



Coimisiún Thithe an Oireachtais
Houses of the Oireachtas Commission

Minutes of the Commission
Thursday, 14th February, 2008

1. The first meeting of the Commission of 2008 took place at 1 p.m. in Room 2, Leinster House.
2. **MEMBERS PRESENT.**
Deputy John O'Donoghue, Ceann Comhairle (Chairperson), Senator Paul Bradford, Mr. Kieran Coughlan, Secretary General, Deputy Tom Hayes, Senator Cecilia Keaveney, Deputy Séamus Kirk, Senator Pat Moylan, Cathaoirleach of the Seanad, Deputy Michael Mulcahy, Deputy Dan Neville, Deputy Pat Rabbitte and Senator Jim Walsh.
3. **MINUTES OF PREVIOUS MEETINGS.**
The minutes of the meetings of 12th and 18th December, 2007, were agreed by the Commission.
4. **CHAMBER AND ACCOMMODATION PLANS - MEETING WITH OFFICE OF PUBLIC WORKS.**

Mr. Seán Benton (Chairman) and Mr. John McMahon, Office of Public Works, and Ms. George Boyle, Murray ÓLaoire Architects, were admitted to the meeting.

Leinster House Conservation Works.

The OPW made a presentation on the options for essential major structural refurbishment works which are required to be carried out in Georgian Leinster House. The Commission was informed that following a detailed study of the structure of Georgian Leinster House there is evidence of major deficiencies throughout the House. Without immediate action it will not be possible to sustain a safe or acceptable working environment for the future and the risks to fabric and systems failures are becoming critical. Two options were presented by the OPW: (i) carry out the necessary works during summer Recesses over a period of up to six years; and (ii) carry out the entire works over one year commencing in July 2008 to be completed by the end of the Summer Recess 2009. The OPW recommended option (ii), decanting for one year, as the most favourable option, as spreading the works out over a number of years would have cost implications as well being disruptive and inconvenient for members and staff on a prolonged basis. The Commission was informed that during the course of the refurbishment works the Dáil Chamber could remain in operation. However, the Seanad Chamber would have to be relocated and it was suggested that the temporarily vacant Natural History Museum might be a suitable replacement location. Most other functions within Leinster House would be either re-accommodated on the Leinster House complex, or in temporary engineered accommodation built to suit requirements. The OPW confirmed that the relocation of the Seanad Chamber into the Natural History Museum would not impact on the schedule of works planned for the restoration of the Museum.

The Commission agreed to the OPW recommendation. The Commission further agreed, as a next step, that the OPW would make a presentation in this matter to the Committees on Procedure and Privileges of Dáil and Seanad Éireann and also to the Joint Administration Committee.

Underground car park.

Following on from the previous meeting, and in noting correspondence received from the Joint Administration Committee, the Commission approved the proposal for the construction of a two storey underground car park with 500 spaces below Leinster Lawn. The OPW confirmed that the structural works on Georgian Leinster House will not impact on the construction of the underground car park as the planning/tendering will take up to a year. Mr. Benton added that the capital funding for the project has yet to be confirmed.

The Committee on Procedure and Privileges of Dáil and Seanad Éireann and the Joint Administration Committee will be notified accordingly.

The Commission thanked Chairman Benton and his officials for their attendance at the meeting and they withdrew from the meeting.

5. MINI-CTC INQUIRY – HIGH COURT SETTLEMENT FOR LEGAL REPRESENTATION COSTS ON BEHALF OF MRS. NOREEN McDONNELL.

The Commission had before it correspondence from the Minister for Finance [01-08-08] requesting that the settlement arising in the *Noreen McDonnell vs The Members of the Oireachtas sub-Committee on the Mini CTC Signalling Project, the Minister for Finance, Ireland and The Attorney General* case be met from Commission funds based on the fact that the costs were incurred pursuant to the activities of the Oireachtas sub-Committee in the pursuit of its parliamentary functions and in accordance with the Houses of the Oireachtas Commission Acts 2003-06. The Commission noted that the High Court Order of 23rd February, 2006, arising from this settlement, ordered the dismissal of the proceedings against all of the Respondents and ordered the payment of costs by the Minister for Finance, Ireland and the Attorney General, so to this extent the payment of the settlement would not seem to have any consequence in terms of potential future liabilities for the Commission in other cases which relate in the main to witnesses compelled by Committees under the Compellability Act 1997.

In relation to the settlement of this case, the Commission raised serious concerns at the fact that the Department of Finance concluded this settlement without consultation with the sub-Committee's legal counsel and noted that there was in fact no liability on the Commission to pay the settlement.

The Commission, in sanctioning the payment of €370,489.13 in settlement of the legal representation costs in this matter, directed that confirmation be sought from the Department of Finance that in future negotiations regarding settlements of cases or costs which may have an impact on the Commission's budget, that the Commission's legal representatives be included in the negotiations prior to the settlement being agreed. The Commission noted the Minister's undertaking to the effect that the issuing of this expenditure from its funds will be taken into account in discussing funding requirements for the next Houses of the Oireachtas Commission Bill and requested that assurance be sought from the Department of Finance that account be taken of any similar kind of liabilities which may materialise.

6. FINANCIAL REPORT FOR QUARTER ENDED 31ST DECEMBER, 2007 – FROM THE FINANCE COMMITTEE.

Deputy Seamus Kirk, Chairperson of the Finance Committee, presented the report of the Finance Committee [01-02-08].

Arising from the report, in relation to official travel, the Commission agreed that members' accommodation costs for overseas/official travel in respect of Committees, Council of Europe, etc, should be paid directly by the Office, as opposed to being met by the member and subsequently reimbursed. It was agreed that a proposal in this matter would be progressed by the Office through the Joint Administration Committee.

The Commission noted the report of the Finance Committee.

7. RATIONALISATION OF MEMBERS' ALLOWANCES REVIEW – UPDATE.

The Commission discussed proposals in relation to the rationalisation of members' allowances. The proposals, based on a downward revision to the Goodbody Recommendations and the Implementation Group Recommendations with regard to members' allowances, which have been the subject of consideration for a couple of years, but excluding any increase to members travel and subsistence allowances, were agreed in principle subject to being tabled for formal approval by the Commission at its next meeting and subject to receipt of a report on the audit issues arising. The Commission noted that any proposals adopted will require the consent of the Minister for Finance and the making of the necessary statutory regulations.

8. ROLL-OUT OF TRAINING TO MEMBERS AND POLITICAL PERSONNEL.

The Commission had before it for consideration a proposal document on the roll-out of training to Members and political personnel [01-03-08]. The Commission noted that many of the proposals contained therein had been raised via the Informal Feedback Forum for Members. In addition, the Commission was informed that a training needs analysis was conducted by the Office to ascertain the training requirements of members and members' staff.

The Commission agreed:

- (i) the payment of travel and subsistence expenses to Members who attend training interventions on non-sitting days (prior Department of Finance sanction has been received on this);
- (ii) the allocation of training for Members' staff on the Commission's payroll;
- (iii) the payment of travel and subsistence for Members' staff on the Commission's payroll for attendance at training courses;
- (iv) the extension of training to staff/assistants of Members not on the Commission's payroll – (6 additional training days per Deputy per annum and 4 days per Senator per annum to allow for non-payroll staff to attend training courses. As there is no payroll relationship between the Commission and these employees, travel and subsistence expenses will not be paid); and
- (v) the rollout of regional training to Members and their staff.

9. OIREACHTAS CRÈCHE REVIEW.

The Commission had before it for consideration a document relating to the mid-term review of the crèche [01-04-08].

The Commission noted the review report and approved the provision of a subvention to the crèche operator in compensation for actual losses incurred in the operation of the crèche in its first year of operation, subject to a specified limit and subject to audit of the company's accounts. The Commission noted that the Office will keep the feasibility and relevance of the continued operation of the crèche under close review, and its viability will be re-visited again in late 2008 following the second independent review of its operation.

10. OIREACHTAS FITNESS ROOM REVIEW.

The Commission had before it for consideration a document relating to the mid-term review of the fitness room [01-05-08]. The Commission noted the report.

The Commission, in noting that the Office has acceded to a request from the Joint Administration Committee that the closing time of the fitness room be extended from 7.30 p.m. until 10 p.m. on

Tuesdays and Wednesdays in sitting weeks to facilitate increased usage of this facility by Members, recommended that a further review of opening hours be conducted to ensure that this proposed extension of opening hours would deliver the objective of additional use by Members.

11. STRATEGIC PLAN 2007-09 – [2007] PROGRESS REPORT.

The Commission noted a progress report on the implementation of the Strategic Plan from the Secretary General, as required by section 16 of the Houses of the Oireachtas Commission Acts 2003 and 2006 [01-06-08].

12. GUIDELINES FOR STAFF OF THE HOUSES OF THE OIREACHTAS IN WORKING WITH MEMBERS.

The Commission noted and welcomed the recently agreed guidelines for staff of the Houses of the Oireachtas in working with members [01-07-08].

13. ANY OTHER BUSINESS.

Engagement of Committee Press Officers.

The Commission noted that pursuant to the Commission's Communications Strategy, the Office proposes to shortly commence the recruitment of two full-time Press Officers for the Committees on a two-year contract basis.

14. ADJOURNMENT.

The meeting adjourned at 2.45 p.m.

JOHN O'DONOGHUE, T.D.,
Ceann Comhairle and Chairperson of the Commission.

Dated: