



Minister Eoghan Murphy, TD  
Department of Housing, Planning and Local Government  
Custom House  
Dublin 1  
D01 W6X0

26<sup>th</sup> April, 2018

Dear Minister Murphy,

I refer to my letter to you dated 23<sup>rd</sup> June 2017 (copy attached) regarding the proposed Rates Legislative Framework. This letter outlined issues agreed by the members of Dublin City Council's Finance Strategic Policy Committee as being highly relevant to the proposed changes.

I understand that the draft legislation is at an advanced stage, which is in itself welcome progress. I am also informed that a key issue brought to the attention of your officials and also set out in my correspondence of 23<sup>rd</sup> June 2017 has not been included in the proposed new legislation.

The matter in question relates to summary proceedings. Within the attached letter I draw your attention to the issues of speed, jurisdiction, judgement mortgage and increase in court fees payable. Essentially this centres on a departure by the Courts Service some years ago on enabling other local authorities but not Dublin City Council to avail of District court time for summary proceedings, and a desire now to remove the City Council's court access.

The detail in the letter (highlighted) demonstrates that the process (availing of 3 specific court days in one year) is highly effective. Indeed, were Dublin City Council to have an additional one or more court days assigned for Rates purposes, then higher numbers of cases could be administered, sending a clear message to non compliant ratepayers of a robust debt collection approach.

Not all local authorities avail of court processes to collect debts, however Dublin City Council uses this route effectively. It seems without merit that a process, operating well, would be dropped from a revised rate code, thereby most likely creating an outcome whereby courts would not support the continued use of summary proceedings not explicitly carried through to the new arrangements.

As stated, Dublin City Council strongly favours retaining the capacity to use the summary proceedings process, effected by including the necessary provision in the new rating legislation. The current legislation on this matter dates back to 1836 i.e. pre dates the constitution, and hence it is critical that provision is made in the new act.

Yours sincerely,

**Councillor Ruairi McGinley**  
**Chairperson**  
**Finance Strategic Policy Committee**