that live in our communities and work within our communities and  
9 want to be able to support all the voluntary organisations, and we do that through our community  
10 grant scheme, and want to be able to support playgrounds.

11  
12 And I'd like to be able to do something to encourage business within our community, we can't do  
13 that without funding. So it is certainly not populist, but if you want to provide services you have  
14 to be able to pay for them and you have to be able to make the hard decision to actually do that.  
15 And I don't believe that there should be a cut in the Local Property Tax this year. We did it last  
16 year, every household, depending on the value of their house got between -- well 58% of them  
17 got less than 50 quid back each and everything that we were asked for this year we were told  
18 there is no money, there is no money.

19  
20 Equally, I don't want to see any money that we gain in Local Property Tax this year, I understand  
21 the Lansdowne agreement, that's 600,000, there is very little any of us can do about that, or the  
22 Haddington Road agreement, whichever one it is, but the rest of the money, we have to ringfence  
23 that. That's not going into the black hole that is the services support costs and discretionary,  
24 non-discretionary spend and all the rest of it. If we were going to charge the people of Wicklow  
25 that money, then we as members of the authority have to be able to control the spending of that  
26 money and direct the officials into the spending of it.

27  
28 Cllr Cullen touched on the point there where last year we gave the Council officials a million  
29 pounds to take off the deficit and that didn't happen. Now I'm not sorry we spent the 700,000 we  
30 did on roads and housing and various things, but we didn't know that it was happening. We  
31 didn't have any control over it and I would like to have thought, if I had thought we had agreed  
32 and gone back on the minutes of last year, if there were to be big variances in any of the  
33 spending items in the budget that that was to be brought back to the members, that didn't happen.  
34 So when the officials tell us that the budget is our budget, it can't just be our budget on the day

1 that we pass it, it has to be our budget for the year. And if there are items which are significantly  
2 going to vary from what was agreed at the budget, that should have been brought back to us.

3  
4 So I would like to make sure whatever we do today, if we are going to leave the -- and I would  
5 encourage the members to leave the Local Property Tax at the base rate, that we take that two  
6 and a half million and that we choose how it's spent to provide services for our residents and the  
7 people who are in the county, and that we control the spending of it.

8 Cllr WALSH: Thank you Cathaoirleach, just to concur with previous speakers in relation to the  
9 General Purpose Grants and under resourcing thereof, that's a matter for another day and that  
10 should be addressed at the highest level. As for Alan Kelly, somebody referred to his statement,  
11 that again was not helpful and I think out of touch.

12  
13 Pay rises as a result of the Haddington Road agreement, again I think should be government  
14 funded separately, should not impact on our budget here. To go back to Lorraine's presentation,  
15 the cuts outlined, we have to compare and contrast those cuts with the impact they will have on  
16 the services on the daily lives of our communities, and I suppose if we compare and contrast that  
17 with the average of less than one euro per week that 58% of our population would be asked to  
18 pay, if the tax is not reduced, then that compares with the services across the community, that's  
19 the choice we face -- we have all seen the horrendous cuts over the last 12 months, we'll be  
20 facing further cuts down the line in the coming months, I don't think our communities will thank  
21 us. Thank you Chairman.

22 Cllr VANCE: Thank you Chairman. At this time last year it was a different situation because  
23 we had the NPPR, the fact that we decided to go for 15% cuts, there was only one councillor that  
24 had reservations about that, Cllr Bourke, and on reflection maybe we should have given it a bit  
25 more thought at the time. Because I'm not convinced that budget -- that we gave the 15%  
26 reduction last year, I don't think we got the services that I felt we deserved, certainly my town in  
27 Bray has suffered badly in the last year and certainly the roads and footpaths are in worse  
28 condition than they've ever been.

29  
30 It goes to show the type of decision that was made by former Minister, Minister Hogan, in regard  
31 to the reforming local government and the mess that has been made in regard to this. And also  
32 in the property tax, water charges issue. The total -- everything that man turned to was an  
33 absolute mess. But we're left with the situation that we have to clean up this mess. It's the  
34 easiest thing to say we go to the Minister and look for more money. It's not going to happen. It's

1 easy to say that we have a policy throughout the country that all our political parties, or a  
2 political party would have the same policy, so irrespective of whether you are living in Mayo  
3 and get very significant funding or whether you live in Wicklow where we all know that we get  
4 very little funding, Sinn Fein take the same attitude for one to the other, we're against providing  
5 enough money to provide people with services.

6  
7 It's not surprising, reading the paper in the last few weeks and what other counties have done,  
8 you only have to read the differences of different political parties and how they have adjusted to  
9 the type of financial situation that existed in their particular counties and they differ from county  
10 to county, except one. Sinn Fein. They have the same policy from county to county. And I'm  
11 fed up with coming to this Council and listening to the same councillors complaining about  
12 everything, complaining about services, and not providing any money for those services.

13  
14 We heard here today a proposal to cut 15%, two and a half million off the budget, we heard  
15 nothing about what that -- where the cuts are going to come from. Well I can tell you what Sinn  
16 Fein are proposing, they're proposing reductions in housing, and housing maintenance and at the  
17 moment we have a situation where there's only emergency repairs because we're gone out of the  
18 budget for this year alone. That's what Sinn Fein are doing. Sinn Fein -- the homeless services,  
19 we hear all the time about Sinn Fein and the homeless services, the fact is they're crying all the  
20 time, there's no homeless service. They want to cut the homeless services with their proposal  
21 here. They want to cut the DPG, they want that reduced, they want the residents associations all  
22 the funding cut as well. They want economic and tourism -- they are the type of cuts that's going  
23 to happen with two and a half million. You cannot cut two and a half million out of a budget  
24 that we have with only a discretionary spend of 13% and get the type of services that they want.  
25 It's impossible to do. So they should be honest for once in their life and say where exactly these  
26 cuts that they are proposing are going to come about and be honest with people for once in their  
27 bloody life and get things right here. Because there is a certain amount of councillors here  
28 holding this Council together and they're prepared to take difficult decisions, but, and I  
29 congratulate them on that, they have the guts to say we want services and we're prepared to take  
30 the hard decision to provide the type of finance to give the people the services.

31  
32 Because I got elected to provide services, I didn't get elected not to provide services. And  
33 certainly if I'm knocking on any doors I'll be glad to say to people right we provided the service,  
34 we improved the service, but I tell you one thing, I don't want to go to any door and say listen we

1 stopped that, the holes in the road can't be repaired because we reduced the type of finance that  
2 you wanted. That is the type of ridiculous situation that public reps should never be faced with.

3  
4 I came on to this Council in the 80s where I can tell you there was a lot less in the budget than  
5 there is now, it wasn't a happy time to be a public rep, it was scandalous and I said I didn't want  
6 to witness that type of situation again and we're faced with that situation then if we as a Council  
7 decide to go with a 15% reduction in this. That is the type of services that are going to be  
8 reduced, thank you Chairman.

9 Cllr TIMMINS: Thank you Chairman. Just briefly, a lot of points have been made so I won't  
10 repeat them apart from one. Just on a point of information, it was said earlier that you had only  
11 generated two submissions, can I just check, the ad last year generated 98 submissions, so maybe  
12 it's a sign of people rather than location of the ad, there was 98 last year and two this year.

13  
14 Just a couple of questions Lorraine. Land acquisition loans this year, page 5 is 250, I'm just  
15 wondering how come that's coming about? I'm always a bit wary when I see round figures,  
16 round numbers, it makes me think where did the calculation come from, I don't understand that.

17  
18 The point that Shay Cullen made about page 3, Wicklow's income for general purpose does not  
19 compare favourably with other local authorities, we see that on the schedule, what other counties  
20 had got, we had it there last year, can I just ask specifically what action has been taken to address  
21 the situation? It's been spoken about and thrashed around here for quite a while, but could I ask  
22 the chief executive is there any specific action he is taking to address that situation so that the  
23 people of Wicklow, are looking for their fair share and looking to get the fair share?

24  
25 Lastly just a general point, if we vote for this property tax to remain as it is at zero percent, no  
26 reduction, we should only vote for it on the basis that that money, that two and a half million is  
27 separately identifiable, that we actually see where that's going and that we work in conjunction  
28 with the officials to see how the money is spent. That we see results on the ground and each  
29 Municipal District can point to whatever it is, street lighting, that should be in there, footpaths,  
30 whatever, we all have our own pet projects, but I think we need to see results on the ground if  
31 we're going to support Wicklow keep the property tax at zero percent because we are subsidising  
32 other parts of the country, that's clear, no dispute about that. We need to see if we get extra  
33 resources that we see results on the ground, otherwise there's no point in us voting for the status  
34 quo the reduction in 15%, unless we're sure we'll see results. Why else would we vote?

1 Cllr MITCHELL: I'm keen to have proper services in this county and certainly we do seem to be  
2 getting a lot less per person than many other counties, even relatively urban counties, we seem to  
3 be getting very small amounts of money. But it's not going to be possible to make a case in the  
4 Department if we cut the property tax, naturally people in the Department will say you felt you  
5 didn't need the money so how can you say you want more from us, if you already reduced your  
6 funding base?

7  
8 So I believe that we should keep the property tax at the 100%, and I think we should make a case  
9 for spending money to the Department. Now it seems to me that there are gangsters around here  
10 that seem to be saying we actually want to reduce the property tax by this amount and they are  
11 going to have to cut back, they are going to be cutting back on all sorts of services, particularly  
12 Sinn Fein made a point, it seems that it's going to be the party of cut backs, it wants to cut the  
13 homeless support, disabled support, the footpaths which are already in bits in this county, and I  
14 could go on. There's loads more things that will have to be cut if Sinn Fein gets their way.

15  
16 I don't think they are taking the hard decisions or prepared to take the hard decisions when  
17 necessary to keep proper publicly funded services available in this county. So I certainly  
18 propose that we leave the tax at 100%, we reduce the proper amount of funds, but we also form a  
19 fund which will be used for certain specified purposes with this extra two and a half million.  
20 And certainly I would think that we should be spending money on the homeless services in Bray  
21 and Wicklow and housing adaptation grants, there's a lot of those to be done, spend 250,000 on  
22 that, economic development we need to encourage economic development much more, we  
23 should spend 300,000 on that -- I have a list here, recycling centres which we're in danger of  
24 having to charge for, we should fund those properly, both the library in Arklow and spend  
25 money on the book fund.

26  
27 Although these come to two and a half million, this is the amount which Sinn Fein wants to cut  
28 off the budget. So I believe this should be for specified purposes and including footpaths which  
29 are in bits, and in the Municipal District areas giving them 100,000 each. So I think this is what  
30 we need to do and I'll make a proposal that that's what we should do.

31 CATHAOIRLEACH: Cllr Mitchell, do you have a seconder for that proposal?

32 Cllr WINTERS: I'll second it.

33 CATHAOIRLEACH: Okay, Cllr Casey.

34 Cllr CASEY: I'll be brief, I want to focus on one aspect, in relation to the recycling centre in the

1 county, which have been a huge success story for the county, a number of recycling centres have  
2 won awards, the proposed cut by the Department of 300,000 for these services is in fact going to  
3 put the success of these into the future in jeopardy. Can I have confirmation or does somebody  
4 know is this pressure applied by the Department by the private waste collection industry, who  
5 want these recycling centres in the county shut down because they are in direct competition with  
6 them? I would be disappointed if that is the case, while we have to find the 300 gap this year,  
7 will we have to find another gap next year if that is the logic the Department is applying to this,  
8 it would be detrimental to Wicklow, which has been a huge success story, our recycling centre,  
9 award winning centres.

10  
11 Just finally, in our proposal last year and the proposal this year, we had to identify where the  
12 money was being spent, does the proposal to reduce the 15%, do we have to identify today  
13 where the cuts will be made? Who is going to propose the cuts? Is it us, the members, decide  
14 where the 2.5 million will be cut from or is it the administration decide where the 2.5 million  
15 will be cut from? Thank you.

16 Cllr BEHAN: First of all can I thank Lorraine for her presentation and congratulate her yet  
17 again for putting the worst possible scenario to us with as straight a face as possible, as she has  
18 done over the years, she is a thorough professional at her job, I have no problem with her doing  
19 her job. But I think we have to assert a little of our own independence and objectivity when we  
20 come to making a decision like this. Because pretty much the same story was given us last year,  
21 if we had the audacity to reduce the property tax by 15%, the world was going to fall apart, the  
22 roof was going to come in, that didn't happen.

23  
24 It won't happen next year either, for the simple reason that with the economy improving, with a  
25 lot of the income that the Council currently has, such as planning fees, commercial rates,  
26 etcetera, the income of the Council will improve in the next year. A lot of the disastrous  
27 scenarios presented to us won't come to pass at all. What's very telling today is that, we haven't  
28 heard all Fianna Fáil and Fine Gael members yet, but it would appear that there is some sort of  
29 agreement between Fine Gael and Fianna Fáil to increase property tax on residents of County  
30 Wicklow by 15% this coming year.

31  
32 This is not talking about a reduction anymore, we actually did reduce them last year, if the Fine  
33 Gael and Fianna Fáil proposals are actually to be accepted we're going to increase the property  
34 tax by 15%, and many of the people that we're going to increase property tax on are people who

1 have not felt any benefit of any recovery. It's understandable that Fine Gael members, there are  
2 no Labour members in the Council, but Fine Gael members are portraying that things are back to  
3 normal and everything is going well. In reality for many people in this county they are still  
4 trying to recover from the recession, any help we can give them to reduce the financial burden is  
5 help they want and if they were here they would ask us to give them.

6  
7 Instead we have a bubble mentality, I'm surprised my former colleagues in Fianna Fáil agreeing  
8 with this that in some way things are all right now and we can go ahead and launch an extra  
9 charge on people. I don't think that's right at all, and I won't accept it. I have been supporting  
10 the motion as it has been proposed here today, I would say that we have to be very, very vigilant,  
11 as members of the one of the three local authorities surrounding Dublin City and county in  
12 ensuring that we get a fair share of the pie than we're getting at the moment and have done for  
13 many years. We are being sold a pup by this government, we're continually told we're taking all  
14 of the people, we're taking all of the need for services, but not getting central funding to meet  
15 that need.

16  
17 Dublin is getting the lion's share of it, until all of us as members of this local authority see that in  
18 reality, things will never change as far as I'm concerned, on that basis Chairman I'll be  
19 supporting the motion to continue the reduction rather than increase property tax.

20 Cllr O'BRIEN: I thought for a while that I was the only one that Lorraine was playing a blinder  
21 there, I have to concur with Cllr Behan there, I contend there is a lot of non-essential services  
22 circulating around this building and one of the big ones is administration. Just talking about  
23 property tax, 14,000 (inaudible) at the last meeting -- so basically that money was lying idle in  
24 the coffers for over nine months, that's a huge problem if you're not delivering the services.

25  
26 Money lying idle is money wasted, it means people out there (inaudible) the wealth of this  
27 county lying idle and the administrative system not providing swiftly as it should be, we are  
28 holding it back, that's a big problem here.

29  
30 I would like to ask Lorraine as well what is the biggest expenditure that comes on your payroll in  
31 this County Council? What's the biggest expenditure and I contend that's too -- I contend it's not  
32 a problem just in this county, it's all over the country, administratively all Councils are top heavy  
33 and basically speaking what I would be talking about, how would you get money out of the  
34 administration, I suggest a four-day week, take a cut in there, there is a lot of people not stuck for



1 money, there is money could be made that way, I think we have to start looking at job that is  
2 produce stuff, I'm convinced this country is hop heavy, if we don't look at that and address that.

3  
4 I would also say that would be the best interest of people working here, if you are working a  
5 four-day week and you take a day's wage cut off the wages, that frees up a lot of money, it also  
6 frees up some of your time working here to do other things, to start doing things that will get this  
7 county off its knees, I heard Cllr Vance going on, honest to God you think the country was  
8 running perfectly well when they were in office, there is a housing list in Bray for nine, ten, 11  
9 years, there should be no housing list in the country. If we built houses and supplied houses we  
10 wouldn't have this problem. If we were to speed up the way money is circulated, there was no  
11 mention of the banks, that seems to be a major problem, to get banks to lend the money, we'd  
12 have no problem.

13  
14 So I just don't understand, I'm sitting down here and sometimes I have to say with all the  
15 paperwork coming that I'm quite bored by the whole thing, I have a lot at home, that's not work  
16 that's just talk, we need to get out, get action, get the banks and the money, we need to speed up  
17 the way we do things. That's a perfect example. That 14,000 for nine months could be spent on  
18 something that's needed.

19 Cllr VANCE: Chairman I wonder is it Sinn policy to put all staff on four day weeks?

20 CATHAOIRLEACH: Cllr Vance please. You're not in order Cllr Vance, you're out of order.  
21 Next up is Cllr Fortune. Come on. Just go ahead Cllr Fortune please. Through the chair. Cllr  
22 Fortune please go ahead.

23 Cllr FORTUNE: Thanks Cathaoirleach. There have been some very interesting comments  
24 passed in the last three quarters of an hour. I think fighting the general election in the chamber  
25 today and obviously for the foreseeable future is not, I would suggest, in the interests of the  
26 people of County Wicklow.

27  
28 I think we have a crisis, we have a massive, massive crisis, and the evidence of that crisis has  
29 been really emphasised in my opinion here today. People were promised that when they were  
30 paying property tax and getting water charges and this came from spin from the Ministers and  
31 everything else, services were going to be fantastic. We know as County Councillors that's not  
32 the case in reality, we know last year, obviously Lorraine has to do what she has to do, that's her  
33 job, I wouldn't criticise that at all.

1 But we keep getting the big stick thing, if you don't do this, if you don't do that. Which I think is  
2 totally unfair. Today shouldn't be about the story at all, it should be highlighting the crisis that  
3 we've got and we should be coming up with a solution. The role of the executive I must say  
4 intrigues me, in situations like this. Because we're basically told that we have to balance the  
5 books and when you look at the numbers here, page 4, we're 6 million down, 2016 versus 2015.  
6 You turnover to page 5 and there's a list of headings that have been put against, someone asked  
7 earlier who decided that and when was it decided? I would like to know that as well. And why  
8 that kind of situation is there. Does that put emotional pressure on us to agree to what's being  
9 put to us?

10  
11 So again I'm asking, what's the purposes of the executive? Do the executive not go back in and  
12 fight the corner before they come to us? Because we're going to end up today and for the  
13 budget, basically whipping people of this scenario, because what will happen is irrespective of  
14 how we vote or don't vote, the councillors will get blamed. The executive will blame the  
15 members and the whole thing is crazy.

16  
17 Someone mentioned earlier as well about two and a half million, would the two and a half  
18 million be broken down across the five districts? I'd love to know would the executive answer  
19 that in a constructive positive manner, is the answer to that yes? If it's not, it just shows the  
20 sham that we're going through here today.

21  
22 Now the other point I think that's very important, this is why I say it's a crisis, we've got five TDs  
23 in the county, I know three are government TDs, we have five TDs and they are in the Dail,  
24 irrespective of what you represent you should be in there fighting the corner. So I think we need,  
25 like yesterday, we need another meeting like this, with the five TDs here in the chamber and we  
26 need to discuss this. Because there is absolutely no doubt in my mind that Wicklow, as a county,  
27 is being totally ripped off.

28  
29 Last week when Lorraine was giving us the overview we were told about Leitrim and various,  
30 Mayo and various counties getting massive government grants, ours is way down. Still we're  
31 paying this extra 20% in the system as well. The whole thing is absolutely mad. And to be teed  
32 up so that no matter which way people vote here today, that it's going to be the fault of this  
33 particular chamber I think that's totally wrong. I would urgently suggest and propose, that we  
34 have an urgent meeting with our TDs, because this is a situation that has to be resolved going

1 forward, because year on year we're getting hit with the same thing. We got 3.8 million of a  
2 deficit that's going back I think Lorraine said to 2014, that we're being hit with as well. So  
3 there's no logic to this.

4  
5 We have the other income down by 12 million, we're told it's landfill and Irish Water. So as a  
6 direct result of Irish Water we have less money coming in too, that affects services. If we didn't  
7 have in the current year the small amount of money we got out of NPPR and there was a big  
8 debate on that which is a matter of record. If we didn't have that we'd do nothing in the areas,  
9 occasionally through the local engineer we can apply to get a grant and do certain things, but  
10 there's money there for nothing. And people are told at a national level things are brilliant,  
11 things are fantastic, because of the taxes we'll spend more locally, we know that's a big lie, it's  
12 not happening at all.

13  
14 So we have to stop the charade, coming in here and arguing and arm wrestling and blaming each  
15 other and because there's an election months away obviously the general election politics comes  
16 into it, it's doing nothing for the people of Wicklow. What we need is a meeting urgently, I don't  
17 mind repeating it, we need to get the TDs into the chamber and have a proper, mature,  
18 business-like discussion to get this thing resolved because we don't have enough money to run  
19 our business, that's a fact.

20 CATHAOIRLEACH: Thank you. Cllr Bourke.

21 Cllr Tommy CULLEN: Chairman just before Cllr Bourke, I wish Cllr Fortune all the best in  
22 trying to get TDs into Wicklow.

23 CATHAOIRLEACH: You can come back yourself officially, right now I'm going for the  
24 councillors who haven't been in. Cllr Cullen please there is a way of doing this. I know rules  
25 are important, so let's show respect. Cllr Bourke.

26 Cllr BOURKE: First of all Cathaoirleach, thinking about the debate today and listening to  
27 everybody speaking I'd love to be able to support the Sinn Fein motion, not because I would be a  
28 Facebook hero for a day or two, but it would actually save me the price of my All-Ireland  
29 football ticket, but it wouldn't do much good to the people that ring me up every week looking  
30 for jobs to be done, potholes to be filled, or hems to be trimmed. Over the last couple of weeks  
31 it's -- the thing I've managed to get sorted are a few local people, to my surprise we had a few  
32 bob in the kitty to get a few extra bits of road maintenance done.

33  
34 It's that kind of thing, the day-to-day grit of being a councillor, getting things sorted out for local

1 community is what we're here for, I think we have to be properly resourced. People won't thank  
2 us if we can't get jobs done that they're asking us to do or if we can't fund community  
3 organisations like we have been able to fund them in the past.

4  
5 So before anybody does vote on it today, especially the Sinn Fein people, consider how many  
6 people you are going to have to say no to and how many people you are sorry that you can't help  
7 into the future. Because that's the reality of what will happen in six months or eight or ten  
8 month's time when we are into the new budget for the next year. It will be later in the year, you  
9 will have to be the judge and sit back and say sorry I can't help you because I voted against  
10 properly funding for this Council. That is the reality.

11 CATHAOIRLEACH: Okay. Thank you. Cllr Fitzgerald.

12 Cllr FITZGERALD: Just listening to Cllr Behan there, the economy is recovering, there is no  
13 economic winds blowing down in south Wicklow, I don't think you'll see recovery there, you  
14 talk about Wicklow being forgotten about, south Wicklow is certainly forgotten about.

15  
16 I'm not prepared to take the chance to see some facilities provided in Arklow Municipal District,  
17 for instance our swimming pool had difficulties during the summer, funding difficulties, but  
18 there was intervention, now we're talking about €100,000 -- the figure here, so our swimming  
19 pool will be, the hours will be substantially reduced. We're looking for staff for the new library,  
20 there will be a difficulty there. We get 20,000, this is discretionary funding, we get 20,000 for  
21 Christmas lights. There are other matters here in the Arklow Municipal District mentioned here,  
22 I am not prepared to take the risk that these, if we don't do as -- I won't be voting for the Sinn  
23 Fein proposal, I will vote against it, but there is a huge risk here, in the last year, we have had  
24 many public representatives here shouting and roaring and organising marches about homeless  
25 in the county, it is dreadful to be quite honest about it.

26  
27 No more than the other councillors I would like to do my bit on this. So I am not prepared to see  
28 a budget, some items detailed there, homeless contributions, others, 130,000 in the budget, we're  
29 talking about this year alone 99,000 has been taken off the refurbishment grant for re-letting  
30 houses, 95,000 of a reduction there. So I'm not going to take the risk by voting for a proposal  
31 that will affect the many people who will be homeless over the coming months for a threat.

32  
33 We have a record number of re-possession coming up in the next few months in the courts, a lot  
34 of those people will present themselves to Wicklow County Council, Wicklow County Council

1 will obviously help them as best they can. So certainly I'm not going to vote for a proposal to be  
2 popular, I'm going to vote for a proposal that I feel will give the funding to provide the services  
3 that the people of this county deserve.

4 CATHAOIRLEACH: Thank you. Cllr Blake.

5 Cllr BLAKE: Thanks Chairman, over the last couple of years one of the biggest issues in here  
6 we have been talking about was the fact we weren't building our own local authority houses in  
7 here. And there is an additional cost of 200,000 for additional staff in the housing section this  
8 year, that has to be met. We have argued and argued in here about the fact we weren't building  
9 houses, didn't have staff to do it, didn't have personnel in there to organise construction of the  
10 local authority houses, even now we are getting substantial grants from central government to do  
11 so. That's an additional cost. Sinn Fein was one of the parties who berated government and us  
12 as a Council on numerous occasions for the fact that we didn't have staff there, we're putting  
13 staff in there.

14  
15 Sinn Fein must be the only socialist party in the world who doesn't believe in taxes. And doesn't  
16 believe in taxes for services provided for people, that we desperately need. A lot of things have  
17 been said regarding all the issues and services we provide here, but we want to discontinue those  
18 services, then Sinn Fein seem to be the party that wants to discontinue the services that we  
19 provide to the people on the ground.

20  
21 Equally so, we do pay the salaries of the staff in here, there's €40 million in here for the coming  
22 year, another 500,000 because of the Haddington Road or Lansdowne Road agreement with  
23 regards to additional staff, that's our responsibility. We pay our staff here, if there is additional  
24 cost here with the Haddington Road agreement then it is our responsibility to pay that 500,000  
25 with regards to it. But certainly if we want to provide services in the county we have to have  
26 money. As someone says money isn't everything, but you won't do a lot without it. Thank you  
27 Chairman.

28 CATHAOIRLEACH: Thank you. Cllr Winters.

29 Cllr WINTERS: Thanks Cathaoirleach. Just in relation to the staff, Cllr Vance and Cllr Blake  
30 are right. We have got to pay our staff. If we don't have the money in a normal business you  
31 look at your product or you look at your staff. We must pay our staff, they are our  
32 responsibility. And we don't have the option to put them on a three-day week, but I would never  
33 be voting for a situation where that's basically the option that we would be supporting. And I'd  
34 also like to thank Cllr Behan for his acknowledgement of the economic recovery and agree with

1 him it hasn't got to everybody yet, that's why I would urge the members to support the retention  
2 of the base rate, so we can support the homeless, the disabled and to put in place a rates incentive  
3 scheme that will help the economic recovery and development of our town centres, those are the  
4 people that it hasn't got to yet and those are the people that we need to support. Thank you.

5 Cllr SNELL: Again just listening to the debate going around the chamber doesn't make good  
6 listening. There's a lot of psychological blackmail in regards to naming of various different  
7 services being provided, and one councillor said earlier they're speaking out of both sides of their  
8 mouth. Last year when the NPPR money was available, it was one-off funding, a suggestion  
9 was put to the floor, a motion in regards to a large proportion of that money going to housing,  
10 obviously that didn't happen because the vast majority of members who now find homelessness  
11 and housing on their conscience voted against that.

12  
13 Just in regards to, I find that ironic that Cllr Mitchell describes the Sinn Fein party as the party of  
14 cuts. I think he should take up his new profession and should be a comedian in regards to the  
15 Fine Gael party, in regards to cuts. I think it's an absolute joke and a farce that he comes into the  
16 chamber and talks about Sinn Fein cutting.

17  
18 Unfortunately, Cathaoirleach, you have to sit and listen to this the same as the rest of us for the  
19 last hour and a half and two hours, a lot of people seem to have mixed up their role and their  
20 function as public representatives. Today is not about the budget, yet a lot of people are trying  
21 to dissect and pre-empt the budget in regards to what will be cut and what won't be cut. And I  
22 would remind the senior management of Wicklow County Council that it's our function also in  
23 regards to when the budget meeting comes up to decide what services will be added to and what  
24 services will have a reduction in regards to deficit.

25  
26 I just feel that some of the stuff that's put down here, it's nothing new, I seen it here before when  
27 we were given a list and told 80% of Local Property Tax would be ringfenced and if it wasn't we  
28 would lose things such as libraries and recycling centres and it's the same list that's regurgitated  
29 here today and everyone at that time believed the spin that was being put out there, only  
30 subsequently after we discovered that in fact it was the opposite. Nearly 80% went straight into  
31 Irish Water, it didn't come into County Wicklow. So the money from pockets of people in  
32 County Wicklow didn't go into the services that was meant to be provided.

33  
34 While we discuss housing, I'd like to remind the members that the vast majority of income, and

1 this is more so for the budget meeting, the vast majority of income into Wicklow County  
2 Council comes through social housing, people who pay their rent, on the four and a half  
3 thousand units, and yet only last year for the first time in six years here, 20% of it was kept  
4 within the housing section, 80% of it shovelled off into environment, roads, all the various other  
5 SPCs and departments within Wicklow County Council. So that's something for the budget  
6 meeting, that's not for today. But I do think whoever came up with that list there, it's a little bit  
7 disingenuous to use the members to put that out there, because we as members should have had a  
8 say on what services, if any, were to be cut. Thanks Cathaoirleach.

9 CATHAOIRLEACH: Sorry, just two more already asking to come back, so very quickly. Cllr  
10 Tommy Cullen?

11 Cllr Tommy CULLEN: Just to say whether it's 85% or 100%, most of the money will go back to  
12 Irish Water or the government one way or another, I don't think councillors should argue among  
13 ourselves about this, because we should be arguing with the government. There was a case for  
14 some kind of local revenue raising, if the money was locked into a local municipality, rather than  
15 being collected locally and sent off back up to the government and transfer to Germany. But  
16 that's not happening here. All the money here, I think councillors shouldn't be disputing with  
17 each other about this.

18  
19 What's very interesting to me watching this debate here today is I haven't heard one proposal for  
20 the abolition of property tax this year. I'm quite surprised at that.

21 Cllr BRADY: That's because you walked out of the chamber.

22 Cllr Tommy CULLEN: Maybe. But who proposed it Chairman? Cllr Brady? Well I would say  
23 to people, the property tax, these property taxes we're already paying them, don't be paying  
24 double taxes. I understand all the arguments, very good arguments made on both sides. But I  
25 think we should just keep the point that we are paying the highest property tax in Western  
26 Europe and we shouldn't be adding to them.

27 CATHAOIRLEACH: Thanks, Cllr Shay Cullen finally.

28 Cllr Shay CULLEN: Thanks Chairman. Just a couple of points, first of all I think it's important  
29 that we pay tribute to the staff of Wicklow County Council for the work they do and under trying  
30 circumstances over the last number of years, but to suggest that they should be put on a four-day  
31 week I think is downright stupid to be honest. And staff in this county or this Council work  
32 extremely hard and I think that should be acknowledged.

33  
34 Furthermore, just with regards to the property tax, by not reducing the property tax I think it's

1 obvious that we'll have an extra two and a half million in the kitty, taking out the Lansdowne  
2 agreement of 500,000, we have €2 million to put to real projects throughout the county, and we  
3 have a situation in this county where local, rural communities, our county town and towns all  
4 over the county are crying out for investment, this is an opportunity for us to make a tough  
5 decision, but to give something back and try and get our towns vibrant, back up and running, get  
6 our local and rural areas, give them a chance of investment, I think it's important that we do that.

7 CATHAOIRLEACH: Okay thank you. I had said that there was -- those were the last two  
8 contributions and they will be, but I'm just going to give Cllr O'Brien an opportunity to come  
9 back in, because I'm not absolutely certain if we got you right. All I'll say from my own point of  
10 view, I hope we got you incredibly wrong in terms of what you said, because I even saw your  
11 own party members turning around and grimacing and hoping you hadn't said what you just  
12 seem to say. The sense I got from what you were saying was that there is a huge amount of  
13 money spent on administration in this Council and this is an administrative body. What you are  
14 talking about in terms of the administrative costs are staff costs and the employees, I for one  
15 since, particularly since I have been Cathaoirleach of the Council, have been working really  
16 closely with those, your own party colleague in housing has experienced this too, and I have  
17 seen nothing but a fantastic bunch of dedicated individuals who are working so, so hard. Who  
18 don't receive any level of praise that they should receive and particularly from this body,  
19 sometimes and from other bodies in the Dail and the like, receive criticism which I think is  
20 completely and utterly unfair, I really wish that that wouldn't happen, so I'm just going to give  
21 you an opportunity to clarify exactly what you meant.

22 Cllr O'BRIEN: I'll clarify very easily, I agree they are over-worked, the point I made was, I said  
23 the discretionary spent, that was 14,000, that was passed we'll say nine months ago, it took the  
24 rate going through an administrative system, it took nine months before you can start to spend  
25 that money that's what I am saying. I am saying they are absolutely worked off their feet, but a  
26 lot of this massive paperwork and recording, that's in every sector of the country, in the school  
27 sector you see it as well, giving reports and notes, all I am saying is we need to look at it. I don't  
28 know how they keep going, I certainly would not be able to sit down in the work these people  
29 do, honest to God I wouldn't do it, it's a lot of paperwork, hard work, recording, that's what I'm  
30 talking about, I'm saying, how come the five-day week seems to be a thing that's almost  
31 sacrosanct in this country, everybody has to work 40 hours, a lot of people, they are not -- you're  
32 trying to get the best out of your workers, if somebody could do something in 30 hours they are  
33 now doing in 40 hours and if you put a system in place that would help them to do that, I'm not a  
34 great believer in jobs, people talking about jobs as if a human person was just an animal to work



1 a five-day week and retire at 65, I think we should aim a lot more, we should aim at quality of  
2 life and making sure all administrative -- I sometimes feel the quality of life isn't as good as it  
3 should be. That's the point I'm making, I wouldn't like my son or daughter to spend all their time  
4 working in front of a computer. We have made a move towards getting rid of a lot of paper and  
5 getting it -- all I am talking about is simplifying the way we do things and free up people's time  
6 for more value. I am worried when there are people in this country, I'm not talking about any of  
7 the staff, but there are people in the country on big salaries of a million and a half a year just  
8 talking. When you think of all the people in this country, all the builders, plumbers and  
9 carpenters, they are the ones hit most, they are the ones on social welfare, yet they could be  
10 doing work. That's the point I'm making, a change of the system we have in this country, and  
11 looking at what -- what is actually essential.

12 CATHAOIRLEACH: Okay, so I'd like Lorraine now to just answer...

13 Cllr BRADY: Sinn Fein proposed the motion.

14 CATHAOIRLEACH: I have given a full opportunity to go through it.

15 Cllr BRADY: In accordance with the standing orders the proposers of the motion have a right...

16 CATHAOIRLEACH: The proposer of the motion spoke on the motion and it was seconded,  
17 there's another motion that is proposed and seconded. So now I'm actually handing over to  
18 Lorraine to answer all the questions that were asked. At that stage Cllr Brady I will then go back  
19 to the proposer of the motion and the proposer of the other motion and give them an opportunity  
20 to come in, is that okay? Great.

21 DIRECTOR LYNCH: Okay. Just maybe to deal with some of the -- try and deal with it in  
22 chronological order. In relation to the NPPR funding and the 2014 surplus we had from that, 1  
23 million was to be used towards the reducing the deficit in 2014. A million was used towards  
24 reducing the deficit in 2014, we had a deficit of over 4 million coming into 2014, we assigned a  
25 million to it to reduce it, but unfortunately through 2014 we overspent, we overspent probably  
26 because of the unification in terms of money and budgets spent in Town Councils, possibly even  
27 before they were unified. We overspent because of a big change that was involved in moving  
28 from the Town Council and County Council to districts, in terms of trying to get a handle on the  
29 budgets that were there, be it for housing maintenance, for road maintenance, be it for the new  
30 structure and new format. We overspent on housing maintenance in 2014, we overspent on road  
31 maintenance in 2014, we overspent across a number of different areas, we would have overspent  
32 -- and for those we would need, we need to use some of the 1 million that was there to account  
33 for it.

1 We used the 1 million surplus, without that 1 million NPPR we would have been in further  
2 deficit in 2014. Bringing it into 2015 and I suppose in terms of whether there is a surplus and  
3 deficit, we had given the figures to the finance committee halfway through the year, the six  
4 monthly figures, and at that stage there are some budgets who are 100% spent, let's say grants we  
5 give out, community grants are always given out at the start of the year, that's 100%, other grants  
6 mightn't go out till November, so you won't see them spent at the start of the year, you won't see  
7 them spent in June, it will be the end of the year.

8  
9 Again in terms of -- take roads, that's very much a season, so a lot of the expenditure in roads  
10 will take place between April and September, the bulk of it won't filter through to the accounts  
11 until later in the year. In that sense any that's 2 or a 5% spend, it will be spent before the end of  
12 the year. In some cases as we've said previously taking housing maintenance, it looks like that  
13 will be overspent before the end of the year and that is even given the fact that we're doing only  
14 emergency maintenance in the districts as it is.

15  
16 As it stands looking at the figures and the out turns, we expect maybe to have a surplus of about  
17 100 or 150,000 that takes into account reductions in income, certain increases in income and also  
18 expenditure overruns in certain areas, that can all change between now and the end of the year, if  
19 we take roads, winter maintenance shouldn't be fully spent at this stage, but if we have serious  
20 flooding, serious weather conditions that's something that will be spent.

21  
22 In terms of taking a more overall, rather than specifics of 2016 and the LPT, in terms of the  
23 resourcing of Wicklow County Council the LPT is replacing funding there from central  
24 government, and in doing that when it was brought in, they're comparing to identify what surplus  
25 there would be in any account so they compare us to the base general purpose grant that was  
26 there in 2014, same basis that we were compared was in 2014, we were compared with that last  
27 year.

28  
29 Looking at us to comparable local authorities that base probably is too low, that's going back for  
30 over a number of years for various different reasons not taking account of population and so on.  
31 That's something that we in the report, we have acknowledged, we need to address. Last year we  
32 did write to the Department, we met with them, to do a finance review earlier in the year and put  
33 our case to them at that stage. It's something we're continuing to do, be it on individual places  
34 where we're losing income, be it across control of horses, recycled waste enforcement, we're

1 putting the case on an individual basis and also on a global basis to make sure the general  
2 purpose funding is reflective of the need.

3  
4 The Local Property Tax is in our general purpose funding and that's where we have to utilise that  
5 and we have the power to utilise that, but we still have to fight the case overall, in terms of  
6 increasing our funding as a local authority.

7  
8 That will continue on an ongoing basis and we'll make a business case for Wicklow County  
9 Council. In terms of the budget in 2016 there was a comment that today isn't about budget 2016,  
10 today is a critical part of budget 2016. It determines what the framework for budget 2016 is  
11 going to be. It determines whether we have income of 87 million or 85 million basically. So it  
12 is one step of a four step process, but it formulates the framework for budget 2016.

13  
14 If we retain the basic rate of the LPT we have 2.5 million income that's in the budget, if we don't,  
15 if we decide to reduce the basic rate of LPT we have -- if we decide to reduce the basic rate of  
16 LPT in terms of income it makes 50,000 of a difference, but what it doesn't account for is the  
17 extra money that we have to provide for. We have to provide, as Cllr Winters said, for the  
18 Haddington Road, we're obliged to, we have to provide payroll for staff. We have to provide for  
19 interest payments on land acquisitions, we have to provide for the -- an account for reduction in  
20 the recycling centres, in the homeless service -- the reductions in income have reduced our funds  
21 by a million. The only way we can address that is either by putting additional income in or cut  
22 expenditure to match. That's where the LPT is critical and key to the budget process.

23  
24 In terms of the reductions in income, I suppose the school sites, it's not that we're no longer  
25 getting funding for it it's just our activity isn't going to be the same as it was in 2015. If we end  
26 up doing more for it, the Department of Education will answer giving funding, it's not that we're  
27 doing work and not getting funded, we don't answer that level of activity in 2016, that's why it's  
28 reduced. Homeless, that funding is allocated only on a regional basis, we have made the case,  
29 gone back and we have fought for it and we'll continue to do that, but the funding is allocated on  
30 a regional basis. The lead authority would be Kildare and they allocate on the basis of need.  
31 Going back to -- we would have a very good homeless service in terms of we have dedicated  
32 resources and dedicated facilities, others may use B&Bs and so on which may cost more, so if  
33 we have only been spending 20,000 we're pegged to previous years, and as the activity rises and  
34 our income doesn't rise to match, that's where we have difficulty with it. But overall as well with

1 income the control of horses is something that was reduced, we were getting so much per horse,  
2 it was reduced by circular back at the start of the year I think it was. In terms of recycling there's  
3 an indication from that that we may get our budget this year, but we're not likely to get it next  
4 year.

5  
6 In terms of the land acquisition just to answer that in particular, we would have bought land 7  
7 and 8 years ago for the purposes of housing -- for building houses on it, obviously the housing  
8 construction programme ceased, or stalled, and we were left, we carry those loans for 7 years,  
9 generally within the 7 years you would have expected to have outed them for housing. We are  
10 looking at the lands to utilise them for housing, but in the interim the 7 year term on the loans  
11 has expired, so we have to start paying interest on them, that's what we have to provide for,  
12 either that or redeem them, and we don't have the money to redeem them and I don't particularly  
13 want to redeem them, we want to utilise the money and claim the money through the housing  
14 construction programme.

15  
16 In terms of the income that's available to us outside of LPT, if we look at Wicklow County  
17 Council's income for 2015, there was 98 million, 10 million of that is landfill levy. Another 20  
18 million is government grants, we've no control over that. 1.6 million was pension related  
19 reductions, that's depending on the staff you have, level of staff and with the change in  
20 Lansdowne Road that will be reduced, so we have a limited control over that.

21  
22 Another 30 million is commercial rates and while the economy is improving we don't see  
23 anything significant, I think we're talking about 50,000 of increase in commercial rates for 2016,  
24 so there is no rise in that, there is no additional funding in that.

25  
26 Of the goods and services that are then there, there's 10 million for rent, there's 2 million for  
27 parking, there's 7 and a half million from Irish Water, all of those we have limited control over,  
28 the Irish Water is linked to whatever we spend, we spend, we recoup, not that they're cutting  
29 funding, if we spend it we recoup it. In terms of potential for increase in income, if you are  
30 looking at your rates was one, but the most we're expecting out of that is 50,000.

31  
32 In terms of planning, somebody mentioned planning fees going up, our planning income  
33 budgeted for 2015 was 400,000, even if we had 25% increase in planning fees you're only  
34 talking about an extra 100,000, that's not a whole lot of a way to meet the 1.9 million or to

1 meeting what councillors here said they would like to see invested out of the 2.5 million.

2  
3 In terms of the presentation and what I laid out, while I appreciate the compliments, I'm not a  
4 very good actress! I'm not a very good actress, and despite the pessimistic point of view across  
5 here, I'm generally not a pessimist, but what we have set out and the figures that we have are the  
6 figures that we have to deal with. It may be being deemed a doomsday scenario, you can call it  
7 whatever you want, but they are the figures we have to deal with. They are the costs we need to  
8 meet, the income we need to provide and to make up for the income that we've lost in those  
9 cases.

10  
11 In that sense, I suppose there is the opportunity to be able to use, to retain the Local Property Tax  
12 and to utilise it to invest in services and I think if that is the decision that's made here today, I  
13 suppose we welcome to sit down and talk with councillors in terms of how that will be utilised.

14  
15 The reality is if we retain the rate as it is in 2015, it will mean we'll have to go and cut, the  
16 emotional services, or the discretionary services, and that is what we'll have to address in those  
17 cuts we'll have to make. And again, as I said, this is part of the framework of the budget, so if  
18 there is that 15% and reduction in the basic rate, if we are taking that additional income out of  
19 the proposed figures, as the councillors say themselves, it's your budget, where do you want to us  
20 take those cuts from, where do you want us to make those changes to services?

21  
22 I'm sure I have forgotten some questions -- one other thing I want to clarify. In terms of housing  
23 and housing rent. Housing rent is 10 million, it is not going to fund other services. The full cost  
24 of housing is 17 million, so that 10 million to be able to say that's gone funding, that only 20% of  
25 that is being used for housing maintenance the rest is going to environment and other areas I  
26 want to clarify that's not the case. Over 20% of that is being spent on housing maintenance and  
27 other areas of housing assessment, in terms of traveller accommodation, housing grants and  
28 housing loans, which are also included in the housing expenditure area.

29  
30 I'm possibly missing some parts and you can come back to me again.

31 CATHAOIRLEACH: Okay great, thanks Lorraine. We'll go to both the proposers of the two  
32 motions we have in front of us, so they can just give us a quick view I suppose. Cllr Lawless?

33 Cllr LAWLESS: Thanks Cathaoirleach. Just one quick clarification, just if you don't mind  
34 Lorraine, in regards to if there is a section that is underspent do we have the reserve function to

1 look at their budget and re-allocate to another section when it comes to the budget?

2  
3 I know that probably won't be the case, it will be all spent.

4 DIRECTOR LYNCH: In the same way if a budget is overspent we can go back and say where  
5 else do you want to cut to meet that overspend?

6 Cllr LAWLESS: All right. The Local Property Tax is as we all know a very thorny issue. It's a  
7 very unjust tax and our party yes has got quite a lot of bashing here today from Fianna Fáil and  
8 Fine Gael, yet it was Fianna Fáil that set up the policies and Fine Gael and Labour that  
9 implemented all the cuts and austerity levels that we are facing here today.

10  
11 In regards to Cllr Blake's remark in regard to Sinn Fein don't like taxes, of course we have to tax.  
12 Silly thing to say. I don't mind paying tax. Absolutely not. As long as I can see where it's going  
13 to, but Local Property Tax is an unfair tax. We are taxed to the hilt. And all the money that we  
14 pay on our wages, on our homes, our food, our vehicles, our road tax, where the hell has all that  
15 money gone? Because I don't see it. If that money was spent properly we wouldn't be sitting  
16 here in this situation today.

17  
18 So I stand by my decision, when I went out and I looked for votes and I had a mandate, I said I  
19 would reduce the Local Property Tax by 15%. That's what the people asked of me. That's why  
20 they voted me in and therefore that's why I have to stick by my decision. Thank you very much  
21 Cathaoirleach.

22 CATHAOIRLEACH: Okay. Cllr Mitchell?

23 Cllr MITCHELL: Thank you Cathaoirleach. My proposal is that we leave the property tax at  
24 100%. We have heard from the administration here about how there are very substantial cut  
25 backs in all sorts of areas, if we don't provide money to run the service. Of course we don't like  
26 paying tax, I don't like it more than anybody else, but it is essential if we are to provide services  
27 for everybody in society, particularly the weakest in society that we have a tax.

28  
29 In terms of the principle of a property tax, every country in Europe has a property tax there's no  
30 reason why we're so exceptional that we don't have to pay one. I think everyone in the OECD  
31 pays one.

32  
33 Now in relation to this, we provided a list to the administration, I want to see a fund set up for  
34 the two and a half million extra this will give the Council, so that this is allocated to

1 homelessness, to economic development, to recycling centres which we've heard have problems,  
2 to the libraries which need staff, to the playground maintenance where we have got quite a few  
3 good playgrounds and they now need to be maintained and to each municipal area, at least  
4 100,000 each for the variety of long-term measures and I also want to see footfall improvements  
5 certainly in my area and I suspect much of the county are in bits.

6  
7 So this is where the money is to go, not into a black hole and my proposal is that -- now Sinn  
8 Fein is very lovely and easy thing to say, I'm going to cut back the taxes, but I'm not going to say  
9 what services have to be cut back, that's really very simple to say, but unfortunately life is not as  
10 simple as that. And one has to provide the money to reason the services of this Council and take  
11 proper decisions to make sure that's done. So that's why I'm proposing that we leave the tax at  
12 100%.

13 CATHAOIRLEACH: Okay great. We're going to go directly to a vote.

14 Cllr BRADY: Sorry I spoke, I propose that we bring the five TDs in here to speak.

15 CATHAOIRLEACH: That's a completely different proposal. It wasn't actually seconded.

16 We're just dealing with the LPT vote right now. Thanks for respecting the chair, I do like that.  
17 So the first vote is with regard to the LPT and whether or not we're going to reduce it by 15%?

18 Cllr CASEY: Surely we need some indication of where the cuts are going to take place before  
19 we can vote on that? Whether it's Lorraine gives us where the two and a half million cuts will be  
20 made or Cllr Brady gives us where the two and a half million, but somebody needs to tell us  
21 where we'll cut that two and a half million from. So we know what we're making a decision on.

22 Cllr BRADY: The government made the decision, they are underfunding this.

23 Cllr VANCE: Chairman we can't vote unless we have all the information. We need the  
24 information.

25 CATHAOIRLEACH: Okay it's just difficult because the proposer, well the seconder of the  
26 motion, I don't mean to put you on the spot Cllr McDonald, but could you help with that? In  
27 terms of maybe just the cutbacks.

28 Cllr BRADY: Sorry Cathaoirleach it's not a decision to be taken here today, the crux of the issue  
29 is central government has cut the funding to this local authority, we've gone through it there, the  
30 Haddington Road agreement, the recycling, homelessness, control of horses, Department of  
31 Education, LEO funding, all have been cut to the tune of 1.9 million.

32 Cllr FOX: And you're cutting it further.

33 Cllr BRADY: No, I'm not. What I'm doing is supporting the 100% LPT, is supporting the  
34 government and cuts they are trying to impose here on this Council. What I proposed is we take

1 a stand, ask the five TDs in here and to start talking about the gross underfunding of this local  
2 authority.

3 Cllr MITCHELL: We're elected here to make decisions not to be children.

4 Cllr WINTERS: We have a duty to do this before the 30th of September and you know that  
5 asking for your proposal you know there's no time to get anybody in to talk about anything.

6 CATHAOIRLEACH: There isn't. As Cllr Lawless is back, just one of the comments that came  
7 up was you want to reduce by 15%, could you clarify where that money would be taken from the  
8 budget in terms of that?

9 Cllr BRADY: It's not our job to decide anything, the decision has been made by the  
10 government.

11 Cllr LAWLESS: Thank you Cathaoirleach, Cllr Brady, it's not our decision to see where that  
12 money is coming from. I have asked Lorraine on various -- I have looked at the figures for the  
13 six months, I know stuff has been unspent, but it will be when the budget figures come out and  
14 we can see, that's when decisions can be made. We can see where the money can be allocated  
15 from one section to another. It was done last year, there was a proposal put forward, money was  
16 taken from I think it was machinery or something and given to something else. So it is possible  
17 to do. I can't answer that today. But hence that's why I'm on the finance committee, I want to  
18 get those figures in front of me, so I can put forward suggestions, even though it's not my job,  
19 I'm not the accountant. Thank you.

20 CATHAOIRLEACH: Okay. I really don't want to...

21 Cllr VANCE: Sorry Chairman, we have to give an indication of the type of money that Lorraine  
22 needs to bring a budget forward before the Council. That's a fact, that's what we have this  
23 meeting for. Whether she'll have two and a half million less, or two and a half million more. It's  
24 as simple as that. People can say what they like, we'll put it off to another day, discuss it when  
25 the budget is in -- but the fact of the matter is you have to identify where that two and a half  
26 million will come from.

27 CATHAOIRLEACH: Just to be really clear we can't put it off to another day, it has to be made  
28 today.

29 Cllr VANCE: No I'm saying anyone making a proposal to cut by two and a half million should  
30 indicate where that two and a half million is coming from. Simple as that.

31 CATHAOIRLEACH: It's quite clear. The Sinn Fein party aren't going to do that.

32 Cllr LAWLESS: We didn't have to do that last year.

33 Cllr VANCE: We had plenty of money last year.

34 Cllr LAWLESS: We didn't...



1 Cllr VANCE: There was no discussion, there was no problem last year.

2 Cllr LAWLESS: We didn't have to, why should we this year? No I'm sorry. We didn't have to  
3 last year, no, sorry.

4 Cllr BRADY: The reality is it's a vote on whether to maintain it at last year's level.

5 CATHAOIRLEACH: Sorry I didn't call you, Cllr Kennedy just a point of order?

6 Cllr KENNEDY: Two things I would like to ask, one of the things I want to know is will there  
7 be a cut in the fire service, will there be increase in the burial grounds? That's another thing I'm  
8 interested in, I also would like if Cllr Mitchell's proposal could be circulated so I can read it.

9 CATHAOIRLEACH: Okay. Cllr Winters very fast please before we go for a vote.

10 Cllr WINTERS: I was about to say maybe we should give a copy of this or I can read them out.  
11 Basically we want to give -- we'll give a copy to everyone, for the homeless we'd like to see  
12 30,000 going to Is A Bhaile in Bray, 80 to Wicklow, disability persons grant, adaptation grant, of  
13 quarter of a million, 300,000 to economic development, 300,000 to recycling centres, the  
14 libraries to get 100,000 of a book fund, Arklow staff of 200,000, communities grants 300,000,  
15 playgrounds 160,000, rates incentive scheme of quarter of a million pounds. These are all things  
16 that we need to do and that we should see being ringfenced. Then that gives us 1.9 million  
17 70,000.

18  
19 There's another 130,000 because Bray is slightly larger Council base for their Municipal District  
20 and 100,000 to each of the other four, that gives us two and a half million that we as councillors  
21 have ringfenced within areas so we can spend it to facilitate the services that we provide to the  
22 people of this county.

23 Cllr KAVANAGH: Sorry Cathaoirleach, I object to this.

24 Cllr SNELL: I haven't a copy of that.

25 CATHAOIRLEACH: Okay, maybe it does make sense to just circulate a copy of that, because  
26 it's difficult when you're listening and hearing the information.

27 Cllr KAVANAGH: This confused the whole issue, if Fine Gael party put forward this as a  
28 proposal that we have to vote on, I think it's highly irregular and I imagine highly illegal to put  
29 forward a proposal how we're going to spend a budget without having the full Council Chamber  
30 without any discussion on the budget, this pre-organised budget.

31 CATHAOIRLEACH: Hold on Cllr Kavanagh, just so I get your point.

32 Cllr KAVANAGH: Pre-organised budget this is part of Cllr Mitchell's proposal, I think it's  
33 highly irregular and highly illegal to put forward a list of...

34 CATHAOIRLEACH: Where is the illegality?

- 1 Cllr KAVANAGH: I don't think any one party can put forward a proposal for budget without it  
2 going to the full chamber.
- 3 CATHAOIRLEACH: It would be going to the full chamber.
- 4 Cllr KAVANAGH: Is this part of the motion?
- 5 CATHAOIRLEACH: Cllr Mitchell put forward the motion that we leave the base rate the same  
6 as it was without the reduction. And this is being clear about where the money would be spent.
- 7 Cllr WINTERS: A suggestion of how it would be ringfenced.
- 8 Cllr KAVANAGH: Is that attached to Cllr Mitchell's motion?
- 9 CATHAOIRLEACH: Yes.
- 10 Cllr KAVANAGH: Well I think that's highly irregular.
- 11 CATHAOIRLEACH: So it will be circulated now, you have to the choice to vote on it or not.
- 12 Cllr KAVANAGH: I want to object, I don't think any party can put forward proposals for a  
13 budget when this isn't a budget meeting.
- 14 Cllr Tommy CULLEN: Chairman this meeting is descending into a farce, all I'm expecting to  
15 hear from some of the Fine Gael here is that every person in the county is going to get a pot of  
16 jam for Christmas. Chairman the sympathy I have for Cllr Winters here -- Cllr Whitmore, calm  
17 down the volume.
- 18 CATHAOIRLEACH: Thanks for that, I think she's doing fine. She's well asleep to be fair.  
19
- 20 Just a second, it's completely up to the members as to whether or not that happens.
- 21 Cllr RUTTLE: 5.15, you have a reception.
- 22 CATHAOIRLEACH: No, it's up to the members if you want to put forward a proposal to extend  
23 the meeting, you are welcome...
- 24 Cllr BEHAN: Yes, I propose to half five.
- 25 CATHAOIRLEACH: Do I have a seconder for that? Agreed? Cllr Whitmore?
- 26 Cllr WHITMORE: I understand Cllr Winters is going to make a change to the proposal.
- 27 Cllr WINTERS: Just I'd like to give a clarification.
- 28 Cllr WHITMORE: I would be highly concerned if we are now voting on how to spend any  
29 ringfenced money, that that would be a decision for a later date, for councillors to actually come  
30 and negotiate it and discuss that and perhaps not have an independent budget discussions, we're  
31 not sure what monies lie where in the budget discussions and I think that would have to play into  
32 that.
- 33 Cllr WINTERS: Sorry if I can give a clarification?
- 34 Cllr BRADY: There is other people indicating, it seems a select few to a certain narrative you

1 are allowing in which is grossly unfair.

2 CATHAOIRLEACH: Now Cllr Brady! I don't think anybody, even you, could claim that I have  
3 been unfair with the way I have chaired this meeting today, are you saying I have been unfair?

4 Cllr BRADY: You are letting certain people in.

5 CATHAOIRLEACH: Cllr Brady, I have been going in order here, as usual you get a lot of air  
6 time, so be very fair and please don't make allegations. Now Cllr Winters you want to clarify  
7 something.

8 Cllr WINTERS: What we said or what Cllr Vance had said was that if we were making two and  
9 a half million reduction he'd like a clarification of how these were going to be made, I'm saying  
10 with the two and a half million pounds if we keep the base rate at zero, don't give a reduction,  
11 that this here two and a half million, it gives an idea and a suggestion of how these monies can  
12 be spent. That it just doesn't go into a black hole of services, that it's ringfenced for spending by  
13 the councillors in the areas they see fit.

14

15 Obviously our budget is decided on budget day, there's two months between now and budget day  
16 for all of us to sit down and work out how best to spend the money. But those are the type of  
17 services that can be provided with that money, that will benefit right across the whole spectrum  
18 and those are the type of services that I ultimately would like to see being benefited with the use  
19 of this money and that I think would be representative of what the vast majority of citizens in the  
20 county would like to see us do with the money.

21

22 But I don't want to just say we're taking two and a half million and not doing anything with it.

23 These are the types of things, obviously the budget is the budget, we sit down on budget day.

24 I'm saying to Lorraine and the accounts staff yes we have that two and a half million to put into  
25 the budget, but it's not for the discretion of the officials, it's for the discretion of the councillors.

26 CATHAOIRLEACH: Okay, Walsh, Vance, Brady, Kennedy and Behan. In order, as they came  
27 up. So Cllr Walsh?

28 Cllr WALSH: Just on a separate point, it's important to point out, Cllr Snell referred to it earlier,  
29 not all households are liable to pay LPT, we have four and a half thousand occupants and they  
30 will be impacted if we cut the base rate and reduce services to those people, just to bear that in  
31 mind.

32 CATHAOIRLEACH: Cllr Vance?

33 Cllr VANCE: No Chairman.

34 CATHAOIRLEACH: Cllr Brady?

1 Cllr BRADY: I'm looking for the agenda, item number one to consider variation of the basic  
2 rate of LPT and setting local adjustment factor and what it turned into is a continuation of the  
3 Fine Gael auction politics that we've seen over the last little while in the lead up to the budget,  
4 promising all sorts of things knowing they won't be able to deliver. I think what we need to be is  
5 honest here, to people, the electorate out there. That our hands are tied here. Our hands are tied  
6 and the Sinn Fein proposal here is not to cut funding, it's to maintain it at last year's level, that's  
7 all we're asking, not a cut in services, to maintain at last year's level. The reality is our hand is  
8 being forced by the government in a continuation of the gross underfunding and a continuation  
9 of cuts right across multiple areas of funding, which is forcing our hands. So the reality is, Sinn  
10 Fein is not proposing any reduction in any services, it's the government that is dictating to this  
11 Council again, that we have to reduce services because the so-called discretionary allowance that  
12 we have within the LPT to either reduce or increase is actually not discretionary at all. Because  
13 they've made their minds up that we have to, we have to maintain this or increase it. There's no  
14 opportunity whatsoever for this Council to reduce it and the government...

15 CATHAOIRLEACH: Thank you, just to clarify again Lorraine clearly stated that we had a  
16 million euro from NPPR last year available to us that isn't available this year and also the  
17 Lansdowne Road 500,000 we have to make provision for this year, we didn't have last year, so  
18 we are down a significant amount of revenue, if we cut by 15% it does mean there will be cut  
19 backs in the services around the county. So Cllr Kennedy and then Cllr Behan and then we'll go  
20 for a vote.

21 Cllr KENNEDY: Thank you Cathaoirleach. I'd like to know from Lorraine who decides where  
22 the cuts come from? Is it the administration or whoever proposes the reduction in 15%? I also  
23 want to know from Lorraine, because I've heard all the other speakers say what will be affected  
24 is swimming pool in Arklow and that, I can't support if the swimming pool in Arklow will be  
25 affected. I also want to know will there be a increase in cost of burial grounds and knock-on  
26 effect for fire services in the county as well?

27 CATHAOIRLEACH: Finally Cllr Behan? Did you just hit your microphone again, I knocked  
28 you out.

29 Cllr BEHAN: Thanks Chairman. As Cllr Brady said the item that was on the agenda was to  
30 consider varying the Local Property Tax rate, there's no legal requirement on a proposer who  
31 wants to propose the rate be reduced by 15% to come up with an alternative budget today. None,  
32 absolutely none. This is a stroke by people who are trying to force us to agree to imposing a  
33 15% increase in property tax and by doing so, they think that it's going to work, it's not going to  
34 work.

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The councillors who proposed and seconded it are quite entitled to put that proposal without any further detail and we're entitled to vote on it one way or the other Cathaoirleach, I think we should proceed on that basis. Their proposal came first.

CATHAOIRLEACH: Which is exactly what we're going to do and that's the order we'll do it in.

Cllr BRADY: Can I question this because I'm really unsure.

CATHAOIRLEACH: When we come to that vote you can ask that question, that relates to the second one. Is that okay?

Cllr BRADY: Can I just, on a point of clarification...

CATHAOIRLEACH: With regard to that document, that's the second motion. So let's go for the first vote first, is that okay? So over to you Lorraine.

Cllr BLAKE: What's this?

CATHAOIRLEACH: The vote for 15% reduction.

MS GALLAGHER: Vote to reduce property tax by 15%.

Cllr KENNEDY: Sorry Cathaoirleach I didn't get an answer to my question.

CATHAOIRLEACH: You're right, you didn't sorry.

DIRECTOR LYNCH: In terms of the fire services and the pool, if the -- all services will be affected. If the basic rate of the LPT is reduced by 15% it takes out 2.5 million we could have to meet the reduction in resources of other income sources that we've lost, the homelessness, the control of horses, recycling and so on. It will go towards meeting that and also an investment as indicated by yourselves, we can look at the suggestions where it can be invested in. If it's reduced we won't have that 2.5 million and still have to meet the cost of 1.9 million, that will mean a cut of services across all. I will be more than happy to take suggestions and recommendations and guidelines as to where people want services cut.

The reality is we'll have to look at all services, we have to look at housing, roads, you will have to look at the fire services and you will also have to look at the swimming pools and look to see whether we can continue to support them at the level they are being supported.

CATHAOIRLEACH: Okay, let's go for a vote, thank you.

Cllr Tommy CULLEN: I'm against either 85% property tax or 100% property tax I'm against all property tax no matter how they try to frame it, I'm abstaining.

(Vote taken)

1 MS GALLAGHER: 8 for, 22 against and 2 abstaining.

2 CATHAOIRLEACH: Okay. That vote falls. Just with regard to the other vote then. Two  
3 clarifications, Cllr Kavanagh?

4 Cllr KAVANAGH: Yes I see at the top of this proposed by Cllr Mitchell, seconded by Cllr  
5 Winters, so I'm to assume that this list of allocation of funding to the tune of 2.5 million is part  
6 of the proposal that people will be voting on here, so to clarify, people will be voting for this list  
7 without this going to any other councillors within the chamber when it comes to budget time,  
8 this 2.5 million will already have been decided.

9 Cllr BEHAN: I don't think that's legal.

10 Cllr MITCHELL: This is an indicative list.

11 Cllr KAVANAGH: No it's part of the proposal that's voted on.

12 Cllr MITCHELL: But this is not a budget meeting as you correctly said. It's an indicative list.

13 Cllr KAVANAGH: This means no other councillor in the chamber will have a say in the 2.5  
14 million.

15 Cllr BEHAN: Sorry, point of order Chairman.

16 Cllr WINTERS: In order to facilitate the concerns that are raised I just propose that we leave the  
17 base rate.

18 CATHAOIRLEACH: Just hold on a second. Now go ahead Irene. Cllr Winters.

19 Cllr WINTERS: Just in order to facilitate the concerns that others have, I would say I'll just  
20 change the proposal and propose that we leave the base rate at zero percent, so that we can  
21 discuss how we'll spend the two and a half, this was an indicative list, I don't mind if it's this list  
22 or another list, it's two and a half million that we ringfence. I propose we leave the base rate at  
23 zero.

24 CATHAOIRLEACH: Okay Cllr Behan.

25 Cllr BEHAN: Just on a point of order Chairman, we all know you can't run an estimates meeting  
26 today. There is a proper procedure that has to come in place, we have to get ministerial  
27 directions about what the rate supports, grant, etcetera, etcetera, there has to be proper public  
28 notice, etcetera. You cannot have an estimates decision made here today. On that basis I don't  
29 think, now if the councillor is withdrawing the proposal, then we don't have a problem. I think  
30 it's not possible to vote on that list.

31 CATHAOIRLEACH: Cllr Brady?

32 Cllr BRADY: I agree with Cllr Behan, this is a wish list, I think that was put out there really to  
33 sway the debate here, there's no provision in it whatsoever for the staff wage increases, which  
34 are mandatory.

- 1 Cllr WINTERS: There are.
- 2 Cllr BRADY: I don't see them.
- 3 Cllr WINTERS: What do you call Arklow staff?
- 4 Cllr BRADY: This is across the board.
- 5 Cllr WINTERS: You just said there is no wages provision.
- 6 Cllr BRADY: No increase provision across the board.
- 7 Cllr WINTERS: Haddington? It's an indicative list.
- 8 Cllr BRADY: It's pie in the sky, that's what it is.
- 9 CATHAOIRLEACH: Okay. Cllr Vance?
- 10 Cllr VANCE: Chairman, this is an indicative list produced there and people are complaining,  
11 can people indicate what they don't like or would like to take off or something like that? This is  
12 a list that is being proposed by people who are prepared to go for the full 15%, it's not cast in  
13 stone, that it is negotiable. I'm just saying that gives an indication of where this money should  
14 be spent.
- 15 Cllr BRADY: Sure we can all put forward wish lists.
- 16 Cllr VANCE: You can't produce anything, you're voting against everything.
- 17 CATHAOIRLEACH: Cllr Brady you asked me to show you respect, will you please talk  
18 through the chair.
- 19 Cllr VANCE: Chairman, we have it before us now, there's a proposer and seconder, can we take  
20 a vote.
- 21 CATHAOIRLEACH: Hold your horses, I'm chairing the meeting.
- 22 Cllr WINTERS: I put forward another motion, it's Cllr Mitchell's motion.
- 23 Cllr MITCHELL: Sorry, this is an indicative list and I propose to go ahead and vote on the  
24 motion. 15%.
- 25 CATHAOIRLEACH: Just so I'm clear, will you now say what you're proposing?
- 26 Cllr MITCHELL: That we leave the Local Property Tax at the standard rate, basic rate.
- 27 Cllr BEHAN: No you're increasing by 15%.
- 28 Cllr MITCHELL: No basic rate, this will serve as an indicative list for the management to work  
29 this into the estimates proposals.
- 30 CATHAOIRLEACH: So your proposal is to have this as the base rate, with no reduction?
- 31 Cllr MITCHELL: That's correct.
- 32 CATHAOIRLEACH: Is that seconded?
- 33 Cllr WINTERS: Absolutely.
- 34 CATHAOIRLEACH: That's seconded by Cllr Winters. Cllr Fox you're okay?

1 Cllr FOX: That's fine.

2 CATHAOIRLEACH: And Cllr Mitchell you're gone. Good.

3 Cllr Tommy CULLEN: Chairman what about this list?

4 CATHAOIRLEACH: I think what we're going to take that is an indicative list, I think the key  
5 thing, if I'm to get this correct is that if we're actually going to have 2.5 million, that it doesn't  
6 disappear into a black hole, that there's some clarity and indication as to when the budget process  
7 comes, this is where a number of councillors who are planning on voting for this, will actually be  
8 putting that money at the estimates process.

9 Cllr KAVANAGH: Can management clarify this is a legal protocol. Can the manager stand  
10 over there?

11 CATHAOIRLEACH: The manager doesn't need to. The actual proposal in front of you is to  
12 keep the base rate and it has been seconded, so you can forget about that list if you want.  
13 Because that's just not included in the proposal anymore.

14 Cllr SNELL: That list is gone is it Cathaoirleach?

15 Cllr KAVANAGH: The list is gone?

16 Cllr WINTERS: It's an indicative list.

17 Cllr BRADY: Then there's no need to take a second vote, the first vote fell.

18 Cllr KAVANAGH: I'd like the manager's opinion on it please.

19 CATHAOIRLEACH: I can't actually hear you Cllr Kavanagh.

20 Cllr KAVANAGH: I'd like the manager's opinion whether or not this list can be submitted as  
21 part of a vote.

22 CATHAOIRLEACH: No, we're just clarifying.

23 Cllr KAVANAGH: I'd like the manager's opinion please.

24 CATHAOIRLEACH: No, that is not part of the vote. So there is no need to get the manager's  
25 opinion. The clear proposal in front of you, which we'll vote on now, is whether to leave the  
26 LPT at the base rate.

27 Cllr KAVANAGH: That's it?

28 CATHAOIRLEACH: Giving no reduction. That's proposed by Derek Mitchell and seconded by  
29 Cllr Irene Winters.

30 Cllr SNELL: Just to alleviate Cllr Kennedy's concerns the fire service is not on that list.

31 CATHAOIRLEACH: Sorry we're not going to let other people ...

32 Cllr WHITMORE: Sorry just -- can we just ensure that it's ringfenced.

33 CATHAOIRLEACH: So the 2.5...

34 Cllr WHITMORE: We're not saying whether it's to be allocated, but it will be ringfenced.



1 CATHAOIRLEACH: Let's just go for the vote.

2 Cllr KENNEDY: Sorry on a point of clarification about the fire station, my question was if we  
3 reduce it by 15%, were they, the burial ground going to increase and the fire service going to be  
4 hit, Director Lynch indicated that it possibly would be looked at to be reduced. And increase in  
5 the burial grounds.

6 CATHAOIRLEACH: Okay let's go for a vote.

7 Cllr Tommy CULLEN: I'm against 100% property tax, against 85% property tax, I'll abstain,  
8 I'm against both of them.

9

10 (Vote taken)

11

12 MS GALLAGHER: 22 for, 8 against and 2 abstaining.

13 CATHAOIRLEACH: Okay, thank you very much for that. Good debate. Now we'll move on  
14 to the next item on the agenda, thank you Lorraine.

15 Cllr VANCE: Chairman, could I suggest that we go, we skip that and go to the Barracuda?  
16 Unless this is only going to take a couple of minutes.

17 CATHAOIRLEACH: I think it is only going to take a couple of minutes.

18 Cllr VANCE: Fine, but I think the time factor this meeting was specifically called because of  
19 the Barracuda issue.

20 CATHAOIRLEACH: Fine. To be fair Cllr Vance this was the LPT meeting and it was because  
21 it was on that the other item could be put on the agenda. So I think that's only fair. Okay, so  
22 obviously just in terms of this item as people know, we have been seeing it on our TV screens,  
23 the refugees coming to Europe trying to escape horrible conditions and unfortunately finding  
24 pretty horrible conditions around Europe with the welcome they have been getting.

25

26 I suppose I just felt it was important to put it on the agenda to give the members of this chamber  
27 an opportunity to, what I'd like anyway is to certainly send a warm welcome out to the refugees  
28 from Syria and other countries, that Wicklow would open up their doors and that we would  
29 actually signal that to the authorities that are going to be in charge of this process, because I  
30 know personally from my own point of view, I really hope that we do agree this, but more to the  
31 point, I really hope we do this right.

32

33 Because I think we could take certain decisions in terms of how this is done nationally, that  
34 could actually be negative, and could have very bad implications for the refugees. So from that

1 point of view, I'd like to open it up to the floor, very quickly to get a sense of where people are  
2 on this particular item?

3 Cllr WINTERS: Thanks Cathaoirleach, I welcome the motion and I agree, I think it's really  
4 important that we as a county, and as an Irish people are actually seen to welcome the refugees  
5 families right throughout the country, and I was actually speaking with Grainne McLoughlin  
6 earlier and she mentioned the Special Olympics and when they were in Ireland all of the towns  
7 and communities welcomed people in different countries right throughout the country and the  
8 whole Special Olympics spread throughout the entire country of Ireland, maybe that is a model,  
9 not necessarily on a voluntary basis, but a model the government can look at, in making sure  
10 these people are welcomed in all sections of the community, that they are included in all sections  
11 of the community, right throughout the country.

12  
13 And also that Mr Draghi, Angela Merkel and all these people saying the refugees are welcome,  
14 actually provide the necessary funding to make the welcome meaningful, so we can provide  
15 interpreters to help them with schooling, not all of them speak English, a lot do, but not all of  
16 them. We need to be able to include them in our society, so I welcome them to our country and  
17 hope when they come here they do find gainful employment, integrate into the community, but I  
18 also want to say to the EU, if you are sending these people to us, send them with the money so  
19 that we can actually do this in a proper, along with the welcome, that we also have the funds to  
20 back it up.

21 CATHAOIRLEACH: Thank you. Cllr Murphy?

22 Cllr MURPHY: Just I was going to say the words Cllr Winters said. I think we all have hearts  
23 here, even though after two and a half hours I'm not sure really! But we know we all are human  
24 here, and it's a two-sided story, I'm going to be very raw when I see this, we still have our own  
25 situation here in Ireland, we still have people presenting at Wicklow County Council homeless,  
26 we have people who are not getting services, our health service or whatever, and I know we're  
27 still well off, but I certainly would welcome and certainly agree that the funding should be issued  
28 also.

29 Cllr TIMMINS: Just briefly I'd like to support the motion that we welcome the refugees to  
30 Ireland, but I'd also like to back-up what Cllr Winters said, that it is done in a planned and  
31 co-ordinated manner, that plan's put together, it's easy to talk and say we welcome you  
32 politically, but I call on the government as well to put a plan in place as to how is it going to  
33 happen and logistics of how it's done. I know in my capacity with three other members here I'm  
34 a member of Kildare/Wicklow ETB, that body has been charged with the education of a number

1 of these people coming in, I think from Syria, they are going to be based in the Hazel Hotel in  
2 Monasterevin, the ETB set up a committee of three members and officials to be responsible for  
3 coordinating the education of these people, to be taught stuff like language, how to get a driver  
4 licence, stuff like that. So Kildare/Wicklow ETB is playing a major part in how these people are  
5 being dealt with and we certainly welcome that, and any other State bodies that have a role to  
6 play, I'd ask them to make plans for that too. Thank you.

7 Cllr KAVANAGH: I'd like to support the motion as well, I think for us here in Wicklow Town  
8 it's particularly poignant, we hosted the Syrian team during the Special Olympics so we had  
9 connections there which unfortunately were lost over the years because of conflicts and the  
10 Olympics celebrated ten years two years ago and we couldn't make the connections because  
11 links were broken down, so particularly for Wicklow Town it's a welcome.

12  
13 I think as well integration has to be planned and budgeted for, so that it's successful and I would  
14 also like to add, we call on the government to play its part in bringing peace and stability to the  
15 Middle East, for whatever our government can do in that.

16 Cllr McLOUGHLIN: I very much support this, I think it's really important that we just don't  
17 look at where they are going to live, and what groups of places they are going to live in. We  
18 have to understand for most of these people they will be hugely traumatised, the idea that it  
19 could be any of our children, our sons or daughters who had been out at sea, possibly seeing  
20 people who have died beside them, I think we need to give them the proper support, not just  
21 physically, as in food and education and housing, we also must give them the emotional and  
22 psychological support, I would like to see funding from the government from this, but also from  
23 Europe. I think it's really important that we don't put them in centres, I have just got this ab  
24 horns, we're going to open a barracks when I hear things like that, they will be housed there.

25  
26 It terrifies me, because we know with our own refugees and migrant who is came into the  
27 country how often it has been for them, when I see that young man, gone through school from  
28 first year up to sixth year and can't go to university because he hasn't gone through the process, I  
29 think we need to act quickly I'm delighted to hear ETB are involved, they are a great  
30 organisation, but I do think we need to be very cognisant of their psychological as well as  
31 physical needs and I would like to see Wicklow County Council calling for that, I a haven't  
32 heard it discussed enough in the media so far.

33 Cllr BRADY: I support the motion and I think over the last number of weeks there has been a  
34 massive out pouring of public goodwill towards the plight of the refugees who have been

1 displaced from their own countries, there has been a lot of talk, reactionary what needs to be  
2 done to house them and that.

3  
4 I've said right from the outset, number one the wars in their respective countries have to be  
5 brought to an end, the message from this government has to be the funding and arming of these  
6 governments by Saudi Arabia, Jordan, Turkey, Qatar needs to stop immediately, that is what is  
7 funding the war and prolonging the situation in Syria and in Libya as well, that needs to stop and  
8 that in turn will stop these poor unfortunate people having to leave their own countries in the  
9 first place.

10  
11 When you have a look at a situation in Syria over half of the population are now internally  
12 displaced and half of the population of neighbouring Lebanon is made up of Syrian refugees, it's  
13 absolutely shocking. The war, the western generated wars need to be brought to an end, the arms  
14 and weapons and funding pouring into those countries, fueling Islamic State has to be brought to  
15 an end.

16  
17 But there is here in Ireland we need to be very careful, I see situations in other countries where  
18 national front and other right wing organisations are seizing on the situation to incite hatred  
19 towards people coming into the country, we need to be very careful that it isn't allowed develop  
20 in this country here, with resentment and that.

21  
22 Already I have people talking to me, saying the government cannot house and find jobs for our  
23 own people, how can we allow these people to come in as well. I think whatever the response is,  
24 that the homeless people within Wicklow, the people here in Wicklow looking for housing as  
25 well, also have to be brought along with this, that otherwise that resentment will develop. So the  
26 message has to get to the government, we have to welcome them, we have to provide whatever  
27 critical services and supports for them but we also have to look after our own people and funding  
28 need to be put in place for that also.

29 Cllr WHITMORE: I would also like to support the motion and I want to recognise the huge  
30 support from the people of Wicklow since this crisis started myself and Stephen Donnelly  
31 opened his office in Greystones to accept donations when there didn't seem to be any other  
32 donation point other than that in Bray, the response we got was amazing, the office was full  
33 within a day. Not only did people donate close, they also donated their time and money as well  
34 to make sure those goods got to the collection point in Bray where they will be shipped over to

1 Calais.

2  
3 But in particular I'd like to say a big thank you to a girl, Ellie Healy a ten year old girl, it was her  
4 birthday the weekend after the image of that little boy was publicised she asked all her friends,  
5 completely independently of anyone else saying anything to her, she asked all her friends to  
6 donate money to her rather than give her birthday presents, I would particularly like to recognise  
7 and acknowledge the generosity of Ellie.

8 Cllr MITCHELL: I'd like to support the resolution but also like to say that it's important a  
9 proper government is established in Syria and I think it shows it was a serious mistake of the  
10 western powers and others to back all these rebels against the existing government in Syria, and I  
11 think we need to get behind some scheme which will involve the existing government in Syria,  
12 so they can get control of their territory, stop people -- stop this war and stop people leaving it. I  
13 think it should have been obvious to the western powers that after the Iraq war, this sort of thing  
14 was going to happen, it was almost an inevitable consequence of their support for rebels  
15 downing the government. I think that we as a country should support efforts for the Syrian  
16 government to establish control over its country.

17 Cllr SNELL: I was delighted to second a motion at the first meeting in September, to have it on  
18 the agenda here today. I fully support this as do the people in County Wicklow, I know people  
19 who mentioned people who are homeless and bordering on homelessness, within our own  
20 county, but I think everyone feels the same that yeah there's a major issue there and we in  
21 Wicklow need to step up to the plate.

22  
23 I agree with Cllr McLoughlin we should seek EU funding to support this initiative, because at  
24 the end of the day EU sat idle on its hands while a lot of this materialised over a long sustained  
25 period of time.

26  
27 Unfortunately we only have ten vacant houses in County Wicklow, so to think otherwise that  
28 people won't be put up in larger units is probably folly to be honest, because at the end of the day  
29 the units are not there, so unless the department give directive to this Council to go out and buy  
30 specific housing units for refugees I can't see any other way, other than like deputy Timmins  
31 suggested in regards to Army barracks and the likes of that, though I would be mindful that look  
32 we have an issue at home as well, within our own native residents, but yeah, we all have  
33 compassion for what's going on out there in regards to the refugee crisis.

1 I think today really was just an opportunity for you as Cathaoirleach to put it on the agenda and  
2 let people know that yeah in Wicklow we're prepared to stand up and do our part, I think we're  
3 all united on that and fully support your thinking behind the motion. So I think it's unanimous,  
4 without going into it too deeply, I don't see anybody opposed to this. I suppose now we're  
5 waiting for directive to the senior officials in Wicklow County Council to see how practically,  
6 the goodwill is there, now we need to see the practicalities of how we put this together. Thanks  
7 Cathaoirleach.

8 CATHAOIRLEACH: Cllr Tommy Cullen.

9 Cllr Tommy CULLEN: I welcome all genuine refugees to Wicklow Chairman and I'm  
10 concerned at the lack of provision the government has made for housing in this county. We have  
11 at the moment 5,000 people on the waiting list of County Wicklow, 90,000 on the waiting list  
12 nationally, we have a major housing crisis, so I would like the government to match its actions  
13 with funding, I think realistically speaking this Council is going to need at least another 50  
14 million euro this year to deal, or even start trying to deal with the housing crisis in this county, so  
15 as we can house all the genuine refugees, and how the indigenous population, some of them on  
16 the waiting list for 10 or 12 years.

17  
18 Chairman I would urge we write to the government seeking an immediate payment of 50 million  
19 euro to start a proper building programme in this county. I don't believe people should be put  
20 into chalets or improper housing or anything like that. I think if we're inviting guests to our  
21 country we should have the decency to provide them with proper and decent accommodation,  
22 not putting people to live in squalor.

23  
24 I think Chairman apart from this today we should look for an additional 50 million from the  
25 Department of the Environment to be added on to our estimates, capital funding this year. This  
26 is the government that put its money where its -- the chance for the government to put its money  
27 where its mouth is. I say that on behalf of the 5,000 people on the waiting list and the proposed  
28 genuine refugees allocate to this county and I think they all should be housed, but let's see the  
29 colour of the government's money. Talk is cheap, but I want to see money for houses. And I  
30 don't want to see people put to live in mobile homes or caravans or anything like that, give them  
31 decent houses.

32 CATHAOIRLEACH: Okay. Just lest that figure of 5,000 goes out on the media, it is wrong, the  
33 amount of people on the waiting list is 3,600.

34 Cllr Tommy CULLEN: Last time I had the report it was 5,000, but if you are saying it's 3,600 I

1 wonder how that's allocated a lot of people were knocked off because they simply hadn't  
2 returned forms, the last time we looked it was over 2,000 so in actual fact the number is probably  
3 closer to 5,600.

4 CATHAOIRLEACH: That's the director of housing figure.

5 Cllr Tommy CULLEN: We all know about the amount of people sent out forms, didn't return  
6 them and they have been automatically knocked off the waiting list and these people haven't  
7 even been notified that they have been knocked off the waiting list.

8 CATHAOIRLEACH: So in terms of the actual motion that was before us, is that unanimous?

9 Cllr Tommy CULLEN: I want to propose...

10 CATHAOIRLEACH: Just the first one we're dealing with right now.

11 Cllr Tommy CULLEN: Can you put forward an amendment?

12 CATHAOIRLEACH: Just in terms of the refugees.

13 Cllr Tommy CULLEN: I'm proposing that the Department of the Environment allocate an  
14 addition €50 million to house people in this Council area, in the forthcoming estimates.

15 CATHAOIRLEACH: You are talking about housing in general are you?

16 Cllr Tommy CULLEN: To talk about housing genuine refugees and the people on the housing  
17 list in Wicklow.

18 CATHAOIRLEACH: Let's take that as a separate motion.

19 Cllr Tommy CULLEN: You can't because it's not on the agenda and wouldn't be proper. So I'm  
20 putting it forward as an amendment, it's a constructive amendment to say where is the money  
21 being allocated. We need to have houses built for people. No point...

22 CATHAOIRLEACH: So you are saying the figure of 15 million?

23 Cllr Tommy CULLEN: 50 million.

24 CATHAOIRLEACH: Sorry 50, five-oh?

25 Cllr CULLEN: This is not a laughing matter, if you are all some of the thousands of our people  
26 in Wicklow waiting for a house here today and if you are a poor refugee fleeing from violence  
27 and you need a house, I want to know where's the money to build the houses.

28 CATHAOIRLEACH: Okay fine, do you have a seconder?

29 Cllr FORTUNE: I'll second it.

30 CATHAOIRLEACH: Cllr Fortune seconded the amendment to the original motion. We'll vote  
31 on the amendment first.

32 MS GALLAGHER: Basically the motion is as proposed by Cllr Ryan and seconded by Cllr  
33 Snell and amendment is from Cllr Cullen seconded by Cllr Fortune that we seek an additional 50  
34 million from the department to assist with the housing of County Wicklow people in the area and

1 the refugees. Is that correct?

2 Cllr Tommy CULLEN: Yeah to house...

3 Cllr WINTERS: Is the welcome conditional on getting the 50 million? We don't welcome them  
4 if we don't get it?

5 Cllr Tommy CULLEN: No, I just want to provide money for people to be housed.

6 CATHAOIRLEACH: Can you change that to provide adequate money rather than 50 million,  
7 adequate money.

8 Cllr Tommy CULLEN: Fair enough.

9 CATHAOIRLEACH: Is that all agreed? Agreed? Fantastic. Thank you members. Cllr  
10 Fitzgerald when you're ready thanks.

11 CATHAOIRLEACH: This is our third meeting re the Barracuda application, since the last  
12 meeting we've had numerous indications from members that they wanted further information or  
13 they wanted matters clarified. Now some of them we have got back, you have it there, a letter  
14 circulated today, one or two we haven't got and Cllr Behan, there has been no response to your  
15 request for further information, the request was of the 5th of September, is that right? Whatever  
16 date anyway, and there's no clarification on that. And I think we got one or two today, which  
17 obviously wouldn't have clarification on, or couldn't have advice from, we couldn't get legal  
18 advice.

19

20 So there is an issue here, we can go ahead today or do we wait until we have all the legal advice?  
21 Because we certainly -- if we discuss it today we have to come back at it another day because we  
22 haven't got what Cllr Behan was looking for, I think Cllr Thornhill put in a request for further  
23 information as well, Cllr Brady, Cllr Cullen, Cllr Fortune, Cllr Kavanagh and Cllr Matthews.  
24 We have some, well there is a response to some of them here today but we haven't got them all.

25

26 So if people want to go ahead we can go ahead and talk for an hour till half five or wait till we  
27 get all the legal advice, that's up to the members. What's the view of the members? Cllr  
28 Kavanagh is first there.

29 Cllr KAVANAGH: Yes, I think I would like to go ahead because I have spent a lot of time  
30 reading stuff and prepared some questions that I want to ask and I feel if we wait for another  
31 month we're getting things down -- one particular issue that concerns me greatly, I did ask  
32 Lorraine if we could be circulated, I sent copies of the Local Government Act -- two points from  
33 the Local Government Act, I want to ask if those are be...

34 CATHAOIRLEACH: What's that linked into?



1 Cllr KAVANAGH: A meeting that went back to 1991, a serious concern of mine, were proper  
2 procedures and protocols followed in accordance with the Act, of which Lorraine has copies of  
3 the Act there.

4 CATHAOIRLEACH: Cllr Fortune?

5 Cllr FORTUNE: Thanks Cathaoirleach, yeah I got some information this morning at 11 o'clock,  
6 which I think is a little bit disingenuous for want of a better word, coming to a meeting at 2  
7 o'clock. The point I want to make is that at the last meeting I put forward a motion that was  
8 seconded by Cllr Kavanagh, that we would write to the Minister of the Environment and seek the  
9 advice of Attorney General, are we going to put that to the meeting today?

10 CATHAOIRLEACH: We certainly can discuss it. The issue is as I have said previously, we  
11 haven't got all the information. We can talk here till half five, we can't come to any conclusions,  
12 to be fair to Cllr Behan and others they have to have an answer. Cllr Behan is waiting, the  
13 particular lady won't be back, is only come back to work, there won't be a response to Cllr Behan  
14 and I think Cllr Brady have you got a response to yours? No. So there's a good few, and Cllr  
15 Thornhill, some people haven't got responses we're not going to have them here today. I really  
16 think we shouldn't -- I have no issue staying here to be quite honest about it, but the fact is we  
17 haven't got the answers.

18 Cllr FORTUNE: My question is straightforward, I'm just asking are we going to put...

19 CATHAOIRLEACH: We can do that, but if we're going to keep on here today we can go  
20 through all the issue that is we have in front of us, then we have to come back.

21 Cllr VANCE: Chairman could I come in on that? What's the point in? If we're going to start  
22 today we finish it today, if we haven't got the information there's no point in going -- I don't want  
23 this on the agenda for next month again. You know what I mean, the fact of the matter is if  
24 we're going to have it, if you haven't got the full information you can't discuss it fully, it would  
25 be unfair to people who haven't got their questions particularly answered. So there's really no  
26 point in having half a meeting today and coming back next month again. We either finish it  
27 today or put it off until next month and put it off until next month that's what I suggest.

28 CATHAOIRLEACH: I agree, we are only going to have half a meeting because people deserve  
29 answers, and we're not going to have them and I think seriously think we're not coming to a  
30 conclusion, it's my view we should put the meeting back till we have answers.

31 Cllr MATTHEWS: The clock is ticking if we put it off till another month we may miss a  
32 window of opportunities that still exists. I think we should discuss facts we have in front of us,  
33 if that throws up more questions those can be discussed and answered next month, it has serious  
34 implications for a lot of parts of this county, I think we should discuss it, it's on the agenda.

1 Cllr McLOUGHLIN: Personally I think there's no point in sitting here discussing anything that  
2 we can't come to a conclusion on. While I understand Cllr Brady and Cllr Behan have been  
3 waiting and that's good and proper we should wait until we get the answers so their questions can  
4 be answered in full. It's absolutely awful that on the morning of the meeting we're getting  
5 question, that means technically next month when we have to discuss it we get more questions  
6 and it's deferred -- as a Council we should have a policy if say ifs you are going to have  
7 questions for a meeting they should be in two days before it or enough time -- this is ridiculous,  
8 when I saw the list of questions that came in this morning it was almost a joke, there is no way  
9 they could be answered. But I don't see how we can answer, to be fair to Cllr Behan or Cllr  
10 Brady if they have genuine questions and have been waiting for them to be answered the next  
11 question is why haven't they been answered.

12 CATHAOIRLEACH: I got a copy of that at half past one today, a copy of the question this  
13 morning that came in about half past 12.

14 Cllr BOURKE: I missed the early debate on this issue, but quite frankly I'm surprised that it is at  
15 county level here, it's not sorted out at Municipal District, it's a Bray issue, it should be sorted  
16 out by Bray without having too drag the county into it. It seems to me it resembles the start of  
17 what happened when I was in chair a number of years ago over Three Trout Streams, it  
18 developed into a ball of smoke and a political football and ended up costing taxpayer 50,000 for  
19 an inquiry, there was nothing in it, there was no proven fact about all the allegations, this seems  
20 to me to go the same way, my advice is close the book and move on.

21 Cllr MATTHEWS: That's all right, it's not your seafront that's being sold.

22 CATHAOIRLEACH: Through the chair.

23 Cllr BRADY: I don't know how big the carpet is over there, but it won't be pushed under the  
24 carpet over here anyway, you can sweep it under the carpet over there, but this has huge  
25 implications for right across the entire county, unfortunately the way the information is being  
26 drip fed out, albeit because of the line of questions that's going in, it's very hard to get a full legal  
27 opinion on all of the point that have been raised until all of the questions have been answered so  
28 hopefully we'll get the answers to all of them as soon as possible. I agree with Cllr Matthews  
29 there's a very narrow, my information says there's a very narrow window of opportunity for us to  
30 act on this, I would be fearful if we do push it under the carpet or we park it until next month that  
31 we'll miss that window of opportunity.

32  
33 I think we should discuss the fact that is we have before us here today. And I think I'd also like  
34 to make that proposal, obviously I'll await the answers to the questions I put forward, but I would

1 like to put forward a proposal that the file, because obviously there's legal opinion being sought  
2 with regard to the extension and the increase in years in terms of the lease on that, I'm sure legal  
3 opinions would have been sought and obtained, so I would like full access to all of those legal  
4 opinions, just to read through it and see as to whether concerns were expressed at that level,  
5 when legal opinions were sought as to the implications and ramifications of extended leases to  
6 250 years. So can I put forward that proposal. That between now and whenever we have our  
7 next meeting, whether it's next Monday or whenever we get a more substantive answers, that  
8 files would be opened up to allow us to have a look over them T thanks Cathaoirleach:

9 Cllr KAVANAGH: We did have a suspension of standing orders to allow an extra half an hour  
10 for this discussion and I have come anyway prepared for a discussion and I feel we're wasting  
11 another half an hour discussing whether or not we'll or won't discuss something that is actually  
12 on the agenda is a complete waste of time, I've come prepared with something to discuss, we  
13 should be allowed discuss it as it is on the agenda and has been allowed, if people don't want to  
14 contribute or sweep something under the mat they are free to sit and listen to what other people  
15 want to contribute. But I would ask again that the Local Government Act, two sections of the  
16 Local Government Act that I want to ask very serious question about today, which could have  
17 huge implications on all of this, that that would be circulated to all the members, and then if it's  
18 okay with you I have about four or five questions that I want to raise here.

19 CATHAOIRLEACH: Okay, it's up to the members if we want to go ahead, that seems to be the  
20 consensus. Cllr Cullen?

21 Cllr Tommy CULLEN: Chairman I've read as much as I can read of it. I'm nearly as perplexed  
22 today as I was at the beginning of it, but there's one clear fact that has emerged that is the most  
23 cause of concern, Mr Des O'Brien here today can clear up this matter here, straight away.

24  
25 In the report Mr O'Brien gave us last week he said there was a motion, a notice of disposal  
26 passed for a 250 year lease. Now that lease hasn't been circulated to me or to any other members  
27 here. Now if Mr O'Brien can furnish us here today with a copy of the lease for 250 years to it,  
28 then I think this matter can be effectively dealt with, can be certainly -- it would go a long way  
29 of helping to explain and unravel this mystery. So what I would ask Mr O'Brien is, can you  
30 confirm that you have a copy of a notice of disposal for a lease of 250 years for the disposal of  
31 Barracuda in 1998 or any other year that you're aware of, and can we circulate a copy of that 250  
32 year lease?

33  
34 Because I've read the documents, the earliest I can see any reference to a 250 year lease is in a

1 signed contract in 2004. But I haven't been furnished with any notice of disposal for 2004 for a  
2 250 year lease, nor have I seen it in any documents. And I have wrote for a copy of that notice  
3 of disposal, because anybody that knows anything about property will tell you that if a property  
4 is being leased out, or whatever, there is a term, a specified term on the lease, whether it's two  
5 years, five years, step years, 15 years or 35 years. I have never heard of a lease for 250 years,  
6 ever. I've never seen it ever happening before.

7  
8 So Mr O'Brien can I ask you a simple question through the chair, have you got a copy of the  
9 lease showing a 250 year term on that lease, 250 year fixed term, and when was that lease voted  
10 through by the Council? And did you have sight of that lease when you signed the lease in 2004  
11 for 250 years?

12 CATHAOIRLEACH: Okay councillor, we'll come back to you.

13 CE DOYLE: Appendix 12 of the documentation.

14 Cllr Tommy CULLEN: What does it say? Can you read it out to me please?

15 CE DOYLE: Read it out.

16 Cllr CULLEN: Does it say 250 year lease?

17 CATHAOIRLEACH: It does actually. "This indenture witnesses that pursuant to said  
18 agreement and consideration of the premises and lease ... the Council hereby agree as and from  
19 the date of this execution of this deed the terms of the years granted by said lease shall be  
20 extended to a term of 250 years." (Quoted).

21 Cllr Tommy CULLEN: Yes. That's the contract. That's not a notice of disposal. Can you show  
22 me the copy of the notice of disposal that would have allowed this contract for the lease of 250  
23 years to exist?

24 CATHAOIRLEACH: We'll come back to that in minute.

25 Cllr Tommy CULLEN: No Chairman, it's an important point. It can resolve this matter for  
26 everybody here.

27 CE DOYLE: It's appendix 10.

28 Cllr Tommy CULLEN: What does that say? Appendix 10? I have that here yeah. I have it  
29 here, where's the 250 years on it?

30 CE DOYLE: It doesn't specify a term on the notice.

31 Cllr Tommy CULLEN: So there is no 250 years on that notice of disposal. There's no 250  
32 years.

33 CATHAOIRLEACH: Can I just for a second -- can we just let Des, Director O'Brien in here to  
34 maybe answer some of those questions.

1 DIRECTOR O'BRIEN: I have a presentation, maybe the handiest thing is going through the  
2 background.

3 Cllr Tommy CULLEN: I'm not trying to be difficult, I'm trying to be helpful, if you have a  
4 notice of disposal that specifies 250 years lease, then can you please show us and we'll all go  
5 home.

6 DIRECTOR O'BRIEN: The only problem I have about answering one councillor's questions is  
7 that there was a lot of questions in the Council Chamber, there's been stuff in the press which  
8 seemed to show maybe a lack of understanding of what transpired. So I've gone to the bother of  
9 doing a presentation, which I thought would elucidate it for most councillors, and I'm very aware  
10 of the councillors who aren't from Bray might not have actually read the stuff, because let's face  
11 it, that's a huge document to have to plough through. So I thought it might be as handy to give a  
12 background and just give the presentation of what has happened here since 1991, certainly up to  
13 2004, to put it in context and just to understand what happened.

14 CATHAOIRLEACH: Okay. Sure I'm happy for you to go ahead.

15 Cllr Tommy CULLEN: Well Chairman not trying to be difficult or anything...

16 CATHAOIRLEACH: If you just give him a chance to go ahead and we'll come back to the  
17 matter.

18 Cllr Tommy CULLEN: I've read his report actually, the key point is I still can't see anywhere in  
19 the document where there is notice for disposal for 250 years.

20 CATHAOIRLEACH: Can we let Mr O'Brien go ahead and we'll revert back to you.

21 DIRECTOR O'BRIEN: Thank you Cathaoirleach. I think this actually is fairly simple and  
22 straightforward, I've read the entire file, in fact I spent all last weekend doing it, which I  
23 probably should have been doing the County Development Plan, which is delayed another week  
24 because of it.

25  
26 I have to give you my limitations, I wasn't involved in any of these negotiations of any of the  
27 lease, I wasn't there for any of the disposal motions that were passed that was before I came to  
28 Bray, so what I'm going through is what I've gleaned from the file and I suppose being a resident  
29 of north Wicklow, I would have seen the aquarium going up at the time.

30  
31 I suppose to give the back story of it, this was done in 1991, this was at the end of a trough of a  
32 very severe recession, if you think the current recession is bad, I think at least people had a few  
33 bob starting off in the current recession, in the ones in the 80s nobody had any money to start off  
34 from the beginning.

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The Council had turned off one in every three lights, loads of staff were let go, housing maintenance budget for instance was decreased to one third, not by one third, to one third of what it was previously. And what actually came from me reading the files was that amidst all this in Bray the members actually went for two major projects at a time when there was no public money, they got actually private sector money to do both the aquarium and the town hall.

I don't know, the town hall now looks great, at that time the town hall, I remember there was a tree growing out of the gutter as you came down from Greystones road, it was literally falling apart, Council meetings weren't held there anymore, it was leaky. They got private sector people to come in and spend money.

And again there's no-one really left in management in Wicklow County Council who was there at the time. Michael Geaney would have been a junior engineer there at the time, but there isn't really anyone left there, so there's no-one here that has to duck or to stand up and take the praise for this, not much of us were here. There were councillors on this Council and councillors still living in Bray who can take a lot of the praise for what went ahead at the time.

This is the lease, but I suppose I've read the lease itself, I've researched the files. To just maybe perhaps remove some confusion that surrounds the lease, there have been some misconceptions. For a start there was a suspicion that the original lease was 35 years and suddenly became 65 years, again at that Council meeting that did the resolution in the beginning of 1991, it was pointed out that the promoter of the scheme was an academic in Trinity, felt he couldn't get finance if he only had a 35 year lease. And the members proposed at the meeting to extend it to 65, and that was proposed, in fact it was seconded by a member of this Council there at the time. And it went ahead.

So the terms of the lease, originally as I said with this guy Connolly and presumably his wife. This wasn't a rental agreement, this wasn't as if you were letting your house out and getting 2,000 a month rent. There was a very large up front payment of 75,000 pounds, now 75,000 with time these things look very small amounts of money, but a lot of people, you tend to know the value of your house at certain times, in Greystones four-bedrooms houses at the time were 70, they were about 70 for about six years, there was no movement whatsoever in the property market, those houses at the moment are making 450 to 500,000, so we're not talking about a

1 peppercorn bit of money thrown in, we're not talking about the Council trying to attract someone  
2 to come in and build something on the sea front, that's actually a very substantial amount of  
3 money given, in today's terms. One might even ask half an acre down there, would it be worth  
4 much more? I can't comment, I don't know what commercial values were at the time. I'm just  
5 putting it into a context.

6  
7 The lessee also had to provide a new toilet block and store room. Again at the time in 1991 the  
8 toilet block there was very, very run down, it was generally I think a lot of the drinkers used to  
9 hang around there, people were scared to use it, there was actually someone murdered in there at  
10 one stage. It was not a pretty sight. So I think at the time the members obviously felt it was a  
11 good idea to go ahead. Obviously the biggest thing in the lease was the aquarium had to be built  
12 pursuant to planning permission granted earlier.

13  
14 But obviously that was their business decision to do that and to go ahead. The restrictions, again  
15 as far as I can see and I don't know what the motivation was at the time, but £100 per annum was  
16 not a lot of money in 1991. A lot of these leases you have a very peppercorn rent and it's  
17 basically to enforce covenants that you might have on the lease. The main covenant was it was  
18 not -- it was only permitted to be used as aquarium, restaurants, theatre, coffee shop and shops.  
19 The main restrictive covenant and there was an entire schedule in there, schedule four was  
20 mainly referred to animal welfare issues, you couldn't have dolphins there and various other  
21 issues about animal welfare. And probably what is a standard one, it gave the Council the right  
22 to vet anyone the lease was assigned to or sublet to, generally getting business references from  
23 someone who wants to take it over or sublet, to show that they could operate it properly, it  
24 doesn't give you a huge amount of control. But that was the main reason, as far as I can see for  
25 the £100 a year rent, why it was a lease and not a straightforward sale at the time.

26  
27 Regardless of that, you had 12 councillors who probably knew what the value of the land was to  
28 a certain extent and whatever deal was done I'm sure they felt at the time it was worthwhile  
29 doing. Unlike the town hall which went very well, the contractors who did it was, it was almost  
30 a labour of love, the refurbishment was really done to an exceptionally high standard. That  
31 couldn't be said about the aquarium.

32  
33 The promoter appears to have been short of finance, certainly and I remember the construction  
34 was exceptionally slow at the time, but I'm just going on the files now, by 1996 it was still

1 unfinished, there was reports of poor workmanship, the town engineer put on, recommended that  
2 it be put on the register of derelict sites, just in passing of that he put the value at 200,000, which  
3 included the building work that was done as well, which would suggest that 75,000 was probably  
4 a market price for the site in the first place.

5  
6 There was a reference made in a tidy town report, I'm not sure whether it was judges or tidy  
7 towns committee that it was an eye sore, another town clerk got legal advice at the time about  
8 whether if it was demolished would the Council have to pay compensation to the people that  
9 built it and again we got fairly inconclusive advice on that by all accounts.

10  
11 Around this stage there was some other people coming in talking about they'd like to buy it and  
12 invest money in it, again they were talking about the whole value as 250k which again feeds into  
13 what I said previously.

14  
15 So the owner at the time, he then asked if he could purchase fee simple because he said he  
16 wanted to put the lease up for sale. Again at the time the town clerk had advised him that's really  
17 a matter for the members, and then the proposed purchaser came in, they also wanted to extend  
18 the period of the lessor to get a fee simple, and discussions thereafter on varying the lease were  
19 discussed at eight Council meetings over a two-year period.

20  
21 There was unanimous agreement generally by the members to the proposals, I'm not saying in  
22 every respect, but certainly the proposals to come in and finish it, it seemed to be a lot of  
23 unanimous opinion by the members, it would be a good thing to get if there didn't seem to be a  
24 lot of difficulty from the members extending it at the time. There were reservations about  
25 having residential on it, councillors were very strict on that. They certainly wanted a quality  
26 development and there was talk about a take away, they didn't want that, and didn't want offices.  
27 That's what happened over the years.

28  
29 The first Council meeting this was brought up in was in January '97 where there was a  
30 presentation by Cromer Developments who were the people who had been approaching to buy it,  
31 this included Bernard Llewellyn who subsequently bought it, they were also wanting to extend  
32 the site northwards, to take in roughly the same size again for parking, wanted residential  
33 development, talked about having 120 staff and they wanted the freehold, members said they  
34 needed more information before they would be willing to put this on any public displays.



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The next meeting it came up or was mentioned, the town engineer mentioned he was working with the new owners, at that stage we didn't really know whether there were new owners or not, but there were certainly in strong, according to the files, in strong negotiations. But again the town engineer seemed to know what the members wanted and said we're trying to get a deal that the members will be able to live with.

Third meeting the town clerk advised that there was still negotiations ongoing with the new owner, incidentally the previous June we did give formal consent to assigning Connolly's interest in the lease to Larry O'Mahony and Llewellyn, these were the two who owned the place for the next probably ten years.

I think it came up again in a meeting of the 8th of July -- by the way you have all these in your pack, it would be very hard to read this, I appreciate this. This is where Sea Life first came on board and Vardon Attractions who at that time owned the Sea Life brand and also Cooper's restaurant and again the town clerk advised them there was likely to be a planning application in August and there would be a detailed presentation in September. Also advised likely to need a variation to the lease.

The meeting of the 2nd of September there was a presentation by Llewellyn, O'Mahony and Vardon Attractions, who are Sea Life. There was a lengthy presentation recorded in the minutes, they wanted to put in Sea Life, they were talking about two restaurants, one a sit down restaurant, one a fastfood restaurant. They wanted add third floor to be offices and apartments and details of refurbished buildings were circulated. So it was unanimously agreed by the members that the planning application should be submitted, it was advised it would need to be a material contravention of the plan and also advised that any variation of the lease would be a matter for the members.

The next meeting that's recorded in the minutes was in the 13th of January 1998, a further presentation to the meeting by Llewellyn, O'Mahony and Mr Varney of Sea Life, there it was stated they needed an extended lease to get finance. The members warmly welcomed Sea Life to Bray. They were told again about the two restaurants. Quality restaurant and a fastfood restaurant and the members then unanimously agreed to give a new long-term lease. Now they were aware that they would have to go through a disposal method, but they did give unanimous

1 agreement to a long-term lease.

2  
3 The next meeting was March '98 where material contravention of the town Development Plan  
4 was passed unanimously, subject to the town engineer's recommendations, there was a number  
5 of those, but also that the fast food restaurant would not be a take away and would close at 10  
6 o'clock.

7  
8 That came to the meeting which considered the notice of disposal, and at that meeting there was  
9 actually talk of deferring it until the planning application was decided, but the majority of  
10 councillors spoke up and said they'd given a commitment, they should honour their commitment  
11 and presumably that's from the January meeting. And that was passed by ten votes to two.

12  
13 Subsequent to that and you might wonder why it took six years, to get it to be signed, there were  
14 a number of factors. For a start Llewellyn O'Mahony first subleased and then sold their interest  
15 in this to James Flynn, but in between that there was subleases and there were also subleases to  
16 other people, but they were also a lot of litigation going on, there were High Court cases put up  
17 and there's a lot of negotiations, correspondence between their legal people, various parties legal  
18 people and the law agent. In fact some might find it amusing but a law agent was very proactive  
19 on this and at least half a dozen times they were writing sending the lease to the various parties  
20 to get it signed, and finally that didn't happen until October 2004.

21  
22 When this came to me I knew very, very little about it at the time, I had been in Bray since the  
23 end of 2001. I actually read the file at the time and just made a lot of notes on the cover. But I  
24 do recall asking legal advice of the law agent who gave me unequivocal advice on this, that the  
25 disposal motion still was held strong, and that the legitimate expectation on the part of the  
26 lessees to rely on that disposal motion at the time. On that basis I signed and sealed the variation  
27 endorsement of the lease.

28  
29 I suppose to answer Cllr Cullen's question there, there was no time put on it. It just had down a  
30 long lease. But there was a lot of correspondence started out they were looking for 999 year  
31 lease, and in terms of the actual value of a lease, whether it's 150 or 250 years, it doesn't make a  
32 huge amount of difference to the value and we get valuations on these things. But I was actually  
33 happy enough at the time that on the basis of a long lease, meant a long lease and a short lease  
34 clearly 65 years wasn't a long lease, 250 years seemed to me to be quite reasonable.

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Obviously in the meantime there have been various questions, I think most of the advice we got since the owner or head lease holder looking to exercise his rights under legislation, we then got further legal advice at the time from junior counsel who basically endorsed what, that she clarified what they were looking for was an entitlement, in the meantime you've asked for a second legal opinion, you got that from a senior counsel who endorsed the action we took in the first place.

A number of questions were they circulated? You got that, a lot of the questions about State property have been answered and obviously we'll wait for the senior counsel answering what Councillor Behan asked to go through the file. But to me, it seems to be, what actually struck me was how focused the Bray Town Council was in going out there and getting funds. A lot of the time by the way when all of this extended lease was going on, you can actually see in the minutes of the meeting, they were actually pushing on ahead on other development projects like the golf course lands, trying to get the development scheme changed so they could see that would be very good for the town.

But to me, I can't see anything in this. At the end of the day if the Oireachtas pass a law that if you have a building on lease you are entitled to buy it out there's not much we can do about it, I don't think it's going to affect the county or country or anything else. Like anyone has a ground rent on a house they are entitled to buy it out, that's a legal right, we can't constrain that right whether we want to or not.

CATHAOIRLEACH: Can I just say we have an extension till half five, three or four people are looking.

Cllr Tommy CULLEN: Just a second. Mr O'Brien has confirmed that there was no notice of disposal with a term specified of 250 years, is that correct?

DIRECTOR O'BRIEN: That's correct.

Cllr Tommy CULLEN: Now Mr O'Brien clarified his position saying he was acting under advice from the law agent when he signed that, and that that's correct as well. I'm wondering if you look back at Mr O'Brien's report where he says -- now it's my view that any lease would have to be time specific and that's legal advice I have been given, but that could be wrong as well. Any lease would have to be time specific. A term would have to be time specific, but I'm looking at here, on page 2 of your report, paragraph 4, it says, "From the file ... the town engineer recommended that the site be included in the register of derelict sites" (Quoted). Surely

1 at that stage the Council should have acted and said that you are not in compliance with the lease  
2 and the Council should have took back the lease immediately?

3  
4 But look I'm glad of your clarification of that and I'll let other speakers speak.

5 Cllr VANCE: Chairman a point of clarification, if you look at the minutes of the meeting, I  
6 attended that meeting and asked for legal advice in regard to the demolition of that site at that  
7 particular time, it's in the minutes that I'm aware of at that particular meeting, just a point of  
8 information, that's the state that it was in at that particular time on the seafront, right on the  
9 seafront and the town clerk at the time did seek legal advice as to whether the Council could  
10 demolish it or not, just a point of information.

11 CATHAOIRLEACH: Just we have an extension till half five, there are two or three lights if  
12 there are some questions -- I suggest if people have any other questions, would they submit them  
13 by next Monday to Lorraine so we can deal with this matter once and for all, what we're getting  
14 now, this week we got questions one day, we got a question today, we got a question on Friday,  
15 we're getting questions all the time, so I think it would be better if we got -- if there are any more  
16 questions, submit them to Lorraine and they can be dealt with.

17 Cllr BEHAN: On a point of order, I submitted my request in August.

18 CATHAOIRLEACH: I did say it at the start of the meeting.

19 Cllr BEHAN: I'm glad you did say that, because it's August I submitted my question.

20 CATHAOIRLEACH: You should have your answer. I have no issue with that. At least you put  
21 it in a month ago or six weeks ago. Some arrived this morning or on Friday.

22 Cllr BEHAN: Chairman, Cllr Matthews said this was time sensitive, I would just like to know  
23 where are we at the whole process of this change over or selling off of the freehold, the complete  
24 fee simple, whatever way you want to put it, where is that process at, at this moment in time? Is  
25 there an opportunity for that to be reversed, reviewed, changed or whatever you want to put it? I  
26 think we need to know that now rather than next week.

27 DIRECTOR O'BRIEN: The legal advice you would have got today from Carol O'Farrell was six  
28 weeks appeal period.

29 Cllr KAVANAGH: Can I ask a question on the...

30 Cllr Tommy CULLEN: I got no advice.

31 Cllr KAVANAGH: The meeting of the 27th of July we were told by the law agent this had been  
32 agreed by the court registrar on the 14th, when I asked the question could we appeal that, he said  
33 no. And in actual fact the law agent said today we had six weeks to appeal that. We weren't  
34 advised that, I asked that question of the law agent on the 27th of July. He didn't say that we had

1 six weeks, he said no we couldn't. It was the court registrar's decision. So I'd like to go back on  
2 that information from the law agent. Did we have six weeks in which to appeal?

3 CATHAOIRLEACH: I'm not clear that's what he said to you.

4 Cllr KAVANAGH: I asked the question.

5 CATHAOIRLEACH: We can clarify that with the law agent. But I just want to let Cllr Brady  
6 in here if you don't mind. Just one more comment. Sorry lads because time is way out there.

7 Cllr BRADY: Just two points Leas Cathaoirleach, just on that point that the appeal decision,  
8 according to the legal opinion is that there's a six-week period there from the 14th of July 2015,  
9 so we've missed that, I asked the question previously, I asked has this been signed off on, does a  
10 member of the Council have to sign off on it or CEO have to sign off or where exactly is that?  
11 Has it been signed off on now, has it been disposed off, has pen been put to paper? And the  
12 second point was on my initial point, just the proposal there that we would have full access to the  
13 files, particularly the legal opinion that was sought and obtained and correspondence backwards  
14 and forwards to Bray Urban District Council and the law agent. So again I propose that.

15 Cllr LAWLESS: I'll second that chair.

16 CATHAOIRLEACH: Sure certainly, I think we should agree that. I've no issue with it anyway.

17 CE DOYLE: And the normal protocol still apply.

18 CATHAOIRLEACH: The time is up. Sorry Council.

19 CE DOYLE: Is that agreed? Agreed.

20 Cllr VANCE: Could we put a date on Wednesday, after Wednesday cut off period, no more  
21 questions. The questions up until Wednesday should be answered by next Monday. Have it on  
22 the agenda for then.

23 Cllr BEHAN: Hold on a minute now, I'm not going to accept a muzzling...

24 CATHAOIRLEACH: Hold on a minute...

25 Cllr BEHAN: I haven't got the answer to my questions, they could lead to further questions, I'm  
26 not going to accept that I can't ask any more. No way.

27 CATHAOIRLEACH: I said what I said previously. Cllr Thornhill. Make it quick now. Not  
28 bilingual.

29 Cllr THORNHILL: Fair play, just short and sweet right, I would just like to say this is my first  
30 opportunity of speaking on this subject and it's a very complicated and complex subject and it  
31 involves a very serious matter, the Esplanade on the seafront I'm sure a lot of people, especially  
32 living in Bray will realise how important it is to the people of Bray. When this all started in  
33 1883...

34 CATHAOIRLEACH: Jaysus councillor, the meeting is over effectively.

- 1 Cllr THORNHILL: Okay right, but Mr O'Brien went on for a while so -- but we went in the  
2 time, it's 25 to six. I'll keep it short and sweet right.
- 3 CATHAOIRLEACH: Some of us have other commitments, I have to be gone elsewhere.
- 4 Cllr THORNHILL: Right okay.
- 5 CATHAOIRLEACH: Look to be fair to Cllr Matthews he had his light on there for ages, is your  
6 contribution short?
- 7 Cllr MATTHEWS: I don't think there is any contribution going to be short on this issue. When  
8 are we going to discuss this again?
- 9 CE DOYLE: Cathaoirleach can I, the meeting is over, to be fair to Cllr Behan, we're still  
10 waiting for the legal advice, the senior counsel gave the independent legal advice, indicated it  
11 will not be available before the 12th of October.
- 12 Cllr MATTHEWS: Chairman ...
- 13 CE DOYLE: Can I just say on the tail end of it, that all the legal advice is there, answers most  
14 of the questions that were raised by the members. The members want to articulate that we can  
15 give time...
- 16 Cllr MATTHEWS: I think there is a bit of legal advice that's incorrect, I want to raise it.
- 17 ARBITRATOR: You can make that at the next meeting.
- 18 Cllr Tommy CULLEN: When will the files be available?
- 19 CATHAOIRLEACH: To be fair to Cllr Behan it won't be available next Monday, if we present  
20 time for the agenda next -- I'm not, Cllr Behan may have more questions because of that legal  
21 advice, but I would ask anyone else that has legal advice, and read it and more questions, give it  
22 to us before Wednesday, because the questions are, the answers are within the legal advice, just  
23 cross-reference it. We're trying to be as helpful as we can.
- 24 CATHAOIRLEACH: When will the files be available?
- 25 MS GALLAGHER: We have to call it with protocol, this happened before with Greystones and  
26 Baltinglass files, we have to write to the parties to ask for their approval to have the information  
27 released, I'll liaise with the law agent in terms of that.
- 28 Cllr BRADY: So who are you going to write out to, because this goes right back...
- 29 MS GALLAGHER: The same thing that was followed on the CPO of Greystones and  
30 Baltinglass files that was referred to the law agent that we wrote to, if I recall correctly we wrote  
31 to the parties concerned on the file because there is solicitor/client relationship, so I have to  
32 deflect to the law agent in terms of that. But the resolution has been passed, so we'll take it from  
33 there.
- 34 Cllr BRADY: Just obviously there is a multitude of players going right back to the original lease

1 that the files obviously involve them also. Are you saying...

2 MS GALLAGHER: It's in relation to the law department file, I don't think it relates to the...

3 Cllr Tommy CULLEN: I don't think Chairman, with respect, once the Council have passed it  
4 that really doesn't stand.

5

6 Meeting concluded at 5.45pm





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