

**MINUTES OF SPECIAL MEETING OF WICKLOW COUNTY COUNCIL HELD IN
THE COUNCIL CHAMBER, COUNTY BUILDINGS, WICKLOW ON MONDAY 29th
SEPTEMBER 2016, COMMENCING 11.00 a.m.**

PRESENT:

COUNCILLOR P. FITZGERALD, CATHAOIRLEACH, COUNCILLORS T. ANNESLEY, J. BEHAN, V. BLAKE, S. BOURKE, T. CULLEN, S. CULLEN, P. DORAN, G. DUNNE, 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, M. O CONNOR, G. O'NEILL, J. RUTTLE, J. RYAN, J. SNELL, B. THORNHILL, P. VANCE, G. WALSH J. WHITMORE AND I. WINTERS.

APOLOGIES:

COUNCILLOR E. TIMMONS

IN ATTENDANCE:

**MR. B. DOYLE, CHIEF EXECUTIVE
MR. M. GEANEY, DIRECTOR OF SERVICES
MR. J. LANE, DIRECTOR OF SERVICES
MR. T. MURPHY, DIRECTOR OF SERVICES
MR. D. O'BRIEN, DIRECTOR OF SERVICES
MS. D. CROMIE, A/HEAD OF FINANCE
MS. B. MCCARTHY, FINANCIAL MANAGEMENT ACCOUNTANT
MR. D. KEYES, ADMINISTRATIVE OFFICER
MS. S. WALSH, SENIOR PLANNER
MS. L. GALLAGHER, SENIOR EXECUTIVE OFFICER/MEETINGS ADMINISTRATOR
MS. C. FLOOD, SENIOR EXECUTIVE OFFICER
MS. B. KILKENNY, SENIOR ENGINEER
MS. J. CARROLL, SENIOR EXECUTIVE OFFICER
MS. K. BOYLE, TECHNICAL SUPPORT OFFICER**

ITEM NO. 1

To consider the variation of the basic rate of Local Property Tax and the setting of the Local Adjustment Factor in accordance with the Finance (Local Property Tax) Act 2012 (as amended) to apply for the period of one year from the next local property tax liability date 1st November 2016

Debbie Cromie, A/Head of Finance gave a presentation on Local Property Tax.

Budget 2017 Key Tasks

- LPT – Local Property Tax variation consideration (reserved function)
- Municipal District Budgetary Plan - General Municipal Allocation (GMA)
 - Pool of discretionary funding made available to municipal district members
 - Calculated following determination of available income and overall fixed, semi-fixed and non-discretionary costs
- Draft & Adopt Statutory Annual Budget

Commercial Rates

- Determination of Base Year Adjustment
- Rates Relief on vacant premises
- Schedule of Municipal District Works – the level of service the budget provisions will deliver in each MD
-

BUDGET 2017 ACUTE FINANCIAL MATTERS GROUP

- Established by the CCMA Finance Committee
- Tasked with
 - Identifying
 - Documenting
 - Discussing

“The Acute Financial Matters that are having or will have an unacceptable impact on the finance of Local Government”.

Issued 7 reports to date

- Compensation 2016
- Commercial Rates
- Haddington Road/Lansdowne Road
- Non Domestic Water Billing and Collection
- Irish Water Rates Exemption
- Non HFA Related Loans
- Local Authority Funding of HAP Scheme

COMPENSATION 2016

- Impact of Global Revaluations
- Irish Water Rates Exemption
- Pension Related Deduction
- Pay and Pension

COMMERCIAL RATES– New Listings/Lost income

At May 2016

- Total Revisions on hand with VO for Wicklow 190
- Less 10% delists 171
- Estimated value of Rates €752,400

➤ **HADDINGTON /LANSDOWNE ROAD**

Cumulative Cost for Wicklow 2016 -2018	
	€
Pay Increases	1,918,799
Increase in Staff Numbers	5,285,005
Pension Related Deductions	1,735,561
Public Service Pension Reduction	205,843
Increments	392,250
TOTAL	9,537,458
Avg Annual Cost 2016 - 2018	3,179,153

The 4 other reports

	€
Non Domestic Billing	250,000
Irish Water Rates	2,182,361
Non HFA Water Related Loans	0
Local Authority Funding of staff for HAP	231,000
TOTAL	2,663,361

BUDGET 2016 - Maintenance of LPT

Maintenance of LPT ensured the following	€
Homeless Funding	150,000
Community Grants	250,000
DPG Grants	200,000
Playgrounds	195,000
Recycling Centres	250,000
Library Services	300,000
Rates Incentive Scheme	250,000
Economic Development	275,000
Municipal Districts Discretionary Funding	580,000
Bray Greystones Cliff Walk	50,000
TOTAL	2,500,000

Local Property Tax is Critical

- LA may, as a reserved function, resolve to vary the basic rate of LPT within its functional area by a maximum of +/- 15%
- Any decision to vary the basic rate of LPT must be taken by September 30th
- Decision on Local Adjustment Factor to be notified on or before 30/9/16
 - to Revenue Commissioners
 - to DHPCLG

Budgetary Process – LPT

Provisional 2017 LPT Allocation (Fin 04/16)

		2017 (Fin 04 2016)
100% of LPT Income Allocations for Wicklow	A	17,056,333
20% to National Equalisation Fund	B	3,411,267
80% of LPT to be retained locally	C	13,645,066
LGF Baseline (2017) - Minimum req for funding	D	8,547,247
"Surplus"	E= (D-C)	5,097,819
LPT Surplus - Net Discretionary Income	F=20% of A	3,411,266
Amount of surplus to self fund housing	G=E-F	1,686,553
Amount of LPT to be provided in 2017(pending any decision to vary the basic rate)		13,645,066
Value of potential increase or decrease in 2017 LPT Allocation for every 1% variation implemented		170,563

LPT - Matters to which we must have regard

In varying the rate the LA must have regard to the following matters

1. The local authorities estimation of the income it will receive and the expenditure it will incur for the period for which the varied rate is to have effect
2. The financial position of the local authority
3. The financial effect of the varied rate
4. Feedback from any consultation held
- 5.

The local authorities estimation of the income it will receive and the expenditure it will incur for the period for which the varied rate is to have effect

- Current Expenditure estimate €98.2m
- Current Income estimate €91.9m
- Shortfall if LPT basic rate remains unchanged €6.35m
- Shortfall if LPT basic rate is reduced by 15% €8.9m

Submissions from Service Divisions to provide for adequate as well as additional services may have to be refused

DRAFT REVENUE BUDGET 2017

<u>Expenditure</u>			
Division	Description	€	%
A	Housing and Building	18,248,617	19
B	Road Transportation and Safety	18,753,694	19
C	Water Services	6,131,495	6
D	Development Management	9,368,333	10
E	Environmental Services	10,835,032	11
F	Recreation & Amenity	6,420,798	7
G	Agriculture, Education, Health & Welfare	1,450,304	1
H	Miscellaneous Services	11,513,928	12
	Central Management Costs	15,340,188	16
TOTAL EXPENDITURE		98,062,389	100

<u>Income</u>			
		€	%
	Grants & Subsidies	21,275,216	23
	Goods & Services	30,821,754	34
	LPT	11,958,514	13
	Rates	27,804,886	30
	TOTAL INCOME	91,860,371	100

The financial position of the local authority

- Revenue Deficit at 31/12/15 €3.43M
- Capital Deficits
 - Requests from both Auditor and Department to undertake a review of unfunded balances and to agree a plan to tackle the deficits

Feedback from any consultation held

- Public Consultation – 23 submissions
 - 14 in favour of 15% reduction
 - 5 in favour of maintaining basic rate
 - 4 other

The financial effect of the varied rate

- On individual
- On Local Authority

LPT - Potential Impact on liable person

Valuation Band	Standard Rate	Local Authority LPT Rate reduction by					€ Impact of 15% change			% houses in value band in Wicklow	No. houses in value band in Wicklow
		1%	5%	7.50%	10%	15%	per annum	per month	per week		
		€	€	€	€	€	€	€	€		
0 to 100,000	90	89	85	83	81	76	14	1.17	0.27	12	6,252
100,001 to 150,000	225	223	212	208	202	191	34	2.83	0.65	18	9,378
150,001 to 200,000	315	312	296	291	283	267	48	4	0.92	27	14,067
200,001 to 250,000	405	401	381	374	364	344	61	5.08	1.17	19	9,899
250,001 to 300,000	495	490	466	457	445	420	75	6.25	1.44	10	5,210
300,001 to 350,000	585	579	550	541	526	497	88	7.33	1.69	14	7,294

LPT - Potential Impact on the LPT revenue in the forthcoming financial year

Varying the base rate by 1% will result in a change in LPT income of €170,563

100% of LPT for 2017	80% to be retained locally	Net Amount over 2017 GPG Available for Discretionary Purposes
17,056,333	13,645,066	3,411,266

Reduction/Increase in Income if LPT basic rate varied by					
%	1	5	7.5	10	15
€	170,563	852,817	1,279,225	1,705,633	2,558,450

2017 LPT Basic Rate Variation

- Reserved function of Wicklow County Council
- Opportunity to provide targeted investment in services
- Opportunity to prevent cuts in services

Following a lengthy discussion 2 proposals were put forward to a vote. It was proposed by Cllr. N. Lawless and seconded by Cllr. M. McDonald to reduce the Local Property Tax rate by 15%. It was proposed by Cllr. P. Vance and seconded by Cllr. J. Ryan to leave the Local Property Tax rate unchanged. Votes were taken.

To Reduce the Local Property Tax Rate by 15%:

FOR: CLLR. J. BEHAN, CLLR. T. FORTUNE, CLLR. M. KAVANAGH, CLLR. N. LAWLESS, CLLR. M. MCDONALD, CLLR. O. O'BRIEN, CLLR. G. O'NEILL, CLLR. J. SNELL, CLLR. B. THORNHILL (9)

AGAINST: CLLR. T. ANNESLEY, CLLR V. BLAKE, CLLR. S. BOURKE, CLLR. S. CULLEN, CLLR. P. DORAN, CLLR. G. DUNNE, CLLR. P. FITZGERALD, CLLR. C. FOX, CLLR. P. KENNEDY, CLLR. S. MATTHEWS, CLLR. G. MCLOUGHLIN, CLLR. D. MITCHELL, CLLR. M. MURPHY, CLLR. D. NOLAN, CLLR. J. RUTTLE, CLLR. J. RYAN, CLLR. P. VANCE, CLLR. G. WALSH, CLLR. J. WHITMORE, CLLR. I. WINTERS (20)

ABSTAINING: CLLR. T. CULLEN (1)

NOT PRESENT : CLLR. M. O'CONNOR AND CLLR. E. TIMMONS (2)

To leave the Local Property Tax Rate Unchanged:

FOR: CLLR. T. ANNESLEY, CLLR V. BLAKE, CLLR. S. BOURKE, CLLR. S. CULLEN, CLLR. P. DORAN, CLLR. G. DUNNE, CLLR. P. FITZGERALD, CLLR. C. FOX, CLLR. P. KENNEDY, CLLR. S. MATTHEWS, CLLR. G. MCLOUGHLIN, CLLR. D. MITCHELL, CLLR. M. MURPHY, CLLR. D. NOLAN, CLLR. J. RUTTLE, CLLR. J. RYAN, CLLR. P. VANCE, CLLR. G. WALSH, CLLR. J. WHITMORE, CLLR. I. WINTERS (20)

AGAINST: CLLR. J. BEHAN, CLLR. T. FORTUNE, CLLR. M. KAVANAGH, CLLR. N. LAWLESS, CLLR. M. MCDONALD, CLLR. O. O'BRIEN, CLLR. G. O'NEILL, CLLR. J. SNELL, CLLR. B. THORNHILL (9)

ABSTAINING: CLLR. T. CULLEN (1)

NOT PRESENT : CLLR. M. O'CONNOR AND CLLR. E. TIMMONS (2)

The meeting was adjourned until 2.00pm to allow for lunch.

ITEM NO. 2

To receive presentation: Housing Wicklow County Council

Mr. Joe Lane, Housing and Corporate Estate Director of Services, Ms. Jackie Carroll, Senior Executive Officer and Ms. Breege Kilkenny, Senior Engineer gave a presentation to the Members.

National Housing Policy

'To ensure sufficient stable and sustained provision of housing that is affordable, in the right locations, meets peoples different needs and is of lasting quality..' (Rebuilding Ireland – Action Plan for Housing and Homelessness 2016)

Wicklow County Council's Housing Policy is contained within its Mission Statement which states that its aim is

'to facilitate the provision of sustainable, high quality, social, affordable and cost effective housing accommodation to meet the existing and likely future needs responsive to the requirements of all categories of persons in the County'.

Rebuilding Ireland Action Plan for Housing and Homelessness

Five Pillars

Pillar 1 Addressing Homelessness

Pillar 2 Accelerate Social Housing

Pillar 3 Build More Homes

Pillar 4 Improve the Rental Sector

Pillar 5 Utilise Existing Stock

Accelerate Social Housing Build More Homes

Wicklow County Council New Housing Construction Programme

Projects underway: Stage 1 Approval granted

Kilbride Lane, Bray - 42 units

Avondale Heights, Rathdrum - 20 units

Emoclew , Arklow Phase 1 - 17 units

Emoclew, Arklow Phase 2 - 20 units

Sugarloaf, Kilmacanogue - 20 units

Farrankelly, Greystones - 15 units

FCA Hall, Wicklow - 8 units

Old Library, Arklow - 7 units

Kilmantan Place, Bray - 4 units

Chapel Lane, Aughrim - 4 units

Ard na Mara, Kilcoole - 2 units

Druids Brook, Kilcoole - 2 units

O'Byrne Road, Bray - 1 units

Total 160 units

Accelerate Social Housing Build More Homes

Wicklow County Council New Housing Construction Programme
Stage 2 Approval sought from the Department
Avondale Heights, Rathdrum - 20 units
FCA Hall, Wicklow - 8 units
Kilmantan Place, Bray - 4 units
Chapel Lane, Aughrim - 4 units
Ard na Mara, Kilcoole - 2 units
Druids Brook, Kilcoole - 2 units
O'Byrne Road, Bray - 1 units

Wicklow County Council New Housing Construction Programme
Stage 2 Approval yet to be sought
Kilbride Lane, Bray - 42 units
Emoclew , Arklow Phase 1 - 17 units
Emoclew, Arklow Phase 2 - 20 units
Sugarloaf, Kilmacanogue - 20 units
Farrankelly, Greystones - 15 units

Addressing Homelessness Improving the Rental Sector

Social Housing Need – applicants for Social Housing support
Rental Accommodation Scheme (RAS)
Housing Assistance Payment (HAP)
Addressing Homelessness
Capital Assistance Scheme – working with AHBs

Social Housing Need

3,886 on the Council's Social Housing Support List
Social Housing Assessment 2016 – forms issued to 3,641 (did not include those who have been accepted onto the list in last year)
2,608 actioned
Over 1,000 forms not yet returned
NB – Demand v Need

Improving the Rental Sector Rental Accommodation Scheme (RAS)

The Rental Accommodation Scheme, (RAS), implemented in 2006 by Wicklow County Council, is part of the process which began shifting the focus of Social Housing from Direct Provision towards a more flexible delivery mechanism

- Long Term recipients of Rent Supplement (18 months +)
- Tenant pays differential rent to Housing Authority
- Landlord is paid market value less % by the Housing Authority
- Standards of accommodation have improved through inspection regime
- Over 500 properties presently in the scheme
- Housing need is deemed to have been met

Improve the Rental Sector Housing Assistance Payment (HAP)

Housing Assistance Payment (HAP)

- Involves the transfer of responsibility for recipients of rent supplement with a long term housing need from the Department of Social Protection to Local Authorities using a Housing Assistance Payment
- Piloted in other Local Authorities since Jan 2014
- Transfer date 2016
- €500 million spent each year
- A form of housing support and income support
- The tenant will source their own accommodation and Wicklow County Council will pay the landlord the market rent.
- The tenant will pay Differential Rent to the Council
- Housing need is deemed to have been met.

Addressing Homelessness

From 1st January 2016 to 31st August 2016:

120 individuals and 217 families have presented to Wicklow County Council for homeless support and advice.

Emergency accommodation is the last resort.

Working in Partnership with Approved Housing Bodies

Housing First – wraparound supports - a number of properties in Bray and Arklow provides low to medium supported accommodation targeted to the particular support needs of the clients

Kilmantin Hill, Wicklow –High Support Transitional units– housing 10 individuals

Castle Street - 5 units of low supported tenancies - built utilising funding under the Capital Assistance Scheme.

Capital Assistance Scheme

Capital Assistance Scheme (CAS) 2016

Wicklow County Council called for proposals under CAS – caters for the priority groups eg homeless persons, elderly, people with a disability (emphasis on moving from congregated setting)

A number of proposals received – being prioritised on basis of need

Rebuilding Ireland

Under the Build More Homes platform:

- Significantly streamlined the Part V Policy
- Clear Policy
- Working with AHBs – CAS, CALF
- Under the Utilise Existing Stock platform:
- Better management of Social Housing
- Reletting of vacant houses
- Part V - Changes to the criteria – now 10% - Units preferred – option of land off site considered if units not suitable

This is a rolling programme – 2021

LA Units 2016 – 2018

-Expression of interest own land Phase 1 & 2 215 including 45 in Cluid

- Part V
- PPP
- Acquisitions

ITEM NO. 3

To discuss Wicklow County Council Data Protection Protocol.

Cllr. N. Lawless put forward a proposal “That Wicklow County Council cease the requirement of Data Protection waiver forms, from all public representatives when making a representation on behalf of constituent, in line with conditions laid down in the Guidance Note for Data Controllers on the release of personal data to Public Representatives, which states where a public representative makes a written representation on behalf of a constituent, the organisation can generally assume that the constituent has given consent for the release of personal data necessary to respond to the representation”

Christine Flood, Senior Executive Officer, explained that she chaired a committee to review the Data Protection Procedures following the Local Government Reform Act 2014. The committee formed was represented by all sections within Wicklow County Council. Documents were reviewed based on legal advice and a comprehensive training programme was introduced. The aim of the review was in no way intended to undermine the representational role of the Elected Members.

Following a discussion it was proposed by Cllr. S. Matthews and seconded by Cllr. I. Winters to vote on the proposal with an amendment

FOR: CLLR. T. ANNESLEY, CLLR. J. BEHAN, CLLR. V. BLAKE, CLLR. S. CULLEN, CLLR. P. DORAN, CLLR. P. FITZGERALD, CLLR. C. FOX, CLLR. M. KAVANAGH, CLLR. P. KENNEDY, CLLR. S. MATTHEWS, CLLR. G. MCLOUGHLIN, CLLR. J. RUTTLE, CLLR. G. WALSH AND CLLR. I. WINTERS. (14)

AGAINST: CLLR. T. FORTUNE, CLLR. O'BRIEN, CLLR. J. SNELL AND CLLR. B. THORNHILL. (4)

NOT PRESENT: CLLR. S. BOURKE, CLLR. T. CULLEN, CLLR. G. DUNNE, CLLR. D. MITCHELL, CLLR. M. MURPHY, CLLR. D. NOLAN, CLLR. G. O'NEILL, CLLR. J. RYAN, CLLR. E. TIMMONS, CLLR. P. VANCE AND CLLR. J. WHITMORE. (11)

ABSTAINING : CLLR. N. LAWLESS, CLLR. M. MCDONALD AND CLLR. M. O'CONNOR (3)

THIS CONCLUDED THE BUSINESS OF THE MEETING

**CLLR. PAT FITZGERALD
CATHAOIRLEACH
WICKLOW COUNTY COUNCIL**

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

