



**NOTIFICATION TO ATTEND MEETING OF THE FINANCE SPC
TO BE HELD IN THE COUNCIL CHAMBER, CITY HALL, DAME STREET, DUBLIN 2.,
ON THURSDAY, 19 NOVEMBER 2015 AT 3.30 PM**

AGENDA

THURSDAY, 19 NOVEMBER 2015

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Finance & Emergency Services Strategic Policy Committee

Minutes of Meeting Held On 17th September 2015

1. Minutes of the meeting held on 21st May 2015

Minutes agreed.

2. Matters arising

Docklands Development Authority

K. Quinn to contact the Dublin Docklands Development Authority to request responses be issued to Cllrs. McGrattan and Lacey relating to queries raised at the May 2015 SPC meeting to which responses were to issue from the Dublin Docklands Development Authority.

BIDs

E. Fleming reiterated his concerns with BIDs and non-profit organisations.

DFB – Section 26 Plan

K. Quinn confirmed that developments at national level on the Keeping Communities Safe process will inform Dublin City Council's Section 26 plan. This process may conclude over the next 6-8 weeks. **Agreed:** Cllr. McGinley requested that if this process concluded within the referenced timeframe that an update would be provided to the Committee.

3. DCC Bank Accounts – closed and opened – Update to SPC

A report was circulated to the Committee detailing the opening and closing of DCC bank accounts over the period January-June 2015 providing an overview to members as a governance item. Cllr Lacey sought clarification around the number of accounts involved and K. Quinn confirmed that the number of accounts opened covered bonds received from developers to cover a specific site and when the development is completed the accounts are closed. She further noted that the level of transactions reflected the level of construction work that has commenced. **Agreed:** It was agreed that a report would come to the next meeting summarising details of the bank account structure.

4. BIDs Presentation – Richard Guiney, Dublin Town

Cllr. McGinley gave an overview of the historical background to the establishment of the BIDs initiative and DublinTown. Richard Guiney, CEO, Ray Hernan, Chair and Noel Flynn, Board Member were welcomed to the meeting. Cllr. Mannix noted that he is also a member of the board and Cllr. McGinley clarified that Cllr. Ciaran Cuffe and Rose Kenny, Executive Manager, Central and South East Area Offices are also board members.

Richard Guiney made a presentation to the Committee covering the following issues:

- The establishment of BIDs – model used, marketing and democratic decision of the business community;

- Rapid changes in the 21st Century – transport, technology, e-commerce;
- Direct impact of m-commerce on retail sales index;
- Challenges – enhancing city experience, evening time use and district identity;
- Comparisons with shopping centres – research on attraction to families;
- DublinTown at work – representing members, visitor assistance, marketing, branding, liaising with Gardai/DCC/Luas Cross City, appearance presentation, Christmas lights;
- Marketing Highlights 2014
- DublinTown statistics in 2014 – footfall increase, vacancy rates decrease, graffiti removal, needles removed etc. promoting the individual district agenda;
- New projects for DublinTown – loyalty schemes, parking and mobility assistance and m-commerce training;
- 5 distinct District Groups – highly attending district meetings;
- Corporate Governance issues and requirements
- Community Partnerships – better city ATCM awards, business in the community, assistance with local community groups, North Wall Community Development, perception of public safety, increasing number of people believe city experience is improving.

Following this detailed presentation with contributions from many Committee Members.

Agreed: Cllr McGinley agreed that the transport study may be of interest to this committee considering the impact on the economic development of the city that these proposals would have. If possible he noted that it would be helpful to get a summary of the business concerns.

In conclusion, Cllr. McGinley acknowledged the contributions of the business community in a voluntary capacity on these committees and indeed all the people present here at today's meeting. He further acknowledged the contributions today on this item and would anticipate that it would be raised again within the next 12 months.

5. Motion from Cllr. D. Roiste referred from City Development Plan review process

A report was circulated to the members and was noted.

6. Correspondence

a) BRL – Cllr. R McGinley to DOE - 16/07/15 and b) BRL – Sec Gen. DOE to Cllr R. McGinley – 04/08/15 – Correspondence noted and it was stated that a favourable response has been received. Following a query from Cllr. Reilly regarding the balance outstanding, Cllr McGinley confirmed that the figure is in the range of approximately €16m.

c) DFB Section 26 Plan – Cllr R McGinley to Unions – 16/06/15 - Correspondence noted and this item will be returned to over the coming months.

d) Homeless Funding – Cllr R McGinley to Sec. Gen., DOE – 07/08/15 and e) Homeless Funding – Cllr R McGinley to Sec. Gen., DOE – 07/09/15 – In addition to the above a response dated 11th September 2015 from the Secretary General was circulated to members. Cllr McGinley gave the background to the issuing of these letters. It was noted that the Quarter 3 information should be

returned to the Department by the second week in October. Ongoing pressure to formulate a Budget for 2016 will be impacted by this issue. He acknowledged the work of the Head of Finance and the Homeless Agency to present figures in a meaningful way.

Cllr. Lacey welcomed the issuing of all correspondence from the political side of the committee as being a positive thing and facilitates a robust engagement. He further welcomed the fact that the response had issued from the Secretary General of the department. Cllr McGinley acknowledged that his reasoning for issuing the correspondence to the Secretary General was because of the fact that he is the Accounting Officer.

Additional correspondence request - Pyrite Remedial Works

Agreed: Following a request from Cllr. N. Reilly it was agreed that correspondence should issue from the Chair to the DOE on the costs of remedial pyrite works around the city and funding of these works.

Signed: Councillor Ruairi McGinley
Chairperson

Date: 17th September 2015

Attendance:

Members

Councillor Ruairi McGinley (Chairperson)
Councillor Paddy Bourke
Councillor Tom Brabazon
Councillor Brendan Carr
Councillor Dermot Lacey
Councillor Ray McAdam
Councillor Paddy McCartan
Councillor Noeleen Reilly
Councillor Nial Ring
David Brennan, DCBA
Eric Fleming, ICTU
Evelyn Reilly, Dublin City Community Forum
Aidan Sweeney, IBEC

Councillors – Non Members

Cllr. Mannix Flynn

Guest Speakers

Richard Guiney, CEO, DublinTown
Ray Hernan, Chairman, DublinTown
Noel Flynn, Treasurer, DublinTown
Gerard Farrell, Director of Operations, DublinTown
Rob Enright, on in

Officials

Kathy Quinn, Head of Finance
Fiona Murphy, Senior Staff Officer, Finance Secretariat
Fiona Collins, A/Assistant Staff Officer, Finance Secretariat
Lisa Nolan, Staff Officer (Secretarial)

Apologies

Gina Quin, Dublin Chamber of Commerce

Dr. Caroline McMullan, DCU
Councillor Micheál MacDonncha
Councillor Larry O'Toole
Councillor Brid Smith

Press

Louisa McGrath, Dublin Inquirer

Public Gallery

Gerard Farrell, Director of Operations, DublinTown
Rob Enright
Liam King



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*PRESENTATION TO THE FINANCE SPC,
DUBLIN CITY COUNCIL, 19TH NOVEMBER
2015*

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GERRY MACKEN, CEO

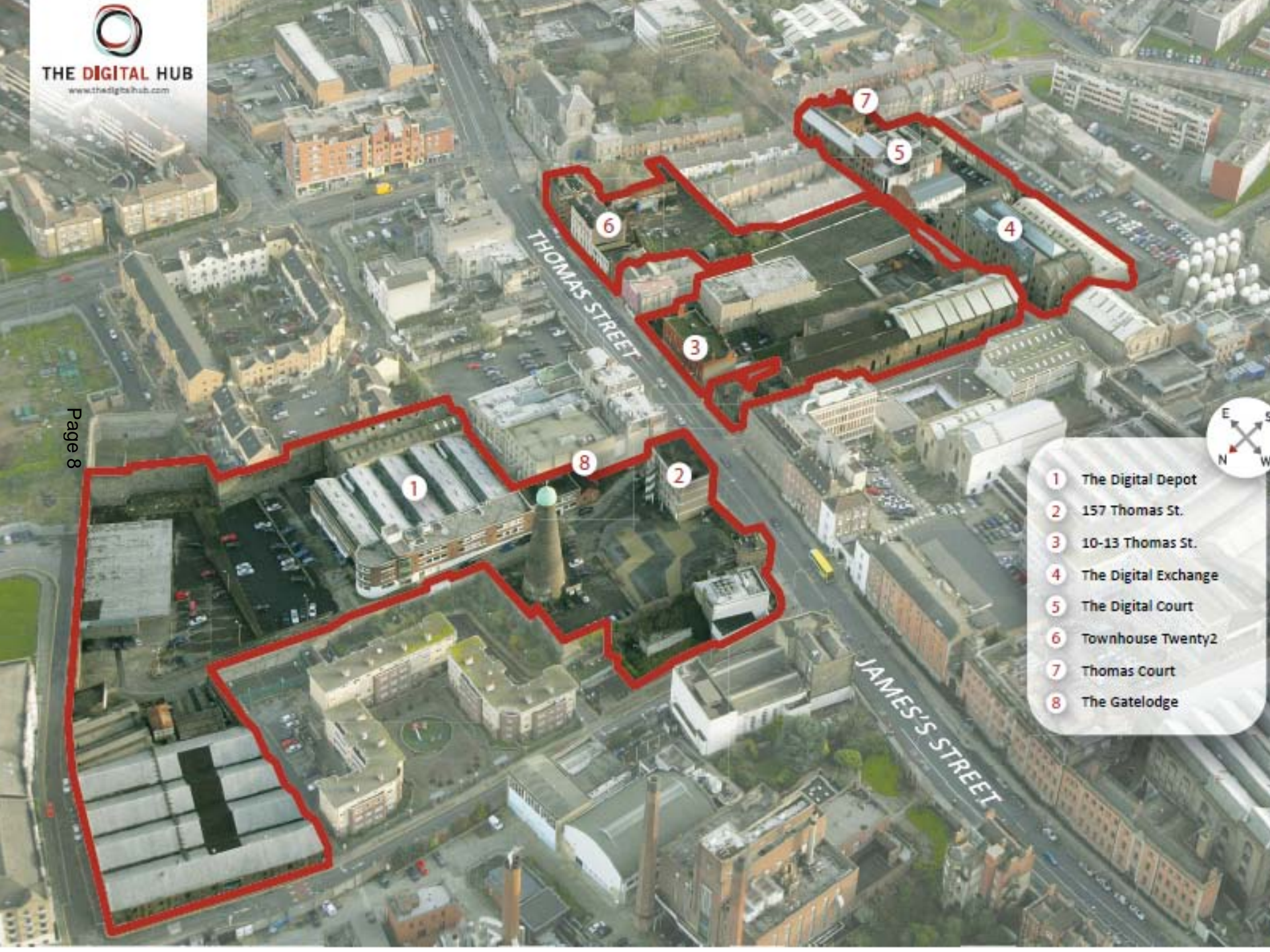


- Introduction
- Overview of What the Hub does
- Future Developments
- Transition Process to DCC
- Q & A



- 1 O'Connell Street
- 2 IFSC
- 3 The Convention Centre
- 4 Grand Canal Dock
- 5 Aviva Stadium
- 6 Trinity College
- 7 St. Stephen's Green
- 8 Temple Bar
- 9 Dublin Castle
- 10 Christchurch
- 11 St. Patrick's Cathedral
- 12 The Jameson Distillery
- 13 NCAD
- 14 DIT Grangegorman Campus
- 15 Heuston Station
- 16 The Guinness Storehouse

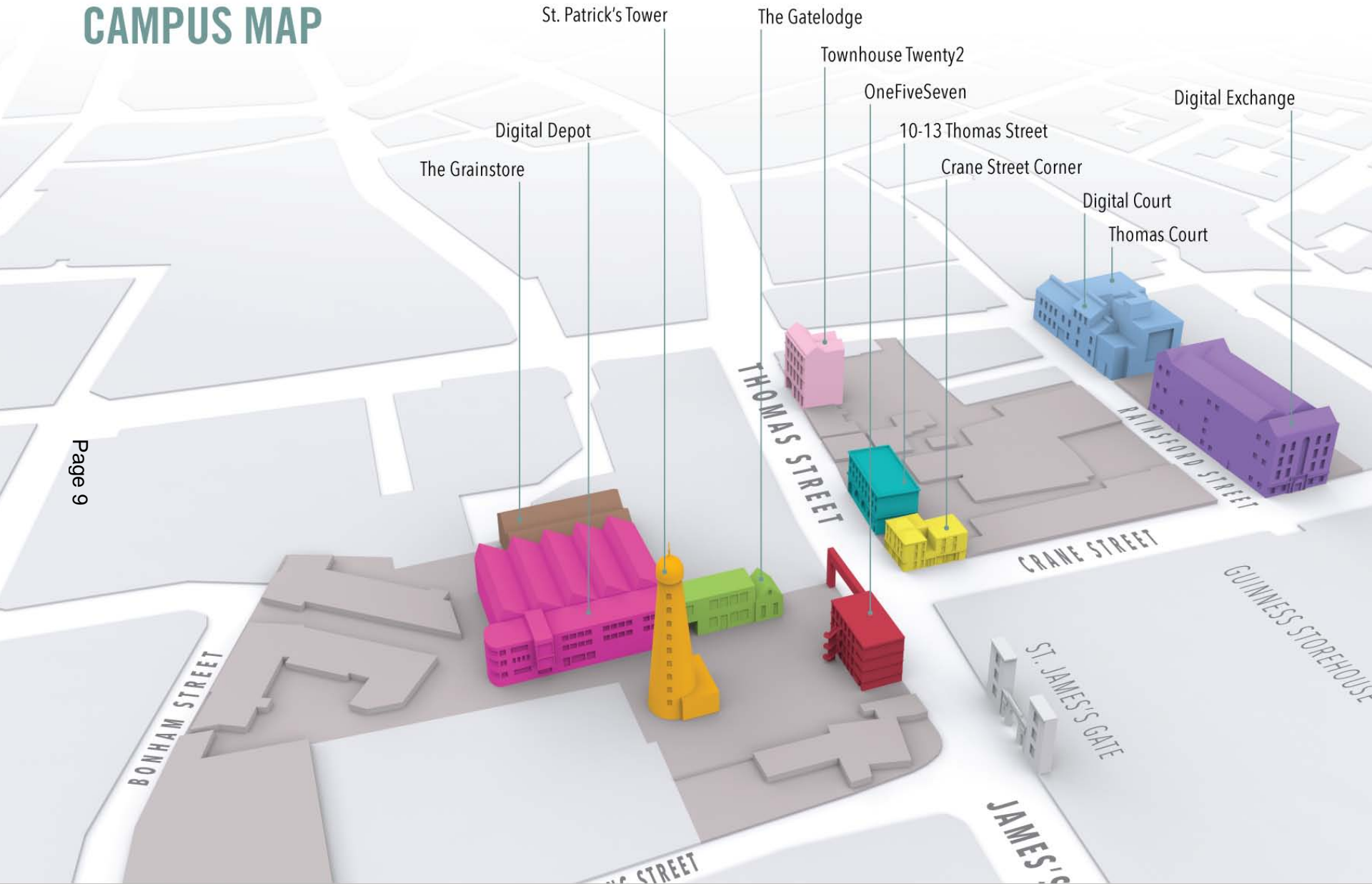
— Luas Red Line — Luas Green Line



- 1 The Digital Depot
- 2 157 Thomas St.
- 3 10-13 Thomas St.
- 4 The Digital Exchange
- 5 The Digital Court
- 6 Townhouse Twenty2
- 7 Thomas Court
- 8 The Gatelodge

CAMPUS MAP

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Digital Depot

St. Patrick's Tower

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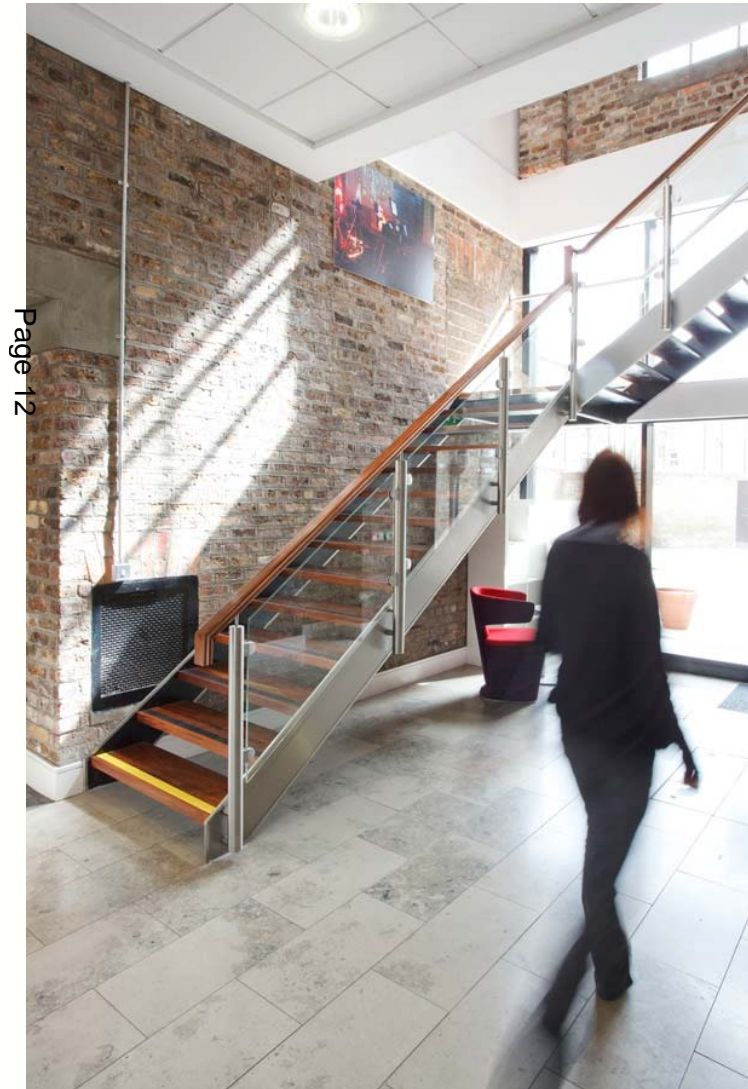
www.thedigitalhub.com

10/13 Thomas Street →



OneFiveSeven

Digital Court



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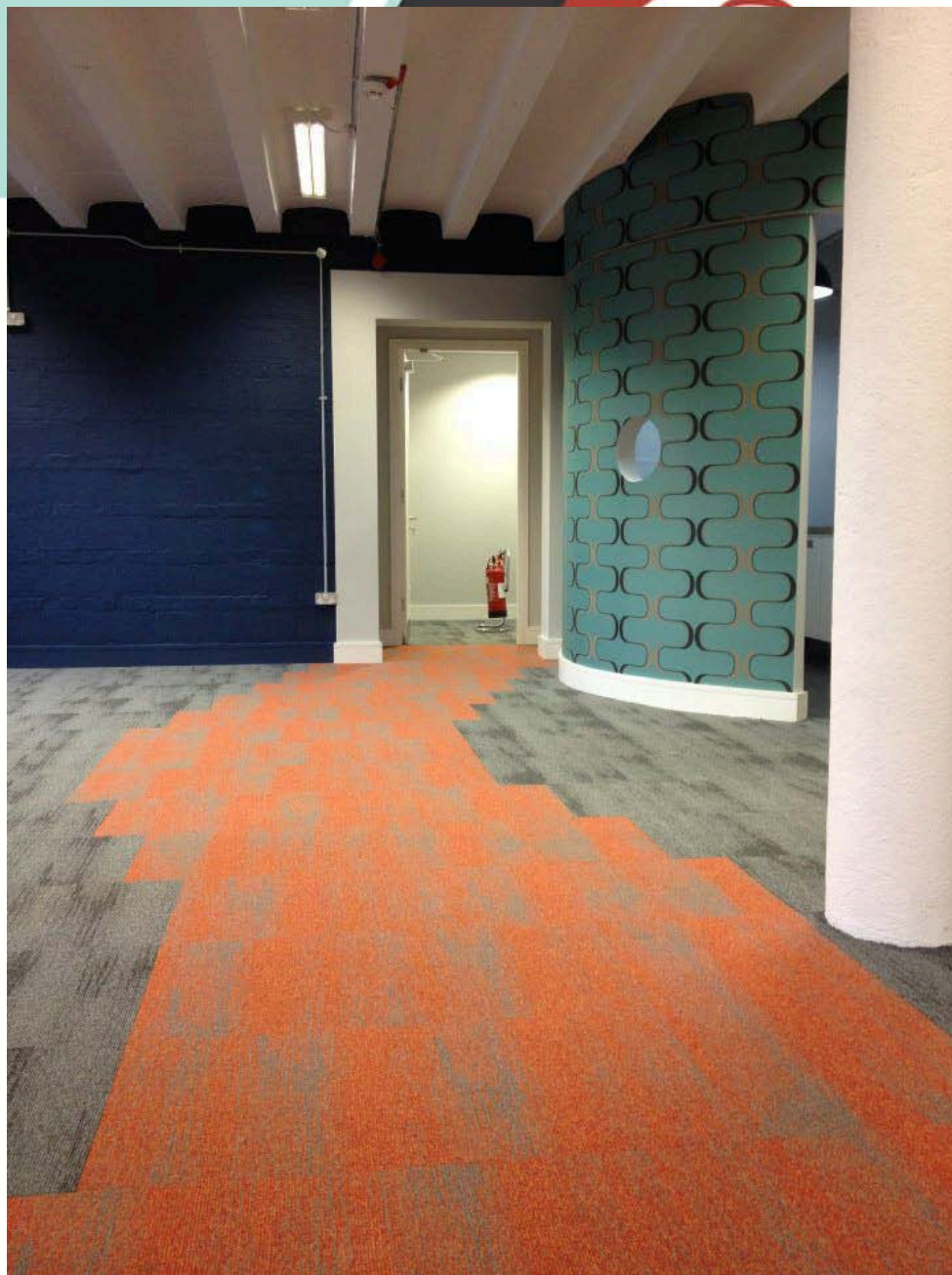
Townhouse Twenty2

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The Gatelodge

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Urban Regeneration



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3rd Party Investment



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Grainstore Development



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Digital Hub Plans (more later)



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- Vathouse 7 Development Brief
 - Competitive Dialogue Model/Process





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Why choose The Digital Hub?



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- Largest Irish cluster of Digital Media companies (90: 35% FDI, 65% Indigenous, >650 emp.)
- Business connections & Advice
- Flexible terms (VfM)
- Easy fast move in
- Fully Furnished options available
- Shared meeting rooms
- Networking
- Collaborations



One Stop Shop of Services



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Broadband Services for Digital Hub members



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SME Broadband Packages

DH 25	DH 50	DH 100
25Mbps ↓ ↑ 5Mbps	50Mbps ↓ ↑ 10Mbps	100Mbps ↓ ↑ 20Mbps
€ 35*	€ 45*	€ 50*

*excluding Delivery Edge Switch.

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Optimum bandwidth performance for your business.



DIGITAL HUB MEMBER NEWS

NEW

12 Month Small Business Development Programme
For Dublin's Providers of Creative Services

APPLY TO RESULTS DRIVEN INITIATIVE FOR CREATIVE SERVICE PROVIDERS BY 09/05

06-05-2014

zenark

ELECTRIC SEARCH - 'MEDIA SEARCH & ALERTS' SERVICE

01-05-2014

Asia Trade Forum | IEA

THE ASIA TRADE FORUM: DOING BUSINESS IN JAPAN - 30/04/14

25-04-2014

GUINNESS STOREHOUSE
Home of Guinness, Dublin

GUINNESS STOREHOUSE SPECIAL OFFER TO DIGITAL HUB MEMBERS

27-02-2014

Friday Morning Meetup

NETWORKING MEETUP THIS FRIDAY

25-03-2014

MEETING ROOMS PROMOTION AT

PRESENTATION ROOM (DIGITAL DEPOT)

AVAILABLE



Capacity: 16 around Boardroom table
Layout: Boardroom/Theatre
Charges: € 16 per hour

BOOK THIS ROOM

Telephone conferencing: Charge applies
Video conferencing: Charge applies
Projector & Screen: Available
Wi-Fi: Available

AVAILABLE TIMES:



Business Benefits



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Home Videos Playlists Channels Discussion About

Leading Women at The Digital Hub - Amy Neale, NDRC
45 views · 2 days ago
As part of the Leading Women at The Digital Hub series, which began in March 2014, The Digital Hub met with Amy Neale to discuss her role at the NDRC. Amy is Director of Communications at NDRC, covering all external communications, media and stakeholder relations, content development and digital strategy and NDRC's events programme.
NDRC is an early stage investor in innovation. They invest directly into innovative startups and indirectly to improve the environment within which ventures can grow. In 2013 NDRC was ranked #1 ICT University-Business Incubator in the world.
Read more

Related channels on YouTube

- Joseph TV
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Companies



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International



slack



stripe



Indigenous



We are also home to
industry organisations



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Some of our alumni....



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Community Engagement / Strategic Initiatives



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Schools

- Schools broadband exemplar, Warrenmount

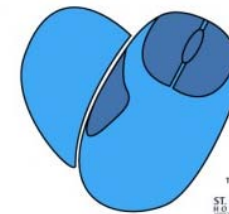
Community

- Future Creators
- Tailored community & small business group courses, Benefit
- TechMums



Enterprise

- Connected Health
- Liberties Business Forum



CONNECTED HEALTH



- Big Data Analytics, Cloud Computing, & Mobile
- The Internet of Things (IoT)
- The Shared Economy/ Crowd Sourcing
- Augmented Reality (Retail)
- Near Field Technology (NFT) : Digital Wallets
- 3D Printing
- Millennials / Generation Y (18-35 Year Olds)
- Disruption ??
- Security ?



- Liberties' LAP
- Liberties Business Forum
- National Children's & St James's Hospital
- Diageo: Brewhouse 4
- 3 Distilleries
- Student Accommodation
- Dubline
- Railway Interconnector?

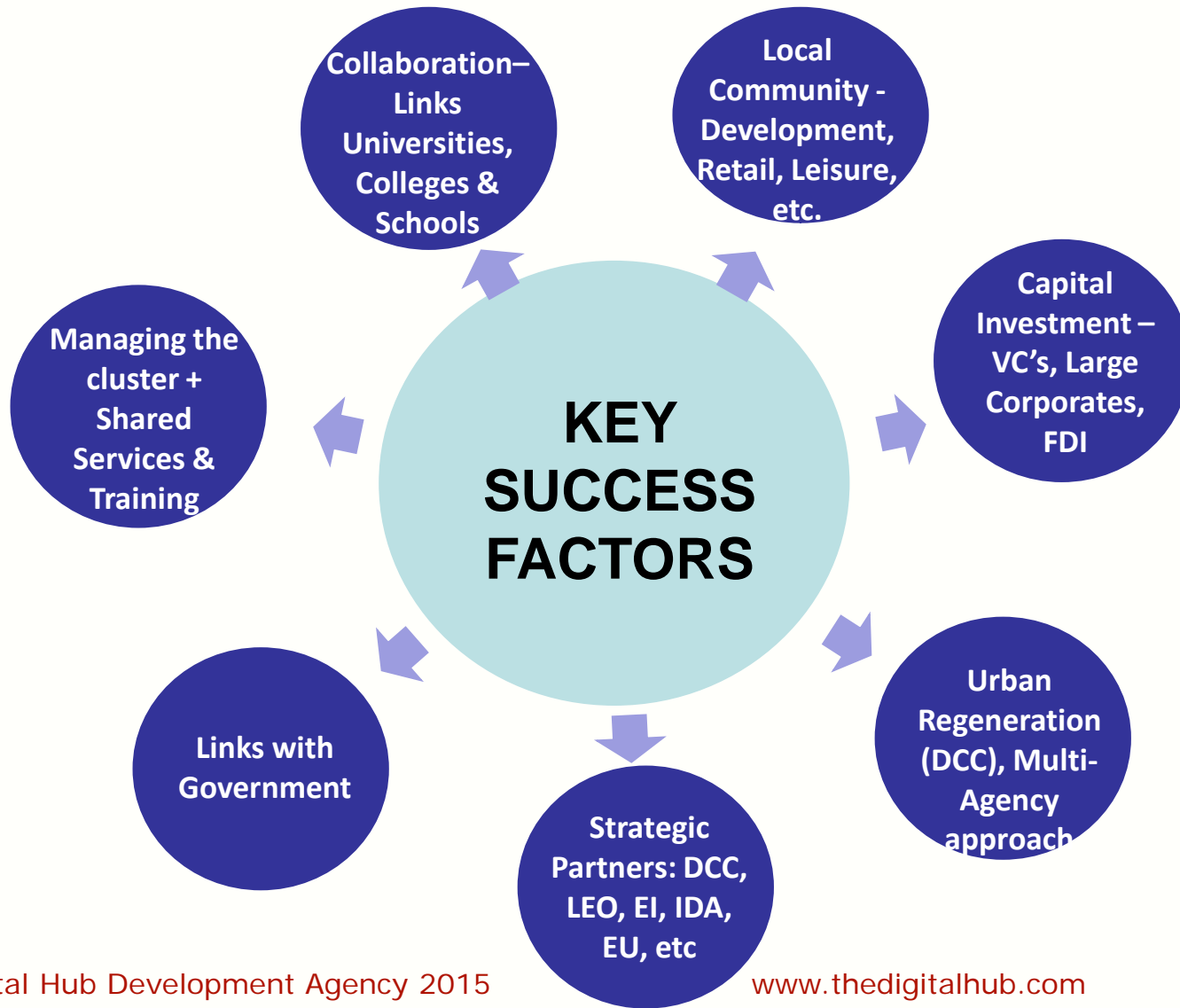


- Agreed by Cabinet January 2015
- Funding in place until 2019
- High-end Goals
 - To build & operate a world class-class cluster for digital enterprises
 - To facilitate and contribute to urban regeneration
 - Piloting innovative digital projects
 - Identifying digital challenges and trends
 - Financial Sustainability/Independence

Cluster Theory: Key Success Factors (Stakeholder Map)



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- Draft Heads of Bill under construction :
 - Dissolution of DHDA
 - Enabling Legislation to transfer powers
 - Property & Taxation Issues
 - KPIs to be agreed with DCENR

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Our Website:

www.thedigitalhub.com

Social Networks:

www.twitter.com/thedigitalhub
www.facebook.com/thedigitalhub
www.youtube.com/thedigitalhub
LinkedIn: 'The Digital Hub Network' group

My Contact Details:

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Comhairle Cathrach
Bhaile Átha Cliath
Dublin City Council

Oifis an Cheannasaí Airgeadais, An Roinn Airgeadais
Oifigí na Cathrach, An Ché Adhmaid, Baile Átha Cliath 8, Éire

Office of the Head of Finance, Finance Department,
Civic Offices, Wood Quay, Dublin 8, Ireland

T. 01 222 2102/3 F. 01 222 2476 E. finoff@dublincity.ie

Report to the Finance Strategic Policy Committee

Dublin Docklands Development Authority – Assets and Liabilities

The Dublin Docklands Development Authority reported a net asset position on windup of circa €8 million to the Public Accounts Committee in March 2015 with a pension liability of €8 million to Dublin City Council. It is likely that at full windup based on up to date information which has not been audited and approved by the Minister for the Environment, Community and Local Government that the pension liability will exceed the net asset position. Dublin City Council are seeking to achieve that the company is transferred to Dublin City Council without liability.

The draft 2014 accounts have been prepared and are with the C&AG for approval. The DDDA expects this approval in the coming weeks. The accounts are required to be signed off by Minister for the Environment, Community and Local Government and laid before the Houses of the Oireachtas which is likely to happen in early 2016. Definitive information can be provided then.

The fixed assets which are transferring over to DCC are:

- the DDDA offices on Custom House Quay,
- the Jeannie Johnston and
- the Community Training Workshop in Sheriff Street.

Discussions are continuing on their valuation between DCC and the DDDA.

Paul Clegg
Executive Manager
Dublin Docklands Unit

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Report to the Finance and Emergency Services Strategic Policy Committee
Banking Arrangements

Introduction

At the September 2015 meeting of the Finance SPC the committee requested a report be presented to the members setting out the current Banking arrangements in Dublin City Council. This report deals with the tendering process in relation to Banking and the structure of our bank accounts.

The Finance Department go to tender to appoint a single banking provider for the provision of our main banking services. The primary purpose of the tender is to ensure value-for-money and a high level of service and support and ensuring fitness-for-purpose and ongoing development. The service covers the following:

- Maintaining current accounts, operating in credit or under approved overdraft arrangements
- Performing funds transfers and payments authorised by a full range of paper and electronic payment instruments
- Accepting and clearing of incoming payments, including paper and electronic instruments, as well as currency notes and coin
- Making and accepting SEPA payments across borders within Europe
- Making and accepting payments denominated in other currencies

The tender is awarded for a period of three years which may be extended for a further period of one year by mutual agreement between Dublin City Council and the successful tenderer. AIB is our current provider for our main banking services. Our three year contract expires in December 2015 but by mutual agreement the contract was expended to December 2016. An open tendering procedure to award another three year contract will begin in quarter 2 2016.

Contract Agreement

The contract agreement covers a wide range of banking services. These include:

- A main current account with an overdraft facility
- Sixteen euro current accounts which are either funded from the main account or cleared to the main account with a comprehensive range of payment services on these accounts
- One current account denominated in GBP
- One current account used exclusively for payroll/pension payments

Appendix 1 set out the name of the sixteen euro current accounts held by Dublin City Council. This number of accounts is required for operation purposes due to the volume of transaction involved. In addition to the current accounts we have a credit card account with AIB in the name of the Chief Executive (three other council staff has authority to use this credit card). The credit card is monitored by the Chief Executive's Department and audited as part of the yearly audit by the Local Government Auditor. The account was in existence prior to AIB winning the banking tender and it has not been grouped with our other current accounts. It is now proposed to include this account with our other accounts.

Interest, Fees and Charges

Dublin City Council currently receives interest on cleared credit balances. The accounts are grouped and interest is calculated on a daily basis on the cleared credit balance on the grouped current accounts. If our group of current accounts goes into overdraft we are charged interest which is made up of the banks prime rate plus a set fixed rate.

A fixed annual fee has been agreed as part of the tender proposal. It is payable quarterly and it covers all fees and charges as set out in the banks "Business Fees and Charges". AIB also provide over draft facility of €50m on the cleared debit balance on the grouped current accounts.

The interest rate payable, interest rate receivable and the fixed annual fees charges are not shown as the information is commercial sensitive and Dublin City Council is due to go out to tender again next year and the release of this information could impact on the competitiveness of the tender proposals received.

Other Banking facilities

The City Council have dealings with Bank of Ireland and Ulster Bank for other facilities that are not covered under the banking tender. Ulster bank won a tender for the Local Authority Sector to provide low value purchase cards and we are currently piloting the implementation of the cards in Dublin City Council. At present we have eleven low value purchase cards in use.

There are 172 joint deposit accounts opened with Bank of Ireland in the name of Dublin City Council and various developers. These accounts are opened when a developer is required to lodge money with the Council in order to comply with a condition of a planning permission. When the condition has been complied with to the satisfaction of the Council, the account is closed and the balance in the account is paid back to the developer.

We also have two Corporate credit cards with Bank of Ireland for use by Corporate Services for the Travel Desk and by Finance for making payment on behalf of all department for items they can only be acquired by credit card (web based services, booking of relevant tickets, subscriptions) . The credit cards are monitored and checked by the Executive Managers in the department and audited by the Local Government Auditor each year.

Investments

The Finance Department invest in short term deposit accounts when surplus funds are available. Each time a new investment is made a deposit account has to be opened. The banks we deal with are AIB, Bank of Ireland, RABO Direct, Permanent TSB and Housing Finance Agency.

Appendix 1

Name of EURO Current Accounts held by Dublin City Council.

1. DCC Payroll Account
 2. DCC ILAC Car parking Account (due to be closed)
 3. DCC Dawson Car Parking Account
 4. DCC Drury Car Parking Account
 5. DCC Rates Account
 6. DCC Environmental Waste
 7. DCC SDAA Account (Housing Loans)
 8. DCC Crampton Account (Housing Rents)
 9. DCC Parking Meters credit cards
 10. DCC Traffic credit Cards
 11. DCC Director of Traffic Account
 12. DCC Local Fund Account
 13. DCC Electronic Fund Transfer Account
 14. DCC Debit Supplement Account
 15. DCC Traffic Imprest Account
 16. DCC Department of Social Protection Account
-
17. DCC Chief Executive Visa Cards (not currently included in group of accounts at this account preceded the tender)

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(Draft) Transparency Code

Prepared in Accordance with Section 5(7) of the Regulation of Lobbying Act 2015

Introduction

The Regulation of Lobbying Act 2015 will commence on 1 September 2015.

Lobbying is an essential part of the democratic process. Organisations such as interest groups, representative bodies, industry, NGOs, charities and third party professional lobbyists all provide necessary input and feedback through communication of the views and concerns of the public to government.

This interaction is a welcome and necessary element of policy development. Public bodies should continue to facilitate and encourage such communications to the greatest extent possible.

However, in light of the different nature of engagement between public officials and non-public officials in certain forums such as task forces and working groups, the Act does not seek to capture and register interactions within these groups as lobbying communications where appropriate transparency arrangements are in place. This Transparency Code outlines the groups to which these arrangements apply and the transparency arrangements themselves.

Objectives of the Regulation of Lobbying Act

The Act is designed to provide information to the public about:

- Who is lobbying?
- On whose behalf is lobbying being carried out?
- What are the issues involved in the lobbying?
- What is the intended result of the lobbying?
- Who is being lobbied?

The Act does not aim to prevent or inhibit lobbying activity. Its objective is to make the process more transparent. The Act aims to do this by providing for

- The establishment and maintenance of a publicly accessible register of lobbying;
- Obligations on lobbyists to register and to provide information regularly about their lobbying activities, including, in the case of professional lobbyists, information about their clients;
- The introduction of a "cooling off" period during which lobbying activity may not be carried out by some former officials;
- The Standards in Public Offices Commission (The Standards Commission) to be the regulator of lobbying.

Exemption for Certain Types of Working Groups, Committees, etc.

A critical element of public policy formulation is the availability to Ministers and Public Bodies of expertise, skills and knowledge from persons outside of the public service. Often this process is formalised by the establishment of a task force, working group, etc. to focus on a particular policy issue or set of related issues.

The work of these groups is intended to contribute to quality and effectiveness of the policy formulation process in the public interest. Given the importance and value of the work carried out by such groups in terms of the promotion of economic and social priorities, it is essential that the incentive for all key stakeholders to participate in and engage with such work is fully supported.

The legal definition included in the Regulation of Lobbying Act categorises lobbying activity on the basis of communication between certain persons and Designated Public Officials. In light of the nature and frequency of communications between public officials and non-public servants in that type of forum, it would in practical terms be quite challenging to seek to capture and include those interactions in the proposed Register.

The Act provides for an exception from the requirement to register in such cases once specified transparency criteria apply. The particular exception in the Act is for communications between members of certain types of such working groups, task forces, committees, etc. where the group in question complies with this Transparency Code.

Details of this exception is set out in section 5 of the Act:

Relevant Extracts from Section 5 of the Act:

The Act states that the following are excepted communications (section 5(5)(n)):

communications between members of a relevant body appointed by a Minister of the Government, or by a public service body, for the purpose of reviewing, assessing or analysing any issue of public policy with a view to reporting to the Minister of the Government or public service body on it.

Section 5(6) defines *relevant body* as follows:

(6) In subsection (5)(n) "relevant body" means a body—

- (a) the members of which are appointed by a Minister of the Government or by a public service body and include one or more persons who are designated public officials and one or more persons who are neither public servants nor engaged for the purposes of a public service body, and*
- (b) which conducts its activities in accordance with the Transparency Code.*

Section 5(7) provides for the development of the Transparency Code:

(7) The Minister shall prepare and publish a code, to be known as "the Transparency Code", setting out how, having regard to the public interest in their doing so with an appropriate level of transparency, bodies meeting the condition in subsection (6)(a) are to conduct their activities if they are to constitute a relevant body for the purposes of subsection (5)(n)

What types of groups are affected?

This provision therefore applies to a “relevant body” which meets the following four conditions:

1. The group is set up by a Minister or public service body¹, and
2. its membership consists of at least one designated public official (DPO)² and at least one person from outside of the public service, and
3. the group is reviewing, assessing or analysing any issue of public policy with a view to reporting to the Minister of the Government or the public service body on it, and
4. the group conducts its activities in accordance with the criteria set out in the Transparency Code.

The provisions of this Code apply only where the issue of public policy being considered by the group is within the definition of “relevant matter” for the purposes of the Regulation of Lobbying Act 2015.

A “relevant matter” is one which relates to:

- *The initiation, development or modification of any public policy or of any public programme*
- *The preparation or amendment of any law (including secondary legislation such as statutory instruments and bye-laws)*
- *The award of any grant, loan or other financial support, contract or other agreement, or of any licence or other authorisation involving public funds.*

other than the implementation of any such policy, programme, enactment or award or any matter of a technical nature only.

¹ A public service body is defined in the Regulation of Lobbying Act 2015, section 7.

² A designated public official is defined in the Regulation of Lobbying Act 2015, section 6.

Transparency Code – Public Interest Considerations

In preparing this code the Minister for Public Expenditure & Reform has, in accordance with section 5(7) of the Act, had regard to the public interest in considering how such groups are to conduct their activities if they are to constitute a relevant body for the purposes of subsection (5)(n).

The Minister has taken the following public interest factors into account:

- The public interest in the Government and the public service having access to as wide a range of stakeholder views as possible in formulating public policy;
- The public interest in the effective workings of relevant bodies established to review, assess or analyse issues of public policy;
- The public interest in ensuring a wide range of stakeholders participate in such relevant bodies;
- The right of the public to have access to information about the workings of such relevant bodies;
- The accountability of administrators and scrutiny of decision making processes;
- The public interest in the public being better informed to comment on and contribute to public affairs and public debate on public policy issues;
- The need to ensure democratic control and accountability to the greatest extent possible over the workings of government and public bodies;

Transparency Code – Criteria which must apply to avail of the exemption under section 5(5)(n) of the Act

Relevant groups must meet the following transparency criteria in order to be regarded as a "relevant body" (as defined in the Act) and to avail of the exemption set out in section 5 (5) (n) of the Act:

Transparency criteria:

Information must be published on the Public Body's web-site setting out the following information:

1. Name of Chairperson together with details of his or her employing organisation;
2. Names of Members together with details of their employing organisation;
3. Whether any non-public servant members were previously designated public officials;
4. Terms of reference of the group;
5. Agenda of each meeting;
6. Minutes of each meeting;
7. Expected timeframe for the group to conclude its work;
8. Reporting arrangements.

This information should be in a prominent place on the website of public bodies and should be easily accessible.

In addition the Chairperson of the Group is responsible for overseeing and conducting the work of the Group in a manner which ensures that the Group operates in a manner fully in accordance with its terms of reference and in the public interest.

The Chairperson will include with the final or annual report of the Group a statement confirming its compliance with the Transparency Code.

Timeliness of Publication:

Ideally the information should be published in as timely a fashion as possible, having regard to the public interest in safeguarding the integrity of the deliberative process.

At a minimum, the information on the public bodies' website must be updated at least every 4 months in relation to each such group.

This timeframe is in line with the transparency requirements under the Regulation of Lobbying Act for persons who are engaging in lobbying communications. A return must be submitted every four months in respect of such activity.

Planning for the Future

The Minister for Public Expenditure and Reform has already indicated his intention that on commencement of the Act on 1 Sept 2015 the public servants who will be prescribed as designated public officials under the Act will be officials at Secretary General, Assistant Secretary and Director level in the civil service and officials at Chief Executive Officer and Director of Services level in local authorities. He has further indicated his intention to extend the Act on a phased basis and to prescribe further grades within the civil service and other areas of the public service as designated public officials in the light of experience with implementation. This will begin with an extension of the Act to Principal Officer level grades in the civil service within the first 12 months of the operation of the Act. Given this extension to Principal Officers in the relatively near future it is advisable that public bodies consider the benefits of applying this code to other / all groups operated by that body.

Principles of Open Government

In addition, public bodies should have regard to the principles of the Open Government Partnership Initiative. As part of the Open Government Partnership National Action Plan 2014-2016, Ireland has committed to '*greater citizen consultation and involvement to strengthen democracy and improve public services.*' <http://per.gov.ie/wp-content/uploads/OGP-National-Action-Plan.pdf>

Review of this Code

The Minister for Public Expenditure & Reform will keep the operation of this Transparency Code under review and may update it from time to time to ensure that it is operating effectively and in accordance with the objectives of the Act.

Brendan Howlin TD,
Minister for Public Expenditure & Reform
2015

Regulation of Lobbying Act 2015

*Presentation given to
LGMA Members*

By: Sherry Perreault

Head of Lobbying Regulation

Standards in Public Office Commission

September 2015

Introduction

- Lobbying is a legitimate and essential part of the democratic process
- Register will enhance public confidence by providing easy access to information on lobbying activities
- Regulation of lobbying should not impede individual day to day interaction with public representatives
- Designated public officials will play critical role in success of regime

Lobbying regulation: Ireland's approach

- Registration of lobbyists (wide ranging scope)
- Regular submission of returns (3 x/year)
- Web-based public registry
- Independent lobbying registrar
- Approach based on promoting compliance
- Investigation and enforcement provisions
- Post-employment restrictions for **some** public officials
- Regular reports to parliament
- Legislative review

What is lobbying?

- Layperson's view?

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■ View in Act:

Communication by:

1. Persons within the scope of the Act
2. On relevant matters
3. With Designated Public Officials

Who is within the scope of the Act?

- Persons with more than 10 employees
- Representative bodies and advocacy bodies with at least 1 employee
- Third party lobbyists paid by a client (who fits one of the above criteria) to lobby on the client's behalf
- Anyone lobbying about the development or zoning of land

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Only if the communications are with Designated Public Officials and relate to “relevant matters”

Who are the Designated Public Officials?

- Ministers, Ministers of State
- Members of Dáil Éireann, Seanad Éireann
- Members of the European Parliament for Irish constituencies
- **Members of Local Authorities**
- Special Advisors
- Senior Civil and Public Servants
 - Civil service: Secretaries General, Assistant Secretaries, Director grades and equivalent
 - **Local authorities: CEs , Directors of Services , Heads of Finance**
 - To be extended to PO grade within 12 months

What are relevant matters?

- The initiation, development or modification of any public policy or of any public programme;
- The preparation of an enactment; or
- The award of any grant, loan or other financial support, contract or other agreement, or of any licence or other authorisation involving public funds...

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Apart from matters relating only to the **implementation** of any such policy, programme, enactment or award **or of a technical nature**

Exemptions (s.5(5))

Several types of communications are exempt from requirement to register:

- Private affairs
- Diplomatic context
- Strictly factual information
- Trade union negotiations
- Groups established by Public Body where Transparency Code applies
- Threat to life or safety
- Between public officials
- Shareholder of a State body on governance issues
- Security of the State
- Within proceedings of Oireachtas Committee

Transparency Code

- S.5(7) provides that Minister for Public Expenditure and Reform shall prepare "Transparency Code"
- Communications within certain relevant bodies (such as ministerial advisory groups) exempt from requirement to register/report on lobbying activities if they conduct activities in accordance with Code
- Code requires publication of membership, terms of reference and minutes

What is registered?

- Register after first communication with a designated official
 - Organisation Name
 - Business address
 - Person with primary responsibility for lobbying
 - Main business activities
 - Contact details
 - Company Registration Office Number and address
 - Confirmation that details supplied are correct.

What is returned?

- 3 Returns periods per year
 - 1 Sept–31 Dec; 1 Jan–30 Apr; 1 May–31 Aug
- Information required
 - Who was lobbied
 - Subject matter of lobbying activity
 - Intended results
 - Type and extent of activity
 - Name of any person in your organisation who is or was a designated official and carried out lobbying activity
 - Client information if relevant
 - Confirmation that details supplied are correct.

Standards in Public Office Commission

- 6 Member independent body
- Oversees ethics and electoral acts
- Supported by a Secretariat (including Lobbying Regulation Unit)
- Experienced regulator in ethics field
- Approach based on promoting compliance
- Enforcement tools used when necessary

Commission role in regulating lobbying (1)

- Registrar of Lobbying (s.9)
- Develop and oversee web-based public register (s.10)
- Matters for decision (may be appealed):
 - Information on register (ss.10(5))
 - Delayed publication (s.14)
 - Post-employment (s.22)
- Code of Conduct (s.16)

Commission role in regulating lobbying (2)

- Provide guidance, promote understanding (s.17)
- Power to investigate (s.19)
- Fixed Payment Notices (low level fines) for minor breaches (s.21)
- Offences provisions for significant breaches (s.20)
- Annual reports to Oireachtas

Key milestones

1. Regulatory unit established
2. Advisory Group in place
3. Website and online registration system developed
4. Communications and outreach campaign
5. Guidance and information material published
6. Commencement of legislation – 1 September 2015
7. First returns due – 21 January 2016

Guidelines for Local Authorities

- Guidelines on website www.lobbying.ie (for DPOs and tailored for Local Authorities)
 - Click “Help and Resources” / “Information for Public Bodies”
- Overview of topics covered:
 - Definitions (lobbying, relevant matter, exemptions)
 - How registry will identify DPOs and lobbyists etc.
 - Best practices for DPOs (record-keeping, self-identification)
 - Excepted communications
 - Post employment cooling-off period
 - Identification of former DPOs in lobbying return

Guidelines on Zoning and Development

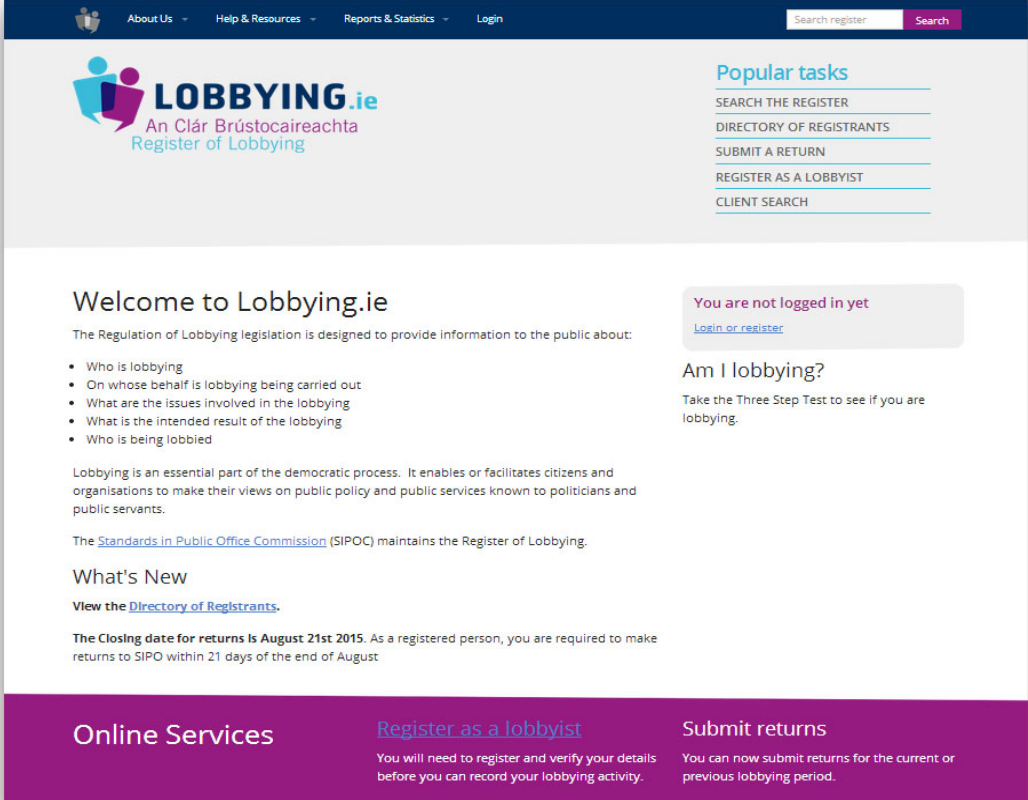
- Guidelines on website www.lobbying.ie
 - Click “Help and Resources” / “Information for Lobbyists”
- Overview of topics covered:
 - What is meant by zoning and development
 - How zoning and development rules might apply to individuals
 - Deciding if an activity is lobbying (what’s in, what’s out)
 - How to comply with the legislation

Thank You

Website:

www.LOBBYING.ie

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The screenshot shows the homepage of the LOBBYING.ie website. At the top, there is a dark blue navigation bar with links for 'About Us', 'Help & Resources', 'Reports & Statistics', and 'Login'. A search bar is located on the right side of the navigation bar. Below the navigation bar, the LOBBYING.ie logo and tagline 'An Clár Brústocaireachta Register of Lobbying' are displayed. To the right of the logo, there is a 'Popular tasks' section with links for 'SEARCH THE REGISTER', 'DIRECTORY OF REGISTRANTS', 'SUBMIT A RETURN', 'REGISTER AS A LOBBYIST', and 'CLIENT SEARCH'. The main content area features a 'Welcome to Lobbying.ie' section with a sub-heading 'The Regulation of Lobbying legislation is designed to provide information to the public about:' followed by a bulleted list of topics: 'Who is lobbying', 'On whose behalf is lobbying being carried out', 'What are the issues involved in the lobbying', 'What is the intended result of the lobbying', and 'Who is being lobbied'. Below this list, there is a paragraph explaining that lobbying is an essential part of the democratic process. A 'What's New' section follows, with a link to 'View the Directory of Registrants'. A notice states that the closing date for returns is August 21st 2015. At the bottom, there is a purple footer with three columns: 'Online Services', 'Register as a lobbyist' (with a sub-note: 'You will need to register and verify your details before you can record your lobbying activity.'), and 'Submit returns' (with a sub-note: 'You can now submit returns for the current or previous lobbying period.'). A 'You are not logged in yet' box with a 'Login or register' link is also visible on the right side of the main content area.



Report to the Finance and Emergency Services Strategic Policy Committee
Lobbying Act – Transparency Code

For your information please find attached the presentation on the Lobbying Act given to LGMA Members from Sherry Perreault, Head of Lobbying Regulation Standards in Public Office Commission. A summary is given below.

The summary does not aim to prevent or inhibit lobbying activity. Its objective is to make the process more transparent. The Act aims to do this by providing for:

- The establishment and maintenance of a publicly accessible register of lobbying
- Obligations on lobbyists to register and to provide information regularly about their lobbying activities, including, in the case of professional lobbyists, information about their clients
- The introduction of a "cooling off" period during which lobbying activity may not be carried out by some former officials
- The Standards in Public Offices Commission (The Standards Commission) to be the regulator of lobbying.

However, in light of the different nature of engagement between public officials and non-public officials in certain forums such as task forces, committees and working groups, the Act does not seek to capture and register these interactions, provided that appropriate transparency arrangements are in place. Therefore, in order for JPC's and SPC's to be considered exempt from the above obligations they must comply with the **Transparency Code (see attached)**.

The Transparency Code requires that the following information must be published on Dublin City Council's web-site:

- 1) Name of Chairperson together with details of his or her employing organisation
- 2) Names of Members together with details of their employing organisation
- 3) Whether any non-public servant members were previously designated public officials.
- 4) Terms of reference of the group
- 5) Agenda of each meeting;
- 6) Minutes of each meeting;
- 7) Expected timeframe for the group to conclude its work
- 8) Reporting arrangements
- 9) Is this information in a prominent place on the website and easily accessible.

In addition the Chairperson is responsible for overseeing and conducting the work of the Committee in a manner which ensures that the Committee operates in a manner fully in accordance with its terms of reference and in the public interest. The Chairperson will also include with the annual report of the Committee a statement confirming its compliance with the Transparency Code.

Ideally the information should be published in as timely a fashion as possible, having regard to the public interest in safeguarding the integrity of the deliberative process. At a minimum, the information on the website must be updated at least every 4 months in relation to each Committee.

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Dublin City Council

Audit Committee

Minutes of Meeting held on 13th May 2015 at 8.00 a.m.
in the Members Room City Hall

Attendance:

Members

Mr. Brendan Foster, Dublin Chamber of Commerce, Chairperson
Mr. Johnny McElhinney, Dublin Business Forum
Councillor Nial Ring
Councillor Noeleen Reilly
Ms. Louise Ryan, TCD
Professor Marann Byrne, DCU

Officials:

Ms. Kathy Quinn, Head of Finance
Mr. Hugh Fitzpatrick, Head of Internal Audit
Ms. Córa Dervan, Clerical Officer, Internal Audit

Apologies:

Councillor Naoise O Muiri
Mr Owen Keegan, Chief Executive, Dublin City Council

1. Minutes of Audit Committee Meeting held on 11th February 2015

The minutes were agreed. In relation to the items listed therein for action, it was noted that the following actions had been completed:

Action 1 (first part), Action 2, Action 3 and Action 7. Hugh Fitzpatrick stated that he had been asked by the Chief Executive to inform the Committee that the Chief Executive would provide a report on the issue of "Pyrite" and the risk to the Council, to the meeting in September (Refers to Action 8)

Action 9: Hugh Fitzpatrick informed the Committee that the vacant Administrative Officer post in the Internal Audit Unit would be filled in early June and also that the Grade 6 Accountant would return from leave on the 4th June 2015.

Members of the Audit Committee said that they still had concerns as to the adequacy of the staffing levels in the Internal Audit Unit and that they wanted it listed on the agenda for future meetings, until the matter was resolved to their satisfaction.

Action 1

The following items listed for action: Action 1 (second part), Action 4, Action 5, Action 6 and Action 8 are to be included on the agenda for the September meeting as actions carried over from the February Audit Committee meeting. **Action 2**

2. Standing Item on the agenda – Any Conflict of Interest of A.C. Members

No conflict of interest declared by members

3. **Update on review of (a) Corporate Risk Register and (b) Protected Disclosures Act 2014 – Draft Policy and Procedures – Mary Pyne, Assistant Chief Executive (HR & Corporate Services Departments)**

Corporate Risk Register (CRR)

Mary Pyne, Head of Human Resources & Corporate Services reported on the above as follows:

The Risk Steering Group (RSG) reviewed the format of the Corporate Risk Register (CRR), with the aim of focussing on strategic risks, taking account of the newly adopted Corporate Plan and the external environment. The RSG agreed the CRR (copies were circulated at meeting) and it has been adopted by the Senior Management Team. The new CRR and Departmental registers will significantly consolidate the number of risks in the previous registers. The RSG proposes to engage independent expert advisors in June 2015, to examine the revised format CRR, to consider how it links to Departmental systems of risk management, and to generally advise the RSG on how to develop and embed processes for risk review, evaluation and mitigation.

The links and dependencies between Departmental Risk Registers and the CRR will be considered by the RSG at future meetings and will be a key item in the scope for the independent review referred to earlier.

Among issues raised by members was individual ownership of risks as against collective ownership. Louise Ryan felt that collective ownership didn't work and Councillor Nial Ring agreed with her. Other issues raised were:

- (a) how any new and emerging risks would be captured
- (b) how concerns by Audit Committee members or other Councillors could be raised
- (c) the treatment of risks which relate to cross departmental issues
- (d) the importance of accurate ratings of risks

In relation to the points raised, Mary Pyne stressed that it was a work in progress, that the RSG intend to meet regularly (probably on a monthly basis) and that she will keep the Audit Committee updated on progress. **Action 3**

Protected Disclosures Act 2014

Mary Pyne informed members that the Chief Executive had adopted an interim policy for DCC as formal guidance is still awaited from the Department of Public Expenditure and Reform. A Senior Executive Officer in Corporate Services has been designated by the Chief Executive as the recipient for Protected Disclosures. The Executive Manager, Corporate Services has also been designated responsibility, inter alia, for reporting to the Chief Executive on such matters.

A short discussion then ensued as to the role of the Audit Committee in relation to disclosures. The general view was that if the Committee was satisfied that an adequate policy and procedures were in place, it would fulfil their obligations. Mary Pyne undertook to keep members updated. **Action 4**

4. Familiarisation Session – Presentation by Kathy Quinn, Head of Finance, on the Annual Financial Statement 2014.

Copies of the presentation slides were circulated. This dealt with the following items:

- *Introduction to Final Accounts*
- *Changes to accounting Code of Practice*
- *Statement of Comprehensive Income*
- *Statement of Financial Position*
- *Statement of Funds Flow*

Among items highlighted by the Head of Finance were issues relating to the establishment of Irish Water in the context of the transfer of infrastructure assets from DCC to Irish Water and the issue of liabilities, some of which have been transferred but not all. The Head of Finance advised that although Irish Water is now responsible for water services i.e. drinking water and waste water, that DCC is still responsible for 'Flood Alleviation and Surface Water.

Louise Ryan said that the decision that certain liabilities for loan repayments in respect of water services would not be transferred to Irish Water and that the Department of the Environment, Community and Local Government had stated that the repayments would instead be funded by way of grants from that Department, and the risk that this might pose for Dublin City Council into the future, should be noted and she asked for that to be recorded in the minutes. **Action 5**

The Head of Finance also referred to the Local Property Tax, the gross value €82.6m, less €16.5m diverted to equalisation to other local authorities and less €12.4m reduction approved by the elected members, the net value of which for Dublin City in 2015 is advised as €53.7 million. When the reduction/substitution in/for Government Grants is taken into account, the net effect provided for in the budget is €4.2m additional funding.

A significant proportion of income is accounted for by Commercial Rates. Councillor Nial Ring commented on a presentation by Mr Fintan Moran, Head of Financial Management, to the Finance Strategic Policy Committee (SPC) – which he said had been an excellent and very easy to understand summary in relation to commercial rates. It was agreed that a copy of that Presentation would be circulated to the Committee. **Action 6**

Brendan Foster reflected on the role of the Audit Committee in relation to the Annual Financial Statement and Local Government Auditors Report which he reminded the Members was, to consider same and to report to the City Council. Kathy Quinn said that any comments from them or suggestions for improvement in relation to the Annual Financial Statement would be welcomed and passed on to the Department of the Environment, Community and Local Government.

The Members all agreed that a report on the impact of the establishment of Irish Water on all aspects of Dublin City Councils finances would be extremely helpful. Kathy Quinn agreed to provide. **Action 7**

5. Internal Audit Report R02/15 Annual Motor Tax Stocktake 2014

It was agreed that the Report hadn't thrown up any different issues from other years. It was questioned as to why resources are continued to be used for this at the expense of more important audits. Kathy Quinn stated that tax discs would be seen as currency and therefore this audit must be done. Johnny McElhinney noted that the identified problems seem to recur year upon year without being resolved. (This issue is addressed in the Audit Report).

Hugh Fitzpatrick set the context of the audit in so far as in 2014 the total Motor Tax Offices receipts were €72.8 million; total Motor Tax take on line for Dublin €215.5 million and 280,429 tax discs were issued.

6. Internal Audit Report R03/15 Review of Joinery Workshop (Housing and Residential Services Department) 'Value for Money' Audit

Hugh Fitzpatrick presented the report and highlighted some of the more salient points therein. He also drew to the attention of the Committee, in particular to the last sentence of paragraph 1, Page 1, of Housing Managements' response and to their Appendix 1 in relation to the scope of the audit. He informed the Committee that the scope of the audit was as follows and that this was formally conveyed in writing to the Assistant Chief Executive, Housing & Residential Services Department on the 11th June 2014:

- Establish the costs associated with the Joinery Workshop to produce and install doors and windows
- Benchmark Joinery Workshop against obtaining product/services externally
- Establish the range of all other products/services performed by the Joinery Workshop

Ms Celine Reilly, Executive Manager, Housing & Residential Services Department, was informed by way of email on the 14th July 2014 that the issues raised by the Senior Executive Officer (in his email), which are listed in Appendix 1 (referred to would not be included, except for those that fell within the scope of the agreed audit. An amended Final Audit Report will be produced and circulated to reflect that position. **Action 8**

Following discussion and consideration of the Audit Report, the Committee expressed their dissatisfaction with the response from Housing Management as they considered that it was its responsibility to ensure that there were adequate systems in place to (a) cost all of the work done by the Joinery Workshop and to charge out the work (where applicable); (b) measure output; (c) to ensure stock control and (d) evaluate efficiency and Value for Money of the Workshop, etc. Audit Committees' views to be forwarded to Housing Management. **Action 9**

7. Letter dated the 17th April 2015 from the Irish Sports Council to the Chief Executive, Re: Audit of Local Sports Partnerships

Hugh Fitzpatrick gave some background information in relation to this request e.g.

- (a) Dublin City Sports Network has existed since 2000.
- (b) Approximately €250,000 was received from the Irish Sports Council for DCCs Grant Allocation for 2015.
- (c) The monies are specifically designated for certain items: a sum for staff allocation (Manager and Administrator) grants to local sports clubs €50,000; Women in Sport €13,500; Sports Inclusion Disability Funding €2,000; non staff administration €43,250 etc.
- (d) The funding is channelled and administered by the Culture, Recreation and Amenities Department.

He has also been informed by Mr Brendan Kenny, Assistant Chief Executive, that it is the intention that Dublin City Sports Partnership would be of a somewhat more formal structure, that two Councillors would be nominated to it by the Arts SPC; that it would not be a Board as such but more of an Advisory Committee and that the funding will continue to be administered and managed by the Sports Section in Culture, Recreation and Amenities Department.

The Committee asked that a report be brought to them on the present system in place in relation to: the current application process for funding, control on expenditure of the Grant in line with the specific designated areas and reporting arrangements by DCC to the Irish Sports Council on assurance of compliance in respect of same, in order for the Audit Committee to further consider the ISC's request. Hugh Fitzpatrick to request report from the Assistant Chief Executive, Culture, Recreation and Amenities Department. **Action 10**

8. Annual Report of Audit Committee for 2014 noted by the City Council at March Council Meeting: Request made at that meeting by Councillor Mannix Flynn re: circulation of Internal Audit Reports to City Councillors

The request was considered by the Committee which felt that the present arrangement in relation to the limited circulation and publication of audit reports should remain in place. It was noted that audit reports are subject to Freedom of Information legislation.

9. Training Needs of Audit Committee Members

Hugh Fitzpatrick agreed to follow up with Mr Aidan Horan, Institute of Public Administration on any update on the proposed network of Chairpersons of Audit Committees referred to by him, at the induction training for Audit Committee Members on the 30th January 2015. **Action 11**

Appendix A

Actions agreed at this Audit Committee Meeting

- Action 1** Internal Audit Unit staff resources to be listed on future agendae until Audit Committee decides otherwise (HF)
- Action 2** Items listed for action (but outstanding) at the February Audit Committee meeting to be listed on the agenda for the Audit Committee meeting scheduled for 24th September 2015 – see separate action list on Appendix B.
- Action 3** Mary Pyne to update Audit Committee on progress on Corporate Risk Register (MP)
- Action 4** Mary Pyne to update Audit Committee on progress on Protected Disclosures 2014 Act policy and procedures (MP)
- Action 5** Louise Ryan requested that the risk to DCC regarding loan repayments and Irish Water be recorded in the minutes (CD)
- Action 6** Presentation by Mr Fintan Moran to be circulated to the Audit Committee (HF)
- Action 7** A report on the impact of the establishment of Irish Water on all aspects of DCC finances. (KQ)
- Action 8** An amended Final Joinery Workshop VFM audit report to be produced and circulated (HF)
- Action 9** Audit Committees views to be forwarded to Housing Management (Joinery Workshop VFM audit) (HF)
- Action 10** A report to be requested from Assistant Chief Executive, Culture, Recreation and Amenities Department re: item 7: Irish Sports Council letter (HF)

Action 11 Follow up with IPA on proposed network of Chairpersons of Audit Committees (HF)

Appendix B

Actions agreed at the February 2015 Audit Committee meeting, but not yet completed, to be carried forward to the September Audit Committee meeting scheduled for the 24th September 2015 – same action numbers references as used in the minutes of the February meeting.

- Action 1** AFS and Local Government Auditors Report to be forwarded to members when it is available (KQ)

- Action 4** Review of recommendation implementation report will be submitted to the Audit Committee in due course. (HF)

- Action 5** The Chief Executive to report in due course on the various options available to the Council in order to achieve value in its insurance arrangements including self insurance.

- Action 6** The findings of the County and City Managers' Association/Programme Management Office review of IPB as insurer of Local Authorities to be reported to the Audit Committee. (OK)

- Action 8** A briefing is to be brought to the Audit Committee on the issue of Pyrite and the risk to the council. (OK)

- Action 9** The Audit Committee to be updated on the filling of the vacant post of Administrative Officer in the Internal Audit Unit.

10. Schedule of future meetings

The members agreed the following dates for meetings this year:

24th September and 10th December at 8 a.m.

and 3rd September at 4pm (to discuss the AFS and the Local Government Auditors report)

The meeting ended at 9.55 a.m.


Brendan Foster, Chairperson

24th September 2015.
Date

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Dublin City Council

Audit Committee

Minutes of meeting held on 03 September 2015 at 4.00 p.m.

In the Members' Room, City Hall

Attendance:

Members:

Mr. Brendan Foster, Dublin Chamber of Commerce, Chairperson
Mr. Johnny McElhinney, Dublin Business Forum
Councillor Nial Ring
Councillor Noeleen Reilly
Councillor Naoise Ó Muirí
Professor Marann Byrne, Dublin City University

Officials:

Ms. Kathy Quinn, Head of Finance
Mr. Hugh Fitzpatrick, Head of Internal Audit
Ms. Pauline Smith, Accountant, Internal Audit

Mr. Richard Murphy, Principal Local Government Auditor

Apologies:

Mr. Owen Keegan, Chief Executive.
Ms. Louise Ryan, Trinity College Dublin

1. Consideration of the Audited Annual Financial Statement for the year ended 31st December 2014 and the Local Government Auditor's Report on the Annual Financial Statement (AFS).

Mr. Foster welcomed and thanked Members, the Principal Local Government Auditor and Officials for attending. He confirmed with the Members that they had read, considered and reviewed Mr. Murphy's report and the full AFS. He said that he had highlighted issues which he wished to receive clarification on and that ultimately the requirement on the Audit Committee was to report to the City Council on their findings following its consideration of the two reports.

The Chairperson, with the agreement of the Committee, then began to go through the Local Government Auditor's report, section by section:

Section 1 Introduction

Introduction is clear and sets the context.

Section 2 Financial Standing

"The net surplus for the year amounted to €11.8m after transfers to reserves of €20.8m."

Clarification was sought and received on:

(1) What is meant by reserves
and

(2) What governance surrounds transfers to reserves

Mr. Murphy assured the Audit Committee that the creation and use of the reserves is provided for within the Accounting Policies and that the transfers were in accordance with the existing current disclosure regime/procedures. However, he did agree that more transparency was desirable and he said that there is a move at the moment to simplify the system and to distinguish the different items contained therein.

For the information of the Members, Ms. Quinn explained that a range of monies are regularly transferred to Capital e.g. a certain percentage of income from parking meter fees for the provision of ramps, cycle ways etc, expenditure on Local Elections- a reserve of capital is built up on an annual basis by a transfer from revenue to capital to cover the costs of the Local Elections held every five years.

Irish Water Transfer to Water and Sewerage Functions to Irish Water

Councillor Niall Ring commented that the reduction in infrastructure assets figures in relation to Irish Water is €1.9bn and elsewhere €1.5bn and asked for an explanation of the €0.4bn gap.

Mr. Murphy gave the background. Water Infrastructure assets in existence in 2003 were valued based on a standard model (Atkins Model). Anything added since is valued at cost. Gross assets removed were €2.8bn and net book value was €1.9m. €376m (completed Capital Schemes or work in progress) was added to assets.

Section 3: Income Collection

3.1 Housing Loans

“A provision for bad and doubtful debts of €2.7m, equivalent to 18% of arrears, has been made; however given the deteriorating collection performance in this area the likelihood of collecting the principal on loans outstanding must also be a cause for concern”.

Mr. Foster queried:

1. The adequacy of the €2.7m provision.
2. If the general provision covers:
 - (a) arrears on revenue side (not paid)
 - (b) Principal on housing loans outstanding amounting to €315m.

Mr. Murphy explained provisions are set out in relation to sources of income. Provision relates only to debtors; the principal is long term debt so it is not addressed. However, he agreed that the repayment of Housing Loans Principal was a major concern.

The Chief Executive's response was noted.

Section 3.3 Provision for Bad and Doubtful Debts

"The provision for bad and doubtful debts amounting to €139m in 2014 (representing 47% of gross current debtors) was commented on. Professor Marann Byrne stated that 47% seemed a reasonable level of provision. The Head of Finance stated things could happen that are not covered but the figure is reasonable for foreseeable items.

Mr. Murphy stated that he is satisfied with assurances from the Head of Finance that 47% reserve is adequate to cover revenue bad debt provisions in the context of "all reasonable foreseeable amounts."

Section 4 Transfer of Water and Sewerage Functions to Irish Water

4.1 Fixed Assets

"Infrastructure assets with a net book value of €456m, described as Surface Water and Combined Pipelines, remain in the accounts of the Council"

Mr. Foster asked regarding their status and why they were not transferred.

Mr. Murphy stated that these assets would have been part of the water and sewerage network (combined system). The pipes relate to flood relief (storm water) and surface water, which is still the responsibility of Local Authorities and consequently these do not transfer to Irish Water.

In response to a query, Ms. Quinn confirmed that there is an associated cost of maintaining this network of pipes.

Section 4.3 Water Related Loans

The Committee asked a number of questions on liabilities in respect of water related loans which were satisfactorily dealt with by Mr. Murphy and Ms. Quinn.

Section 5 Loans Payable

5.1 Bridging Loans – Affordable Housing

And 5.2 Land Acquisition Loans

Bridging loans were used to acquire 348 units originally acquired for resale under affordable housing programme. 26 of the units remain as unsold stock.

Mr. Foster commented that debts are still there and asked if there were any issues in relation to 5.1 and 5.2.

Mr. Murphy stated that this issue is being zoned in on nationally, as it is a problem for most Local Authorities.

The Head of Finance stated that some land acquisition loans had been paid down and that the current cost is being reduced annually.

Section 6 Unfunded Balances on Capital Accounts

Monies overspent on Capital Projects:

Mr. Foster asked for confirmation that at the moment there is no idea as to how these are to be funded. He asked when the unfunded amounts would be washed out. He referred to the abandoned public private partnership schemes (€20m) and if it is being pushed on.

The Head of Finance said that there were plans in place for some, sale of land etc e.g. O'Devaney Gardens and St. Michael's and she acknowledged that cost had been incurred to date. When schemes are up and running, the Department of the Environment, Community and Local Government may allow previous spend to be included as costs from the point of view of funding.

Section 7 Development Contributions

Mr. Murphy informed the Committee that this matter had been raised in audit reports for the past number of years. The issue of concern was that data relating to "Development Contributions" which were captured on APAS (DCC's Planning Software System) was not easily reconciled with Oracle (DCC's Financial Software System). A number of unsuccessful attempts had been made over the years and it had still not been resolved to his satisfaction in 2014. He stated that he was happy with the work done this year and he is optimistic that it will be sorted this year.

Ms. Quinn confirmed that all records have now been reconciled to 31/01/2015 and uploaded to the system and the transactions from 01/02/2015 are being inputted and reconciled on a month by month basis.

The Head of Internal Audit reminded the Members that "Development Contributions" was one of the subjects included for audit, on the 2015 annual Audit Plan.

Section 8 Waste to Energy Project at Poolbeg

Position noted.

Ms. Quinn confirmed in response to a query that the amount of monies spent to date - €102m plus – has all been funded.

Section 9 Ballyfermot Leisure Centre

Position noted.

Section 10 Priory Hall

The costs incurred to date was noted together with the Chief Executive's response that "all expenditure to be recouped from the Department of the Environment, Community and Local Government".

Section 11 Pyrite Problems in Council Properties

A brief discussion took place on this matter during which Ms Quinn stated that Dublin City Council was pursuing all legal avenues against developers and claims against insurers. It was noted that the Chief Executive has promised to update the Audit Committee on the 'Pyrite Problem' at the next meeting scheduled for 24/09/2015.

Section 12 Demolition of Emerald Project Units

Position noted.

Section 13 Procurement

Mr. Murphy assured the Committee that he was satisfied that Dublin City Council was compliant with Public Procurement requirements and that the only reason he had specifically referred to the framework for 'Legal Services' in his report, was due to the fact that it had been a concern at previous audits.

Section 14 Local Authority Companies

14.1 Temple Bar Cultural Trust Limited (TBCT)

Mr. Foster asked if there is inconsistency in policies and why Ballymun Regeneration Ltd (BRL) is included in the AFS and not TBCT.

Mr. Murphy stated that Appendix 8 (Interest of Local Authority in Companies and Joint Ventures) lists companies and says if they are consolidated or not. He agreed there is an inconsistency in that accounting policy does not require all subsidiary companies to be consolidated.

14.3 Ballymun Regeneration Limited (BRL)

Ms. Quinn, in response to a query from Councillor Reilly, stated that the monies outstanding from the Department of the Environment, Community and Local Government in relation to BRL (€17m approximately) are being vigorously pursued by the Senior Management of the Housing and Residential Services Department.

Section 15 Governance

15.1 Internal Audit Function

Resourcing of the Internal Audit Unit (Staffing):

The Committee is raising this matter with the Chief Executive on an ongoing basis and will continue to do so, until such time as it has been satisfactorily addressed.

2. Preparation of the report of the Audit Committee to the City Council following its' consideration of the Audited AFS and Local Government Auditors Report

Mr. Fitzpatrick and Mr. Foster are to draft a report in light of comments made at this meeting and submit draft to the next meeting of the Audit Committee scheduled for 24/09/2015.

3. Any Other Business

None

The meeting concluded at 5.35 p.m..



Brendan Foster
Chairperson

Date: *24th September 2015.*

Finance & Emergency Services Strategic Policy Committee

Schedule of Meetings For 2016

DATE	LOCATION	TIME
Thursday 21 st January	Council Chamber	3.30 pm
Thursday 24 th March **	Council Chamber	3.30 pm
Thursday 16 th June	Council Chamber	3.30 pm
Thursday 15 th September	Council Chamber	3.30 pm
Thursday 17 th November	Council Chamber	3.30 pm

Meetings will, as usual, take place on 3rd Thursday of the month.

** 4th Thursday owing to St Patrick's Day.

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Oifigí na Cathrach, An Ché Adhmaid, Baile Átha Cliath 8, Éire
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Motion to the Finance and Emergency Services SPC – 19th November 2015

In the interest of making Dublin a more attractive tourist venue and to support the Arts in the City; it is agreed that Dublin City Council introduce a 2% hotel bed night tax. 50% of the income to be used to improve the City's infrastructure and 50% to form a trust that will directly fund artists work. The trust to be administrated jointly by the DCC Arts Officer's office and the Arts Council.

This fund will seek to address the serious disparity of Artists incomes in comparison to other professions. Arts remain a vital part of living, working and visiting our capital city.

Most cities have a bed night tax, that is used to make the city more attractive for residents and tourists. Hotels currently pay 9% VAT which was reduced some years ago from 11%, currently London hotels pay 20% VAT.

Proposed by Mary Freehill, Dermot Lacey, Brendan Carr and Rebecca Moynihan

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Motion to the Finance and Emergency Services SPC – 19th November 2015

That this committee supports the business community that are tenants of TBTC in their efforts to proceed to purchase their premises as agreed by Temple Bar Cultural Trust.

CIlr Mannix Flynn

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