



Committee of Public Accounts
Leinster House,
Dublin 2.

21st March, 2019.

Attention: Ms. Éilis Fallon,
Committee Secretariat.



Dear Ms. Fallon,

Please find attached the information requested from KWETB following on from the Public Account Committee hearing on February 21st, 2019.

In respect of Item 1, as previously advised, the process of reviewing all KWETB leases from a value for money and governance perspective had commenced in Q 4, 2018. I am providing the follow up information requested from the Committee based on the records available to us from 2013. We are continuing to research earlier records in the form of minutes and files from both Kildare VEC and Wicklow VEC (to include Bray VEC), many of which are not digital and some are in storage. Where we have the information we have confirmed this and where not, we have indicated that our searches are still continuing.

Of note is that the specific reserve function of an ETB in respect of land and interest in land or buildings was set out as an approval function in the ETB Act of 2013. From 2001 to 2013 it was 'purchase or taking lease in any land' that was cited as a reserve function. Prior to that there was no distinction between reserve and executive. Arising from this, from the review work done to date, it has been difficult to ascertain, from 2001-2013, if a specific motion/proposal to approve a lease from the committee was in fact obtained when a lease was brought to the VECs for discussion etc. It is more difficult to ascertain pre 2001 as procedures and requirements for approval were not as clear as they are currently.

We are providing the information to you on this basis and as accurately as possible.

Also of note is that we have sought legal advice in relation to leases where there is no Board approval. That advice has confirmed that such leases once signed by the Chief Executive are legal, legally binding and as such payments are legal.

Yours sincerely

Dr. Deirdre Keyes
Chief Executive

KWETB • Oifig Chill Dara
Áras Chill Dara, Páirc Devoy, Nás na Ríogh, Co. Chill Dara

KWETB • Kildare Office
Áras Chill Dara, Devoy Park, Naas, Co. Kildare
t. +353 (0) 45 988 000
f. +353 (0) 45 879 916
e. admin@kwetb.ie
w. kwetb.ie

KWETB • Oifig Chill Mhantáin
Sráid an Teampail, Cill Mhantáin, Co. Chill Mhantáin

KWETB • Wicklow Office
Church Street, Wicklow Town, Co. Wicklow
t. +353 (0) 404 60500
f. +353 (0) 404 62556
e. admin@kwetb.ie
w. kwetb.ie

**Bord Oideachais agus Oiliúna
Chill Dara agus Chill Mhantáin**
An Dr Deirdre Nic Aodha
Príomhtheidhmeannach

**Kildare and Wicklow
Education and Training Board**
Dr Deirdre Keyes
Chief Executive

Dr Deirdre Keyes
Chief Executive, KWETB
Kildare and Wicklow Education and Training Board
Level 5, Áras Chill Dara, Devoy Park, Naas, Co. Kildare
+353 45 988 000 | kwetb.ie

Information request to Public Accounts Committee from KWETB

Item 1.

The date of all independent valuations in respect of Kildare and Wicklow Education and Training Board (KWETB) Rental property and details of any property without such an independent valuation, including any leases which were signed without Board approval or which may have been approved subsequent to be signed.

(see attached table)

Item 2.

A copy of the independent valuation in respect of the KWETB rental property in Arklow, Co. Wicklow and for Block E, Civic Building, Bray, Co. Wicklow.

Arklow, Co Wicklow

The independent valuation in respect of the KWETB rental property in Arklow, Co Wicklow as submitted to the PAC Secretariat on 21/02/2019.

The Author of the valuation report has not given permission to publish.

Block E, Civic Building, Bray, Co Wicklow.

An OPW evaluation report was obtained in respect of Block E, Civic Building, Bray, Co Wicklow. Permission has not yet been given to release the report.

Item 3.

Details of the number of times KWETB met in hotels, including the notice given to the members of the Board that the venue of the meeting has been changed to a hotel.

The following outlines the date and location of KWETB Board meetings since Sept 2017. Board meetings were convened in hotels four times over this period due to non-availability of Council Chambers or unsuitability of Council Chambers for in camera meeting.

1. 27th September 2017 – Áras Chill Dara - meeting in camera
2. 11th October 2017 – Áras Chill Dara – meeting in camera
3. 15th November 2017 – Wicklow Co Council – public meeting + meeting in camera
4. 21st December 2017 – Áras Chill Dara – public + meeting in camera
5. 9th January 2018 – in camera meeting – Naas Aras Chill Dara
6. **22nd January 2018 – Glenview Hotel – special meeting in camera. Six days' notice was provided.**
7. 30th January 2018 – ETBI Office – in camera
8. **5th February 2018 – Tinakilly House – statutory meeting – this meeting was due to be held in Aras Chill Dara on 16th January but it had to be abandoned due to the lack of a quorum. Three weeks' notice for reconvened meeting was provided.**
9. 27th March – Naas statutory meeting
10. 8th May – Statutory meeting in Naas
11. 19th June – Statutory meeting in Wicklow
12. 11th September – statutory meeting in Naas
13. **21st September 2018 – Glenview Hotel - meeting in camera – Specially convened meeting to discuss Thorn Report. Three days' notice was provided**

14. 13th November 2018 – statutory meeting in Naas
15. **27th November 2018 – Glenview Hotel – special meeting – Wicklow Chamber booked out. Seven days' notice was provided**
16. 15th January 2019 – Statutory meeting in Naas

Item 4.

Details of any buildings or land which have been or are being leased by KWETB that it previously owned or sold.

In 2012 KWETB sold part of its site at Station Road Newbridge to Clarington Property and the consideration was the erection of a new sports hall at St.Conleth's Newbridge.

A 900.7 sq mts circa building, Aras Slainte, was built on this site and KWETB currently leases the top floor for Further Education and Training.

Departmental approval was granted at the time

Item 5.

Details of the directorship of DOT Opportunities Nominees 3 Limited company from whom the Bray Civic Centre is being leased.

Directors of Dot Opportunities as listed on Companies Registration Office site:

Eamonn Doyle, Thomas Gerard Berrigan

Item 6.

Details of the rent-free period for the Bray Civic Centre property including the cost of the buyout clause in the lease for KWETB and the time period after which the buyout clause kicked in.

Details of rent-free period for Bray Civic Centre

The rent-free period was for the first six months of the Term of the Term Commencement Date.

Cost of buyout:

The purchase price is €4,500,000.

Time period after which the buyout clause kicked in:

After five years, on 22nd September, 2021. Six months' notice is required.

Item 7.

Details of any key money paid when leases were signed.

To the best of our knowledge, with the information available to us, the practice of paying Key Money has not been used in KWETB

Details	Location	Independent Valuations Obtained by KWE/ETB Yes/No/**	Board Approval	Yes/No/Information not available will follow	Lease Expiry	Lease Commencement
Naas FETC	Jigginstown, Naas, Co. Kildare	Yes (14/07/2015)	Search Ongoing	Search Ongoing	Oct-20	Details to follow
Youthreach Naas Further Ed & Training Ctre Jigginstown	Jigginstown Commercial Centre, Newbridge Road, Naas West, Naas, Co. Kildare	Yes (14/07/2015)	Search Ongoing	Search Ongoing	Oct-20	Details to follow
KWE/ETB Offices Level 5, Aras Chill Dara, Naas, Co. Kildare	Aras Chill Dara, Naas, Co. Kildare	No	Search Ongoing	Search Ongoing	Lease expired but continuing occupation on same rent.	2009
Newbridge FETC	Aras Slainte, Station Road, newbridge, Co. Kildare	No	Search Ongoing	Search Ongoing	15/03/2033	Leased 15/03/13 commenced.
KWE/ETB offices Wentworth Place	Wicklow Office, Wentworth Place, Wicklow	No	Noted at VEC meeting Jan 1998		Lease expired but continuing occupation on same rent.	01/09/1999 for ten years - expired 31/08/2009.
Wicklow FETC	Wicklow Enterprise Centre, The Murrrough, Co. Wicklow	Yes (19/07/2017)	Original lease noted at VEC meeting in April 2002. Final negotiations on leases noted by Board January 2015. Details of lease outlined again at March 2018 Board meeting		30/09/2027	3/04/18 renewal
Bray Adult Learning Centre	1 Brennan's Parade, Bray, Co. Wicklow	Yes (13/02/2013)	No	No	31/07/2022	01/08/2012 for ten years 30/07/2022
KWE/ETB Offices Church ST	Church Street, Co. Wicklow	Yes (20/08/2015)	Lease noted at VEC meeting 2004		31/08/2025	Renewed Sept 2015 for 10 yrs
Arklow FETC	Fernhill Plaza, Wexford Rd, Knockanrahan Lower, Arklow, Co. Wicklow	Yes (04/02/2016)	Search Ongoing	Search Ongoing	30/04/2031	21 years and 1 month wef Mar 2010
Naas Training Centre	Unit A, Maundins Ind. Est., Naas, Co. Kildare	No	Yes on the 2nd August 2016*		01/06/2026	Jun-16
Youthreach Leixlip	Mill Lane, Leixlip, CO. Kildare	No	Search Ongoing	Search Ongoing	December 2016 - Lease expired	5 yrs from 01/01/2006 - Expired
VTOS Leixlip	Riverforest Shopping Centre, River Forest, Newtown, Leixlip, Co. Kildare	No	Search Ongoing	Search Ongoing	01-Sep-18	5 yrs from 01 Jan 2008
VTOS Leixlip	First Floor, River Forest Shopping Centre, Leixlip, Newtown, Leixlip, Co. Kildare	No	Search Ongoing	Search Ongoing	01-Sep-18	5 yrs from 01 Jan 2008
Manor Mills Unit 22	Unit 22, Manor Mills Shopping centre, Maynooth, Co. Kildare	No	Yes on the 2nd August 2016*		15/05/2021	15/05/2017
Marine House Hospitality Training Centre	Marine House, The Murrrough, Wicklow	No	Yes on the 2nd August 2016*		12/01/2021	12/05/2016
Railway House	Railway House, The Murrrough, Wicklow	No	Yes on the 2nd August 2016*		12/01/2021	11/10/2016
Crookstown FETC	Crookstown Upper, Ballitore, Co. Kildare	No	Yes on the 2nd August 2016*		11/07/2022	17/04/2017
Carnew FETC	Aughrim Road, Carnew, Co. Wicklow	No	Search Ongoing	Search Ongoing	31/03/2020	Information will follow
Bray Civic Centre (Block E)	Civic Offices, Main Street, Bray Co. Wicklow	Yes (09/12/2015)	Board was informed of building progress through the building/FET report in 2016/17		20/09/2036	22/09/2016
Wicklow FETC (Front of Building at The Murrrough Wicklow)	The Murrrough, Wicklow	Yes (19/07/2017)	April 2002 original lease. Final negotiations on leases noted by board January 2015. Details of lease outline		31st Aug 2027	10 years from 1st Sept 2017
Sunbeam House	Vevay Road, Bray, Co. Wicklow	No	Bray VEC not available		Details to follow	Details to follow
Putland Road Centre	Putland Road Bray, Co Wicklow	Yes (07/07/2009)	Search Ongoing	Search Ongoing	30/04/1999	30/04/2019

* At the KWE/ETB Board meeting on the 2nd August 2016, a list of properties were brought to the Board for approval. In this investigation report, Dr. Richard Thom found that the minutes of the meeting do not record formal approval for the leases. It was confirmed to Dr. Thom by the person taking the minutes that the leases were in fact approved but not recorded in a sufficient manner. (reference page 17 of Dr. Thom's report)

** Our understanding is that there is no requirement in all cases for independent evaluation