



SERVING BOTH HOME & COMMUNITY

The National Body for Residents' Associations

Aonhacht Cumann Riartha Áitreabhóirí

Founded in 1953

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# WATER TAX: ACRA SAYS NO

**We will not be paying any tax on the family home. Following the announcement of the water tax on the 18th April the following statement was issued by ACRA:**

*The Association of Combined Residents' Associations (ACRA) predicts mass opposition to any attempts to impose a tax on water. Householders simply cannot take another burden, following household and a likely property tax. ACRA along with the CAHWT pledges to organise a mass grassroots campaign on this issue in every estate, town and village in the country.*

Speaking today to members, Malachy Steenson, General Secretary of ACRA, said: "Water is already paid for from central taxation. It was never 'free', so talk of a free allocation is nonsense. Our members up and down the country are already pinned to the collar trying to survive. Recent surveys have shown that one in five children are going to bed or school hungry, whilst the Credit Union Survey has shown that 1.6 million people only have a disposable income of €25 at the end of each week, while 500,000 have no disposable income". He added, "The only purpose in setting up Irish Water is to pave the way for the eventual privatization of the water supply - a bonanza to be handed over to private operators and to the speculators and gamblers who have already destroyed this country, to profiteer from a vital resource. This is yet another natural resource that would be handed to the private sector, charging residents at will, as we have seen with waste collection companies."

Mr Steenson continued: "The prediction by John Fitzgerald of the ESRI last year that domestic charges would quickly amount to €1,200 is now rapidly becoming evident. These proposals for water metering and charges on top of a home tax will be met with massive resistance". Finally he said "We successfully made the household tax one of the biggest campaigns in recent decades. Water charges will be even more forcefully opposed."

It also must be pointed out that whilst the Government stated that Irish Water would create 2,000 jobs, no mention was made of what would happen to the local authority staff who currently look after the water supply network. The appointment of Bord Gáis to run Irish Water is clearly an attempt to create a revenue stream for the water system and then to hand it over to the private sector. Is it not strange that the establishment media did not see any relevance in the fact that the Minister awarded the contract to run the new national Water Board to Bord Gáis, two weeks after Denis O'Brien bought Siteserv, and a month after Denis O'Brien and Gavin O'Reilly appeared in photographs with Enda Kenny on the balcony at the NYSE.

A company called Sierra is one of Bord Gáis' largest contractors, responsible for installing and maintaining their domestic boilers in a deal worth up to €100 million since 2010. Bord Gáis gives preferential treatment to existing contract holders when tendering for new business, and now stands in a prime position to be awarded install domestic water meters into almost every household *Continued inside>*

**GROUND RENT SPECIAL SEE PAGE 12**

# ACRA POLICY ON ESSENTIAL SERVICES

*ACRA IS TOTALLY OPPOSED TO  
WASTE, WATER, SEWERAGE AND  
PUBLIC LIGHTING CHARGES  
under any circumstances.*

We believe services should  
be *RUN EFFICIENTLY UNDER  
PUBLIC CONTROL* and *FUNDED  
FROM CENTRAL TAXATION.*



*From front*> in the country at a cost of €800 each (€40 per year for 20 years). Sierra is owned by Siteserv. Siteserve was a company which was effectively insolvent with debts of over €150 million to Anglo Irish Bank. The Company was sold for €45million to a company controlled by Denis O'Brien. To facilitate the deal Anglo wrote off over a €100 million of debt. When we say Anglo we mean the taxpayer. A substantial part of the payment went to the shareholders; only in Ireland would an insolvent company be sold with a write off by the taxpayer of two thirds of its debt and a huge payment to shareholders.

Is it not worthy of comment that a person implicated by the Moriarty Tribunal in a major corruption scandal involving Government ministers and the securing of a lucrative mobile phone license, met with both Enda Kenny and Phil Hogan as he was buying a company with the approval of a Government body for below cost and as the lowest of three bids, two weeks before The Minister for the Environment announced the awarding of the contract to run the national water service to a body with which this company had a substantial relationship?

In light of the fact the Mr. O'Brien has deep pockets and regularly rushes to court we are not implying any impropriety on his behalf - we are just pointing out a number of issues which may well be co-incidental.

**ACRA again puts this government on notice that our members will not be paying any taxes on their family home regardless of what they are called.**

## ANNUAL GENERAL MEETING

**Date:** Thursday 21st June 2012

**Venue:** Teachers' Club, Parnell Square, Dublin 1

**Time:** 8pm

### Agenda:

1. Minutes of last year's AGM
2. Correspondence
3. Treasurer's Report
4. Officers' Reports
5. Household Tax Campaign
6. Water Charges, Property Tax, change to TV licence and continuing attacks on the quality of life of residents.
7. Mortgage problems on Residents' homes
8. Motions
9. Election of National Executive
10. AOB

Because of continuing attacks on our members' quality of life by the Government this AGM is the most important in many years. Every Association should send a delegate. Confirmation of your attendance should be sent to [acra@iol.ie](mailto:acra@iol.ie)

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# *Dundrum Arts & Cultural Festival*

Monday June 18th To Sunday June 24th (Incl.) 2012

This year, 2012, the Dundrum Arts & Cultural festival will celebrate its 29th year! It started off with the Dublin Folk Dance Group at its core and the two Directors, Christine and Kevin Cosgrave are still contributing their considerable skills on a voluntary basis. The young married couples who came in their hundreds to populate the new housing estates in Ballinteer and Dundrum were treated regularly to free entertainment from 1983 by the Dublin Folk Dance

Group. People can remember them dancing outdoors in Dundrum village at the Usher Memorial which now stands near the entrance to the LUAS station. Back in those days the colourful, exotic continental dances from Bavaria to Austria to Spain were a real treat, reminding many of their sun holidays. Those colourful dances and costumes still continue in the Festival. Arising from the acceptance and delight of people in the Dundrum area and the growing

influence of residents' associations, a need for a dynamic community festival was identified. For many years Dundrum was the junior partner in the relatively new County of Dun Laoghaire-Rathdown. Before it became one of the most sophisticated places in Ireland with our new LUAS, new Dundrum Town Centre, Mill Theatre, the Cosgrave duo (Kevin and Christine) initiated the Dundrum Community Festival on the proverbial shoestring. The Festival

All the fun of the fair, 2011.



Committee is really appreciative of the financial support of sponsors, traders in Dundrum and Ballinteer and Dun Laoghaire-Rathdown County Council.

*“The circuit is one of the fastest and most spectacular of race cycling with hard corners and opportunities for acceleration. The easy access for fans and the general public to watch the race from the protected footpaths provides a carnival atmosphere.”*

#### **STEPHEN ROCHE RACE**

The story of the Dundrum Arts & Cultural festival mirrors the rise and rise of Dundrum's favourite son, Stephen Roche who won the

*Giro d'Italia* and the coveted *Tour de France* in 1987. In fact the Stephen Roche Cycling Criterium is a centre piece of the Festival where the roads are closed for an evening in June in Meadow Mount. The circuit is one of the fastest and most spectacular of race cycling with hard corners and opportunities for acceleration. The easy access for fans and the general public to watch the race from the protected footpaths provides a carnival atmosphere. It is no surprise then that Bunny Roche, Stephen's mother, was elected as Mayor of Dundrum on two occasions (1998 and 1999) by the Arts & Cultural Festival Committee. Stephen's parents, Larry and Bunny live in Meadowmount.

Reflecting the thoughtful planning for the community, the Festival programme has bi-lingual storytelling in the local library and schools, a junior art competition

which is widely acclaimed and a Teddy Bears' picnic. For young and old adults there are many attractions, indoor Bowling Competition between the local clubs, a heritage and history walk which should not be missed, set dancing night and last year a splendid Choral Evening in the beautiful Holy Cross Church built in 1847. *Gach bliain bíonn oíche cheoil ann le filíocht, amhráin agus rinncí céile freisin. Is an teanga bun-cloch den naisiún.* The wonderful setting of the fabulous Town Centre is the focus of Opera with wonderful music and singers for an hour on two separate nights. On a summer's evening at the Dundrum Arts & Cultural Festival you could imagine yourself to be in the La Scala, Milan!

#### **SUNDAY VILLAGE FESTIVAL**

Last year's (2011) Census figures record a population of 206,000 in Dun Laoghaire-Rathdown County. In

Stephen Roche Criterium, Meadowmount, at start of race





*“In 2012 the Organisers are encouraging as many residents of Dundrum and Ballinteer as possible to come to the events, especially the Sunday afternoon in the closed Village.”*

the area from Kilmacud, Dundrum to Broadford in Ballinteer the population exceeds 36,000 which is a fair percentage of the total population of the County. This is the area which is mostly served by the Festival. The current local government campaign to return “village ” status to old established districts like Churchtown, Dundrum and Cabinteely gets a real boost from community festivals like this one. Every area deserves an annual festival to ensure its identity, among other benefits. On the last day of the Festival the roads in the upper half of Dundrum village will be closed to provide a natural amphitheatre for a whole host of activities - the centre-piece of which is the stage for the young people to display their vocal, musical and dancing talents. It is an amazing showpiece for the children and young teenagers to entertain and amuse the large audiences who love a good show. The rest of the Village has

Punch & Judy and Bouncing Castle and all the “fun of the fair attractions” which one expects at a community festival. People wander around meeting friends and sometimes people that they have not seen since the previous year, even though they live close by. The economic state of the country means that sponsors and local government support requires a visible, significant “footfall”. This community festival brings multiple benefits to the district. The Dundrum Arts & Cultural Festival is unique in that it is crime free and “yob” free as the programme is community geared and alcohol is only available at designated in-house events. The emphasis is on entertainment for the family on the Saturday - this year in Simpsons Hospital grounds - and on the Sunday in the Village for Adults and the Youth. It is vital that residents in the many local estates come out enjoy themselves and support the young people on the Sunday - after

all it is ALL FREE! The old Irish *seanfhocal* is most applicable – *mol an óige agus tiocfaidh sí* - Praise the youth and they will come on well.

## **MAYOR OF DUNDRUM**

Every year the Festival selects a person who represents some identifiable aspect of the large and multifaceted community that is Dundrum and Ballinteer. Since Robert Luke, the first Mayor in 1984 there have been twenty one links in the mayoral chain (sponsored by Jeweller, Lance Grossman of Dundrum) with some local personages such as the late and great Joe Daly of the cycle shop fame holding the position on two occasions. The role of the Mayor is to preside at the public events and to present the prizes for the various competitions. The Mayor of Dundrum also represents Dundrum Arts and Culture at various other events during the year. The Mayor is usually chosen for her/his strong links with the community - such as business traders or community activists. This year a new Mayor will be selected to succeed Donal Donnelly, Meadowbrook, who finishes a two year period in office in June.

## **THIS YEAR - 2012**

This festival is organised by a group of people who work tirelessly to ensure a magnificent programme of events 95% of which are totally free. This year there will be a Music Technology Workshop on the 18th, 19th and 20th of June, followed by a myriad of the usual traditional events as listed above. Anyone interested in the Music Technology Workshop should apply immediately through [www.dundrumfestival.ie](http://www.dundrumfestival.ie)

On Saturday 23rd of June the family day will take place in the grounds of Simpsons Hospital which is a HIQA approved Nursing Home with a unique history of its own. Sunday will be the Village Festival Day. A detailed programme will be available soon.

*The Committee which assists Christine and Kevin Cosgrave includes Gemma Wyse, Margaret Gilles, Nora Browne, Eddie Duffy, John Lennon, Caitríona Uí Catháin, David Tansey and Tony Robbins. Other communities wish that every village in the counties of Dublin could have such a dedicated group.*

**SUPPORT YOUR LOCAL FESTIVAL IS OUR CALL TO ALL OF YOU THIS YEAR.**



# KIDD INSURANCES KIDD FINANCIAL SERVICES

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- Horse Lorries
- Residents' Associations

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## Insurance Scheme For Residents' Associations Affiliated To ACRA

The costs of arranging Public & Employers' Liability is probably a lot less than you might think. From only €120 per annum you can avail of vital protection without which the Committee of a Residents' Association could find themselves personally liable. If your Association is affiliated to ACRA and you are a committee member you can obtain wide protection that will give you peace of mind. You will avoid a situation where there is potential for you to be personally liable for awards made to a person injured in the course of participating in an event organised by the Residents' Association. It is an essential function of any association to make certain that its committee is protected should an event occur which would expose them to financial loss.

A special scheme for Residents' Associations has been arranged by Kidd Insurances with Allianz Corporate Ireland PLC and a quotation may be obtained by phoning Emma Cross on 01 2079400 or email [emmacross@kiddinsurances.ie](mailto:emmacross@kiddinsurances.ie). Please note that the scheme has a common renewal date of 1st March and the Limit of Indemnities are €6,500,000 and €13,000,000 in respect of Public and Employers Liability respectively.

We may be able to save you money on your existing insurance or provide you with advice on any new insurance you need.

Please contact: Emma Cross,  
Unit 6. Block E, Nutgrove Office Park, Rathfarnham,  
Dublin 14.

Tel: 01 2079400, Fax: 01 2079017  
Email: [emmacoss@kiddinsurances.ie](mailto:emmacoss@kiddinsurances.ie)  
[www.kiddinsurances.ie](http://www.kiddinsurances.ie)

# Calling all city neighbours

**The City Neighbourhoods Awards is an awards scheme which acknowledges in a meaningful way the selfless work done for our city by people in communities, business and schools.**

The competition is divided into three areas, which includes Residential, Business and Schools.

There are also Special Categories for Best New Entry, Individual Contribution and Endeavour Award (most improved entry) The Individual Contribution Award is to acknowledge in a meaningful way the selfless work done by individuals in their communities by creating caring, viable, vibrant and visible communities. So if there is one person in your community that has put in lots of hard work over the years why not honour them by a nomination for this Award.

This year we have included a separate category for allotment/community garden. So if you have a garden, allotment, or care for an open green space that you wish to enter, why not contact your Area Office for an application form.

This year Dublin City Council would like to see more new entries as we know there are a growing number of people who are involved in their neighbourhood, so this is your opportunity to help make a difference.

Application forms are available at [www.dublincity.ie](http://www.dublincity.ie) or at the following locations:



Central Area Office  
51-53 Sean McDermott St.  
Dublin 1.  
Tel. 1800 248 348  
email [simon.brock@dublincity.ie](mailto:simon.brock@dublincity.ie)

North Central Area Office  
Civic Centre  
Bunratty Road  
Coolock.  
Tel No. 8166711  
email: [fiona.moore@dublincity.ie](mailto:fiona.moore@dublincity.ie)

North West Area Office  
Civic Centre  
Mellows Road  
Finglas.  
Tel No 222 5412  
Email: [serena.moriarty@dublincity.ie](mailto:serena.moriarty@dublincity.ie)

South Central Area Office  
The Maltings  
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For more information contact Bernie Lillis at [bernie.lillis@dublincity.ie](mailto:bernie.lillis@dublincity.ie)



# *Euro Dream turns to Nightmare*

*By Michael Fox*

*As the nation drifts ever closer towards another EU treaty we are again reminded how important it is for Ireland, and why we must vote yes; how it will give stability, boost international confidence, renew prosperity, create employment and eventually end the nightmare in Europe.*

With the disastrous introduction of the Euro, Europe has given us false promises, false hope, caused property bubbles, put the economies of Europe at the mercy of the international financial markets, destroyed the living standards of ordinary workers and cut public services. Thousands are crippled by exorbitant mortgages, many more thousands have become unemployed and face a bleak and uncertain future, have been forced to emigrate and live in constant fear for their families. For many every day is a

struggle. Thousands have been forced to cancel their private health care insurance, as the spiralling costs have forced them out of the market. They are now dependent on the public health care system and will add to the existing long queues that are constant in the country's A&E hospitals. With the introduction of water and household charges tens of thousands have taken to the streets in protest, with many more protests planned throughout the country.

All good reasons for looking again at the European experiment and giving a tumultuous No to the bureaucrats in the EU. A thundering No that will reverberate from Dublin to Denmark and from Brussels to Berlin. It was their poor regulations, dithering and bad planning that allowed this to happen. Enough is Enough. Latest figures show 435,000 people are now unemployed. During the property bubble 160,000 were unemployed and at 4% of the population, that figure

was deemed acceptable by economists - themselves, gainfully employed. However it wasn't acceptable to those seeking employment, other than low paying, temporary and short contract employment. The monumental disaster created by European beaurocrats has not brought prosperity to all, but austerity to all. Economic analysts believe that an economic approach based on spending cuts and increased charges on wage earners would bring low growth, high debt and more unemployment for the future. What is needed is an investment strategy that would generate employment.

And if the Euro problems are not enough for Ireland, the Government is now excited about the possibility of future trade with China, earmarking such industries as pharmaceuticals, IT, medical devices, tourism and education. Critics of the Chinese visit remind us of China's appalling record on human rights, while American financial wizards tell us that the ability of China to support the seriously compromised global economic and financial system is overestimated. They believe that the unsound foundations of China's economic and financial strength have been greatly ignored.

When we see the opulence, magnificence and grandeur afforded to visiting dignitaries to Ireland, the millions spent, the 21-gun salute from ex British Army 25-pounders, the impressive extravagant palatial banquets in Dublin Castle, with fine carpets and flowers, followed by fine speeches, cheers and applause - is it not fair to comment, would a simple, 'Céad Mile Fáilte' not have been enough? It all contrasts sharply with the sight of elderly people who are medical card patients, lying for days on trolleys in our main public hospitals, the same as it was during the Celtic Tiger era.





AN ACTION OF  
THE DUBLIN CITY  
HERITAGE PLAN

# Ballymun

## History

Ballymun – Baile Munna – the “Town of the Shrubland”, refers to the forest which once existed in the area. Another reference to the name is from the History of Santry Parish - by Rev Benjamin Adams who states that the name was derived from the family name of Munn.

After the Norman invasion, King Henry II granted the Kingdom of Meath – which included the Santry Parish – to Hugh De Lacy. From 1620-1935 all the lands were controlled and owned by the Barrys (1620 - 1751) and their successors by marriage, the Domvilles (1751-1935). Their ownership consisted of 4,700 acres. James Barry built Santry Court in 1702. Another period house in the area was Stormanstown House was acquired in 1943 by the Albert College and Model Farm and demolished in 1970. Ballymun Comprehensive School was built in 1976 on the site.

## Churches of St. Pappin

There are two churches of St. Pappin. The Church of Ireland was built in 1704 on the site of an earlier church in Santry. The Roman Catholic church is the oldest surviving building in Ballymun. It replaced the old Penal Chapel which stood near the junction of St Margaret’s Road and is now a care centre.

## High Rise

In 1963 a decision was taken to build a high-rise, social housing complex on a green field site. The idea for the flat complex goes back to the Sean



Lemass era and the economic and social policies he put in place in the fifties and sixties. Plans to build the Ballymun complex were announced by the then Minister for Local Government, Neil Blaney TD. This plan was to house 2,866 families in high-rise flats and an additional 480 traditional style houses.

The planners and architects were of the opinion that system building and the construction of high-rise architecture on the edge of the city was the solution to the housing crisis. Minister Neil Blaney agreed and named the Ballymun Project *Ard Glas* or Green Heights. The target budget cost for the entire scheme was £10 million – the actual cost was £11.6 million.

The system used pre-fabricated concrete panels. The factory was located in Ballymun to produce these panels, which were cast and finished on site in the factory.



By the 1970s, the social fabric and housing stock were beginning to fall apart. Finance was hard to come by. Community and tenants’ organisations became active, and engaged in dialogue with the

1. St. Pappin’s Roman Catholic church.
2. Duncan’s map of 1821 showing the parkland around Ballymun.
3. Brookings map showing the farmland around Santry.
4. View of two of the tower blocks in Ballymun.

# Baile Munna



# Past & present



Corporation. They brought their problems to the press and to the public. These included difficulties with heat, lifts, playing fields and transport. As a result, the community became involved in the plans for the regeneration of Ballymun and plans were put in place for the demolition of the 15 storey tower blocks and flat complexes.

## Regeneration

The coming together of the Ballymun community and Dublin Corporation in 1997 to work on the regeneration of the area has been a huge success. A consultation process, which took account of all the needs and requirements of the residents, was put in place, and discussion and planning days were held.

The main concerns of people living in the area – housing, security, jobs/training, education, transport, shopping etc. – were taken on board by the Corporation. A master plan was drawn up which in turn would form a framework plan.



## Framework

Over the past five years five new neighbourhoods, each with its own identity, local facilities and new homes, are under construction. The neighbourhoods are Balcurris, Poppintree, Sillogue, Coultury and Shangan.

In March 2001, the contractors started work on the new main street, having filled in the old roundabout. This one kilometre-long street has transformed the area with its shops, civic offices, leisure centre and hotel.



Ballymun's main street is now a social, integrated space providing shopping facilities and a cosmopolitan feel. Some residents have moved to beautiful new homes, while others await the demolition of the remaining flat complex. The master plan put in place by Ballymun Regeneration Limited and the working groups has ensured great success in transforming old Ballymun to new Ballymun.

1. New and old in Ballymun.
2. The new leisure centre.
3. New vista of Ballymun.
4. The new Civic Centre.

# Inné & Inníú





*Special Feature:*

*Ground Rent*



**The following is a copy of a letter addressing the Ground Rents in Ireland issue, which was sent to the Auxiliary Bishop of Meath by ACRA'S Ground Rent Sub-Committee in February 2012.**

Most Revd. Michael Smith,  
Auxiliary Bishop of Meath,  
Bishop's House,  
Mullingar,  
Co Meath.

29 February 2012

Dear Most Revd. Michael Smith,

*Reference: Ground Rents in Ireland and the case for their abolition. Meeting between ACRA and the Catholic Church dated 10/10/1984.*

With reference to the above meeting between ACRA and the Catholic Church (as represented by Pauline Berwick, then Administrative Officer, Michael Ahern, Dermot McCarthy, since a chief civil servant, and Margaret Burns), ACRA would like to bring to your attention, that we are still awaiting your promised report on the meeting subject matter. The meeting at the time focused, in particular, on the continuing issue of ground Rents in Ireland and how might resolutions to this problem be implemented and the opportunity for the Catholic Church to be involved in that endeavour. ACRA awaits your response that will outline the Catholic Church's position on the matter and the positive actions that the Catholic Church is willing to take to address the problem of Ground Rents in Ireland today.

Since the very recent and long awaited ruling on the Shirley case which was first taken before the courts in 2001 and which had its final ruling in February 2012 (see background on Shirley case below), the Catholic Church, in its capacity as a representative body with considerable

influence in Irish society, now has an opportunity to take a very pro-active moral lead in this debate. The Catholic Church is well positioned to lend its full weight and high standing in the community, to influence and remind all concerned of the unjust nature of ground rents, with a view to finally securing their abolition in Ireland. ACRA would welcome a public statement from the Church on this matter.

It is well established that the Church is itself a landlord of note in Ireland, and has some interest in this matter. As such, the opportunity is clearly before the Church now to take a lead in this debate and call for the abolition of ground rents once and for all. Being a landlord itself, (albeit as organisation rather than an individual landlord), such a call would have considerable resonance with the judiciary, Government Parties and in the general public discourse on the matter. The Church's voice on the matter could well be heard as the loudest of voices in the debate if the Church so chose.

ACRA recognises that this is not necessarily an easy position for the Church to take at this time. It is the opinion of ACRA, now that the Shirley case has been judged and that judgement made public, that the Church has an ideal opportunity to act now in a timely manner and genuinely effect change by taking advantage of this judgement. Notwithstanding, there is now a public expectation that action will ensue by all concerned individuals and parties to the debate affected by or with an interest in the Ground Rents issue. The time for action has never been so imperative as it is now. The Shirley case decision was cited by Governments of the past as the prime reason for delayed action. There is already an all-party consensus in Dáil Éireann that the issue should be resolved and ground

rents consigned to the history books and altogether eliminated as a form of rent or income for any party. The all-party consensus position is that the feudal code known as ground rent has always been an unjust imposition on the ordinary persons of Ireland that should never have prevailed.

ACRA's position on ground rents concurs with this position, that they are an unjust feudal imposition uncommon and unacceptable in many other countries. Ground rents most notably affect elderly people whose leases often expire as they themselves have reached a senior age. Ground landlords and the legal profession actively capitalise on this frail position that elderly people find themselves in and use the full might of the law to attempt to claim 1/8 of the price of the House and Estate (curtelage) as compensation, on the expiry of the land lease. Many individuals today are still faced with claims initiated by landlords, (often absentee) and find themselves suddenly thrust into the worrying arena of the court system, having to defend themselves against trained legal counsels. Since the ACRA campaign started in 1974, approximately 22,000 householders have gone through the court system. The majority had never been to court before. Landlords have shown a consistent determination and routinely pursue house owners through the court system and make full use of the might of the legal system to attempt to force unjust payments from quite frightened individuals. Most often these individuals are entirely unfamiliar with court processes and find themselves fearful of prosecution or of vastly higher and exorbitant rents from new leases, on failure to pay. The stress this process places on individuals who are hauled to the dock by landlords, is very considerable indeed.  
*Continued overleaf>*

## The Shirley Case

The primary reason cited by Government officials for delay in taking action on ground rents was that they wished to first wait on the outcome of the Shirley case, held at Supreme Court level, before proposing a final bill to address the abolition of ground rents. The Shirley case effectively sought to explore whether certain articles of the current ground rent acts were unconstitutional. It is probable that the government then, and successive governments, in advance of implementing legislation on the matter, wished to observe if the case would succeed or fail before casting judgement on the appropriate next actions to take along the path of abolition. The case was taken by John E Shirley, an absentee landlord living in the U.K., but with property and ground rents in Ireland, who sought to overturn sections of the existing Land and Tenant Acts, where he ultimately wished to win a judgement that would allow landlords, en masse, extract more than 1/8th of the total property value from the House owner on expiry of the lease. Better still, Shirley hoped to prevent buy out altogether by claiming that the buy-out of ground rents is unconstitutional. The current legal position at the time the case was brought before the courts was (and still is) that on expiry of the lease an individual can buy his ground rent at a value calculated as 1/8th of the value of the house and curtelage and no more.

Alternatively, rather than buy out, a house owner can get a renewal of the lease generally for a period of only 35 years. The new ground rent is then raised to an exorbitant 1/8th of the open market value of the house with 5 yearly upward only reviews, which many individuals could not afford. The findings of the Supreme Court on the Shirley case, was given on the 2nd February, 2012. The court

found that the existing legislation that is in place is constitutionally safe and does not require any change or amendment. The judgement effectively threw the case out, citing that Shirley did not have any grounds to bring the case before the courts. It was judged that Shirley had no valid case to claim that the current legal situation that allows buy-out was unconstitutional. The judgement effectively protected common law that is passed in Dáil Éireann as being constitutional by default. Many vested interests wished to see this case succeed, but thankfully justice prevailed.

The judgement does not however prevent Shirley from contesting every other legal claim from his so-called “tenants” to buy out ground rent leases he administers. It is expected that other persons who are unfortunate enough to have land leases with Shirley will suffer a similar fate and find themselves at some point before a Judge defending their right to buy out. It is interesting to point out that Shirley acquired his lands from Elizabeth I, who bequeathed them to his ancestors, the land itself having being confiscated some time before from the native Irish inhabitants.

*It is ACRA's contention that even after the judgement, that the current situation in law, as is, remains unjust and needs immediate amendment to eliminate ground rent charges and the buy-out charge. At the very least the charge must be reduced to a value that is so small as to have no meaningful monetary value.*

## Government Commitments

It is important to recall that on 30th January, 2001, Fianna Fáil announced a Government led program under the Justice and Reform Act 2001, to implement a Bill to abolish ground rents. Seamus Brennan, then the chief Whip announced the legislative

programme for the Dáil session commencing 30th January, 2001, which outlined the commitment of the party to abolish ground rents as part of the then Government led Bill. The aforementioned Shirley case brought before the courts in 2002 held up the publication of that Fianna Fáil promised Bill. Enda Kenny, T.D., our current Taoiseach, is on record in March 2007, as giving his commitment to abolish ground rents if elected to Government. “We share the Government’s view on this important issue. We look forward to being in a position to act following the General Election”. Eamonn Gilmore, T.D. and now Táiniste, is on record on 30th March 2007, as stating it is their intent to abolish ground rents. Sinn Féin and many independents have committed on record to support abolition also. Eamonn Gilmore’s statement at the time was “As you know, the Labour party wishes to abolish ground rents. As you know we brought forward a private members’ Bill some time ago to this effect. If in Government, we intend to introduce legislation along those lines.”

Now, after this landmark Shirley judgement, all concerned, including the Catholic Church, finally have a clear unobstructed path forward to act in the interest of the Irish people and once and for all call loudly for the abolition of ground rents, to remove this scourge from our future history. There is an onus and moral commitment on all at this juncture to immediately act and honour the work already done by successive Governments, ACRA and the many members of the public who have already been dragged through the court system at great personal stress, and to make good the taxpayers’ money spent to date on the consideration of this matter through the very many court cases, and follow through to honour all abolition commitments made.



## Resolutions

The act of abolishing ground rents has some implications for those currently gaining revenues by this means and has some legal ramifications for property rights per se. For this reason a number of suggestions are made below as to how the matter can be dealt with to begin to resolve the issue with concrete achievable steps in 2012.

The first most obvious achievable step under current law is that any Minister for Justice, or any political party or any senator or any government minister can propose to Dáil Éireann and Seanad Éireann that the fraction value 1/8 of the land value that would be due on expiry of a lease can be immediately reduced to an infinitesimally small amount. This effectively negates its value to a sum close enough to zero as to render it valueless. Dáil Éireann and Seanad Éireann can simply vote the change into law and effectively end the financial aspect of ground rents being a monetary imposition on the Irish people.

If the above step is taken, then after some amount of appropriate time has passed (1 year maximum is entirely sufficient for this purpose) and ground rents are thus well established as not being a meaningful source of income for any individual or company, having no effective value, a bill can then be put before Dáil Éireann to eradicate ground rents altogether by making them illegal. Any challenge to this bill would likely fail at that point where the monetary values under contention are effectively zero valued and the arguments for retention of a ground rent as a basic concept become semantic in nature.

Either of the above steps on its own requires nothing more than political and moral will to achieve. There is simply no reason for any minister or party not to act now. If for some reason any political party or minister deems the second step to legally abolish ground rents to be unpalatable to push for now, perhaps because they feel individuals must be compensated for such abolition

and this needs careful budgetary consideration, then the matter can simply be put to the people in a Referendum. A simple yes or no choice can be given to the people to abolish or not. This removes the responsibility from the minister or party in question and passes this responsibility directly to the people, who will in all likelihood gladly accept the burden of decision.

In summary, ACRA respectfully calls on the Catholic Church to accept this mantle and to take immediate and proactive action to publically announce its position on the matter and publicly assist the debate to ensure the present government act and honour their previous fulsome commitments to abolish ground rents once and for all.

Yours Sincerely,  
**Tony O' Toole, Chairman,**  
**Ground Rents Sub-Committee,**  
ACRA  
11, Anne Devlin Park,  
Templeogue, Dublin 14.  
01 9443273

## *Notes for consideration relevant to this letter*

1. Ground rent is a unique form of property right with no parallel in history and NOT to be compared with other property rights as we know them.
2. Most householders have already paid a site fine of approximately 1/10th of the house price and have been forced to pay a ground rent for ever with no goods or services being provided for that continuing fee.
3. Householders in the past were forced under duress to sign a contract to pay ground rent in perpetuity or they simply could not buy and own a house. Even in retrospect this was an unreasonable imposition.
4. ACRA is against ground rents irrespective of which individual or group claims they own them.
5. For more information on the ground rent issue please consult the ground rent subcommittee submission to the all party Oireachtas Committee on the constitution – Property Rights which is embodied in its final report to the government in April 2004, pages A20-A24.

# HOME TAXES: THE FIGHT GOES ON

The deadline of the 31st March 2012 for payment of the household tax has passed with almost one million homes refusing to register. ACRA was one of the lead groups who came together to wage a campaign against this unjust tax. The National Executive commends our members who worked actively in the campaign and delivered upon our stated position for many years, that we will not pay any taxes on the family home.





Despite bullying and threats from government ministers and establishment figures, a line in the sand was drawn. Since 2008 the State has sought to shift the burden of debt and the repayment of loans and bonds onto the backs of families who had done nothing to create the problems. Our members are suffering hugely from the attacks on their living standards; where they are lucky enough to be still in employment they are hit with bigger and bigger bills to pay out of an ever-decreasing pay packet. It is quite clear to us that this Government is intent on piling charge upon charge on homeowners, and this is not just limited to the household tax. It has already been announced that a water tax is being implemented along with a broadcasting tax, which will replace the TV licence. The Minister has also refused to deny that in addition there will be a dirty water tax - that is the wastewater leaving your home.

It has yet to sink into the minds of most people that the revolution in

Ireland has begun. The decision by one million homes, which represents almost three million people, to stand up to this government and to the European elite clearly says No More. The mass mobilization of the people of Ireland rejecting this home tax is the biggest movement of ordinary citizens since Michael Davitt led the Land League Campaign.

It is important that we put the Home Tax in the context of where we are now; it is a blatant attempt to put the debts of the banks and the gamblers onto the shoulders of every family in this country. All over Europe where people have had an opportunity to reject the Austerity measures they are doing so, whether it be Ireland, Greece or France. It is no longer acceptable that our children's and grandchildren's futures are destroyed in order to placate the rich and powerful. We can no longer accept a situation where the rich get richer and our members are suffering huge losses. Our members are putting up with increased home costs across

their entire budget, most of it government controlled, while they see their children forced to emigrate. Currently we have over 450,000 of our people unemployed and tens of thousands more have emigrated.

During the course of this campaign our members were involved all around the country calling local meetings, putting up posters and leafleting in order to get the message out on the ground. Many of our members also attended the National Rally in the Boxing Stadium in Dublin where the General Secretary spoke from the floor. On the 31st March the final day for registration for the Home Tax ACRA members took part in a 10,000 strong march on the Fine Gael Árd Fheis held at the Convention Centre in Dublin. ACRA members marched behind the ACRA banner and the General Secretary was one of the main speakers at the event. Many of our members also attended the National Conference on the 19th May.

This war is not yet over but a decisive battle has been won. The next step will be for the Government to try and trace homeowners. In the event that you receive any correspondence from your local authority or from the Department of the Environment, do not respond to it and immediately contact your association who will contact the national executive. Part of the strategy of the Household Tax campaign is that a legal fund will be set up in order to deal with any legal cases taken. This is not a free legal aid service but a strategy whereby the initial cases and legal arguments will be made by a legal team, and thereafter activists will accompany individuals to Court. It is also part of the strategy that where court cases are being held mass protests will take place outside.

**Remain standing together and we will beat this tax!**





Having fun in the easter bonnet competition, organised by Nyamwenda Massamaba

# Hillview Community Easter Celebrations

In April a large group of Hillview Resource Centre, Ballinteer residents and friends, including a group from Ballybrack, gathered at Rua Red Community Centre in the Square, Tallaght to celebrate Easter. Carmel Lynch addressed the gathering and welcomed everyone to this unique Event. The afternoon began with tasty refreshments and then the dancing began to the melodic music of the favourite “hit” songs and tunes provided by Tony Barrett who is a star in his own right. There was a

queue of singers whose talents would not be out of place in “X Factor”; there were good songs from the musicals, old favourites and some beautiful ballads that were new to most. As the afternoon advanced the many ladies present then adorned themselves with their Easter Bonnets in preparation for the competition.

Tony played “Put on your Easter Bonnet” while the ladies paraded around the room creating a happy colourful display and had fun. Two

men had the arduous job of selecting a winner! The current Mayor of Dundrum, Donal Donnelly, presiding at his penultimate function aided and abetted by musician Tony Barrett, reviewed the twenty or more ladies who entered the competition. Many of them were “interviewed” to describe their bonnets and to explain how they were made. It was a most amusing and enjoyable interlude as they explained how some hats were purchased in the 2 Euro shop and others in Marks &





Mary Brieton, Maureen Usher, Margaret Gilles, Celia Molloy.

Spencers. The Judges commented on the creativity, the uniqueness, the environmental motifs and the fun aspects of the various creations. The nearly impossible task was eventually decided from a short list of four and the winner was selected with general approval . First prize was won by Mrs. Lily O'Brien of Meadow Grove and second prize by Kay Hayes of Meadowbrook. The Hillview ladies who organised the event very gallantly remained outside of the competition.

Hillview Resource Centre responds to community needs through a range of initiatives of support services with local participation and in partnership with others. Hillview Centre is a hive of industry, working

on behalf of the community with courses, child-centred activities and real programmes of interest to older people to eliminate isolation. Sometimes the biggest task is to successfully encourage those who can benefit most to participate. The Easter Event was organised by Nyamwenda Massamba who is so well known and appreciated by the community, and also by Maureen Usher, Lisa Taynor, Margaret Gillies - a former and one of the most popular Mayors of Dundrum, Carmel Lynch and Mary Rudden. The event was funded by Community Foundation Ireland. The afternoon ended with a great sing song with the promise that next year's Easter Bonnet Competition will see even more entrants!

*“The nearly impossible task was eventually decided from a short list of four and the winner was selected with general approval. First prize was won by Mrs. Lily O'Brien of Meadow Grove and second prize by Kay Hayes of Meadowbrook.”*

# Democratic Reform

By Frank Chaney

## **A National Crisis**

The Irish Nation faces the greatest challenge in its history; bad government, corruption and a culture of rip off Ireland have destroyed the economy. We are faced with a fight for the very existence of the Irish Republic. How sad, that the successors to those who fought for Irish Freedom, have brought our Nation to its knees. While there is no doubt our economy will recover, what will be the price?

## **Sovereignty**

*The Irish Nation hereby affirms its inalienable, indefeasible, and sovereign right to choose its own form of Government, to determine its relations with other nations, and to develop its life, political, economic and cultural, in accordance with its own genius and traditions.* (Article 1 of The Irish Constitution.) **Democracy cannot exist without Sovereignty.**

## **Accountability**

To ensure accountability, our Nation requires a government structure that is accountable to the people. The Irish People are after all the Sovereign rulers of the Nation. We need a new modern Constitution, which protects the people's right of self-government setting out the rules by which the people are to be governed, and which guarantees to protect the rights of the young and vulnerable in our society, setting standards to be achieved and limits to the power of the government. **We need a new modern Constitution.**

## **The Economy**

The size of the Irish economy is a major obstacle to a completely free market. Sean Lemass and T K "Ken" Whitaker recognised that many years ago, and as a result began a system of seeding semi-state industrial and service companies within the economy. Infrastructural projects, which would not have been feasible in a free market economy, were undertaken by the state. This led to changes in our economy, moving Ireland from an agriculture-based economy toward our present open economy. The European Economic Community has created a Free Market in which Ireland must compete or stagnate.

However, the free market model only works if the economy is sufficiently large to guarantee profits. We must therefore grow the Irish economy to survive. To rebuild our economy the State must combine in partnership with the private sector and again undertake infrastructural development needed to bring Ireland into the 21st century - regulation of the marketplace, and enforcement of competition rules to ensure that Irish consumers are treated as favourably as their European counterparts. Stronger powers for the director of consumer affairs, including price-capping powers. Rip off Ireland must be consigned to the history books.

## **Social Justice**

We must enable the individual to provide for his/her own needs in accordance with their own skills and effort. Ideology on its own will not bring about the changes needed to enable our Nation to grow and prosper, The elimination of poverty and creation of opportunity must be our first priority. It is impossible to create a strong economy on the back of slavery and inequality. It is the duty of governments, to protect the weak and vulnerable, those who through no fault of their own are unable to provide for their needs.

**We cannot build a strong Irish Economy without Social Justice.**

## **Law and Order**

Despite all the good intentions, the Irish Justice system is failing in its primary duty to protect the Irish citizen. Criminals walk our streets without fear of apprehension or punishment. The ordinary citizen feels afraid to challenge even the youngest of the thugs who terrorise our neighbourhoods. The elderly are afraid to open their doors at night,

What kind of society have we created? The ordinary citizens of this Nation are entitled to walk the streets and pursue their business without fear. We are entitled to expect our government to protect our citizens at all times. And not just react when there is a serious public outcry.

**We must take back our streets from the criminals.**



# Let's clean up the mess

We deserve the environment in which we live. This simple statement is unfortunately very true. Where we live may be beyond our choosing, but we all can affect the condition of our surroundings. The street where we live is our street. The school in our area is our school. The church and the shops are ours. The surroundings we have are a reflection of our community. What they say to us and to others is a mirror of our concern for our environment.

If we want a pleasant area, we have to help create it. The blueprint is still the same, and it all starts and ends with concerned people. It still requires co-operation and co-ordination. What goes on is what comes out. A very good start on the road to a pleasant and active community is the formation of a Residents' Association.

There is no substitute for local effort. It is effective and direct. It is often a question of how much can be achieved by residents pulling together. A project becomes a feature of pride and improvement locally. Residents talk to each other and a community spirit is developed. There is an air of self-help born.

Simply blaming the Government, the Corporation or the Council for

the state of our environment is a waste of time and effort. What will get the job done is a policy of mutual co-operation between local bodies and statutory authorities. The proper and effective use of funds and local effort is the way forward. This is the ACRA way. Through the influence and commitment of the organisation we will pursue this policy for the benefit of the national environment. ACRA has several policy areas, which it will raise with the authorities on behalf of its members.

Litter on our streets and in our parks is one very evident aspect of the pollution of our areas. Plastic bottles are a serious problem. Packaging of children's sweets and snacks needs to be addressed. Cans and bottles are a constant nuisance and a possible source of injury to all. But at the end of the day the sad fact is that the litterbug is human. Progress or otherwise on this topic is now a priority among the policies of ACRA. The national executive wants to hear from you, its members. Your motions, your suggestions are part of the solution.

Finally a simple suggestion to all. Every day pick up a piece of litter in your area and put it in a litter bin. Teach the kids to do it also. Not alone will they do it, they will remember who taught them good citizenship.

## The Residents' Association Chairman

*If he raises his voice, he's shouting!*

*If he speaks normally, you can't hear a thing!*

*If he speaks longer than usual, he sends you to sleep!*

*If he doesn't speak for long, he isn't bothered!*

*If he misses a meeting, he's never there!*

*If he talks finance, he's fond of money!*

*If he doesn't, he couldn't care less!*

*If he's organising a dance, he's always begging!*

*If he doesn't, the area is dead!*

*If he spends money on plants, he's spending too much!*

*If he doesn't, he's letting everything go!*

*If he is too old, he should retire!*

*If he is too young, what does he know?*

*When he wants to step aside, please don't go - we couldn't replace you!*



**NATIONAL  
OFFICERS  
OF A.C.R.A**

**CHAIRMAN**

John N. Merrigan  
14 Tonlegee Drive, Raheny,  
Dublin 5.  
Tel: 01 847 8365

**SECRETARY**

Malachy Steenson  
23 Spencer Street,  
North Strand Road,  
Dublin 3.  
Tel: 086 6024239

**TREASURER**

Thomas Newton  
7 MVG Hillcrest, Lucan,  
Co.Dublin.  
Tel: 01 295 6797

**CHAIRMAN OF GROUND  
RENTS SUB-COMMITTEE**

Tony O' Toole  
11 Ann Devlin Park,  
Rathfarnham, Dublin  
14.Tel: 01 4943273

***Application for  
Affiliation to ACRA***

Association Name .....

Honorary Secretary .....

Home Address .....

Telephone Number ..... Work/Office Number .....

**CERTIFICATE OF ACRA MEMBERSHIP**

We, the undersigned, acting on behalf of the above mentioned association, hereby apply for an affiliation to ACRA (The National Body for Residents' Associations).

We hereby certify that the number of the household membership in our

Association is ..... Date .....

Annual General Meeting is held in the month of .....

Signed ..... Chairperson, Tel No .....

Signed ..... Secretary, Tel No .....

Signed ..... Treasurer, Tel No .....

A First Time Affiliation Fee of €63.50 is payable, thereafter an affiliated association will be required to submit the equivalent of €1.27 per member household per year. Cheques, Bank Draft or Postal Order only, crossed and made payable to ACRA. This form should be fully completed and returned to the address below. First time affiliates must enclose a copy of their constitution.

Send to: Communication Officer, Thomas Newton, 7 MVG Hillcrest, Lucan, Co. Dublin. Tel No: 086 3127364

Official use only: Date received ..... accepted ..... logged .....

***Application for  
Affiliation to ACRA  
INDIVIDUAL MEMBERSHIP***

Name .....

Home Address .....

Telephone Number ..... Work/Office Number .....

**CERTIFICATE OF ACRA MEMBERSHIP**

I, the undersigned, wish to apply for an affiliation to ACRA (The National Body for Residents' Associations).

Signed ..... Date .....

An annual fee of €15.24 is payable. Cheques, Bank Draft or Postal Order only, crossed and made payable to ACRA. This form should be fully completed and returned to the address below.

Send to: Communication Officer, Thomas Newton, 7 MVG Hillcrest, Lucan, Co. Dublin. Tel No: 086 3127364

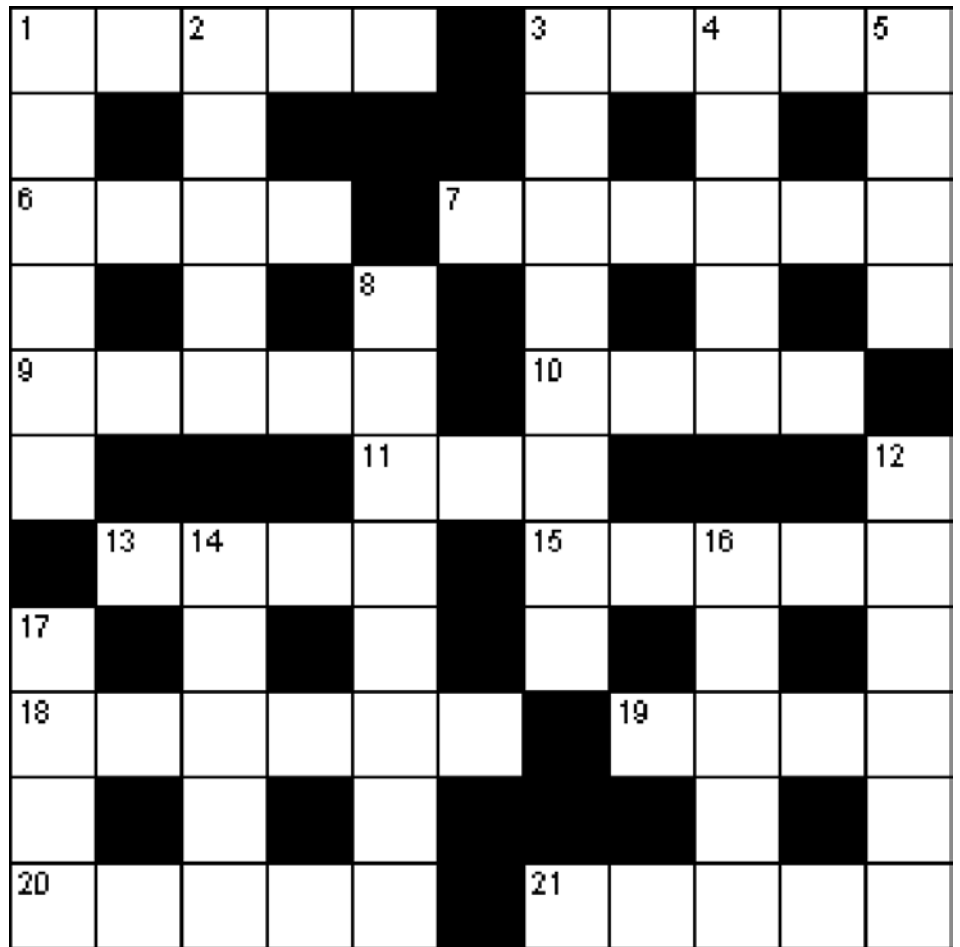
Official use only: Date received ..... accepted ..... logged .....



# Crossword

## Across

1. More secure
3. Leash
6. Something lent
7. Line of police
9. Daughter of one's brother or sister
10. To a smaller extent
11. Monkey
13. Antiaircraft fire
15. Roofing stone
18. Composer
19. Hoot
20. Forceps
21. Eccentric



## Down

1. Salty
2. Burning gas
3. Pure
4. Travels on
5. Stink
8. Feebleness
12. Trouble
14. Fabric woven from flax yarns
16. Got up
17. Discharge of a firearm

## Solution to last issue's crossword





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[www.kiddinsurances.ie](http://www.kiddinsurances.ie)

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