

**MINUTES OF ORDINARY MEETING OF WICKLOW COUNTY COUNCIL HELD IN
THE COUNCIL CHAMBER, COUNTY BUILDINGS, WICKLOW ON MONDAY 4th
April 2016, COMMENCING 10.30 p.m.**

PRESENT:

COUNCILLOR J. RYAN, CATHAOIRLEACH, COUNCILLORS T. ANNESLEY, J. BEHAN, V. BLAKE, S. BOURKE, J. BRADY, P. CASEY, S. CULLEN, T. CULLEN, P. DORAN, G. DUNNE, P. FITZGERALD, T. FORTUNE, C. FOX, M. KAVANAGH, P. KENNEDY, N. LAWLESS, S. MATTHEWS, M. McDONALD, G. McLOUGHLIN, D. MITCHELL, M. MURPHY, D. NOLAN, O. O'BRIEN, G. O'NEILL, J. RUTTLE, J. SNELL, E. TIMMINS, P. VANCE, G. WALSH, J. WHITMORE AND I. WINTERS.

IN ATTENDANCE:

**MR. B. DOYLE, CHIEF EXECUTIVE
MR. D. O'BRIEN, DIRECTOR OF SERVICES
MR. M. NICHOLSON, DIRECTOR OF SERVICES
MR. J. LANE, DIRECTOR OF SERVICES
MR. T. MURPHY, DIRECTOR OF SERVICES
MR. M. GEANEY, A/DIRECTOR OF SERVICES
MS. L. LYNCH, HEAD OF FINANCE
MS. L. GALLAGHER, SENIOR EXECUTIVE OFFICER/MEETINGS ADMINISTRATOR
MS. B. KILKENNY, SENIOR ENGINEER
MS. C. FLOOD, SENIOR EXECUTIVE OFFICER
MS. F. FLYNN, SENIOR STAFF OFFICER
MR. D. KEYES, INTERNAL AUDIT
MS. J. CARROLL, ADMINISTRATIVE OFFICER
MS. C. FOX, ADMINISTRATIVE OFFICER
MS. L. FLEMING, LOCAL ENTERPRISE OFFICE
MS. V. DELAHUNT, LOCAL ENTERPRISE OFFICE**

Votes of Sympathy

Elected Members passed a vote of sympathy in respect of the victims and families of the recent Buncrana tragedy and the Brussels attack. Votes of sympathy were also passed to the families of the late Sile Mulhall, of Tinahely, mother of Michael Mulhall, Roisin Boland, sister of Michael Boland and Jackie McCluskey, father in law of David Collard. A minutes silence was observed for the deceased.

Suspension of standing orders

Cllr. B. Thornhill requested a suspension of standing orders to discuss a programme which had been shown on RTE subsequent to the 1916 celebrations with a view to the Council agreeing to write to the Broadcasting Authority of Ireland with regard to the language that was used. It was agreed to hear this matter at 4.45 p.m.

Item 14 - Submission to Irish Water – Community Benefit Fund regarding payment to Wicklow County Council for supply of water (report from Cllr. D. Mitchell, Chair, Transportation, Water and Environmental Services SPC) deferred from meeting of 14th March, 2016.

It was proposed by Cllr. D. Mitchell, seconded by Cllr. T. Cullen and agreed to consider this item at number 8.

Item No 1

Presentation to Deputies elected to Dáil Eireann

A presentation was made by the Cathaoirleach, elected members, management and staff of Wicklow County Council to Deputies Simon Harris, Andrew Doyle and Stephen Donnelly, on the occasion of their re-election to Dail Eireann. Elected members also made a presentation to former elected members, Deputy John Brady and Deputy Pat Casey to mark the occasion of their departure from Wicklow County Council on their election to Dail Eireann. The Cathaoirleach, elected members and Chief Executive on behalf of the staff of Wicklow County Council wished the five Deputies well in the work of the 32nd Dail.

ITEM NO. 2

Report on Economic Development in County Wicklow

- 1. Vision/Strategic Context: Bryan Doyle, Chief Executive**
- 2. Introduction/Regional Action Plan for Jobs: Thomas Murphy, Director of Services**
- 3. Local Enterprise Office: Louise Fleming, Senior Development Executive, LEO**
- 4. County Wicklow Economic Think Tank (CWETT): Ms. Christine Flood, Senior Executive Officer.**

- 1. Vision/Strategic Context, Bryan Doyle, Chief Executive:** The CE outlined the background and role of the economic development unit and the need to promote and develop County Wicklow's unique identity and location on the eastern seaboard to promote employment and job creation activities. He outlined the context referring to the enhanced role for Local Authorities in economic development set out in Putting People First and the drive locally to promote economic and community development contained within the Local Economic and Community Plan. He advised of the proactive engagement by the unit with the IDA and Enterprise Ireland and the actions to broaden links with IT Carlow. He referred to the important work of the Local Enterprise Office and the strategic actions contained within the action Plan for Jobs for the mid east region.

He stressed the importance of the Council communicating the message that Wicklow County Council is open for business, that we are here to secure increased industry, business and enterprise in the County and open to new ideas and actions to generate employment. He advised of the importance of the work of the County Wicklow Economic Think Tank (CWETT) the objectives and actions which have now been merged into the LECP. He outlined County Wicklow's strategic position alongside Counties Kildare and Meath and advised how the County is in competition to achieve its share of the projected 25,000 jobs that are to be created within the region. He referred to the Council's strategic plans in relation to the lands at Greystones and engagement which had taken place with the IDA and that he hoped to advance this later on in the summer. He updated the members on the plans for Wicklow County Campus which he described as a major asset and that the Council is examining options to develop the campus for the film industry. In concluding the CE advised the members that it was intended to hold a

Business Forum to meet with all of the major employers in County Wicklow, in the month of May, to generate collaboration as envisaged within the Action Plan for Jobs to encourage industry to drive sustainable employment in the County.

2. Introduction/Regional Action Plan for Jobs: Thomas Murphy, Director of Services

Mr. T Murphy, DOS, updated the elected members on the work of the Economic Development Unit of Wicklow County Council which he said is to proactively promote and market County Wicklow as a great place to set up business and to develop actions that support economic development in the County. He gave an outline of some of the areas of activity:-

- Developing Wicklow County Campus as a centre of excellence in innovation, enterprise and education.
- Supporting the work of the economic development and enterprise support SPC
- The provision of advice and support to businesses and companies that may wish to invest in or establish commercial ventures in County Wicklow, the key support being the LEO
- Ongoing collaboration with local and national development agencies, including the local Chambers, Enterprise Ireland, Failte Ireland and the IDA.
- The work of the County Wicklow Film Commission
- The County Wicklow Economic Think Tank
- The current status of the Local Economic and Community Plan which is listed as a separate item on the agenda.
- The ongoing review of the Wicklow County Campus 5 year strategic plan and the consultation with relevant stakeholders as part of the process.
- The background to the Mid East Regional Action Plan for Jobs and the key actions contained therein being; driving entrepreneurship, supporting business to grow and scale, fostering innovation, attracting and embedding foreign direct investment, building sectoral opportunities, skills enhancement and labour market activation, building business networks, marketing the region as an attractive place to work and live and maximising the potential of strategic areas for further job creation.
- A regional implementation committee has been established to monitor the delivery of the various actions which is due to meet in the very near future.

3. Local Enterprise Office: Louise Fleming, Senior Development Executive, LEO

In the absence of Ms. Sheelagh Daly, Head of Enterprise, Ms. Louise Fleming, Senior Development Executive presented to the meeting under the following headings:-

Strategic Areas

- Driving Entrepreneurship
- Supporting business to grow and scale
- Fostering innovation
- Attracting and embedding foreign direct investment
- Building Sectoral opportunities
- Skills enhancement and labour market activation
- Building business networks
- Marketing the region as an attractive place to work and live

- Maximising potential strategic areas for further job creation

Aim: The aim of LEO Wicklow is to promote entrepreneurship, foster business start-ups and develop existing micro and small businesses to drive job creation and to provide high quality supports for business ideas in County Wicklow.

Strategic Objectives

- Maximise Business Potential
- Collaborate with Enterprise Ireland
- First Stop Shop
- Make it easier to do business
- Promote a Best Practise enterprise culture
- Environment for Start ups

4. County Wicklow Economic Think Tank (CWETT): Ms. Christine Flood, Senior Executive Officer

Ms. Christine Flood gave a presentation to the elected members on the work of the County Wicklow Economic Think Tank (CWETT) covering the following areas:-

- The County Wicklow Economic Think Tank (CWETT) established in late 2013, early 2014 and was a collaboration between Wicklow County Council, local business and the LEO, Wicklow.
- Strategy formulated in 2014 – Action Plan delivered.
- CWETT Action Plan aims to drive and maintain economic activity and increase employment in County Wicklow.
- Action Plan adopted by Wicklow County Council in January, 2015.

CWETT ACTION PLAN + 6 OBJECTIVES

Big Idea = Rebrand Wicklow

6 Objectives

1. Ensure that Wicklow is open for business
2. Facilitate the maximum economic return from the retail sector
3. Maximise the value of Wicklow's status as the Garden County
4. Capitalise on the immediate economic impact of the film industry
5. Sustain and where possible, grow traditional sectors
6. Be alert to new economic opportunities

Priority Areas/Work Groups

- Brand
- Communications and Marketing
- Film
- Retail
- Industry and Infrastructure
- Tourism (New group)

In relation to film, Ms. C. Flood presented that a suitable site had been identified at Wicklow County Campus, Clermont for the development of a film industry cluster/hub and that it was proposed to publicly advertise seeking expressions of interest from industry partners with a view to developing the site as a film industry hub in conjunction with Clermont house.

Ms. Flood outlined developments in the following areas:-

- Retail and recreating
- The Florentine Centre
- Tourism and recreation – Ireland’s Ancient East
- The maritime business development group
- Opportunities for Maritime Business
- Broad band survey
- Commuter survey
- Mapping

At the conclusion of the discussion and prior to breaking for lunch it was agreed that the matter would be brought back to the May meeting of the Council to allow further discussion on the topic.

The meeting broke for lunch to reconvene at 2.15 p.m.

ITEM NO. 3

Presentation from Mr Andrew Vogelaar, Head of Regions, IDA, Ireland

The Cathaoirleach welcomed Mr. Andrew Vogelaar and Mr Conor Simpson of IDA, Ireland who presented to the Council on: *IDA Ireland Winning Foreign Direct Investment 2015 – 2019*, covering the following areas:-

- Mission
- Vision
- Current Impact of FDI in Ireland
- 2015 – Record Year for FDI
- 2014 Main areas of Growth – New Jobs by Sector
- IDA Ireland Targets 2015 – 2019
- Ireland’s FDI Value Proposition
- Client Engagement – What we do
- Key Trends and Observations
- Success on Attracting FDI requires
- Winning in the regions
- Delivery
- Collaborative approach
- Team Ireland – The Google Test
- FDI outlook 2016
- Mid East Action Plan for jobs

Following the presentation, elected members raised the following queries:-

- Can the relationship between Wicklow County Council and the IDA be more structured rather than a random basis
- View expressed that County Wicklow has been neglected in terms of site visits to County Wicklow by the IDA and prospective industry
- Call for the IDA to prioritise its land in Greystones for investment and to work with the Council to come up with a way to kickstart development on site. Can the IDA update the Council in relation to its landbank in Greystones.
- What is the target for job creation in the Mid East Region Action Plan for Jobs for County Wicklow?
- Reference made to the new water treatment plant in Arklow and when the sewerage plant is up and running Arklow will be ready for new development and will the IDA assist at this stage?
- Call for the IDA to communicate with the municipal districts on a six monthly basis.
- Query, from the IDA's perspective, what are the gaps in Wicklow that need to be filled, in terms of attracting FDI, and how can Wicklow County Council fill these gaps. Reference made to the number of visits to County Wicklow by the IDA with prospective investors over the last five years being 21 in number, and compared to visits to other parts of the Country how can investment happen for County Wicklow?
- Reference made to there being 19 IDA client companies in County Wicklow query as to how this compares with other mid east counties.
- Reference made again to the number of site visits carried out by the IDA to County Wicklow over the past 5 years and comparisons nationally and that County Wicklow is not getting its share of visits, and this must be remedied. Acknowledgement that the IDA carries out very good work, but that more effort must be made for County Wicklow.
- Reference made to Wicklow County Campus, Clermont College, being the jewel in the crown of County Wicklow and that the IDA should be involved in expanding the campus in conjunction with Wicklow County Council.
- Query as to how many new jobs have been created in County Wicklow via FDI over the last 5 year period as distinct from actual visits
- What plans do the IDA have for its site at Killarney Road, Bray.
- Reference made to the loss of 300 jobs for Rathdrum arising from the pending closure of MSD and the huge concern in the area for the families affected. Assurances sought that the IDA will do everything in its power to pursue a purchaser for the site.

Prior to the IDA responding, the Chief Executive updated the elected members in relation to the IDA's site at Greystones. He advised that the economic development unit had met with representatives of the property section of the IDA to discuss plans for the land at Greystones and that it had been confirmed by the IDA that the land is no longer on the market. He advised that a number of approaches had been made to the Council with regard to the Council's site at town centre location in relation to potential hotel, primary health care centre and enterprise buildings and that it was hoped that a collaborative approach could be taken with the IDA in relation to the Council parcel of land and portion of the IDAs adjoining land. Currently the planning department of Wicklow County Council and the IDA are liaising with a view to exploring possibilities for the strategic direction of both sites and that he will keep the members updated in this regard.

In response to the queries raised Mr. Andrew Vogelaar, Head of Regions, IDA advised of the regularity of the meetings that are taking place between the IDA and Wicklow County Council and which are happening quarterly. In relation to site visits he advised that in the past Wicklow had lagged behind, but that County Wicklow's competition is not the other

counties in the region but global competitors. He compared site visits relative to the population of the County and emphasised that both he and his colleague Conor Simpson will sell County Wicklow with regard to job creation and location of new FDI. He advised that the two biggest sites owned by the IDA in County Wicklow are in Arklow and Greystones and that both are being marketed actively. He advised however, that there are not a huge amount of companies that require 60/80 acres immediately but that it is an asset to have it than not to have it in the County. He emphasised the importance of marketing the lifestyle advantages as more and more companies setting up are in the service sector who are looking for facilities in the centre of towns. He reiterated the IDA s target for job creation to deliver some additional 30% to 40% increase in each region but that this will not happen overnight and may take up to five years. With regard to meetings at municipal district level he advised that resources are limited and that they would try to meet quarterly via the County Council.

Mr. Conor Simpson outlined the type of business parks that overseas companies prefer to set up in and that it can take up to 18 months from the time IDA has its first engagement with the company to the time that the company decides to invest. His role with the IDA is to ensure that as much information as possible is provided to his overseas team who are effectively the first point of contact with client companies.

At the conclusion of the presentation, and discussion, the Cathaoirleach thanked both Mr. Vogelaar and Mr. Simpson for attending the meeting and looked forward to working with the IDA to secure new FDI in County Wicklow over the next five year period.

ITEM NO. 4

To confirm and sign minutes of ordinary meeting of Wicklow County Council held on Monday 1st February 2016

It was proposed by Cllr I. Winters, seconded by Cllr D. Mitchell and agreed to confirm and sign minutes of ordinary meeting of Wicklow County Council held on Monday 1st of February, 2016 as circulated.

ITEM NO. 5

To confirm and sign minutes of ordinary meeting of Wicklow County Council held on Monday 7th March 2016

Proposed by Cllr I. Winters, seconded by Cllr P. Fitzgerald and agreed to confirm and sign minutes of ordinary meeting of Wicklow County Council held on Monday 7th March, 2016 as circulated.

ITEM NO. 6

To receive End of Year Report 2015 from the Wicklow County Council Audit Committee

Report dated of the Audit Committee was circulated to the elected members as follows:-

To the Cathaoirleach & Each Member of Wicklow County Council

RE: WICKLOW COUNTY COUNCIL AUDIT COMMITTEE - ANNUAL PROGRESS REPORT FOR THE PERIOD UP TO 31ST DECEMBER 2015

Dear Councillor,

Thank you for the opportunity to address the Council here today on the work of the Wicklow County Council Audit Committee for the twelve month period up to 31st December 2015.

As Local Authorities are involved in a wide range of complex and diverse activities, it is vitally important to continually monitor and review the effectiveness of the Council's internal financial and operating controls. This is also necessary from a transparency and accountability perspective.

The Wicklow County Council Audit Committee was initially established in 2007 under the Local Government (Business Improvement Districts) Act 2005 and was re-established after the May 2014 Local Elections. The membership of this committee comprises:

- Mr. Tom Gregan, Chairman
- Mr. Noel Geraghty, Vice Chairman
- Councillor Pat Casey (recently elected to Dáil Eireann)
- Ms. Mary Savage
- Councillor Edward Timmins.

The Committee is supported and assisted by Ms. L. Lynch, Mr. D. Keyes and Mr. T. Murphy and meets on a formal basis five to six times per annum. In addition to the formal meetings, the Audit Committee members provide ongoing advice and support to the Internal Audit Unit and we are available at short notice to attend local meetings in relation to internal audit matters etc.

Furthermore, during 2015 the Audit Committee arranged to meet with individual Members of the Management Team . The purpose of these meetings was to provide the committee with an opportunity to discuss the challenges facing each Directorate and to inform the Annual Audit Planning process

The role of the Audit Committee is to advise the Council on financial reporting processes, internal controls, risk management and audit matters.

The functions of the Audit Committee include:

- To foster the development of best practice in the performance by the local authority of its internal audit function
- To review the financial and budgetary reporting practices and procedures within the local authority
- To review any audited financial statement, Auditor's report or Auditor's special report in relation to the local authority and assess any actions taken within that authority by its Chief Executive in response to such a statement or report and report its findings to the authority
- To review systems that are operated by the local authority for the management of risks
- To assess and promote efficiency and value for money with respect to the local authority's performance of its functions
- To review the findings and recommendations of the national oversight and audit commission (NOAC) and the response of the Chief Executive to these and to take further action as appropriate.

INTERNAL AUDIT ASSIGNMENTS FOR PREVIOUS TWELVE MONTHS

Assignments Completed:

(i) Road Opening Licences

The objective of this review was to examine the process around the issuing of Road Opening Licences. The scope of the review included the policies, procedures and practices. The overall assessment of this review was satisfactory. A number of recommendations in relation to the application process, the maintenance of registers and the accounting treatment were made. These are being followed up with management.

Ongoing Assignments:

(ii) Pre-letting Repair Costs (On-Going)

The aim of this review was to examine the process and costs associated with re-letting vacant properties. This review is currently on-going and a report will be presented to the Committee at a forthcoming meeting.

Draft reports received and currently awaiting management response:

(iii) Review of Compliance with the Financial Procedures Manual

The purpose of this audit was to review the Accounts Payable and Procurement Procedure Manuals and to test operational compliance with the principles outlined therein. To test procedural compliance amongst a statistically significant and representative sample of recent invoices and report the findings. To recommend appropriate future actions to control and ensure compliance. The overall assessment of this review was "Satisfactory". In essence this means that

- Overall there is an adequate and effective system of Governance, risk management and control. While there is some residual risk identified this should not significantly impact on the achievement of objectives
- Some improvement are required to enhance the adequacy and/or effectiveness of governance, risk management and control

This matter will be listed for further consideration at a forthcoming meeting of the Annual Audit Committee.

(iv) Review of VAT

This audit was concerned with the assessment of the procedures and practices employed in complying with statutory obligations for the collection and payment of VAT. Specifically to test the accuracy of the returns made and their timing, the record keeping, compliance with the law and to recommend improvements where appropriate. The principal objective of the review is to ensure that the processes and procedures in place are in accordance with Revenue requirements and would be sufficiently robust to pass scrutiny at a Revenue VAT Audit. The overall assessment on this review was again “Satisfactory”.

This matter will be listed for further consideration at a forthcoming meeting of the Annual Audit Committee.

(v) Review of Fixed Assets

The objective of this review was to sample test the valuations reported in the Annual Financial Statement having regard to the Accounting Code of Practice and the regulatory framework applicable to Local Authorities. To review the depreciation policy and the accuracy of its implementation and to assess the requirement for or otherwise of a re-valuation reserve. The audit included a review of the processes and procedures in recording acquisitions and disposals whilst having regard to statutory requirements and best practice. To review the current procedure for registering legal title and to recommend improvements where appropriate.

A number of issues have been identified and raised with management. Management responses to these issues will be considered by the Audit Committee at a forthcoming meeting.

(vi) Work in Progress:

Work on a report on Debt Management is currently on-going and it is anticipated that this will be completed by mid April. Low-value purchase cards have recently been introduced. A report on the operation of low value purchase cards with particular emphasis on the controls in place, their operation and effectiveness is planned when sufficient data is available.

PUBLIC SPENDING CODE

The Public Spending Code requires public bodies to establish an internal, independent, quality assurance procedure involving annual reporting on how organisations are meeting their Public Spending Code obligations.

The Procurement and Internal Audit units collaborated in the preparation of Wicklow County Council’s Quality Assurance (QA) Report as part of its compliance with the Public Spending Code (PSC)

ANNUAL AUDIT PLAN

Work on the preparation of the Annual Audit Plan is at an advanced stage. The Plan will cover the period from March 2015 to February 2016. The Plan will be finalized following consultation with the Chief Executive / Directors of Services / Heads of Function and the agreed assignments will reflect the need to achieve greater

efficiencies/savings etc. The list of assignments completed will be included in future reports to the Council.

PROCUREMENT

This committee has, on an ongoing basis, highlighted the importance of good procurement practices. Ms. Fiona Flynn, Procurement Officer, has made a number of presentations to the Audit Committee on this issue and we note and welcome the significant progress made by the Council in this area. We will continue of course to highlight the importance of good procurement practices.

MEETING WITH THE LOCAL GOVERNMENT AUDITOR

The Audit Committee was provided with a copy of the 2014 Audited Financial Statement, Auditor's Report by the Chief Executive.

The Audit Committee considered the statement, the Auditor's report and deliberated on the key issues outlined at a meeting on 17th December 2015.

The Auditor's opinion is that the Annual Financial Statement presents fairly, in accordance with the Code of Practice and Accounting Regulations, the Financial position of the Council at 31st December 2014 and its income and expenditure for the year then ended.

Mr. Eamonn Daly, Local Government Auditor who conducted the audit attended and provided further clarifications on the report findings and the overall audit opinion. The committee's deliberations included a review of management responses to audit findings and related matters. In addition, the Committee deliberations included discussions with the Chief Executive and members of the Management Team and Internal Audit.

The committee wish to confirm that the report contents, management responses and follow up actions outlined will inform the Audit Committee's work programme and specific audit reviews which may be undertaken in the future.

SUPPORT FOR THE INTERNAL AUDIT UNIT

The members will be aware that the organization has suffered a greater than 20% reduction in staffing levels over recent years. It is recognized that the non-replacement of staff is due to the Public Sector Recruitment Embargo. Therefore and in order to maintain an effective level of service it has been agreed to engage the services of a professional audit firm for a trial period. This firm will collaborate with the Internal Audit Unit, combining the in-house knowledge and experience with the external objectiveness and professional standards etc.

The Audit Committee strongly urges management to review overall staffing levels of the organization and in particular the Internal Audit Unit.

CONCLUSION

We would like to place on record our thanks to the Internal Audit Unit for their support and assistance over the last twelve months. It is clear that central government is placing an even greater emphasis on the internal audit function in local authorities.

We would like to assure the Council that the committee will continue to play an active role in improving the focus on value for money, promoting good accounting practices and ensuring better and more informed decision making.

We would like to place on record, our appreciation to the Members of Wicklow County Council, to the former Chief Executive, Mr. Eddie Sheehy, and the current Chief Executive, Mr. Bryan Doyle, as well as all the staff of the Internal Audit Unit.

We would also like to thank Mr. Eamonn Daly, Local Government Auditor, for his support and assistance.

End.

Elected members noted the report of the Audit Committee. The Cathaoirleach expressed appreciation to the members of the audit committee for their work during the year and to the support of the staff of head of Finance, Ms. Loraine Lynch and her team.

ITEM NO. 7

To consider the Wicklow Local Economic and Community Plan (LECP) 2016 - 2022

Mr. Michael Nicholson, DOS, gave a presentation to the elected members on the Plan covering the following areas:-

- Background and context of the Plan
- Work of the LCDC
- From Evidence to implementation
- Overview of the LECP process
- County Wicklow LECP 2016 – 2022
- Vision, High Level Goals, Objectives and Actions.
- Policy Context
- Consultation
- Socio Economic Profile – some highlights
- Vision for County Wicklow.
- Implementation, Monitoring and Review
- Implementation of the LECP

Time Extension

on the proposal of the Cathaoirleach, it was agreed to extend the meeting for 15 minutes to rise at 5.15 p.m.

Mr. T. Murphy, DOS made some short comments in relation to the process in so far as it related to the Economic element of the LECP. He advised in relation to the socio-economic profile commissioned, the public consultation and stakeholder consultation process and the consultation which was carried out at municipal district level and regional authority level. He thanked the EDES SPC which he said met on many occasions to discuss the development of the economic element to the plan and the advisory group which merged both documents. He advised that the Economic Plan gives statutory recognition to many of the actions borne out of the CWETT Action Plan which he commended to the Council for adoption. It was proposed by Cllr. G. McLoughlin, seconded by Cllr. J. Ruttle and agreed to adopt the LECP, 2016 – 2022.

ITEM NO. 14

Submission to Irish Water – Community Benefit Fund regarding payment to Wicklow County Council for supply of water (report from Cllr. D. Mitchell, Chair, Transportation, Water and Environmental Services SPC) deferred from meeting of 14th March, 2016.

Paper prepared by Cllr. D. Mitchell, Chair of the Strategic Policy Committee on Roads, Transport and Environment was circulated to the elected members.

The Need to continue the Community Benefit to Wicklow in Return for Supplying Dublin with most of its water.- Prepared by Cllr Derek Mitchell, Chair Strategic Policy Committee on Roads, Transport and Environment

Management Summary.

Wicklow’s Community Benefit has stopped in 2015 after a century and a half. Wicklow supplies Dublin with 89% and Kildare with 75% of their water. It has been recognised since 1861 that Wicklow needed to benefit in return. A direct benefit was received or payment made for 153 years up to 2014 but this benefit has not been paid yet for 2015. It needs to be paid and put on a new permanent basis for subsequent years.

History of Community Benefit for Wicklow. The Dublin Corporation Waterworks Act 1861 and the Bray Township Act 1866, obliged Dublin City Council to provide a supply of treated drinking water to Bray and Greystones, at little or no cost in return for using Wicklow’s water from the then new Vartry scheme. The water authority for Greystones into the 1970’s was Dublin City Council who supplied and paid for the pipes and maintenance as well as the water.

This legislation was repealed, due to EU Regulations, in 2007 as detailed in the Dail Question reply by the Minister for the Environment (appendix A). From then Dublin City Council charged Wicklow about €12k a year for providing wholesale water for domestic and non-domestic users. Wicklow County Council’s annual subvention from the Local Government Fund was increased by €85k from 2008. This was paid as part of the LGF every year to 2014 to compensate for this. This arrangement diluted the 1861 Community Gain legislative commitment as it covered only half of the cost of the water and Wicklow also had to pay for the local distribution. It represented a Community Benefit of only 40% of the 1861 Act.

In 2015 the LGF subvention was replaced by the Local Property Tax and users now pay Irish Water directly for domestic and non domestic water. The Community Benefit for supplying water now needs to be paid to Wicklow County Council for 2015.

Longer Term. Irish Water has published a consultation document recommending increasing Dublin’s water supply by bringing water from the Shannon. Consultation closes on the 3rd February. This proposes to set up a Community Benefit Fund in relation to Shannon water transfer. The outline suggestion in the document is that this could be one cent per cubic metre

of water supplied. If applied to Wicklow this would be about €1.87m (appendix B) per year. As the water is currently being used it should be paid at this rate in 2016. This is about the same benefit as under the 1861 Act, calculated at between €1.5m and €2.2m in Appendix B. The Community Benefit envisaged is to local groups and projects. However in Wicklow the effects on the area and Council finances are much more severe than in the Shannon and most should be paid to the Council. Also Irish Water envisages a once-off payment for major capital projects in the area.

Why Wicklow County Council should benefit. The Wicklow Mountains are why there is so much surplus water in Wicklow. They have made it difficult to attract industry to Wicklow because one can't build in the mountains and also there are poor transport links across the mountains. This means that the Council has a low commercial rates base with which to provide services.

Dublin and Kildare have been able to attract substantial industry, including water intensive industries such as Intel and pharma plants, using water from Wicklow, and they thus have substantial rates bases and Property Tax income to provide services.

Development Restrictions. The Blessington Lake with 34 miles circumference is the largest manmade lake in Europe. For a very wide area surrounding this the Water Authority (previously Dublin City Council now Irish Water) imposes major restrictions on developments in Wicklow. This has stopped the settlements of Valleymount, Lacken, Manor Kilbride and part of Holywood expanding. Blessington is hemmed in between the artificial lake on the West and Kildare on the East side. Similar issues apply to the Roundwood area. Equivalent settlements in Kildare, often further from Dublin, such as Clane, Nass, Kildare, Kilcock have been able to expand as they are not restricted by the restrictions inherent in supplying the region with water. Industry and hotels have also been restricted and if permitted are required to put in expensive (both to install and run) sewerage treatment. This acts as a major disincentive to employment. One off houses are also restricted much to the annoyance of local people.

Direct costs to the County Council. There are also significant costs maintaining the roads, fire services and other services in this sparsely populated core of County Wicklow which covers about 70% of the County area. For example the Council's Municipal District of West Wicklow, which has much of the water catchment area, has an expenditure of €6m which is €2.5m greater than the Greystones/Kilcoole MD expenditure of €3.5m. These areas have the same population. There is also extra centrally budgeted expenditure dealing with upland issues.

Severe Disturbance on setting up Blessington lakes. This was done during the Emergency in the 1940's and would not have been able to be done in peacetime due to the bad effect on locals. Farmers were shifted from the fertile alluvial soils in the valley floor to the higher less fertile lands. Compensation was only paid at low forestry land prices and if appealed the amount was generally lowered. Some people had to bring the graves of their ancestors to higher land.

Most reservoirs have the ground partly levelled before flooding. This was not done here and houses, barns, trees, churches, fences were left standing. This makes some water sports dangerous and much is banned limiting the recreational and sports business use.

Commercial Rates on Water plants. The rates of about €100k on the Vartry plant were paid to Wicklow and the Ballymore Eustace and Leixlip plants, which are each 4 or 5 times larger

in capacity were paid to Kildare. From 2015 Irish Water was declared exempt from rates. Even that benefit has been removed from the County producing the water.

Dublin councils have major rates income and LPT to provide services. Dublin has 23 times more rate income than Wicklow for a population only 9 times larger. Even Kildare has €9m more (i.e. double see appendix B) commercial rates than Wicklow to provide services to the County which is smaller in area. None of this tax income would be possible without Wicklow's water. Wicklow has the costs of keeping the water collection area but has a very limited rates and LPT income because of it.

Dublin people benefit from the lakes and mountains. A large majority of the many people visiting the water catchment area are from Dublin and being day visitors spend little in the County. They are welcome but the cost of providing facilities (roads, car parks, litter collection, dog wardens, paths, gritting in ice, Civil Defence etc.) falls on Wicklow County Council.

Appendix A. Dail Question.

558. Deputy Andrew Doyle asked the **Minister for the Environment, Heritage and Local Government** the legislation governing charges for [1986]water supplied to Wicklow from Wicklow reservoirs; when it was introduced; and if he will make a statement on the matter. [\[29845/07\]](#)

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): General legal authority to charge for water supplies derives from section 65A of the Public Health (Ireland) Act 1878, inserted by section 7 of the Local Government (Sanitary Services) Act 1962 (as amended). Additional legislation applying to Wicklow, including the Dublin Corporation Waterworks Act 1861 and the Bray Township Act 1866, obliges Dublin City Council to provide a supply of treated drinking water to Bray and Greystones, at little or no cost which is in breach of Ireland's obligations under the EU Water Framework Directive.

This legislation is being repealed under the Water Services Act 2007, and replaced by a modern legislative code requiring water services authorities to charge for the full cost of providing water services to non-domestic users. It is understood that Dublin City Council intends to continue providing water supplies to Wicklow County Council, but at appropriate rates of charge phased in as transitional arrangements and ultimately reflecting the true cost of supply. My Department is also in contact with Wicklow County Council with a view to adjusting the annual subvention from the Local Government Fund to take account of the revised financial arrangements.

Acknowledgement of assistance provided by:

Bryan Doyle	Chief Executive Wicklow County Council
Lorraine Lynch	Head of Finance
Michael Geaney	Director of Services
Councillor Jim Ruttle	

Appendix B: figures

Irish Water. Wicklow Community Gain.

Percentage of Greater Dublin Water Supply Area which comes from Wicklow

	2015 MI/d	% from Wicklow	Quantity from Wicklow
Ballymore Eustace	310	100%	310
Leixlip	215	90%	194
Vartry	65	100%	65
Total Capacity including other	623	91%	569

It is assumed that 10% of water in the Liffey at Leixlip is from non Wicklow sources.
Capacity from Irish Water Project Need Report

Water Supply Area

Percentage of Population by County supplied by Greater Dublin Water Supply Area

		% from Wicklow	Counties % from Wicklow
Dublin	98%	91	89
Kildare	82%	91	75
Wicklow	50%	91	46
Meath	12%	91	11

Comparison of Income of Wicklow and Kildare Councils and County Dublin.

		Wicklow	Kildare
Commercial rates	€M	28	57
Local Property Tax	€M	10	12.4
Area	km ²	2027	1695
Population	K	137	210

Dublin Commercial Rates Income: South Dublin 118, DLR 79, Fingal 116, DCC 320. Total €633m

Dublin's Population is 1.3m. Rate income is 23 times higher than Wicklow for a population 9 times higher.

Calculation of Wicklow's Community Gain per Irish Water document

Total water used in Dublin Region per day is 535 ml per day less Wicklow usage of 22 is 513 ML
at 1c per CuM is €5130 per day or €1.87m per year.

Calculation of Wicklow's Community Gain per 1861 Act on a modern basis.

'supply of treated drinking water to Bray and Greystones, at little or no cost'.

Wholesale Water Cost about €1.5m

cost of maintaining pipes, repairing leaks, installing new pipes etc. say €600,000

Water Bills paid to Dublin City Council €913,000

Retail Water Cost about €2.2m

Bray and Greystones have a population of about 45,000 and about 17,000 houses.

The water charge is capped at €130 so the average charge would be over €70.

This gives an income of €1.2m. A guestimate of the non domestic charge would be €1m.

A total cost of €2.2m. Irish Water will have these figure exactly.

At one stage it was envisaged a charge of €3.70 per 1,000 litres which would probably give a higher figure.

Following a discussion on the presentation it was proposed by Cllr. D. Mitchell, seconded by Cllr. I. Winters and agreed that the paper prepared by Cllr. D. Mitchell would be forward to Irish Water with and the Minister view to initiating discussion on the matter.

ITEM NO. 9

To consider the filling of vacancy on the Housing and Corporate Estate SPC arising from the election of former Councillor John Brady to Dáil Eireann

It was proposed by Cllr. N. Lawless, seconded by Cllr. M. McDonald and agreed that Cllr. M. O Connor fill the vacancy on the Housing and Corporate Estate SPC arising from the election of former Cllr. J. Brady to Dail Eireann.

ITEM NO. 10

To consider the filling of vacancies to the following committees arising from the election of former Councillor Pat Casey to Dáil Eireann

- 1. Chair of Economic Development and Enterprise Support SPC**
 - 2. Local Community Development Committee**
-

1. Chair of Economic Development and Enterprise Support SPC: It was proposed by Cllr. P Vance, seconded by Cllr. P. Kennedy and agreed that Cllr. G. Walsh fill the position of Chair of the Economic Development and Enterprise Support SPC vacated by former Councillor Pat Casey.

2. Local Community Development Committee: Cllr. P. Kennedy was proposed by Cllr. P. Vance and seconded by Cllr. G. Walsh. Councillor M. O Connor was proposed by Cllr. N. Lawless and seconded by Cllr. M. McDonald. Both nominees were put to a vote and following a roll call Cllr. P. Kennedy was elected to the committee by a margin of 18 votes (Cllr. P. Kennedy), 7 votes (Cllr. M. O Connor) and 7 members not present. Viz:-

CLLR. P. KENNEDY: CLLRS. T. ANSLEY, J. BEHAN, V. BLAKE, S. BOURKE, S. CULLEN, G. DUNNE, P. FITZGERALD, P. KENNEDY, S. MATTHEWS, G. MCLOUGHLIN, D. MITCHELL, M. MURPHY, J. RUTTLE, J. RYAN, E. TIMMINS, P. VANCE G. WALSH AND I. WINTERS. (18)

CLLR. M. O CONNOR: CLLRS. M. KAVANAGH, N. LAWLESS, M. MCDONALD, O O BRIEN, M. O CONNOR. G. O NEILL, AND B. THORNHILL (7)
NOT PRESENT: CLLRS. T. CULLEN, P. DORAN, T. FORTUNE, C. FOX, D. NOLAN. J. SNELL AND J. WHITMORE. (7)

ITEM NO. 11

To consider the nomination of an elected member to the Wicklow Local Sports partnership in replacement of Cllr. Daire Nolan

It was proposed by Cllr. G. Walsh, seconded by Cllr. P Vance and agreed that Cllr. Shay Cullen would replace Cllr. Daire Nolan on the Wicklow Local Sports Partnership Committee.

ITEM NO. 12

To consider nominations to form a committee to review the process by which land disposals are conducted.

It was agreed to defer this item to the May meeting of the Council having regard to the time left.

ITEM NO. 15

To note Wicklow County Council Joint Policing Committee Annual Report for year ended 31st December, 2015

It was agreed to note the Wicklow County Council Joint Policing Committee Annual report for year ended 31st December, 2015 as circulated.

ITEM NO. 13

To consider Incremental Purchase Scheme 2016 (Report enclosed)

Tenant (Incremental) Purchase Scheme 2016 dated February, 2016 from the Department of the Environment, Community and Local Government was circulated to the elected members.

Policy Statement of Wicklow County Council regarding the Incremental Purchase scheme was also circulated to the elected members viz:-

WICKLOW COUNTY COUNCIL – POLICY STATEMENT - INCREMENTAL PURCHASE SCHEME 2016

The Minister for the Environment, Community and Local Government has made the statutory instruments necessary to introduce the new Tenant Purchase Scheme for existing local authority houses on 1 January 2016. The new scheme is modelled along similar lines to the incremental purchase scheme for certain newly-built or acquired local authority houses (Housing circular 2010/14 dated 11 June 2010) and the tenant purchase scheme for local authority apartments (Housing circular 51/2011 dated 23 December 2011).

The previous tenant purchase schemes whereby the tenants were allowed a discount based on the number of years occupied by the tenant where a 3% discount was applied over 10 and to a maximum of 15 years no longer applies. This has been replaced by the new Incremental Purchase Scheme detailed hereunder.

The Incremental Purchase Scheme disallows sales in the following properties:-

- Apartments, flats, maisonettes and duplexes are not for sale
- Part V properties are not for sale

- Houses specially designed for older people
- Houses provided for people with disabilities to help them leave institutional care and live in the community;
- Houses that are part of a group housing scheme for Travellers;
- Caravans, mobile homes or other homes that can be moved
- Houses in a private development transferred to the local authority by the developer;
- Houses reserved by the local authority for particular reasons

Wicklow County Council are incorporating the following policies in relation to good estate management.

- Properties purchased after the 1.1.2010 are not for sale
- Properties where an extension, remedial works, or dpg works after 1.1.2010 are not for sale
- Four bedroom properties are not for sale

N.B. This will be reviewed during 2016/2017 by the Housing & Corporate Policy Group
Income

Wicklow County Council will calculate gross income (that is income before deduction of income tax, USC, pension contributions, pension related deductions and PRSI) This includes income from wages, salaries and some social welfare payments **but only** where they are **additional** to employment income. It does not include Child Benefit, Carer's Allowance or Family Income Supplement.

Income Disregards

Income from the following sources is not reckonable under the scheme and is not included in determining a tenant's gross income:

- (a) Child Benefit;
- (b) Carer's Allowance, Carer's Benefit and Half-Rate Carer's Benefit;
- (c) Family Income Supplement;
- (d) Guardian's Payment;
- (e) Exceptional Needs Payments;
- (f) Diet Supplement;
- (g) National Fuel Scheme;
- (h) Respite Care Grant;
- (i) Prescribed Relative Allowance;
- (j) Living Alone (Pension) Allowance;
- (k) Age 80 (Pension) Allowance;
- (l) JobBridge, the National Internship Scheme;
- (m) Domiciliary Care Allowance;
- (n) Tús (Community Work Placement Initiative);
- (o) Back to Education Allowance;
- (p) Gateway (Local Authority Activation Scheme);
- (q) Rural Social Scheme;

- (r) Community Employment Programme;
- (s) Fostering Allowance;
- (t) Blind Welfare Allowance;
- (u) Back to Work Family Dividend
- (v) Boarding-Out Payments;
- (w) Student grants and scholarship schemes;
- (x) Home Tuition Scheme;
- (y) Youthreach training allowance;
- (z) Payments by charitable organisations, one of the functions of which is to assist persons in need by making grants of money to them;
- (aa) Payments made by another EU Member State that correspond to Child Benefit;
- (bb) Rehabilitation training allowances.

Discount

Depending on gross annual income the discounts will vary between 40% and 60%. The discount will be given against the market value (purchase price) of the property.

Depending on your gross annual income, the discounts will vary between 40% and 60%. The discount will be given against the market value (purchase price) of your house.

Gross annual income	Discount
Between €15,000 and €20,000	60%
Between €20,001 and €29,999	50%
€30,000 or more	40%

Examples:

If your local authority house is valued at €150,000 and your gross annual income is €18,000, you will get a discount of 60% against the purchase price. This means you will pay €60,000 for the house (40% of €150,000 is €60,000).

If your local authority house is valued at €200,000 and your gross annual income is €30,000, you will get a discount of 40% against the purchase price. This means you will pay €120,000 for the house (60% of €200,000 is €120,000).

If your local authority house is valued at €100,000 and your gross annual income is €25,000, you will get a discount of 50% against the purchase price. This means you will pay €50,000 for the house (50% of €100,000 is €50,000).

However, the local authority will place an incremental purchase charge on the house equal to the discount you get.

Incremental Purchase Charge

One of the conditions of the sale is that your local authority will place an incremental purchase charge on the house equal to the value of the discount you get. This charge will reduce to zero over 20, 25 or 30 years (called the 'charge period'), as long as you obey the conditions of the sale under the scheme.

The purchaser will have to pay back the value of the outstanding charge to the local authority if:

- you sell the house before the end of the charge period; or

- your incremental purchase charge is not reduced for one or more years because you did not obey the conditions of the scheme. It remains due for repayment at the end of the charge period.

The period of the incremental purchase charge will depend on the discount. For example, if you get a discount of 50% based on your gross annual income (see section 13), the charge period will be 25 years.

Discount	Charge Period
60%	30 years
50%	25 years
40%	20 years

Here are two examples of how the scheme works.

Example 1:

You buy your house and keep it for the full charge period

Purchase price (market value) at date of sale: €150,000
 Discount: 50% [based on your income]
 Purchase money (price actually paid): €75,000
 Incremental purchase charge on house: 50% of value of house
 Charge period: 25 years [based on discount]

Each year, the incremental purchase charge will drop by 2% of the value of the house. After 25 years, the charge will be zero.

Example 2:

You buy your house and re-sell it after 10 years

Purchase price (market value) at date of sale: €150,000
 Discount: 50% [based on your income]
 Purchase money (price actually paid): €75,000
 Incremental purchase charge on house: 50% of value of house
 Charge period: 25 years [based on discount]

Resale of house after 10 years:

Market value of house on resale: €160,000
 Outstanding incremental purchase charge: 30% [50% less 20% = 30%]*
 Pay back to local authority to clear charge:* €48,000 [€160,000 x 30% = €48,000]

* The original incremental purchase charge was 50% but each year it has reduced by 2%. So, over the 10 years, the charge has fallen by 20% (2% x 10 = 20%). This means you only have to pay back 30% (€48,000) of the current market value.

End.

Cllr. J. Behan advised that he was happy to propose the scheme with the exception of the three additions added in by the executive which he said he had raised at SPC level viz:-

- Properties purchased after the 1.1.2010 are not for sale
- Properties where an extension, remedial works, or dpg works after 1.1.2010 are not for sale
- Four bedroom properties are not for sale

N.B. This will be reviewed during 2016/2017 by the Housing & Corporate Policy Group

- Reference made to provision to pay water charges and clarification sought if this has to be put in as a condition.
- Clarification sought on proposed non-sale of four bedroom units and reference made to the family in Bray who had contacted the Council in this regard.
- Reference made to the housing crisis and is the Council replacing the housing stock it is proposing to sell
- Will the funds received from the sale of the units be ring fenced for the purposes of providing additional housing units.

Councillor S. Bourke proposed that the sale of four bedroom units be considered on a case by case basis and this be reviewed at the end of 2016.

Cllr. J. Behan proposed that the scheme be adopted without the condition on the sale of four bedroom housing units.

Cllr. T. Fortune proposed that the scheme be referred back to the SPC which was seconded by Cllr. N. Lawless.

Cllr. P. Vance proposed that the Council accept the scheme as is with a view to coming back in six months time to review it to see if it needs to be changed. This was seconded by Cllr. J. Snell.

In response to a query from Cllr. T. Annesley if the proposal goes through today can the applicant in Bray apply to buy the four bedroomed house and will she be given an answer within a six month period the DOS advised that he would undertake to do this.

The proposal put forward by Cllr. P. Vance, seconded by Cllr. J. Snell was then put to a vote and following a roll call was passed by a margin of 17 votes for, 7 against and 8 not present viz:-

FOR: CLLRS. T. ANNESLEY, V. BLAKE, S. BOURKE, G. DUNNE, P. FITZGERALD, M. KAVANAGH, P KENNEDY, S. MATTHEWS,G. MCLOUGHLIN, D. MITCHELL, G. O NEILL, J. RUTTLE, J. RYAN, J. SNELL, P. VANCE, G. WALSH AND I. WINTERS (17)

AGAINST: CLLRS J. BEHAN, T. FORTUNE, N. LAWLESS, M. MCDONALD, O O BRIEN, M. O CONNOR, AND B. THORNHILL (7)

NOT PRESENT: CLLRS S. CULLEN, T. CULLEN, P. DORAN, C. FOX, M MURPHY, D. NOLAN, E. TIMMINS AND J. WHITMORE. (8)

Suspension of Standing Orders

Cllr. B. Thornhill requested a suspension of standing orders to consider the following proposal and outlined his concerns in relation to the programme to the meeting.

“that this Council agrees to write to the Broadcasting Authority requesting the organisation to review the content of the Irish Pictorial Weekly Programme, first broadcasted on RTE1 on 30th March 2016 and rebroadcast 2nd April 2016. Given that part of the contents of the programme caused serious offence and against the spirit and principles of a true Republic”

The proposal was seconded by Cllr. G. O Neill. A general discussion ensued wherein other alternative views were expressed in relation to the programme.

Cllr M. Kavanagh proposed to write and congratulate RTE on the general coverage of the programmes and to mention the one programme that let them down.

As discussion on the motion commenced after 5.15 p.m. the meeting concluded.

THIS CONCLUDED THE BUSINESS OF THE MEETING

**CLLR. JOHN RYAN
CATHAOIRLEACH
WICKLOW COUNTY COUNCIL**

**MS. LORRAINE GALLAGHER
SENIOR EXECUTIVE OFFICER/
MEETINGS ADMINISTRATOR**