

10:19:49 1 **THE TRIBUNAL RESUMED AS FOLLOWS ON TUESDAY,**

2 **13TH JULY 2004 AT 10.30 A.M:**

3

4 CHAIRMAN: Good morning, Ms. Dillon.

10:48:11 5

6 MS. DILLON: Morning, sir. Mr. Redmond has just arrived. Mr. George Redmond
7 please.

8

9 MR. REDMOND: Just making a point, your worship, that I was already sworn in.

10:48:37 10

11 MS. DILLON: That was before the previous Tribunal.

12

13 CHAIRMAN: I think we prefer if you ...

14

10:48:43 15 **GEORGE REDMOND, HAVING BEEN SWORN, WAS QUESTIONED AS**

16 **FOLLOWS BY MS. DILLON:**

17

18 Q 1 MS. DILLON: Good morning, Mr. Redmond, just so you know what we are going to
19 deal with today, I propose first of all to take you through your work history
10:49:08 20 with Dublin Corporation, from the time you first went to work with Dublin
21 Corporation to the time you retired and then I propose to deal with some
22 earlier evidence that you gave on previous days in relation to finance
23 transactions, and then I propose to deal with the matters that I have been
24 raised in relation to this module.

10:49:23 25 Can you hear me?

26 A Yes.

27 Q 2 All right. You joined Dublin Corporation, I think, in 1941, is that correct?

28 A Yes.

29 Q 3 You were employed at that stage as a temporary clerk?

10:49:40 30 A (Nods.)

10:49:41 1 Q 4 You have to answer for the record please, Mr. Redmond. Is that correct?
2 A Did I look at the record?
3 Q 5 Sorry, for the record of the Tribunal.
4 A Yes.
10:49:49 5 Q 6 Is it correct that you became employed with Dublin Corporation on the 15th
6 December 1941 as a junior clerk?
7 A Oh yes, yes.
8 Q 7 I think you became permanent on the 1st May of 1944, is that correct?
9 A That is so.
10:50:03 10 Q 8 I think that you then became an acting class A officer on the 10th December
11 1951?
12 A Yes of course.
13 Q 9 And you were assigned to finance at that stage?
14 A Yes.
10:50:13 15 Q 10 I think on the 11th June 1957, you became a minor staff officer in public
16 health?
17 A Yes.
18 Q 11 On the 26th September, 1957, you became a minor staff officer in finance?
19 A Yes.
10:50:26 20 Q 12 On the 29th April 1963, you became a temporary officer in finance, it was
21 another position, I think it says O and M, I am not quite sure what it means?
22 A If that's the record, yes.
23 Q 13 On the 12th June 1964, you were assigned to the Planning and Development
24 Department at the same grade.
10:50:48 25 A Of Dublin Corporation.
26 Q 14 Is that correct?
27 A That is so.
28 Q 15 At that stage your annual salary was 1,500 pounds per annum?
29 A Sure --
10:50:57 30 Q 16 Is that correct?

- 10:50:58 1 A Yes, I presume it is.
- 2 Q 17 On the 15th July 1964, you were appointed an acting senior executive officer of
3 the Planning and Development Department, is that correct?
4 A That is correct.
- 10:51:07 5 Q 18 On the 23rd March 1966, you were appointed a senior executive officer on a
6 substantive basis with the Planning and Development Department, in other words
7 on a permanent basis?
8 A Yes.
- 9 Q 19 On the 28th March 1966, you were appointed temporary assistant principal
10 officer in the Planning and Development Department?
11 A Yes.
- 12 Q 20 On the 19th April 1969, you were appointed a permanent assistant principal
13 officer in the Planning and Development Department?
14 A Of Dublin Corporation.
- 10:51:37 15 Q 21 Is that correct?
16 A Yes.
- 17 Q 22 On the 19th December 1969, you were appointed a principal officer in the
18 Planning Department, is that correct?
19 A Yes.
- 10:51:45 20 Q 23 Between 1969 and 1977, on occasion you carried out the functions of an
21 Assistant City and County Manager and were paid a grade accordingly, is that
22 correct?
23 A Yes.
- 24 Q 24 You had delegated functions on occasion?
10:51:59 25 A On occasion, during holidays.
- 26 Q 25 Between 1969 and 1977 and when that occurred, you were then paid a supplement?
27 A A supplement.
- 28 Q 26 Is that correct?
29 A That is correct.
- 10:52:08 30 Q 27 On the 1st June 1977, you were appointed a Dublin Assistant City Manager and

10:52:15 1 Dublin Assistant County Manager assigned to the planning department?

2 A I ceased to be an officer of Dublin Corporation on that date solely and then I

3 became an officer of the two authorities, yes.

4 Q 28 Of both authorities?

10:52:33 5 A Yes.

6 Q 29 Yes, if we look at the record of 4827, we see that the department that you

7 continued to be assigned to is in fact the Planning Department?

8 A Yes.

9 Q 30 We just look at the record, if we look at the bottom appointment as recorded on

10:52:48 10 that sheet which is the 1st June 1977, Dublin Assistant City Manager and Dublin

11 Assistant County Manager planning, the 1/6/1977.

12 A That is so.

13 Q 31 Is that correct?

14 A That is so.

10:53:04 15 Q 32 So your department was still the planning department, isn't that correct?

16 A Until the end of '79.

17 Q 33 Until the end of 1979.

18 A Yes.

19 Q 34 And you retired on the 26th June 1989, isn't that correct?

10:53:19 20 A That is so.

21 Q 35 Between 1977 and 1989, can you outline for the Tribunal where your various

22 postings were?

23 A Between '77 --

24 Q 36 Yes.

10:53:27 25 A '77, I had functions in relation to the Planning Acts and from December 1979, I

26 had County Council functions solely, no corporation functions and they related

27 to -- the position in right through the 1980s, insofar as Dublin County was

28 concerned, there was one County Manager, that was Mr. Frank Feeley, who also

29 held the post of Dublin City Manager. And he delegated both powers, both

10:54:09 30 authorities. In the case of the county, there were four Assistant County

10:54:14 1 Managers like myself, *pari passu*. And then on top of that, he delegated a very
2 considerable number of functions to principal officers and principal officers
3 at that time were remunerated at the same rate as assistant county managers,
4 down in places like Laois and Offaly.

10:54:36 5 So the position then was that right through the 80s, until my retirement and I
6 believe afterwards, there were four assistant managers, including myself, and
7 six principal officers. But insofar as myself is concerned, I had a pivotal
8 role, I didn't exercise any control over the other managers in relation to
9 their delegated functions, that was still a matter for Mr. Feeley. But I had
10 financial control, subject of course to the council. I had control of numbers
11 of staff and the remuneration of staff, subject of course to the council and
12 the minister.

13 But there, my functions were of a general purpose nature, roads, engineering,
14 housing -- well not the construction of houses, that was another matter and the
10:55:11 15 allocation of houses, maintenance of houses, libraries, etc. But I had, during
16 that period, I didn't have any planning functions.

17 Q 37 So if we just take it in stages then, Mr. Redmond, from the 1st June 1977 to
18 the 1st June 1978, where were your functions, had you any planning functions at
19 that time?

10:56:00 20 A From June?

21 Q 38 '77 to June '78.

22 A To June '78.

23 Q 39 Yes?

24 A Oh yes.

10:56:07 25 Q 40 You had planning functions?

26 A Yes, of course, in '77-78 and most of '79.

27 Q 41 And from 1979 onwards, you had general purpose functions?

28 A Yes.

29 Q 42 And that would involve a knowledge, would it not, of the infrastructure of the
10:56:23 30 county?

10:56:24 1 A It would, of course.

2 Q 43 So that you would have had to have had an in-depth knowledge of all the roads
3 in the county, isn't that correct?

4 A Well, I didn't want to know about the roads, not all of the roads but I knew
10:56:37 5 the main roads and the principal roads, yes.

6 Q 44 And you would have had to keep yourself up to date with forward planning in
7 relation to roads? Motorways, what land would have to be taken in, matters
8 such as that sort?

9 A Oh yes indeed, well the way it was operated was that every month we had a roads
10:56:56 10 conference, which was attended by the chief engineer and his professional
11 officers and at times, there might be a consultant and the senior
12 administrative officers and we'd go through each one, you know, what's
13 happening on A, B, C, D.

14 Q 45 Yes. And similarly in relation to the provision of infrastructure by way of
10:57:18 15 surface water or sewerage in particular in the county, you would have had to
16 had kept yourself informed and your department would have to keep informed of
17 all the proposals going forward in relation to piping the county?

18 A Oh yes, again that was dealt with at a monthly -- there were held generally
19 monthly, sometimes we'd skip, but sanitary services conferences where again, in
10:57:44 20 that case, they'd be all, the attendance would be mainly professional sanitary
21 services engineers, dealing with water and drainage and surface water drainage.

22 Q 46 In fact it would be fair to say on a monthly basis there were three main
23 conferences that you attended in your capacity as assistant city and county
24 manager. There was the development coordinating committee meeting?

10:58:05 25 A Yes.

26 Q 47 There was the roads.

27 A Yes.

28 Q 48 Forward planning committee meeting?

29 A Yes.

10:58:09 30 Q 49 And there was the sanitary services committee meeting, isn't that right?

10:58:14 1 A That is quite so.

2 Q 50 And the purpose of these committee meetings was to ensure you in your capacity
3 as assistant city and county manager, were kept fully informed and apprised of
4 all ongoing projects and proposals in connection with sewers, roads and
10:58:30 5 development, is that right?

6 A No, that's not right, that's not just for me, that was for the benefit of all
7 the officers.

8 Q 51 Including yourself?

9 A Including me. It wasn't especially for me.

10:58:42 10 Q 52 I accept that, but I mean the effect of it was that you were kept fully
11 informed in relation to all of these matters, roads, services, development.

12 A Yes, indeed.

13 Q 53 Now, can I turn to some of the previous evidence that you gave Mr. Redmond on
14 day 149, and in the main at this point, the Tribunal at that stage were dealing
10:59:06 15 with certain financial information that you had provided to the Tribunal at
16 that time and certain analysis that had been carried out and I am going to
17 summarise what the evidence was that you gave and if you disagree with it, I'd
18 be happy to show you the actual transcript, is that all right?

19 A (nods).

10:59:25 20 Q 54 Now, on day 149, you told the Tribunal that by 1971, you had accumulated
21 savings from payments that had been made to you by named individuals, do you
22 agree with that?

23 A This is now the Flood Tribunal, is it?

24 Q 55 Yes.

10:59:40 25 A Well I'd like to see.

26 Q 56 Absolutely, day 149, question 152 please. While this is going on, I'll read
27 the extracts from the transcript, the transcript is day 149, question 152 and
28 question 153 and you were being questioned by Mr. O'Neill. At question 152,
29 Mr. O'Neill says:

11:00:42 30

11:00:42 1 "We are talking about a period in 1971 to fix that. You purchased your house
2 in Castleknock in 1971. You had the expenditure of acquiring the site, you had
3 ongoing costs in respect of building, the figures have been already mentioned
4 in the letters which are there.

11:00:57 5 Answer: Yes, yes.

6 Question 153: And you tell us that notwithstanding that expenditure, you had
7 more than enough money beyond that expenditure which represented savings you
8 had made from payments made to you by the named individuals you have mentioned
9 to date up to that time, is that right?

11:01:15 10 Answer: Yes."

11
12 So in that extract from the transcript, you are confirming there that you had
13 accumulated savings by 1971 from payments that had been made to you by
14 individuals whom you had named to the Tribunal.

11:01:26 15 A Yes.

16 Q 57 Is that correct?

17 A That is correct.

18 Q 58 Right. Now, as a result of that accumulation of savings, you were in a
19 position to purchase a house having sold your previous house without any
11:01:38 20 mortgage and at that time, you confirmed to the Tribunal in 1971, you had
21 savings of at least 8,000 pounds as well, is that correct, do you want to see
22 the extract?

23 A Yes, I'd like to see the extract.

24 Q 59 If we could have question 154 there please on that extract. And Mr. O'Neill
11:02:04 25 says "And what I'm endeavouring to assert at this point in time is your best
26 estimate of the level funds you had having sent the money on the house and
27 having reached the end of 1971.

28 Answer: That's difficult, I can't be very specific. Mr. O'Neill, I have no
29 records and I cannot be specific. We are talking there, I have a figure of say
11:02:22 30 7 or 8,000 pounds, but I think probably more than that, it was probably more

11:02:27 1 than that, and in fact you go on to then tell the Tribunal you would have had a
2 minimum of 20,000 pounds in savings at that time, in addition to having paid
3 for your house without any mortgage. Do you confirm that that evidence is
4 correct?

11:02:40 5 A I would have to read the --

6 Q 60 Fair enough, we can read the transcripts?

7 A At the moment I couldn't possibly say.

8 Q 61 Do you confirm that is the response you gave to question 154 that's on screen?

9 A Of course.

11:02:51 10 Q 62 Is that correct?

11 A In general terms, the position in 1971, was that I had savings, there's no
12 question about that.

13 Q 63 And you have, you go on to tell the Tribunal at question 181 on the same
14 transcript, Mr. O'Neill says:

11:03:12 15
16 "Can you address your mind to that and tell me whether in giving us the figure
17 20,000 pounds you meant to include the 4,800 pounds or not because you had you
18 had made the point Mr. Redmond to Mr. O'Neill, that you would have had some
19 savings from your income, and you were then ask whether the figure of 20,000
11:03:30 20 you had given as being the sum you would have accumulated by 1971 included that
21 figure and you reply at question 181:

22 "Well insofar as the 4,800 is concerned, I had savings. I had what you would
23 call legitimate genuine savings of possibly 2 to 3,000 no doubt about that,
24 when I started off. So that if so far as other monies are concerned, possibly
11:03:51 25 in the region of 20,000, or 2,000 but I think it's meant to be 20, it was
26 required but it was very difficult for me at this juncture to be very specific.
27 Certainly, I do think I was in, I was reasonably certain I was in receipt of
28 monies in those years from the parties I have mentioned but exactly how much I
29 can't be -- but I do think 20,000 is probably a good figure."

11:04:15 30

11:04:15 1 Now, do you agree you gave that evidence?

2 A If it's there, obviously I gave it.

3 Q 64 Do you agree therefore that the effect of your evidence was, that by 1971 in
4 addition to having purchased your house with no mortgage, you had savings based
11:04:29 5 on your evidence, of approximately 20,000 pounds?

6 A All I can remember about those years is that my original house which I bought
7 with a mortgage in 1953 or 1954, I sold it and the house which I bought cost in
8 the region of 12,000 and I had savings at that time and in addition, you see,
9 at that time, '71, I was working in Dublin Corporation all the time.

11:05:03 10

11 And the consultancy services I gave at that time were in relation to the
12 county, which as far as I was concerned, I was a city officer and was well
13 within my compass to do that and I had savings, as you say. I mean I just
14 simply, you know, that I think Miss Dillon is six years ago, is it now?

11:05:26 15 Q 65 Yes, are you resiling from your position, Mr. Redmond in relation to your sworn
16 evidence on day 149, that by 1971 you had paid for your house with no mortgage
17 and in addition to that, that you had accumulated savings of 20,000 pounds
18 approximately. Which would equate to twice your earns for the previous 7
19 years?

11:05:45 20 A Well I'm not denying that --

21 Q 66 You are not disputing that?

22 A I am not disputing that I had income outside of my earnings Ms Dillon. I never
23 did that.

24 Q 67 Right. Now you also told the Tribunal previously that between 1971 and 1981,
11:06:00 25 your savings increased by approximately 280,000 pounds, day 149, question 258
26 please.
27

28 Now, question 258, Mr. O'Neill says "Let's examine what those figures are.
29 Your net salary in that period is 58,535 pounds or 5,852 pounds averaged out
11:06:27 30 over that period of time". It's a ten year period Mr. O'Neill was talking

11:06:31 1 about. "Your savings in that period have risen from 20,000 pounds by our
2 estimate in column one, to something in the region of 300,000 pounds ten years
3 later so there's a sum of 280,000 pounds which has been acquired in that 10
4 year period or an average of 28,000 pounds per annum. Do you see that? Your
11:06:49 5 average savings in other words amounts to about six times your salary,
6 certainly five times your salary.

7 Answer: Well I have told you where it came from.

8 Question: We have discussed the position up to 1971 and we are moving to move
9 on and discussion the position between 1971 to 1981. Certainly the proportion
11:07:10 10 or your relationship between your ultimate acquisition and your salary have
11 risen dramatically in that period. Instead of receiving almost twice your
12 salary by way of remuneration, you are now getting nearly five times, perhaps a
13 little more by way of remuneration, is that right? Answer: Well, yes, if you
14 say -- yes, that is so."

11:07:27 15
16 So you were confirming there to Mr. O'Neill in the period between 1971 to 1981,
17 you earned approximately or saved 28,000 pounds per annum, at a time when your
18 annual salary was 5,852 pounds, do you confirm that that evidence was correct?

19 A Your worships, I have given all that evidence on oath and I don't see the
11:07:53 20 relevance, I mean I can't be specific about items now. There is no question --
21 I came in, I was on oath, I told the truth is and whatever is there stands, but
22 I don't think there's any point in harping at me now about it.

23
24 MS. DILLON: I'm nearly concluded this but it is relevant because Mr.--

11:08:12 25
26 CHAIRMAN: I don't think Mr. Redmond is --

27
28 JUDGE FAHERTY: He is not disputing the evidence.

29
11:08:14 30 CHAIRMAN: You are entitled to deal with the issue but I don't think

11:08:20 1 Mr. Redmond is taking any issue.
2
3 Q 68 MS. DILLON: It is relevant to one matter that I'm coming to. Can you also
4 confirm Mr. Redmond and again I can put up the relevant extracts for you at
11:08:33 5 that time and in the 1980s, you maintained a number of bank accounts with
6 addresses in Spain and addresses in England and with Irish versions of your
7 name, isn't that correct?
8 A Yes, certainly I used the Irish version of my name. That's quite true.
9 Q 69 Did you use --
11:08:53 10 A And I used an address in England, certainly.
11 Q 70 Did you use an address in Spain?
12 A I don't know whether I used it, I had an address, I am not certain about that
13 but again, your worship, I put the question, this is the Gilmartin module, I
14 don't know what --
11:09:12 15
16 CHAIRMAN: Well it's --
17 A MR. REDMOND: I really can't see the purpose.
18
19 CHAIRMAN: Well it is, we have to know some of it, because we obviously
11:09:20 20 weren't sitting at this time so this is evidence that you gave under oath
21 before and it is relevant to our considerations, insofar as there are
22 allegations in this current module.
23 A Then your worship, what I would say is that whatever I said on oath, that is
24 the truth at that time and it wouldn't have changed. The only one thing I
11:09:42 25 would say about that cross-examination by Mr. O'Neill, and in reflection and I
26 have the records at home, I haven't got them here, I went into the records
27 myself and I turned up in the region of 600,000 in interest and accretions, I
28 was investing at that time in modules and other things, which had a fairly
29 rapid rate of growth, 15 and 16 percent was commonplace and I never spent
11:10:12 30 anything and it just accumulated, there was a huge amount. As I say, between 6

11:10:16 1 and 800, I can account for now, your worship and I would ask when I am
2 eventually released from prison, that I could come back to you and give you
3 evidence of that. I mean if Ms. Dillon is entitled to come in now, I never
4 came back to Mr. O'Neill on that and I had no representation at the time but
11:10:37 5 just get back to what Ms. Dillon has said, I confirm fully that I had a huge
6 income outside of my salaries. If I have given evidence on oath, that's what
7 it is. But I don't think I could go into individual or small items at this
8 juncture, your worship. And I reserve the right to produce my accounts which
9 will show indisputable collections of accretions. That's all.

11:11:08 10
11 CHAIRMAN: At this stage, Mr. Redmond, we are only interested in having you
12 confirm or otherwise that you gave certain evidence under oath on previous
13 occasions. Do you follow? At this stage we are only interested in determining
14 that you in having it confirmed, that you gave particular evidence on a
11:11:31 15 previous occasion to the Tribunal.

16 A Which I will not deny.

17

18 CHAIRMAN: All right.

19

11:11:36 20 Q 71 MS. DILLON: If we can turn then to the question of the bank accounts,
21 Mr. Redmond, and at day 149, page 77 please, and the evidence that you gave
22 previously and you confirm at question 336 that one of the addresses that you
23 had given in relation to your Credit Finance Bank was Seirse MacReamoinn,
24 Villa la Torre, Paises, Bajos, Calle, Malaga, Citiode, Calahonda, Mijas Costa
11:11:57 25 Espagna, and that was an address in Spain, is that right? You seem to have had
26 some doubt a few moments ago.

27 A I have some doubt with whether there was ever an account.

28 Q 72 It is the Credit Finance Bank, opened on 20th October 1987, account number
29 54895.

11:12:15 30 A 1987, well if that's the evidence.

11:12:15 1 Q 73 You also confirmed that you had a Bowmaker Bank account, where you changed your
2 address at one stage to care of the Northern Bank at Glenarm, Belfast and you
3 also confirmed that you had given an address for your Credit Finance Bank
4 account at Oracle Cottage, Alderwinkle, Northants, England.

11:12:38 5 A That was a relation's address.

6 Q 74 What I want to ask you about those addresses, Mr. Redmond, was the reason why
7 you elected to give an address in Spain or an address in England for various
8 bank accounts.

9 A Yes.

11:12:49 10 Q 75 Into which these extra-curricular funds, if we can call them, that were being
11 lodged?

12 A Yes, like many other peoples, to conceal revenue which wasn't returned to the
13 income tax authorities and to avoid tax.

14 Q 76 Right and I think in 1983, independently of what was contained in your bank
11:13:11 15 accounts you bought four Irish Life bonds in the sum of 25,000 pounds each for
16 100,000 pounds in cash at question 290. I think you confirmed that that was in
17 fact sourced out of cash you held as opposed to any withdrawal from any bank
18 account, question 290.

19
11:13:29 20 You were asked there by Mr. O'Neill in relation to buys those four bonds, can
21 you indicate what the source of that 100,000 pounds was, that you put through
22 the Ulster Bank to acquire those four policies to the value already mentioned
23 and you reply "As I said to you, it would have, they would have been made up
24 out of cash which I had on hand." Okay so? So that would mean Mr. Redmond,
11:13:51 25 the point I'm making in addition to the sums that were contained in your bank
26 account of the order of 280,000 pounds between 1971 and 1981, you had in
27 addition significant sums which you retained by way of cash and that's your
28 evidence, is that right?

29 A If that was my evidence, I wouldn't deny it.

11:14:07 30 Q 77 Now, the one point that you also made to Mr. O'Neill, I think on that occasion,

11:14:15 1 was the reason or circumstances which you came to be paid these monies by these
2 various people and you provided an explanation at day 149, question 262 and
3 Mr. O' Neill ask the at 261:
4

11:14:36 5 "Well the something you were getting from them regularly was five times your
6 wage packet and you say, yes and Mr. O'Neill says "Do you say you provided them
7 with any information, any specific services which would have man made them a
8 reward for services rendered and you say, it's quite a long answer and read it
9 in full,

11:14:52 10
11 "Well I mean, I didn't put any cement on my, on the value of my opinions, I was
12 certainly not a qualified planner, I am not a qualified engineer but i have a
13 very good understanding of the demands of the Planning Act and what should be
14 meant and what should be done to make things right and that some people valued

11:15:08 15 it at that level and but in the case of one man it wasn't so much that, I made
16 it clear to him that I, he would have to separate well in the early years I was
17 in the corporation and the thing was after being asked questions about the
18 county, although I appreciate you know in hindsight and with the regrets over
19 the years that these payments, they should never have been accepted, I always

11:15:29 20 felt well I'm not corporation, that's the County Council as it were justifying
21 it to myself. I am not justifying it now by the way Mr. O'Neill, I want to
22 make that clear, it's with the greatest humility and regret that all this has
23 to be faced now and I am facing it, i faced it CAB and the Revenue
24 Commissioners and here but insofar as the disproportion between the income,

11:15:48 25 legitimate income and the amount I received, it didn't really, it was not
26 really of great relevant to me, as you will probably see from your own records.
27 I never did anything with it, it was odd, I just took it and once it went into
28 a bank account, it never came out, except in the last few years when I did make
29 some presents to grandchildren and things like that. But as far as my own

11:16:06 30 state of mind and that, I never sought anything, if it was offered to me I took

11:16:10 1 it, I shouldn't have, as far as the services, I certainly would give them the
2 benefits of my views which were valued apparently by them, apparently not
3 perhaps by others, I had a good instinct about investments, what people should
4 do. I had a good instinct about what they should avoid and it was very
11:16:25 5 important in that industry to avoid pitfalls and getting into trouble and going
6 into liquidation. One of the firms did go into liquidation in the end, but
7 that's the background to it Mr. O'Neill, it's something I shouldn't have done."
8 That was your answer on that occasion, isn't that right?
9 A I have said to the members, I'm not disputing any of that.
11:16:44 10 Q 78 Right.
11 A I just would enlarge on that to an extent to say that I had expertise, I had
12 expertise, a lot of expertise, particularly on the planning, it's probably due
13 to my experience, it was very very exhaustive and we were in the early days and
14 in fact the other day, during when Mr. Gallagher was cross-examining
11:17:06 15 Mr. O'Callaghan, he drew a certain conclusion and I went to him after the
16 meeting and I would be raising it myself in evidence and I have to correct him
17 as to the law.
18
19 I was an expert and people did ask me things. I don't deny that. But as a
11:17:24 20 corporation officer, which I was, I felt I was free and I am free to do that.
21 That's all. But the rest of the statement, I confirm it fully.
22 Q 79 Right. What I want to draw to your attention specifically, is the statement
23 that you made you never sought anything, if it was offered to you, you took it?
24 A I never sought anything.
11:17:45 25 Q 80 A variety of people contributed to your extra-curricular activities, if I can
26 put it like that Mr. Redmond, all of these people did so in circumstances where
27 you never asked them for money?
28 A That's right. It generally came about as a result of something, for example,
29 in the Gogarty Module, there was a sale of property. In the case of the vendor
11:18:08 30 I put him in touch with the purchaser and vice versa and they both rewarded me.

11:18:17 1 Nothing to do with my job, that was it.

2 Q 81 People were inclined to reward you for the assistance you had provided or that

3 they thought you had provided, is that the position?

4 A They put, well, it would seem in those days that a great value was placed on my

11:18:34 5 opinions. That included banks asking me if they could invest.

6 Q 82 Now, you made a statement to the Criminal Assets Bureau in connection with a

7 payment received by you from one Brendan Fassnidge, isn't that right?

8 A Your worship, that case is still sub judice, I don't know whether --

9 Q 83 Well the issue I propose to deal with, I'll stay away from it, if the Tribunal

11:19:08 10 thinks it's safer to do so and rather than putting it up, it really is a matter

11 that relates to Mr. Lawlor as opposed to Mr. Fassnidge and it is the statement

12 Mr. Redmond made to the Criminal Assets Bureau, that the money he got he

13 believed had been sought by Mr. Lawlor. And I just wish to put that to him in

14 the context of his evidence now. I'll -- can I deal with it in that fashion?

11:19:33 15

16 CHAIRMAN: Yes.

17

18 MS. DILLON: You made a statement to the Criminal Assets Bureau in relation to

19 a payment --

11:19:40 20

21 CHAIRMAN: Do you understand? This particular document is not going to be put

22 on the screen.

23 A It's not going to go up on screen.

24

11:19:49 25 CHAIRMAN: It's not going to go up on the screen but Ms. Dillon is going to ask

26 you --

27

28 MR. REDMOND: But it's going into the record though.

29

11:19:51 30 CHAIRMAN: She's going to ask you a question, is this evidence that was given

11:19:55 1 in the trial?

2 A Could I have a look at it, I don't know want it on the screen.

3

4 JUDGE FAHERTY: If you give him a hard copy.

11:20:09 5

6 MS. DILLON: Yes, get him a hard copy.

7

8 MS. DILLON: If I can leave that for the moment, Mr. Redmond, we'll come back

9 to it.

11:20:17 10

11 CHAIRMAN: I think we should consider exactly what's going to be put to

12 Mr. Redmond.

13

14 MS. DILLON: Very good, can I draw to you one other thing you had said

11:20:25 15 Mr. Redmond, day 149 at question 131. And Mr. O'Neill is again talking to you

16 about the significant sums that were credited to your bank accounts and the

17 monies that you had made around this time and at question 131 he says:

18

19 "Yes, if we take the total sum for those six years it shows that your net after

11:20:43 20 tax salary during that six year period was 12,882 and your average salary

21 throughout the period was 2,147. And the period he is talking about is 1965 to

22 1971. They are averages over the period. Can you indicate to the Court how it

23 was that you came to have savings of 9,000 pounds and the amount necessary to

24 build a house in Castleknock without having to take out a loan on that salary?"

11:21:07 25 and your answer was the following, "Well, as the genesis, if you might call it

26 that, of my extra-curricular activity went back to around 19 probably 1965".

27 And you confirm that that was the evidence you gave?

28 A Well if that's the evidence. I said before, if that's the evidence --

29 Q 84 If we go back to the earlier evidence you gave today in 1964, you were assigned

11:21:32 30 to the planning department for the first time in Dublin Corporation, isn't that

11:21:35 1 right?

2 A No.

3 Q 85 On the 12th June -- page 4823 please. Now if we go back to the previous page

4 before that, Mr. Redmond, at 4822, and we see that in 1957, all the way through

11:22:05 5 to 1963 you were assigned initially to public health, you see where it says

6 department?

7 A Yes.

8 Q 86 And you move down through that and you were assigned to finance and then you

9 become a minor staff officer, still in finance and then you become another sort

11:22:19 10 of officer in 1963 and you are still with finance. That's what the record

11 shows?

12 A That's true.

13 Q 87 And if you move to the second page, which is at 4823, you see that you were

14 assigned on the 12/6/1964 to the planning an development department for the

11:22:40 15 first time?

16 A That's a very important difference to what the record will show you asked me.

17 The record will show you asked me was assigned to the planning department. The

18 planning department, there was no planning department in those days, it was a

19 planning and development department. And what happened on that assignment, I

11:22:59 20 was taken out of finance where we dealt with property and I was put into the

21 planning and development department, but my duties in those days related to

22 property.

23 Q 88 So is it correct then, that as and from the 12/6/1964, you were aid signed to

24 the planning and development department?

11:23:19 25 A Yes.

26 Q 89 And your previous evidence the genesis as you describe of it your extramural

27 activities commenced, you say around 1965?

28 A Yes.

29 Q 90 Do you see any correlation or significance of the fact that within one year of

11:23:36 30 you being transferred to the planning and development department, you start to

11:23:37 1 be in receipt of significant sums which were multiple sums of your annual
2 salary at that time?

3 A Well for the first year, the early years, I was mainly on property.

4 Q 91 Sorry, you don't understand the question, Mr. Redmond.

11:23:51 5 A Oh I do, I understand.

6 Q 92 Do you see any connection between the fact that the start of what you describe
7 as the genesis of your extramural activity occurs within one calendar year of
8 you being assigned to the planning and development department?

9 A I didn't describe, we didn't go into the years before 65, Ms. Dillon.

11:24:14 10 Q 93 Day 149 please, question 131, page 40, you can see your answer to the question,
11 it will be on screen beside you, Mr. Redmond.
12
13 You will see there at question 131, I have already read out the question to you
14 and your answer is "Well as the genesis if you might call of it of that my
11:24:48 15 extramural activity went back to around 19 probably 65." Now that was your
16 answer on day 149, is that correct?

17 A Well anything -- I do go beyond that.

18 Q 94 The question is I asked you, Mr. Redmond, is do you see any significance in the
19 fact you have previously told the Tribunal what you described as your
11:25:09 20 extramural activities commenced within your calendar year of you being assigned
21 to the planning and development department?

22 A It probably would because the act came in on the 1st October 1964, so that is
23 the only thing I had to advise on at that stage.

24 Q 95 Are you telling the Tribunal that the reason that you were during that period
11:25:39 25 of time in receipt of multiples of your annual salary, was because you had
26 expertise in the Planning and Development Act 1963?

27 A Certainly a big proportion of it related to that. I think it's well to
28 remember that many of the people in those days who were engaged in building
29 operations, a lot of them had started as artisans and it was a mysterious
11:26:07 30 thing, it was a very bureaucratic exercise that was introduced and not that

11:26:11 1 many people you know showed an interest in it in those days.
2 I did. From the day -- even before it was, even when it was being drafted.

3 Q 96 Yes, and I think --
4 A Your worship, I do raise the question where is this going?

11:26:32 5
6 CHAIRMAN: Well it is relevant, Mr. Redmond. Because of the particular
7 allegation that's made in the Quarryvale module, we have to know a certain
8 amount of background information.

9 A Well, I don't know.

11:26:49 10
11 Q 97 MS. DILLON: When you applied, Mr. Redmond, for the job with Green Properties
12 in July of 1985, you described yourself as having "My experience in the area of
13 physical planning is probably unrivaled", 1244 please, "Having been involved in
14 the making of the county development plans an the making of thousands of
15 planning decisions in the 1970s".

11:27:10 16 A If that's what I have said.
17 Q 98 That's correct. So you would have been involved in the making, according to
18 yourself, involved in making thousands of planning decisions in the 1970s,
19 isn't that right?

11:27:25 20 A Yes.
21 Q 99 Do you think that any of those decisions might have had anything to do with the
22 vast sums of money that were being funnelled towards you during that period?
23 A I am certain they were.

24 Q 100 Okay. You also --
11:27:37 25 A Just to elaborate on that, the system in the corporation and the county council
26 was that it was always based on professional advice and had to be defended
27 independently by professional officers or in the courts.

28 Q 101 There is one other phrase that I just want to draw to your attention in that
29 letter, Mr. Redmond, it may not be of any great interest, I thought your use of
11:28:05 30 language was interesting in this application, because you say "the council I

11:28:09 1 command at present has a work-force of some 3,600 persons and an annual
2 expenditure of 320 million."
3
4 "The Council I command", that would suggest, Mr. Redmond, that anything that
11:28:22 5 you asked for within the council would have been given to you by anybody whom
6 you commanded, isn't that right?
7 A No, it is not, Ms --
8 Q 102 Why did you use those words then "The council I command"?
9 A Very often when you apply for a job, you guild the lily. It's utter nonsense
11:28:41 10 to say that. I was applying simply for a job and I suppose if you sort of
11 stretch it a little bit, that may be it, but I command -- it's not like that.
12 The system isn't at all like that.
13 Q 103 Yes, they are your words, Mr. Redmond, I think you can confirm that's your
14 writing?
11:29:00 15 A It's your interpretation, they are my words but seeing them in the
16 appropriate -- by the way, I had never heard of Mr. Gilmartin in 1965.
17 Q 104 Yes. Well you wrote this letter in 1985 to Green Properties, isn't that
18 correct? And we'll come back to deal with this letter in more detail when we
19 deal with the Green Property issue. What I'm drawing to your attention there
11:29:21 20 certainly, when you were writing that letter in connection with the subject
21 matter of it what you said is the "The council I command at present has a
22 work-force of some 3,600 persons and an annual expenditure of 320 million?"
23 A Could you not see that, Ms. Dillon, in the light of my delegation, I did say to
24 the chairman and his colleagues, that I did have the financial function and the
11:29:45 25 staff function, I didn't say for example I command all the planning decisions
26 in County Dublin or anything like that. I simply said what was true.
27 Q 105 Would you describe the position of the assistant city and county manager --
28 A Do you accept that?
29 Q 106 It's not for me to accept anything, Mr. Redmond, just answer the questions. Do
11:30:04 30 you accept the position that the assistant city and county manager was a very

11:30:09 1 power position in local authority in Dublin?

2 A I was one of four others. I certainly had my functions. The main functions I

3 had as I say, were the financial ones, running the place. And then major

4 sanitary services contracts. I didn't have housing contracts, they would be

11:30:27 5 the main things. A lot of the other things would be libraries, itinerants,

6 parks, a loft power but not in the area of land development.

7 Q 107 Yes and we can get into the distinctions and the niceties in a moment, but as a

8 general proposition, do you accept it's a correct statement to say, the

9 position of assistant city and county manager, insofar as your position was

11:30:51 10 concerned, was a powerful position?

11 A It had certain powers.

12 Q 108 Right. And would you accept it again as a general proposition insofar as you

13 asked anybody within your council for anything that was not illegal, they would

14 in general have provided it to you?

11:31:07 15 A Sorry, I can't hear you?

16 Q 109 Would you accept it again as general proposition that insofar as any of your

17 3,600 employees as you have described them there, if you had asked any of them

18 for anything, provided it was not illegal, in general you would have got

19 whatever you asked for?

11:31:24 20 A Not at all.

21 Q 110 No. So that if you asked say for example for an estimate you wouldn't get it?

22 A Well I mean the position about looking for anything or information, there were

23 formal ways of doing it, there were principal officers and there were a drill

24 in relation to estimates and but as far as --

11:31:50 25 Q 111 If you want to Mr. Redmond, let's be clear about this, are you telling the

26 Tribunal if you asked somebody, let's say in the roads department for a map,

27 that you wouldn't get it?

28 A If I wanted --

29 Q 112 If you asked anybody in the roads department for a map, are you telling the

11:32:04 30 Tribunal there was a realistic prospect you wouldn't get it?

11:32:07 1 A If a letter came in to me in the morning time when somebody brought me my post
2 and a letter came in and I needed a map to identify it or see what they were
3 complaining about, I would ask for a map and a draughtsman would come down and
4 he would bring me down a map.

11:32:23 5 Q 113 If you wanted to know where the line of a sewer was or where a line of a sewer
6 was going to be and you asked for that information, would you get it?
7 A Well I probably would know that from going to the sanitary services pipeline.
8 The sanitary services people.

9 Q 114 If you wanted to know the line of a motorway or the land take for a particular
11:32:42 10 piece of the motorway and if you asked for that particular information, would
11 you get it?
12 A If I wanted the date of somebody's appointment or when somebody was going to
13 retire, all those things, I'd get them, there's nothing unusual about that.

14 Q 115 So that as a general proposition if we go back to the question I originally
11:32:57 15 asked you Mr. Redmond, as a general proposition, provided the information did
16 not involve something illegal, if you asked for something in the council, you
17 would get it.

18 A If you put it like that, I'm just thinking of things -- if I wanted a cleaner
19 to come in and water the flowers, I suppose I could ask. It wasn't like that.
11:33:22 20 I mean management isn't exercised like that. It's exercised in a very normal
21 way. Not in a sinister way. If you want something or a book or a reference or
22 a map, you simply ask your secretary will you or generally you work through
23 your principal officers.

24 Q 116 Did you ever ask anybody for a map other than through your secretary?

11:33:43 25 A Did I ever ask anybody --

26 Q 117 For a map other than through your secretary?
27 A Yes course I did.

28 Q 118 And you were here I think for the evidence I think of both Mr. Leo Bolton and
29 Mr. Alan Carthy, I think.

11:33:58 30 A No, you are wrong there.

- 11:33:59 1 Q 119 Mr. Niall Hayden?
- 2 A Mr. Hayden.
- 3 Q 120 Who said that regularly you would have sought maps and they saw nothing wrong
4 with that?
- 11:34:06 5 A Oh I never, insofar as Mr. Bolton is concerned, I don't ever recall --
- 6 Q 121 So far as Mr. Hayden was concerned?
- 7 A Mr. Hayden was the regular man for everybody in the department, if you wanted a
8 map, you asked Mr. Hayden.
- 9 Q 122 He says that you would have had regularly asked him for maps?
- 11:34:25 10 A Well regularly in the sense that, you know, it wouldn't happen every few
11 months. It would happen on -- you see when you have functions in relation to
12 roads, sewers, accidents, malicious injuries all sorts of things, you have to
13 have maps. I didn't know the county, when you came around Garristown,
14 Ballyboughal you know --
- 11:34:48 15 Q 123 If we stay with the question, what I put to you the evidence of Mr. Hayden had
16 been in 1982 and 1988 when he worked four you, he said you would seek maps at
17 question 49 on day 500, on a weekly if not a general basis?
- 18 A Generally these were maps that were already there.
- 19 Q 124 You don't dispute his evidence that that in fact, was the position?
- 11:35:08 20 A I am disputing the type of interpretation you are trying to seek to put on it.
21 As far as looking for maps are concerned, I was generally looking for maps that
22 were extant and available.
- 23 Q 125 And we'll come do deal with that, as a general proposition, do you accept
24 Mr. Redmond if you had sought a map of anything in the county if the
11:35:26 25 information was within the council, that map would have been provide to you?
- 26 A If the map was freely available and extant and he didn't have to go do it, he
27 would bring it down.
- 28 Q 126 If we look at the map at page 4758 please?
- 29 A I'd prefer to see the original.
- 11:36:02 30 Q 127 The actual original itself?

11:36:04 1 A No, I can see that.

2 Q 128 He can arrange to bring down the original, it's a large size map?

3 A I can see that map.

4 Q 129 We'll get, we can try work off this map for the moment but we will get you the

11:36:18 5 large size map, there Redmond. First of all, looking at this map and with your

6 experience of maps and your knowledge of maps in general, what information is

7 being provided by this map?

8 A Well my immediate reaction to the map, and it's not a county council map,

9 that's the first thing.

11:36:46 10 Q 130 Did you just listen to the question, I suspect we will make better progress if

11 you try to answer the question I'm asked?

12 A I am giving you a preamble to it.

13 Q 131 We don't need any preambles to it, I don't wish to argue with you, the question

14 is what information is being provided by that map?

11:37:03 15 A The map shows the line of the western motorway, up as far as the Lucan

16 interchange. I don't know whether the Lucan interchange was there at that

17 time, I'm not certain about that, whether that represents the, what the was

18 situation. As far as I recall the Lucan interchange, that's the construction

19 of it, didn't take place until after I retired, probably '80 or '81. So I'm

11:37:47 20 not certain whether that represents.

21 Q 132 You retired in 1989, Mr. Redmond.

22 A The second thing is that the interchange only came about when the toll bridge

23 was built and again, that wasn't built when I retired. The other road was in,

24 I think, all right. The other road was in.

11:38:08 25 Q 133 Are you saying this is a map that generally provides information on the Western

26 Parkway and the Palmerstown bypass, is that your analysis of the map?

27 A Sorry, could you give me an opportunity to finish please.

28

29 CHAIRMAN: He is dealing with what the map.

11:38:23 30

11:38:23 1 JUDGE FAHERTY: His view.
2
3 MS. DILLON: As you wish.
4 A MR. REDMOND Sorry, your worship. The map, as I see it. Shows the Fonthill
11:38:32 5 Road and it shows housing development and infrastructure work, I am not certain
6 now the date but it shows roads for houses and then it shows a primary school
7 site and C is a neighbourhood centre, there are two things cut out. It again,
8 up at the top, it shows a housing layout, again, I am not certain whether that
9 was in or not and again, on the right-hand side, it shows a layout of roads
11:39:12 10 which I presume aren't in and then it shows -- I can't read it now by I presume
11 it's the ownership in the blocks.
12 Q 134 The four roads, Mr. Redmond, that delimit the information on that map are the
13 Palmerstown Bypass, the Western Parkway, the Coldcut Road and the Fonthill
14 Road, is that right?
11:39:36 15 A They are shown.
16 Q 135 They are shown and then all of the lands within those four roads are identified
17 by reference to ownership, isn't that right?
18 A By the blocks.
19 Q 136 By the blocks?
11:39:45 20 A Yes.
21 Q 137 So that, the information that is being provided by the map is the
22 identification of four roads, Palmerstown Bypass, the Western Parkway, the
23 Fonthill Road and the Coldcut Road.
24 A Yes.
11:39:58 25 Q 138 And then within that, all of the lands bounded by those four roads are
26 identified by reference to ownership, isn't that right?
27 A That would seem to be the position.
28 Q 139 And the, in addition to the blocks of lands having little pieces of typewriting
29 on them that identify the owner, there is a legend down the side that similarly
11:40:17 30 identifies the owner by reference to the colour coding on the map, is that

- 11:40:21 1 right?
- 2 A Yes.
- 3 Q 140 Right. So that -- can you just confirm then, that the blue area which is more
4 than I would say two thirds of the map, deals with the area coloured blue,
11:40:32 5 Dublin Corporation, they are the Dublin Corporation lands.
- 6 A Well if you say it's Dublin Corporation, I don't know.
- 7 Q 141 If you look, Mr. Redmond, you can go over to the side and increase, where the
8 words are typed area coloured blue, Dublin Corporation and also on the face of
9 the map itself, you will see.
- 11:40:51 10 A I wasn't aware of the extent of their ownership.
- 11 Q 142 Do you see "Area coloured blue, Dublin Corporation" and if we could make that
12 smaller and go to the blue area and if you come down from where we are now and
13 increase that little piece of typing. And you see there it says "Area coloured
14 blue, Dublin Corporation."
- 11:41:16 15 A I see that.
- 16 Q 143 If you can close that back down again to normal size. Do you confirm that is
17 accurate, what is being identified there are all the blue lines which are owned
18 by Dublin Corporation.
- 19 A That says blue Dublin Corporation, that would be any normal person's
11:41:35 20 interpretation.
- 21 Q 144 In addition, in the centre of the blue lands, there are two separate plots, one
22 of which is plot BJ34, which apparently was a small neighbourhood shopping
23 centre and a larger plot which is the St. Laurence O'Toole Diocesan Trust and
24 those two parcels are in the centre of the Dublin Corporation blue lands?
- 11:41:59 25 A They are so shown.
- 26 Q 145 Would you agree Mr. Redmond this is a map that would be produced by somebody
27 who made a request that all lands bounded by the western Parkway, the Fonthill
28 Road, the Coldcut Road and the Palmerstown Bypass be identified?
- 29 A Some person.
- 11:42:17 30 Q 146 Some person?

11:42:17 1 A I'm sure that is the case.

2 Q 147 Yes, so that what appears to be logical or reasonable in connection with this
3 map because of the information that it provides, is that somebody at some stage
4 sought a map which was identified by four roads which are the Western Parkway,
11:42:36 5 the Palmerstown bypass, the Fonthill Road and the Coldcut Road and all lands
6 bounded by those roads were identified by reference to ownership, is that
7 right?

8 A I think the map went a bit further than that. It, I'm sure, because it was put
9 in, it was required also, the infrastructure.

11:42:58 10 Q 148 And the infrastructure you are talking about, Mr. Redmond, is what exactly?

11 A You know very well what I'm talking about.

12 Q 149 The roads to service the industrial lands?

13 A It doesn't show service, at least I don't think it does, but I mean we have a
14 map here which you say was bespoke.

11:43:15 15 Q 150 I don't is a that. I'm asking Mr. Redmond to be clear, the question I asked
16 you, Mr. Redmond, is this and I repeat it. Do you agree as a matter of
17 probability that the person who sought this map required information on land
18 ownership bounded by four roads which are the Palmerstown Bypass, the Western
19 Parkway, the Coldcut Road and the Fonthill Road?

11:43:38 20 A Not solely. Because the person who bespoke it or presumably bespoke it seemed
21 to want information about the infrastructure. Now the infrastructure shown, I
22 don't know whether any of it had been constructed at that time but that would
23 have taken some sometime to put in the infrastructure, so I take it that the
24 person who prepared the map would do it with all convenience speed and -- there
11:44:09 25 is the infrastructure, it raises the question who wanted the infrastructure or
26 how did it get there.

27 Q 151 Now, if we look then, Mr. Redmond, at the question about what information might
28 have been available in Dublin County Council in connection with these lands, if
29 indeed any information was available in Dublin County Council in connection
11:44:28 30 with these lands. Would you agree with me that it is necessary, when one is

11:44:33 1 building a motorway or a bypass that there is normally compulsory acquisition
2 of lands in order to build the roads?

3 A Yes, of course.

4 Q 152 That in order to compulsory acquire the lands, it is necessary that the
11:44:46 5 ownership of the lands be identified?

6 A Yes.

7 Q 153 That contact is made with the owner of the land, if the price can't be agreed
8 the matter will go to arbitration?

9 A To go right through the procedure of the motorway in the case of a motorway.

11:44:59 10 Q 154 So that in the case of the of the building of roads in general, if the council
11 itself does not own the lands on which the road is going to be built, the
12 council must deal with the landowner?

13 A Of course.

14 Q 155 If follows from that, the council must have some way of referencing lands, of
11:45:17 15 identifying the owners of lands?

16 A Where it is going to make the compulsory purchase itself, in the case of the
17 Motorway Act which was 1974, and this was the this road here, that was the
18 first use of it and the situation there was that we did the referencing in
19 house. It was done by the development department.

11:45:39 20 But I heard the evidence of Mr. Hayden that in the case of the Lucan Road,
21 that's the Palmerstown or the Lucan Ballydowd Road, that was done at a time
22 when we retained consultants, and at that stage the consultants used to do the
23 reference and prepare the entire motorway and give evidence on it enquire at
24 the public inquiry.

11:46:14 25 Q 156 We are talking about information available to the council, and I think insofar
26 as lands have to be acquired for and paid by the council for any pumps, it is
27 necessary for the council to reference the lands. In other words the council
28 needs to know what it's taking?

29 A I have explained in this case, that in the case of the motorway, that
11:46:30 30 referencing was done by the council.

- 11:46:33 1 Q 157 But in '76 or whenever the other thing was done, I wasn't there, Mr. Hayden who
2 was on officer was there, said that was part of the brief of the consulting
3 engineer, De Leuw Chadwick & O'hEocha. Will I will come back to that issue Mr.
4 Redmond, but that's not my recollection of Mr. Hayden's evidence, if you are
11:46:57 5 correct, I'll be happy to confirm that. We'll proceed anyway with the roads
6 acquisition part of it. I think also in general, the position would be that
7 the council would know what lands the corporation owned in its area and the
8 corporation would know what lands the council owned in its area, if any, is
9 that correct?
- 11:47:21 10 A That's not correct. First of all, isle deal with the second part first. You
11 made the statement would it be correct to say that Dublin Corporation knew what
12 land the council had.
- 13 Q 158 In its area, if any?
- 14 A They would know from it's rates record. The only land we had in the city was
11:47:40 15 the offices we occupied. We didn't own those and the council chamber at
16 Parnell Square. Now insofar as Dublin County is concerned, I would have to go
17 back to the 1960s.
- 18 Q 159 Can we just take it in simple stages, rather than going back to history. Do
19 you disagree with the proposition that the council would not have been aware of
11:48:04 20 the lands owned by Dublin Corporation in its functional area?
- 21 A Would not. No.
- 22 Q 160 So you say the council did not know what lands Dublin Corporation owned in its
23 functional area?
- 24 A We didn't have -- I don't think there was -- they were all over the place and
11:48:20 25 obviously where there were compulsory purchase orders, we would have an idea
26 where the red line but as precisely what Dublin Corporation owned, I don't
27 think --
- 28 Q 161 You would not have known, would you not?
- 29 A We needn't have known.
- 11:48:36 30 Q 162 I beg your pardon?

- 11:48:37 1 A Well I certainly wouldn't know it.
- 2 Q 163 And are you saying you never knew that the corporation owned those lands?
- 3 A Which?
- 4 Q 164 The lands on, the lands coloured blue on that map?
- 11:48:53 5 A In the 1960s, Ms. Dillon, when I told you I was in the development department,
6 I was involved in the acquisition of those lands for Dublin Corporation. In a
7 general sense. I remember the Mount Street club, for example, very well, when
8 we acquired it, all that land we bought for I think less than a 1,000 an acre,
9 it may have been by the way the 50s rather than the 60s.
- 11:49:18 10 Q 165 So you knew about those lands?
- 11 A In knew in the general way that the corporation owned those lands.
- 12 Q 166 You knew the corporation owned those lands. Did you know about the
13 St. Laurence O'Toole Diocesan Trust lands?
- 14 A I wouldn't know about that, I presume it's either a school site or a church
11:49:41 15 site.
- 16 Q 167 You didn't know about those?
- 17 A I wouldn't know.
- 18 Q 168 Would that information have been available to the council?
- 19 A I don't know if they had made a planning application, it would have been but as
11:50:01 20 far as the disposal, I presume that piece of land in time, if there's a school
21 on it, it would have been disposed of by the members of Dublin Corporation.
22 That would have gone to them exclusively and not to any member of the county
23 council or to me.
- 24 Q 169 And insofar as the other parcel of land with the letters "NI" on it which was a
11:50:20 25 small neighbourhood centre showed by Sherbert Securities is concerned --
- 26 A That again would be a disposal under Section 3 of the Local Government Act and
27 would have to be approved by the members of Dublin Corporation. And Dublin
28 Corporation they didn't have to get the consent of Dublin County Council so in
29 land ownership terms, nobody else, not just me.
- 11:50:46 30 Q 170 So that if somebody in the council let's say for the sake of arguments,

11:50:51 1 Mr. Redmond, is trying assemble the information contained in that map, if they
2 had telephoned the equivalent department in Dublin Corporation and asked for
3 the information, what land do you own, bounded by these four roads, would they
4 have been told?

11:51:06 5 A I don't know. That's a matter for Dublin Corporation.

6 Q 171 I see. And if you had asked the corporation your brother or sister local
7 authority for the information in relation to the shopping centre and the
8 school, would they have given you that information?

9 A The normal thing if you wanted information, you write formally to it and you
10 would get it. That's the normal way.

11 Q 172 And if in relation to the balance of the information that's contained on that
12 map, would you agree that most if not all of that information would have been
13 available within the council or could have been obtained by the council?

14 A I think there's a certainty about the residual land on the Western Parkway but
15 apropos the other road, no.

16 Q 173 Would you have had dealings or discussions about corporation lands within your
17 area at any of these meetings that you, the development coordinating meeting the
18 sanitary services meeting, forward planning meetings, would you have had
19 discussion about corporation lands in general, not necessarily these lands?

11:52:08 20 A I mean now I think when you speak about corporation lands, the corporation had
21 lands along the north fringe, they had lands in huge -- a huge area of land in
22 Blanchardstown, they made a compulsory purchase order in Tallaght. They had
23 lands in the -- what do you call it -- they had thousands of acres. And
24 discussion about their lands came up all the time.

11:52:39 25 Q 174 So that there was an exchange of information between the council and the
26 corporation in relation to the lands, because the corporation had much more
27 land in the county area, than the county obviously had in the corporation area?

28 A The council had no land in the corporation area. None at all.

29 Q 175 But the corporation had vast tracts of land in the council area?

11:53:02 30 A Yeah but the reason for that was that in the 1960s, the plan for the Dublin

11:53:10 1 authorities is one large authority and hence the corporation acquired the land
2 and I think I did say that there is a report which I haven't turned up but I
3 think there is a report saying that all that land is owned jointly by the
4 corporation. I have a recollection of it maybe the '60s or maybe the '50s but
11:53:34 5 anyway it's there, as far as the land is concerned, insofar as I was concerned,
6 my discussions with the corporation were often with the city manager on a
7 Wednesday morning.

8 Q 176 If we go back to the question, Mr. Redmond.

9 A And the discussion about the corporation's lands here I most certainly recall
11:53:57 10 came up very, very distinctly that was the discussion of the 68 and a half
11 acres which they were proposing to negotiate with Mr. Gilmartin.

12 Q 177 We'll come to deal with the sale of those lands in its proper time,
13 Mr. Redmond, at the moment we'll concentrate on the map.

14 A As to the remainder of that the corporation lands in that block, I certainly
11:54:22 15 have no recollection of ever having been discussed or any need for it to have
16 been discussed if it enjoyed housing permissions.

17 Q 178 So if we look at the map, Mr. Redmond, do you agree that the lands that border
18 the Palmerstown bypass would have been referenced in the council?

19 A No, that wasn't referenced in the council, it was referenced by the
11:54:49 20 consultants.

21 Q 179 Would that information not have been available in the council?

22 A I since I joined the council in '80' that was done in '76, and I am not certain
23 to what extent.

24 Q 180 I think insofar as the lands bordering the Western Parkway is concerned, would
11:55:07 25 that information be available --

26 A I have already answered that twice.

27 Q 181 Sorry, insofar as the --

28 A Yes.

29 Q 182 Would that have been available?

11:55:15 30 A Yes of course, from the records.

- 11:55:16 1 Q 183 So would you agree that most of the information that is contained within the
2 four walls of those roads would have been available in Dublin County Council in
3 some form or another?
4 A No, I did would not agree. I have to say no to that.
- 11:55:30 5 Q 184 All right. Now identify by lands piece the information that would not have
6 been available in Dublin County Council.
7 A The corporation lands.
- 8 Q 185 You have already said you knew about these lands because you had bought them
9 yourself and if you knew about them, Mr. Redmond, then the council knew about
11:55:50 10 them, because you were working for the council?
11 A Ms. Dillon, are you being serious about these things?
12 Q 186 Mr. Redmond, you have already told the Tribunal--
13 A Just because you bought them, I didn't buy them, I was involved in the
14 purchase. What I said to his worship and his colleagues was, that if the 50s
11:56:09 15 or 60s, I remember when they were bought. I do. I certainly remember that.
16 And what strikes, what puts it in my mind was they were owned but by the Mount
17 Street club.
- 18 Q 187 The position is that you were?
19 A The second thing --
- 11:56:24 20 Q 188 I want to be clear about that?
21 A The second thing. Sorry, please let me speak Ms. Dillon.
22
23 CHAIRMAN: Let him --
- 24 A The fact that I knew that and having had it in my mind, didn't mean that
11:56:36 25 everybody in the council -- you are saying oh you are the boss, everybody
26 should know that, it's not like that, certainly I knew that.
- 27 Q 189 Is it your position then that you didn't know? Sorry, I beg your pardon, to be
28 fair to yourself, is it your position then, that the information as to the
29 ownership of the corporation lands was not available within Dublin County
11:56:54 30 Council?

11:56:54 1 A Certainly wasn't. The only thing I knew in 1988, we are talking about '88.
2 The only thing I knew there that came up and specifically came in and it didn't
3 affect me but I remember it, was Mr. Morrissey raising the fact that they had
4 68 and a half acres which wasn't moving and there was a gentleman named
11:57:19 5 Gilmartin whom the city people knew was interested in it. That, I am concern
6 of and of nothing and the rest of it is I am almost certain.
7 Q 190 I'm obviously not making myself very clear, Mr. Redmond, you are talking about
8 a conversation you had with Mr. Morrissey about the 68 acres but the question I
9 asked you, was whether the information about the ownership of the corporation
11:57:42 10 lands was available within Dublin County Council?
11 A No.
12 Q 191 No it wasn't?
13 A Not specifically.
14 Q 192 Fine. Now you were referring to a conversation you had --
11:57:51 15 A Sorry, I just have to say something about that the man who had the
16 administration of the land was Mr. Morrissey and he was an officer of Dublin
17 County Council.
18 Q 193 I was about to ask you about your conversation in 1988 with Mr. Morrissey and
19 can you remember when that took place approximately?
11:58:09 20 A It wasn't with Mr. Morrissey, it was at a management meeting. It was
21 sometime -- it certainly was after the meeting in the Custom House, as far as I
22 recall. The first meeting in the Custom House. I think is it identifies it as
23 September.
24
11:58:31 25 CHAIRMAN: Miss Dillon, I think we will take a break and we would like if
26 Mr. Redmond could be shown the original map which I think arrived.
27
28 MS. DILLON: Yes.
29
11:58:43 30 CHAIRMAN: And you might like to look at the map, just to see if it helps you

11:58:49 1 in any aspect of the cross-examination and if you want to deal with any of Ms.
2 Dillon's questions that have been asked so far having looked at the map, if you
3 want to deal with anything, you can mention it afterwards.

4 A Oh I forgotten about the map, what exactly is it?

11:59:07 5
6 CHAIRMAN: This is the map that's on in front of you. On the screen. You
7 asked earlier could you see the original.

8 A Yes. I think I'll see Ms. Dillon anyway and see what she has.

9
11:59:22 10 CHAIRMAN: During the break, you can have a look at the original and if you
11 want to raise any issue about it after the break, you can do so.

12

13 **THE TRIBUNAL THEN ADJOURNED FOR A SHORT BREAK AND**

14 **RESUMED AS FOLLOWS:**

11:59:51 15
16 CHAIRMAN: Just before -- I understand Mr. Redmond has had an opportunity to
17 look at the map. All right. And the other matter, the Tribunal would prefer
18 if there was no reference to anything, any evidence which arose in Mr.
19 Redmond's appeal, which is still being considered, while it's being considered,
12:17:34 20 and when that matter concludes, Mr. Redmond will be recalled to deal with any
21 issue arising.

22

23 MS. DILLON: May it please, you sir.

24 A I think so far as the map is concerned, which they have kindly given me, well I
12:17:48 25 could see it of course a lot clearer here and it's a very, very detailed map,
26 your worship, and of course it also includes a thing I didn't appreciate were
27 the folio numbers of all these holdings, they don't show folio numbers in the
28 case of corporation or county council lands, but insofar as the all the
29 remainder, it's a very detailed map showing roads and, it shows a number of
12:18:12 30 roads. I mean that's all. It would have required certainly a lot of work to

- 12:18:17 1 put it together.
- 2 Q 194 MS. DILLON: Insofar as you raised a point this morning, Mr. Redmond, about the
3 referencing or about the Palmerstown Bypass information by prepared by Chadwick
4 and O'hEocha, the evidence of Mr. Hayden?
- 12:18:33 5 A Yes.
- 6 Q 195 What Mr. Hayden says as follows, at day 500 page 48, question 221, he is asked
7 the question:
8
9 "The referencing department would then have for the purpose of the roads
10 acquisition the application for the lands of roads would then have had to
11 assemble the information in relation to the Palmerstown Bypass, the road across
12 the top".
13 And the reply is the "The Palmerstown Bypass was prepared by De Leuw Chadwick
14 and O'hEocha, an outside agency".
- 12:19:04 15 Question: And the referencing would have been prepared.
16 Answer: Well that CPO would have been prepared by De Leuw, Chadwick and
17 O'hEocha as far as I can recollect. I can confirm that it would have been sent
18 back to the council and as this was your CPO map, you need to buy the land
19 off."
- 12:19:20 20 A That is so but the map would have been sent to a department other than the
21 department which Mr. Hayden worked in. It would have gone back to the
22 development department which deals with the acquisition and disposal of land.
- 23 Q 196 Yes. That is the development department in the council.
- 24 A Yes.
- 12:19:38 25 Q 197 Would have had the information that was prepared and placed on the maps by the
26 people who had been retained by the council?
- 27 A Well, they certainly, when you make the formal order, at the side you put in --
28 now whether they kept records or whether O'hEocha's kept the records, I don't
29 know, I simply don't know that.
- 12:19:59 30 Q 198 And what was the manager ultimately in charge of acquisition and disposition of

12:20:02 1 lands in 1988 and 1989?

2 A The sale of lands?

3 Q 199 Yes, the disposition of lands, the acquisition, buying lands and selling lands,
4 council lands.

12:20:10 5 A Well I think there were two of us involved. Up to a certain value, the
6 principal officer had the function and after that, I had the function.

7 Q 200 And insofar as the chain of command in the council is concerned, or was
8 concerned, Mr. Redmond, was it the position that at the pinnacle of the council
9 in 1988 and 1989, was Mr. Redmond who was the assistant city and county manager
10 and beneath him, there were a number of principal officers who carried out
11 certain functions?

12 A No, that is totally incorrect.

13 Q 201 That's incorrect. You weren't the person in charge of the council?

14 A No, no, the position, I think you have got to understand it and it's a legal
12:20:55 15 one, Mr. Feeley was the county manager.

16 Q 202 Oh I take your point, Mr. Redmond, of course.

17 A So there's no ambiguity about his, if you read -- well I think you can read the
18 County Manager Act 1940 and the City and County Manager Act of 1955, he had the
19 power to delegate and as I said before, he delegated in the case of the county
12:21:20 20 to four -- he delegated to his deputy and three assistants and I was one of
21 those assistants.

22

23 In addition to that, he also delegated to six principal officers. Now the way
24 the system worked, each one of us held our delegation directly from Mr. Feeley.

12:21:41 25 In other words in the case of a principal officer, they didn't come in a
26 conduit to me, they went straight to them and the law was they exercised their
27 function and if they didn't want if there was any decision that came up that
28 they didn't want to make, they didn't refer to me, they went straight to back
29 to Mr. Feeley, and again if Mr. Feeley at any stage wished to carry out a
12:22:04 30 function himself, he took it back directly from them, not through me or

12:22:08 1 anything like that.
2
3 And the system, the working, the way it worked -- of course the '55 Act and the
4 '40 Acts say that all decisions made, even when they are delegated, they were
12:22:21 5 delegated under the aegis of the county manager and on a Wednesday morning, we
6 went up to him, myself and the other assistant managers and anything major we
7 had, we placed it at the table, it was discussed, there was a decision to which
8 he had to agree to it and that was the way it operated
9 A But it's not true to say that, you know, I was in a pinnacle exercising -- I
12:22:52 10 was not.
11 Q 203 I do apologise for my lack of clarity, Mr. Redmond and I'll rephrase the
12 question for you. Insofar as your delegated functions were concerned in 1988,
13 did those delegated functions as assistant city and council manager include the
14 acquisition of and disposition of county council lands?
12:23:10 15 A Certainly.
16 Q 204 And insofar as the pinnacle within the County Council local authority structure
17 was concerned, a apart from Mr. Feeley were you the next most senior person in
18 charge insofar as the acquisition and disposition of lands were concerned in
19 1988?
12:23:29 20 A It's probably again a bit complex because Mr. Morrissey who was the deputy
21 county manager and had housing functions, he had some functions as well in
22 relation to land but I had most of the functions.
23 Q 205 And insofar as the person in connection with the county council lands that
24 Mr. Gilmartin was interested in buying, were you the person who would
12:23:52 25 ultimately have made the decision in connection with the county council lands?
26 A No, I don't think I was. You want a reason?
27 Q 206 No, I just want to ask you, just in relation to that, I think it's in April of
28 1989, could I have page 2301, we'll come back to deal with this, it's just in
29 the light of your last answer. This is a note taken on the 19th April 1989 in
12:24:38 30 the development department?

12:24:40 1 A That's right.

2 Q 207 And at that stage, it's in connection with the Gilmartin lands and it says A C
3 M is not prepared to dispose of this land now."

4 A Yes.

12:24:51 5 Q 208 And I think that's signed by Mr. Carthy?

6 A That's right.

7 Q 209 Now, who is the ACM there?

8 A Mr. Carthy was the something in the region of a senior executive officer in the
9 lands section.

12:25:02 10 Q 210 Right. What assistant and city manager is being talked about there?

11 A That was undoubtedly me.

12 Q 211 All right. So if that is an accurate note, it means as of the 19th April 1989,
13 Mr. Carthy is recording that you are not prepared to dispose of the council
14 lands to Mr. Gilmartin?

12:25:18 15 A At that stage.

16 Q 212 At that stage. So are you still saying your earlier answer to the Tribunal is
17 correct when you said you would have had no function in relation to the
18 disposition or sale of land to Mr. Gilmartin?

19 A Not the corporation lands.

12:25:31 20 Q 213 I didn't mention the corporation lands?

21 A Oh the council lands.

22 Q 214 I mentioned the council lands.

23 A Repeat your question again please?

24 Q 215 The question that I asked you was whether you, in your capacity as assistant
12:25:43 25 city and county manager would have had any function in the acquisition or sale
26 of the council lands. You said no.

27 A In relation to the Gilmartin lands?

28 Q 216 In the council. The council lands.

29 A Well the Gilmartin, to Gilmartin?

12:25:58 30 Q 217 Yes.

12:25:59 1 A Were identified. You were saying in relation to the Gilmartin lands. The
2 position was fairly clear in my mind at the time. It was a corporation
3 decision decided that negotiations should start and I followed that and then we
4 got back the valuation and the city, I presume also got a valuation but the
12:26:27 5 rule which the valuer and Mr. Gilmartin agreed was that one wouldn't move
6 without the other so the big one or the one that mattered really and the most
7 valuable was the corporation and it hadn't moved and I think with that note
8 there -- oh yes, in April 1949, what had happened at that stage was that the
9 corporation were, I don't know whether it was on that date but it was some date
12:26:54 10 in April, they were going to put an advertisement in the paper and seek tenders
11 so it was all put back until some time at the end of May when the tenders were
12 received. So when the order that came down with that, I have it in my papers
13 anyway, it's not signed by Mr. Doherty. It's not signed by the principal
14 officer. It looked to me from that, my judgment, that he gave it to Mr. what's
12:27:24 15 his name, Carthy and said take that down to the manager and see is he going to
16 dispose of it now and the answer to that, I certainly wasn't.

17

18 But I think I would have gone further than that, Miss Dillon.

19 Q 218 We are going to come to deal with all of these documents in detail?

12:27:41 20 A I want to get this off my chest. I don't think I ever would have agreed the
21 disposal. I think I would have referred it back to the city manager, to the
22 county manager to make it himself, which was within my rights.

23 Q 219 The question I originally asked you, Mr. Redmond, and perhaps you would like to
24 answer it now at this point in time, is whether you were the person in the
12:28:03 25 county with ultimate responsibility after Mr. Feeley for the acquisition and
26 disposition of land?

27 A If I so wished to exercise the function.

28 Q 220 Is the answer to the question yes, Mr. Redmond?

29 A I don't know what sort of tripping of up you are trying, I am saying to you if
12:28:21 30 a power had to be exercised, I was certainly the one to exercise it. But if I

- 12:28:27 1 was of the disposition that the county manager in this particular case should
2 exercise it, then it was not me.
- 3 Q 221 And insofar as --
- 4 A And just to continue, in the end, I was not called upon to make the decision
12:28:44 5 and the man who did succeed me and made the decision made quite a different
6 decision to the one that was being spoken about in April of the year 1989.
- 7 Q 222 Can I ask you whether you had an going relationship with Mr. Corcoran of Green
8 Properties throughout 1988?
- 9 A I knew Mr. Corcoran in 1988, I knew him before '88 but ongoing, I don't know
12:29:12 10 what you mean by that.
- 11 Q 223 Did you meet him?
- 12 A I'm sure I met him from time to time.
- 13 Q 224 What would you have met him about?
- 14 A Sorry?
- 12:29:19 15 Q 225 What would you have met him about?
- 16 A Well my recollection was his main concern with me in '88, was when are the
17 roads going to start.
- 18 Q 226 For the Blanchardstown, is that right, for Blanchardstown?
- 19 A The Navan Road and the other one, how it was going and what was going to
12:29:37 20 happen.
- 21 Q 227 And would he have come into the office to meet you?
- 22 A I'm sure he might have. I have no firm -- sure he could well have been in the
23 office.
- 24 Q 228 4843 please. There's an entry in your diary Mr. Redmond on the 10th February
12:29:55 25 1988 and there's a reference and I want to ask you whether that is an
26 abbreviated version of John Corcoran's name that appears on that diary entry?
- 27 A Yes, it would be. That's it, yes, I would recognise that as such, yes.
- 28 Q 229 And that Mr. That are key that appears at 3.45, is that Mr. Sharkey who had
29 lands adjoining Mr. Owen O'Callaghan's lands?
- 12:30:19 30 A Yes, Des Sharkey, he was a person friend of mine.

- 12:30:23 1 Q 230 Did you subsequently go to work for Mr. Sharkey after you left the corporation?
2 A I didn't go to work for him, I took on some consultancy work for him.
3 Q 231 After you left the corporation?
4 A After I left the corporation and the County Council.
- 12:30:36 5 Q 232 In 1989?
6 A I think it was later than that.
7 Q 233 When you worked for Mr. Sharkey, it was in connection with his lands that
8 joined the Balgaddy site?
9 A Yes.
- 12:30:46 10 Q 234 Would it be fair to say you had an ongoing relationship with Mr. Sharkey that
11 pre-dated this entry?
12 A When you say ongoing relationship, I would prefer to say that I knew him for 20
13 odd years or thereabouts. I think.
14 Q 235 And if you were applying for a job with Mr. Corcoran or Mr. Corcoran's company
12:31:06 15 in 1985, clearly you knew him prior to 1988?
16 A Sorry?
17 Q 236 If you were applying for a job with Green Property in 1985, Mr. Redmond, you
18 clearly knew Mr. Corcoran before February of 1988?
19 A Oh I didn't say I didn't.
- 12:31:21 20 Q 237 Yes. Is it correct that you knew Mr. Corcoran before this entry in your diary
21 in February 1988?
22 A Yes.
23 Q 238 And if I could show you the following day's entries on the 4844 please. This
24 is an extract from your diary of the 11th and 12th February 1988 and I want to
12:31:50 25 draw to your attention are written the words "Blanchardstown" and the 12th at 4
26 p.m, there was also a reference to Blanchardstown, do you see that?
27 A That's in February of what, '88?
28 Q 239 Yes, the 11th. You will recollect on the previous day, the 10th February, you
29 had met Mr. Corcoran according to your diary. That is the entry we have just
12:32:11 30 looked at.

12:32:11 1 A That's the 10th is it?

2 Q 240 Yes could I have 4833 please4.

3 A And this is the 11th?

4 Q 241 Yes.

12:32:18 5 A Well they are both, Blanchardstown, yeah.

6 Q 242 There you will see the entry for Mr. Corcoran and when one moves on to the

7 following page at 4844, one sees on entry in relation to Blanchardstown at the

8 top of the 11th and another entry at the 12th at 4 p.m, Blanchardstown, do you

9 see that?

12:32:38 10 A I do.

11 Q 243 And I suggest, Mr. Redmond, that whatever these entries in relation to

12 Blanchardstown on the 11th and 12th relate to, they relate also to the matters

13 that you were discussing with Mr. Corcoran on the 10th, it was the common

14 matter that you had?

12:32:56 15 A Oh not necessarily, for goodness -- not at all, sure there were all sorts of

16 things arising in relation to, Miss Dillon, to Blanchardstown, it could have

17 been something in connection with the roads, the I mean the agendas were full

18 of Blanchardstown and I mean Blanchardstown, not just the shopping centre but

19 in the widest sense of the community out there. There's nothing to say --

12:33:20 20 there's no doubt about Corcoran's name is there and Blanchardstown but you

21 can't relate them. But I have no doubt if he was speaking to me and if I spoke

22 on the phone to him, it's even evident, I would have been speak being his town

23 centre.

24 Q 244 You will see also on the 11th, you have a cancelled entry for John Corcoran at

12:33:41 25 1.30?

26 A This is not a lot before anyone ever heard of Mr. Gilmartin, you know that?

27 Q 245 Do you agree, Mr. Redmond, there is a cancelled entry for John Corcoran in your

28 diary or the 11th February 1988?

29 A All I can say at this stage and I renewed my oath today is that it's crossed

12:33:59 30 out and beyond that, I don't know.

- 12:34:01 1 Q 246 And you see no significance between the two entries in relation to
2 Blanchardstown and Mr. John Corcoran's proximity in that diary notwithstanding
3 your earlier evidence, that the only matters you would have had discussed with
4 Mr. Corcoran would have been Blanchardstown?
- 12:34:16 5 A Ms. Dillon, I cannot rule out other things. I know you are trying to put a
6 spin on it but I mean, no point in trying to goad me into saying something. 4
7 p.m. in Blanchardstown, I don't know what that would be. It looks as if it was
8 is I was I was going to do before I went home because I lived in the area.
9 That's what that seems to me to be and certainly I don't think there were any
12:34:45 10 offices up on the site in those days. It was just green fields.
- 11 Q 247 What other matter would you have had to discuss with Mr. Corcoran in February
12 of 1988 other than Blanchardstown, Mr. Redmond?
- 13 A Other than his roads?
- 14 Q 248 Other than Blanchardstown?
- 12:35:00 15 A I don't know, I just can't think of it now. Just horses, golf courses.
- 16 Q 249 Did Mr. Corcoran normally make appointments to meet you in the office to
17 discuss golf and horses?
- 18 A Did he what?
- 19 Q 250 Normally make appointments to meet you in your office to discuss golf and
12:35:20 20 horses?
- 21 A When I say that, they are things that might have arisen, I am not trying to be
22 funny. I knew Mr. Corcoran as the other officers in the corporation, the
23 county council and city manager, Mr. Morrissey, they all knew and he was a well
24 known developer and he came in, he was going to do Blanchardstown and it would
12:35:40 25 be very surprising if he didn't pay the odd visit to me. Especially where I
26 was responsible for the infrastructure.
- 27 Q 251 Did you have much contact or communication in 1988 with Mr. Liam Lawlor?
- 28 A In 1988.
- 29 Q 252 Yes?
- 12:36:00 30 A Not that I can I recall.

- 12:36:02 1 Q 253 I think you told the Tribunal he was one of 78 councillors and you -- 78
2 councillors and you wouldn't have any particular relationship with Mr. Lawlor?
3 A There were 78 of them, some of them weren't very active but some of them were
4 active but he certainly, I would have no special recollection of him.
- 12:36:20 5 Q 254 Of meeting Mr. Lawlor?
6 A I do remember the unique occasion when he brought Gilmartin in to me. I do
7 remember that day.
- 8 Q 255 4846 please. There's an entry in your diary for Mr. Lawlor, Mr. Redmond, in
9 1988, it's at the bottom of the date, which is the 10th and there's a telephone
10 number?
11 A Yes.
- 12 Q 256 Which apparently -- can you confirm first of all that entry relates to Liam
13 Lawlor. L Lawlor and that the telephone number is Mr. Lawlor's telephone
14 number?
15 A Well I don't know but I wouldn't contradict it, if you say so.
- 16 Q 257 No, I don't say so Mr. Redmond, if we could have page 4847 please and if we
17 could have the two of them side by side. You will see these are two separate
18 entries from your diary, Mr. Redmond?
19 A That's right.
- 12:37:31 20 Q 258 The first one is the 10th and you will see at the bottom there's a telephone
21 number and the name L Lawlor, which you confirmed is Liam Lawlor, is that
22 correct?
23 A That is so.
- 24 Q 259 If you look at the others?
12:37:38 25 A The numbers are the same.
- 26 Q 260 The numbers are the same?
27 A So we are assuming it's his number. Or a number.
- 28 Q 261 At which Mr. Lawlor could be contacted. Do you confirm both of those entries
29 are your writing?
12:37:52 30 A No, the one on the left is mine, the writing on the next one is mine, the

12:37:56 1 numbers are not mine.

2 Q 262 The telephone numbers are not yours?

3 A The telephone unless are not mine. I would know instinctively what my writing

4 and figures are.

12:38:08 5 Q 263 I think if we look at the 11th March entry, these financial calculations that

6 appear at the bottom of that page, Mr. Redmond, I think from previous evidence

7 that you have said they were financial calculations that you made in relation

8 to the accumulation of your assets, isn't that right, the first line that's

9 under the 11th.

12:38:29 10 A I said that before, I am not going to deny it.

11 Q 264 And that the figures that are being recited there are in hundreds of thousands,

12 in other words the total figure is 594,000, 593,500 pounds. Now do you have

13 any recollection why you have an entry for Mr. Lawlor on that occasion?

14 A I do not.

12:38:51 15 Q 265 I think both yourself and Mr. Lawlor were members of the ERDO, is that correct,

16 the eastern regional development --

17 A Well I think I was on the board or something with all the county managers are

18 on it, chief engineers. I rarely went to it. In fact I rarely attended. It

19 was attended by the chief engineers and the chief planning officer. Chief

12:39:23 20 roads officer, chief sanitary services officer and I remember agreeing that

21 with them at a coordinating meeting, there was no point in my being out at it.

22 I never attended. I'm sure if he was on it too, yes.

23 Q 266 Could I have 4830 please.

24 A And I am sure the previous officer executive would have left the record. You

12:39:46 25 will find I never attended meetings.

26 Q 267 This is the first record of the board membership of the 1st January 1988 and

27 under the heading of Dublin County Council, you will see Councillor Pat Dunne,

28 Councillor Liam Lawlor, Councillor Stanley Laing, Mr. Ned Ryan, Mr. George

29 Redmond, assistant city and county manager and Mr. P Keleghan, Dublin chief

12:40:08 30 engineer, roads.

- 12:40:09 1 A You can also look up, the previous one, Dublin corporation because Mr. E G
2 McCarron was the Dublin planning officer as well and KC O'Donnell was chief
3 engineer for the council, there were three engineers.
- 4 Q 268 If we can back to the original question, do you accept, Mr. Redmond, you were a
12:40:24 5 member of the board of ERDO as of the 1st January 1980 of that year?
- 6 A I accept I was a member.
- 7 Q 269 Can I ask you to confirm that Councillor Dunne, who is referred to there, is
8 the councillor you identified as being the person who tipped you off about
9 being the subject matter of the Garda inquiry?
- 12:40:41 10 A Well you have mentioned him now.
- 11 Q 270 Yes, he is dead.
- 12 A The position is, that time before my retirement sometime before my retirement
13 he came to me, he was often in the buildings and at that time the papers were
14 rife with rumours of Garda investigations and what he told me at the time was
12:41:02 15 that they were investigating allegations made against people in the planning
16 board, I can't remember, Loughrane was the man and that my name had come up.
17 That's all he told me. Nothing more. Just that.
- 18 Q 271 Can you confirm therefore that the Councillor Dunne whom you had previously
19 told the Tribunal was the person who tipped you off is that Councillor Dunne?
- 12:41:25 20 A Yes, that Councillor Dunne, yes.
- 21 Q 272 Now I think at 4847 please?
- 22 A By the way apropos, before you leave ERDO, that body that you put up was the
23 governing body, they had a more intensive group in relation to the work they
24 were doing and I wasn't on that. I think you should show, circulated both so I
12:41:56 25 think it's no harm to --
- 26 Q 273 4831 please. This is the strategy review group?
- 27 A Yes.
- 28 Q 274 Which Mr. Lawlor is still the chairman, you are not a member of that group, is
29 that correct?
- 12:42:09 30 A No, that was the group which, you know, did the plan. That's yes, you are

- 12:42:18 1 right there, Ms. Dillon. That's okay.
- 2 Q 275 Now, if I go back to 4847, the second entry you have for Mr. Lawlor in your
3 diary in 1988, and again there's a telephone number and you confirm that that
4 is an entry in relation to Mr. Lawlor and this is being made on the --
- 12:42:36 5 A I confirm that that is my signature, Ms. Dillon, the number is certainly not
6 mine. I have no doubt about that. How somebody else came to write the number,
7 I don't know, it's not mine but I have no recollection of what it relates to.
- 8 Q 276 Now on the 6th of May, Mr. Redmond, there was a meeting of ERDO?
- 9 A On the 6th May 1988.
- 12:43:00 10 Q 277 Yes, and if you look at page 1714, you will see at paragraph 1, it says "The
11 minutes of the meeting of the board held at number 23 Mountjoy square, Dublin 1
12 at 3 p.m. on Friday, 6th May have previously been circulated".
13 So there was a meeting of the board of ERDO on the 6th May 1988 but there's no
14 entry in your diary on the 6th May 1988 in relation to ERDO. 1635 please. Do
15 you know whether you were at that meeting can you recollect?
- 12:43:33 16 A Have you got the minutes?
- 17 Q 278 I'm afraid the minutes aren't available. I'm just drawing your attention there
18 is no entry in your diary?
- 19 A Could I have a read of it again.
- 12:43:43 20 Q 279 I just want to draw attention to in fairness to you, there's no entry in your
21 diary for the 6th May for ERDO?
- 22 A If I was there I would tell you.
- 23 Q 280 I am not suggesting you were there, I'm asking you can you remember whether you
24 were there?
- 12:43:58 25 A Can I read the document?
- 26 Q 281 Of course you may. 1714 please.
- 27 A It's not of great significance from my point of view. I'm sure if it's, I am
28 sure I wasn't there anyway, Ms. Dillon, apart from not having a record, I
29 didn't go over to those meetings. The odd one, but --
- 12:44:42 30 Q 282 Because you do have an entry for ERDO for your diary for the 8th June, 1713

12:44:48 1 please. You don't have an entry for the 6th May 1988, you do have an entry for
2 the 8th June.

3 A Yes, I don't know. I can't -- the chief executive officer is a very, very good
4 friend of mine, a personal friend, and he came into the office, you know, once
12:45:11 5 every couple of weeks and he may have said George, there's a meeting on, put it
6 down or something. I don't know, Ms. Dillon.

7 Q 283 I suggest to you, Mr. Redmond, that if you have no entry in your diary, it's
8 less likely that you were there and if you do have an entry in your diary, it's
9 more likely that you went. That's all I'm suggesting.

12:45:31 10 A I wouldn't agree with that.

11 Q 284 You wouldn't agree?

12 A I don't agree with that at this stage.

13 Q 285 Can you assist at all as to why you would have Mr. Lawlor's telephone number
14 and why you would have these entries in your diary in relation to Mr. Lawlor?

12:45:43 15 A Well I mean he was a councillor and he was active. I'm not saying he was -- he
16 was certainly more active than many of them but he dealt generally with
17 principal officers. He knew the system and the principal officers are the ones
18 he dealt with. Insofar as the planning matters, they were another department
19 and another manager, all the rest. In my case, could have been anything, I
12:46:08 20 don't know, I don't recall. But I really don't -- what date, what month is it?
21 I don't recall anyway, Ms. Dillon.

22 Q 286 But certainly what is also going on around that time are the meetings of ERDO
23 on the 6th May and of the 8th June and it is the case, whether you were there
24 or not, that you were a member of ERDO with Mr. Lawlor, is that right?

12:46:29 25 A Well I was one of 30-odd, 40 people who was a member but I --

26 Q 287 And you were both --

27 A In my last years, in my later years, I certainly have no recollection of
28 attending any ERDO meeting, I am certain of that. Whatever about that entry
29 being there, I didn't go to ERDO meetings. I am positive of that. I am sure
12:46:57 30 there are records.

- 12:46:58 1 Q 288 Insofar as both yourself and Mr. Lawlor were appointed to ERDO, the body that
2 you were both representing was Dublin County Council?
- 3 A Oh yes.
- 4 Q 289 And insofar as there were meetings of ERDO and while you think it's more likely
12:47:10 5 that you didn't attend, it's nonetheless the position that you have an entry in
6 your diary for the 8th June 1988 and for ERDO, is that correct?
- 7 A There's an entry there to the effect that presumably there was to be a meeting
8 at 3 o'clock on that day but beyond that -- and as I said, I am fairly, I would
9 almost go on oath to say that in 1988 and 1989, I never attended an ERDO
12:47:43 10 meeting but I wouldn't go that far. All I can say is I am virtually certain of
11 it.
- 12 Q 290 In fact, we do have the attendances Mr. Redmond for the 8th June at the board
13 meeting and you do appear at the attendances of that meeting. It's at 1717.
14 You are not recorded as being in attendance in relation to that meeting.
- 12:48:03 15 A Is that a different meeting? Oh the last one you hadn't got an attendance.
- 16 Q 291 It's the 8th June. There isn't an attendance for the 6th May.
- 17 A Can I just see now, if you don't mind please. And there's no apology from me
18 either.
- 19 Q 292 So it would appear.
- 12:48:25 20 A I just want to see is the roads engineers there, is the manager, the county
21 manager. You see at that meeting you had John Prendergast who was a county
22 man, Kevin O'Donnell, Mr. McCarron and Mr. Keenan. There's adequate
23 representation from the council at that. That was the arrangement I had with
24 them. I didn't attend. Mr. Prendergast did because he had a planning function
12:48:52 25 and the chief engineer. I didn't.
- 26 Q 293 And you had no special relationship, I think you have told the Tribunal in your
27 statement, with Mr. Lawlor over and above any other member of the council?
- 28 A No, not really.
- 29 Q 294 Can you outline the circumstances in which Mr. Lawlor came to bring
12:49:08 30 Mr. Gilmartin in to meet you the first time?

12:49:14 1 A Well I have given it my statement.

2 Q 295 For you to give in evidence now?

3 A My free statement is that, I think it was in the fore noon, he brought this man

4 in to me, into my room and I see from the diary entry, I hadn't noticed the

12:49:35 5 diary entry in it, could we put up the diary entry, Ms. Dillon?

6 Q 296 If you just give your evidence, Mr. Redmond, and we'll deal with the diary

7 entry in a moment.

8

9 CHAIRMAN: Which diary entry are you talking about?

12:49:48 10 A It's a diary entry for that meeting.

11 Q 297 It's a diary entry for which Mr. Redmond says is the meeting, sir, and I am

12 going to be coming to, there's a number of diary entries in relation to this

13 and I will deal with them all in sequence.

14 A I want to deal with this one before.

12:50:04 15

16 CHAIRMAN: If you just for the moment give evidence as to what you remember

17 about the meeting and then we'll look at the diary.

18 A Right, your worship.

19

12:50:12 20 Anyway, he brought this man in to me and he introduced him as Mr. Gilmartin. I

21 had never met the man in my life. I had never heard of him in my life. My

22 recollection, it was only -- I had nobody else with me, I was just there on my

23 own and just the two of them and they sat down in front of my desk. It wasn't

24 a tea or biscuits affair or anything like that. My recollection is that

12:50:51 25 Mr. Lawlor gave me a pen picture of the man, who he was and that was simple

26 enough. His roots were in the northwest, I don't remember whether he was

27 specific about a county but anyway, and in the '50s, he had emigrated to

28 England and he had been very successful in business. And the business, I

29 understood, now there was never any mention of mechanical handling or anything,

12:51:27 30 he was simply described to me as a man who had a good, a very successful record

12:51:33 1 in business and particularly in relation to shopping centres, you know, the new
2 sort of development in England and that was the impression I got from him. And
3 then in addition to that, Mr. Lawlor also described him in a very general way.
4 He said this is the man who is involved in the development down in Bachelors
12:51:58 5 Walk, I presume he mentioned Arlington. He didn't go into any detail precisely
6 what Mr. Lawlor's role was. I took it to be -- the way I reacted to it, to
7 Mr. Gilmartin was that he was an affluent -- I presumed he was affluent -- that
8 he was over here, he was buying up Bachelors Walk. I didn't see him as acting
9 for an agent. I got the impression he was Bachelors Walk and Mr. Lawlor said
12:52:31 10 then and I would imagine that Mr. Gilmartin joined in that he had acquired some
11 sort of an interest or whether it was an interest in land or just a man's
12 interest in the normal sense in the lands adjoining the Lucan Road and he had
13 seen that the motorway was being constructed.
14
12:52:55 15 At this stage, I think we were still at earth works in the motorway, it was
16 fairly early and what he was saying is that there was some corporation lands
17 surplus to the land required for the road and he was interested in it,
18 Mr. Gilmartin, that is, was interested in acquiring this land in order to
19 provide access for a service area. That's a service area now, I don't know
12:53:22 20 whether we went into any deep description of that but I understood that to be
21 something like what you get on English motorways, you know, Forte places you
22 drive up and you drive down and you get your coffee and your tea and you fill
23 your petrol and things like that. That was the impression. And I had no
24 problem dealing with it because it had been a current topic between principally
12:53:49 25 between engineers and myself and the department, was there going to be service
26 areas and the decision and the clear decision at the time was that there would
27 not be anything until the motorway ring was fully complete and even then, there
28 wasn't anything because there was a frequency of intersections for getting off
29 for petrol. It wasn't like as if you had a run of 40 miles out in the
12:54:21 30 countryside and you had run out. It was different in Dublin, you know, seven

12:54:25 1 or eight miles.
2
3 Anyway, the decision had been made that we were not, and this was an
4 instruction from the department, that we were not to entertain any sort of
12:54:36 5 access provision of the motorway. And I explained, I remember explaining to
6 Mr. Gilmartin and Mr. Lawlor, if he needed the explanation, that these were not
7 county council roads, these were national roads and they were only in there as
8 an agent to build our section and to maintain our section and I told them that,
9 I told them, both of them, that there was no hope of access off the motorway or
12:55:14 10 an egress in whatever form it came up. And a few days after -- and they left
11 then.
12 Q 298 Just stay with that meeting now, Mr. Redmond, before we go on to any --
13 A I beg your pardon?
14 Q 299 Could we just stay with that meeting before we go on to what happened a few
12:55:36 15 days later. Can I ask you, first of all, the lands that Mr. Gilmartin was
16 talking about to you at this first meeting, could I have 4758 please, can you
17 identify which lands he was talking about, on this map.
18 A Ms. Dillon, I don't think he said too much myself at all. Mr. Gilmartin that
19 day, as I remember, he was fairly reserved. I think it was Lawlor mentioned
12:56:10 20 Bruton's by name.
21 Q 300 That would be the green lands at the junction?
22 A Yes.
23 Q 301 I thought you had said Mr. Gilmartin was expressing an interest in acquiring
24 the council lands adjoining the motorway?
12:56:23 25 A That's right.
26 Q 302 Now which are the council lands adjoining the motorway?
27 A The brown lands.
28 Q 303 They are the brown lands down the side?
29 A Yes.
12:56:33 30 Q 304 They run beside the motorway, isn't that correct, and they lead up to Bruton's

12:56:38 1 lands?

2 A They do indeed.

3 Q 305 And they back on to the blue lands which are the corporation lands?

4 A Yes.

12:56:43 5 Q 306 So was it your understanding then at the meeting that the lands that

6 Mr. Gilmartin was interested in acquiring were those lands belonging to the

7 council which adjoined the motorway?

8 A Yes.

9 Q 307 Right. And Mr. Gilmartin, I think you said, was introduced to you by somebody

12:57:01 10 with experience in shopping centres, that right?

11 A Can you repeat that question please.

12 Q 308 I think you have told the Tribunal that Mr. Gilmartin was introduced to you as

13 a person who had experience in shopping centres?

14 A Yes, I was given that -- that's my recollection, it's many years, 16 -- and

12:57:24 15 that's my recollection of it and incidentally, Miss Dillon, and for the

16 chairman, I would like to point out that the first that was made on Quarryvale

17 long before anyone else ever made a statement was made by me to the CAB

18 officers and in that day when I went in to make the statement, they put it to

19 me in the -- the papers are full of Quarryvale and I was name, they said what

12:57:49 20 do you know about Quarryvale and I gave them the statement but I also gave it

21 to him without having any papers or anything, I gave it clean out of my head

22 and that was my recollection then and this is the truth and I know it is the

23 truth: Yes, Ms. Dillon, sorry.

24 Q 309 I am going to show you your CAB statement, if you have no objection in relation

12:58:10 25 to that. There were two things that you knew at the conclusion of your meeting

26 before you dealt with the matter. One was that Mr. Gilmartin was involved in

27 shopping centres and the second is he wanted to buy council land?

28 A No, sorry, I think when we say when he was involved in shopping centres, that

29 was his past. His past was in shopping centres, that he had come over here

12:58:33 30 having made this pile and that he had experience. I took all this to be true.

12:58:40 1 I had no reason not to believe him. You know? But at the time what he was
2 looking for was a motorway access.

3 Q 310 Yes. And that was on county council lands.

4 A Yes, that's the only land I couldn't talk to him any anything else.

12:58:55 5 Q 311 Yes. So that and I think you said that Bruton's lands were also mentioned, is
6 that right?

7 A It's easy to say that, my feeling, I think Bruton's lands, it's the name that I
8 can remember from the past is Bruton's land. But I think it possibly was
9 mentioned by Mr. Lawlor. But presumably that's where he was going to put it.

12:59:23 10 Q 312 How did Mr. Lawlor contact you to arrange this meeting?

11 A I don't remember him contacting me at all. I remember him just coming in the
12 door with Mr. Gilmartin and that's why I asked you could I put up the entry.
13 What I think happened there and what I'm sure happened is the entry is made,
14 and I think in fairness to me you should put it up.

12:59:46 15 Q 313 Yes. If you go on. It's going to be put up in a moment.

16 A I have been asked to exercise my memory, thins thing only came in the door to
17 me in the cell a few days ago and at least, if there is any humanity in the
18 place, your worship, we should be allowed look at it.

19 Q 314 The diary entry is 433, it is of course it must be borne in mind Mr. Redmond's
13:00:13 20 diary.
21

22 CHAIRMAN: Perhaps it's just one o'clock, Mr. Redmond can have a look at them
23 over the lunch break.
24

13:00:20 25 MS. DILLON: The original diary is here with a member of the Criminal Assets
26 Bureau who has brought it down, we don't have the original of the diary.
27

28 CHAIRMAN: But the extracts are in his --
29

13:00:30 30 MS. DILLON: Mr. Redmond has all the extracts that are in the brief. In

13:00:34 1 fairness to Mr. Redmond, this extract was only circulated recently because on
2 the copy then available to the Tribunal, the entry in question was illegible
3 although Mr. Redmond may have had that, it wouldn't have been of assistance to
4 him until we got the better copy.

13:00:51 5 A That's what I was going to say, I perused my diary many many times or copies of
6 it because I haven't got it since it was cease seized, and I would never have,
7 didn't notice that. That diary entry there, to try read it, it says councillor
8 Lawlor on top.

9 Q 315 I think it says DEP on top, L Lawlor.

13:01:14 10 A From UK.

11 Q 316 It says Tom Gilmartin.

12 A Yeah, Palmerstown. That is that's not my writing, that's the writing of the
13 last secretary I had, a very very very good girl and obviously I wasn't there.
14 Normally I would take my own messages, put them through and entered whatever
13:01:32 15 had to be entered, and obviously I wasn't there and she entered that and what
16 she was implying, there, what she was saying is there, Mr. Lawlor has been in
17 or the phone, I presume he was on the phone, he is bringing in TP Gilmartin,
18 Palmerstown, he is from the UK. So presumably he was to come in, but I didn't
19 see that, I mean I had to work a lot of nights, meetings, you know, a lot of
13:01:59 20 nights and I used to take the odd, you know, late morning in the summertime and
21 it could have been something like -- anyway, Miss Dillon asked me when did I
22 first meet him, he came in the door with Mr. Gilmartin. That was the very
23 first I ever heard of this whole thing. That was the -- and what happened a
24 few days later --

13:02:24 25

26 CHAIRMAN: Yeah well, we can start --

27 A We can hold that.

28

29 CHAIRMAN: We can take up that at two o'clock

13:02:31 30 A Yeah. Just I beg your pardon your worship, I will be here all today and

13:02:36 1 tomorrow, is it?

2

3

CHAIRMAN: Well you will be here for most of today anyway.

4

13:02:40 5 MS. DILLON: Mr. Lawlor is specially fixed for tomorrow and that was done I

6 think in the presence of Mr. Lawlor's counsel, Mr. Lawlor was anxious that

7 Mr. Russell would be here. I flag merely that there may be a problem in

8 relation to Mr. Russell's attendance tomorrow, but I understand it the way the

9 list was fixed, Mr. Lawlor was specially fixed for tomorrow and I anticipate

13:03:00 10 being finished with Mr. Redmond today, but Mr. Redmond may not be finished as a

11 witness entirely, but he will then unfortunately have to go back to after

12 Mr. Lawlor.

13

14 CHAIRMAN: You won't be required tomorrow as a witness, do you follow?

13:03:13 15 A I'll be here, it's all right, your worship.

16

17 **THE TRIBUNAL THEN ADJOURNED FOR LUNCH AND RESUMED AS**

18 **FOLLOWS AT 2.00 P.M.:**

19

14:00:54 20 Q 317 MS. DILLON: Good afternoon, Mr. Redmond. Before I go back to deal with that

21 diary entry in relation to Mr. Gilmartin's meeting with you, can I draw to your

22 attention a letter of the 16th June 1988, page 1742 please.

23

24 This is a letter addressed to you from a senior administrative officer in

14:07:21 25 Dublin County Council in the planning department in connection with a letter of

26 objection submitted by Mason Owens and Lyons on behalf of Montrose Holdings,

27 who were objecting to the proposed shopping development at Cooldrinagh. And

28 then the letter which has been forwarded by Deputy MJ Cosgrave has been

29 acknowledged and is being treated as a formal objection in respect of the

14:07:41 30 current planning application.

14:07:42 1
2 I am forwarding a copy of the letter for your information in view of comments
3 in relation to the development of the Clondalkin town centre."
4

14:07:51 5 Now, first of all insofar as the Clondalkin town centre is concerned, what
6 information did you have about the Clondalkin town centre?
7 A Well that, that would have alerted me to the fact that there was a planning
8 application and this is an objection to it. Beyond that --
9 Q 318 Yes. You had no planning functions in 1988?

14:08:21 10 A No, no.
11 Q 319 So would it have been an unusual feature that a letter such as this was being
12 sent to you, Mr. Redmond?
13 A It's for your information.
14 Q 320 Hmm. In view of comments, presumably your comments, Mr. Redmond, in relation
15 to the development of the Clondalkin town centre.
16 A Now the Clondalkin town centre, I take it, is the Balgaddy site?

17 Q 321 I'm afraid I don't know, Mr. Redmond. If we just look at the documents, you
18 are being sent information in relation to Cooldrinagh, and it's being forwarded
19 to you in view of comments in relation to the development of the Clondalkin
20 town centre. You had no planning functions at that time, I think you have told
21 the Tribunal.
22 A Oh the Cooldrinagh, yes, that's -- they have objected to the Cooldrinagh centre
23 and they have sent it -- I would just pass it on to the roads and sanitary
24 services, I don't know --

14:09:14 25 Q 322 But can you explain to the Tribunal why a senior administrative officer would
26 have gone to the trouble of furnishing you with that planning information at a
27 time when you weren't the planning manager?
28 A What he would have supplied to me.
29 Q 323 Yes.
14:09:30 30 A I mean I, I don't know. I don't know. Unless it was a major planning

14:09:35 1 application.

2 Q 324 The letter of the 24th --

3 A Well I mean, it may relate to comments in the objection, I don't know. It

4 doesn't mean anything to me, Miss Dillon, at this juncture, absolutely nothing.

14:09:57 5 I would have passed it on to the development department or somebody less.

6 Q 325 For what purpose?

7 A To retain on their file.

8 Q 326 I see. The letter in question is a letter dated the 24th May 1988 from Mason

9 Owens and Lyons, page 1675. And you will see this letter is headed

14:10:19 10 "Clondalkin/Lucan town centre and Cooldrinagh, proposed planning material

11 contravention for O'Callaghan Properties."

12

13 Do you see that letter? And Mason Owens and Lyons, Mr. Redmond, as you know,

14 acted on behalf of Merrygrove who were purchasing or had agreed to purchase the

14:10:43 15 Clondalkin town centre from Dublin Corporation.

16 A I have no interest, the only interesting thing I see in it, "you will be

17 aware", he is saying this to MJ Cosgrave, "you will be aware if a scheme of

18 this nature, that's Cooldrinagh, takes place outside the area zoned in the

19 County Development Plan, then the Clondalkin/Lucan may never happen." That's

14:11:07 20 all.

21 Q 327 Yes but the point --

22 A But Ms. Dillon, I can't offer you any light on the subject.

23 Q 328 Is it an unusual thing to have happened that planning information such as this

24 sort would have been forwarded to you by an officer in the department?

14:11:21 25 A I wouldn't describe it as planning information, it's simply a notification that

26 there has been an appeal, which would be dealt with exclusively by the planning

27 department.

28 Q 329 I see. And can you think of any reason why anybody would have considered it

29 that that was information that you as the non-planning manager should have?

14:11:40 30 A Can I think of any reason?

- 14:11:42 1 Q 330 Hmm?
- 2 A Well I wouldn't retain it, it would be a matter for me to transfer that
- 3 information to the roads department and to the sanitary services department,
- 4 who would have some input into the planning application.
- 14:11:54 5 Q 331 But you would have had no input into the planning application?
- 6 A No.
- 7 Q 332 If we go back then to the diary entry --
- 8 A Excuse me, before we go off on this tack, where I finished just before lunch, I
- 9 was dealing with my first meeting and I didn't think I had finished with that.
- 14:12:12 10 Q 333 If you had permitted me to finish, Mr. Redmond, what I was saying to you was,
- 11 now we will go back to the meeting that's recorded in your diary for the 28th
- 12 June 1988 in relation to Mr. Gilmartin?
- 13 A We are going back to that?
- 14 Q 334 Yes.
- 14:12:25 15 A Yes, that's satisfactory from my point of view.
- 16 Q 335 Now, at 4833, there's an entry in your diary that's not in your handwriting as
- 17 we had seen before lunch in relation to Deputy Liam Lawlor, Tom Gilmartin from
- 18 UK re Palmerstown. Do you say that a meeting occurred on that date, the 28th
- 19 June?
- 14:12:43 20 A I think it is, I think we must regard that as being the most likely -- it is
- 21 the date I'm sure.
- 22 Q 336 Do you regard it --
- 23 A I am sure.
- 24 Q 337 Not we, Mr. Redmond.
- 14:13:00 25 A Well let me, then, I'm sure that that is the meeting which Mr. Gilmartin refers
- 26 to in his letter dated the 6th July which reads, and it's number 1774 and, your
- 27 worships, in particularly, Judge Faherty, I think one would have to describe
- 28 this letter as a salutation. It's the sort of letter that a person writes when
- 29 they have had a meeting and I go on to say.
- 14:13:32 30 Q 338 We are going to deal with that letter?

14:13:34 1 A I am answering your question, Miss Dillon the position is --

2 Q 339 Mr. Redmond, it's easier if you allow me to put the documents up in an orderly

3 fashion, the next document we will deal with is the letter to which you refer.

4 Before we come to deal with that letter, there are a number of things that I

14:13:49 5 want to put to you about the first meeting that other people have said. Now.

6

7 Was there any meeting with Mr. Redmond and Mr. Lawlor prior to this meeting on

8 the 28th June?

9 A Most certainly not.

14:14:03 10 Q 340 At this meeting on the 28th June, did Mr. Lawlor discuss the sum of 100,000

11 pounds in any way?

12 A I never heard Mr. Lawlor discussing anything of that nature.

13 Q 341 Did you produce a map for Mr. Gilmartin at this or any other meeting?

14 A I most certainly did not.

14:14:21 15 Q 342 Now, Mr. Gilmartin has told the Tribunal that he had a meeting with you, at

16 which he dates at being in May of 1988, and I think the position is until this

17 diary entry was discovered, Mr. Redmond, it was your belief that the first

18 diary entry was an entry on the 28th July, is that correct?

19 A The position, Miss Dillon, is we have to go back to the two first statements.

14:14:51 20 Now, remember, my statement was made in 1999, February '99 while I'm in police

21 custody, when I have nothing to rely on and in that I stated it was in the

22 middle of the year. I didn't know of the existence of these papers. Never

23 knew they existed until a few months ago. That's number one.

24

14:15:14 25 Number two, Mr. Gilmartin's statement, if you read his statement, which he may

26 have made with consultation as he had with Mr. McLoone, what he says that he

27 had this barn-storming meeting in England with Arlington, which was I think he

28 put somewhere about mid-July, without being firm on the date. And he said it

29 was a week after that that he was picked up at the airport by Mr. Lawlor and

14:15:45 30 brought him to me.

- 14:15:46 1 Q 343 I think --
- 2 A It would have been inconceivable for me to have met him at that time.
- 3 Q 344 I think in fairness to Mr. Gilmartin, what he actually said was that as you
- 4 describe it the barn-storming meeting with Arlington happened in May of 1988
- 14:16:01 5 after he had a meeting with Mr. Lawlor in the Deadman's Inn and that as best he
- 6 recalls, day 457 please. Question 255, he dates the first meeting with you
- 7 as being May of 1988.
- 8 A Now, I can assure the Tribunal that that is not so.
- 9 Q 345 It is simply that you misquoted Mr. Gilmartin's evidence a moment ago by
- 10 stating that he dated the Arlington meeting to July of '88, and in fairness to
- 11 Mr. Gilmartin, I simply want to put --
- 12 A I didn't -- sorry Miss Dillon, said no such thing. What I said was in his
- 13 first written statement to the Tribunal, he referred to the Arlington meeting
- 14 which was gatecrashed and he said it was a week after that, that Mr. Lawlor
- 14:16:53 15 picked him up at the airport and brought him in to me. What I'm saying, your
- 16 witness, is that meeting never took place.
- 17 Q 346 There was a meeting in May of '88?
- 18 A There was no meeting. The first meeting, Miss Dillon that I recall and it's
- 19 crystal clear in my mind, the first meeting was an access for a service area
- 14:17:13 20 and I have absolutely no doubt about that.
- 21 Q 347 And that is the meeting at 4833 on the 28th June 1988?
- 22 A That was confirmed by Mr. Gilmartin himself as being a meeting relating to a
- 23 service area.
- 24 Q 348 And that is the one that is followed by the letter of the 6th July of 1988 at
- 14:17:32 25 1774?
- 26 A Are you putting that up?
- 27 Q 349 It's coming up now.
- 28 A Yes, thank you very much.
- 29 Q 350 Now that is a letter addressed to you at Dublin County Council and that's where
- 14:17:43 30 your offices were?

14:17:44 1 A Exactly. Everything is in order.

2 Q 351 And it says re: motorway facilities: "I was very pleased to have the
3 opportunity of meeting you and I would like to thank you for your advice and
4 assistance".

14:17:54 5 A Your worship, could I read the letter please.

6 Q 352 I want to ask questions.

7

8 CHAIRMAN: Just to be read into the record. You can certainly read it if you
9 wish.

14:18:02 10

11 Q 353 MS. DILLON: Do you want a copy of the letter to read to yourself? Or do you
12 want to read the letter?

13 A It's so important I brought it with me in my pocket.

14

14:18:10 15 CHAIRMAN: Then if you just read it, Ms. Dillon will hold back for a couple of
16 minutes while you read it. You go ahead and read it.

17

18 CHAIRMAN:

19 A You want me to read it silently?

14:18:20 20

21 CHAIRMAN: Do you wish to read it --

22

23 MS. DILLON: He wishes to read it into the record.

24 A What I'd like to do, if it's possible, I would like to read it and make
14:18:31 25 comments on it as I go along, is that all right?

26

27 CHAIRMAN: All right. Well do it like that.

28 A First thing it's dated, it follows closely after the meeting on the, the
29 reputed meeting on the 28th. Incidentally, I at the time now, you know, I knew
14:18:49 30 he was coming from the UK but I wasn't certain as to where he was residing.

14:18:54 1 You know, obviously he was back -- so in my time. And the first thing I do
2 feel, I was very pleased to have the opportunity of meeting you and I would
3 like to thank you for your advice and assistance. That's a letter of
4 salutation, your worship, I have no doubt about it. That's the way. I mean,
14:19:12 5 when you have a meeting with somebody and you thank them, that's not the way
6 you write after a second meeting.
7
8 "I have", now remember what has happened, I have told him that there's a
9 diriment impediment to anyone coming off the motorway. I was pleasant with him
14:19:31 10 but I think he understood. He goes on to say, "I have instructed the
11 consulting engineers to liaise with the UK road engineering experts, that I
12 have retained for advice regarding the provision of motorway facilities with
13 particular emphasis on complying with safety and international road engineering
14 standards.
14:19:48 15
16 We are compelling a selection of serial -- and aerial and photographic views to
17 outline specific examples of the appropriate entrance and exit designs. The
18 construction engineers will prepare a sketch layout showing our suggestion for
19 consideration by yourself and your road engineering colleagues in the council
14:20:07 20 to further the exploratory discussions.
21
22 We fully accept and note the point raised that your council acts as an agent
23 for the Department of the Environment, roads division on overseeing the
24 construction of the motorway and national primary road schemes. We believe if
14:20:22 25 agreement can be reached, that our proposal for a business park and motorway
26 service at the Palmerstown/Rowlagh location would bring much needed investment
27 to the area.
28
29 We hope to be in a position to seek a further meeting with yourself and your
14:20:40 30 colleagues in the roads department, to discuss our proposal further. I will

14:20:45 1 contact your secretary in due course to arrange a date and time suitable for
2 your itinerary the only thing I will say he wasn't put off by my first meeting,
3 but it's quite clear that there's no mention of shopping or anything else and
4 my understanding, and it wasn't an unreasonable thing for somebody to come in,
14:21:01 5 I may have say they are chancing their arm to a degree, but service stations
6 did exist and someone had to ask the question and he asked if it and I gave him
7 the answer.

8
9 Now my reaction to that letter I think is important. Because it wouldn't have
14:21:17 10 gone to me, that's the first thing, all correspondence just went to the heads
11 of departments, and if he thought there was anything special in it, he would
12 bring it down to me. Now in normal circumstances, perhaps a postcard would
13 have done that but he brought the letter down to me and his name is Michael
14 Hartnett, he was the principal officer and a very good principal officer of
14:21:39 15 that department, and he showed me the letter and my reaction to that, your
16 worship, was we have to copperfasten this now, this fella, you know, we have to
17 nail him down and tell him exactly he can't get off the motorway. And I
18 directed Mr. Hartnett to reply on that basis and I told him also that he had
19 been brought in by Councillor Lawlor and the letter speaks for itself.

14:22:08 20 Q 354 Before you go on to that letter, there are questions I have to put to you in
21 relation to the letter that's on screen. In the first place, the position as
22 you have outlined to the Tribunal, did Mr. Lawlor know there were difficulties
23 about what Mr. Redmond wanted to do?

24 A About what Mr. Gilmartin wanted to do.

14:22:25 25 Q 355 Did Mr. Lawlor know there were difficulties in relation to access off the
26 motorway that you have just outlined?

27 A Well would he know? He wouldn't have been at any of the meetings in the
28 department but he would have heard -- before he came in, Miss Dillon, he
29 probably would not, or maybe he might have had uncertainty but having heard me
14:22:49 30 set out the council's policy and the department's policy, I don't think he

14:22:53 1 would have any illusions about how matters stood.

2 Q 356 Yes, and I want to draw to your attention what you said in your statement dated

3 20th January 2004, page 1068. In relation to the first meeting that took place

4 between yourself, Mr. Lawlor and Mr. Gilmartin, you say just where it says

14:23:13 5 paragraph 1, the second last paragraph, "I informed the both of them that I

6 would give them a firm answer to their inquiry. I explained to Mr. Gilmartin

7 (Mr. Lawlor knew the position) that the motorway was not a council road, that

8 it was part of the national primary roads system, under the control of the

9 Minister for the Environment, that the county council was merely the agent of

14:23:31 10 the minister in regard to the construction of the road and its

11 maintenance".

12

13 Did you mean to infer to the Tribunal when you prepared that statement, that

14 Mr. Lawlor, prior to you giving the advice that you gave at the meeting,

14:23:41 15 already knew the position?

16 A Well, I mean he knew the rules about motorways. Beyond that I wouldn't say

17 much. I don't know how much he knew.

18 Q 357 Well you stated there what Mr. Lawlor knew?

19 A You say that, he knew the position. He knew that we weren't allowing access

14:23:59 20 off the motorway. I presume everybody knew that. Sure if you read the act,

21 you see there's a provision against entry. It's not, you know, motorways are

22 motorways.

23 Q 358 And you see there where you are setting out in your statement what was

24 discussed and you are stating that Mr. Lawlor knew the position, the things

14:24:14 25 that you say Mr. Lawlor knew was that the motorway knew, was not a council

26 road, it was part of the national roads system under the control of the

27 Minister for the Environment, that the county council was merely the agent of

28 the minister in regard to the construction of the road and its maintenance,

29 that the department of environment had already considered the question of

14:24:32 30 service centres along the motorway in consultation with council engineers, and

14:24:35 1 had decided there should be none on the ground that the distances between the
2 interchanges on the motorways was relatively short. As far as I was concerned
3 the Department of the Environment decision was final."
4

14:24:47 5 So you are telling the Tribunal in that statement that it was your belief that
6 Mr. Lawlor knew all of those matters?

7 A No, I am not telling you it's my belief. What I'm saying is that I would
8 expect him to have known what's in the first paragraph.

9 Q 359 I see.

14:25:04 10 A I would expect him to have known that from his own experience and I would say
11 in relation to the second paragraph, that he would probably have known it.

12 Q 360 I see. So if Mr. Lawlor had known all of that then surely the place that
13 Mr. Lawlor should have been bringing Mr. Gilmartin, if Mr. Gilmartin's sole
14 concern was the service way of the motorway was into the Department of the
14:25:24 15 Environment to talk to them, because they according to your note, that's on
16 screen, were the people who had the decision-making powers, is that right?

17 A That is not true. The act of consideration of that section of the motorway,
18 was in the hands of the county council. And the appropriate line would have
19 been to the council first and then to the department. A good example of that
14:25:49 20 is the toll bridge because they went to the department but it had to come
21 through the council to the department.

22 Q 361 If I could have page 1068 on screen beside 1069, and we just see where you
23 state that it's under the control of the council, Mr. Redmond, in your
24 statement, because what you say is in giving the information that you provided
14:26:09 25 to the Mr. Gilmartin in relation to this issue of service stations you say:

26
27 "I explained to Mr. Gilmartin", 1068 please. "I explained to Mr. Gilmartin
28 Mr. Lawlor knew the position that the note motorway was not a council road."
29

14:26:22 30 Okay? "That it was part of the national primary roads system under the control

14:26:27 1 of the Minister for the Environment. That the county council was merely the
2 agent of the minister in regard to the construction of the road and its
3 maintenance. That the Department of the Environment had already considered the
4 question of service centres along the motorway in consultation with council
14:26:44 5 engineers, and had decided there should be none, on the grounds that the
6 distances between the interchanges was, in motorway terms, relatively short.
7 As far as I was concerned -- that's yourself -- the Department of the
8 Environment decision was final". And then you state " having heard what was
9 the official position they both withdrew and as far as I am aware the matter
14:27:09 10 was not raised again."

11
12 Now, insofar as that is concerned, what I want to ask you is this: If
13 Mr. Lawlor knew what the position as you have stated in your statement, why was
14 this query in relation to the roads and access off the motorway being addressed
14:27:21 15 to you, as opposed to the Department of the Environment?

16 A Do you not recall what he came in about?

17 Q 362 He came about buying council lands, you have told us, Mr. Redmond.

18 A To get on and off. It's not just, it's where do you go? He came in about two
19 things really, the question of getting council land and using it for an access.

14:27:44 20 Q 363 Yes. So --

21 A So far as the information -- the first part of that information about roads
22 generally, any knowing councillors, many of them were not knowing, but any
23 knowing councillor would know that insofar as you know the council engineers
24 and the department engineers agree that there were, you know, nothing would
14:28:05 25 happen until it finished. I don't know whether that was broadcast. But the
26 position is when Mr. Gilmartin came in, he was looking for -- would the council
27 dispose of some land and secondly, having disposed of it, would it agree to it
28 being used for --

29 Q 364 If we can have page 1774 back on screen again please. As you say in this
14:28:32 30 salutation from Mr. Gilmartin he refers to the two things, he says:

14:28:35 1
2 "I was very pleased to have the opportunity of meeting you and I would like to
3 thank you, one for your advice and two, for your assistance."
4 I want you outline first to the Tribunal A what advice you gave him and B what
14:28:50 5 assistance you gave him?
6 A I advised him to forget about access off the motorway.
7 Q 365 I see. In other words, you put a complete end to Mr. Gilmartin's plans when he
8 came in in to as far as what you had to tell him and he then writes a letter to
9 you in which he thanks you for your assistance?
14:29:06 10 A That's it. It's a courteous letter.
11 Q 366 I see. Thank you.
12
13 If I can move on then to deal, you confirm that the person who brought in
14 Mr. Gilmartin was Mr. Lawlor and as far as you were aware up until the
14:29:20 15 discovery of the recent documentation, there was no notation in relation to the
16 date of that meeting
17 A There was no what?
18 Q 367 Entry in your diary in relation to the date of that meeting?
19 A Well apart from the one my secretary made.
14:29:29 20 Q 368 Yes. I'm saying until that was discovered, you had thought it was a later
21 date, isn't that correct?
22 A I didn't know the precise date, I didn't know these papers existed but I mean
23 it's a clear as daylight that it was the 28th, that the typist entered it in
24 and I came in, possibly before I even opened my diary, the two of them were in
14:29:53 25 my room.
26 Q 369 Because you state again in your statement to the Tribunal on the 20th January
27 2004 at page 1068 that the meeting was not pre-arranged, if it had been, there
28 would have been a note in my 1988 diary, there is no note, although in fairness
29 to you Mr. Redmond, it must be said, that from the copies of your diary that
14:30:12 30 was available, that note was not legible?

14:30:14 1 A Well I'm very glad you are in fairness to me Miss Dillon, certainly I didn't
2 write -- now, first of all you have got to remember when I made my statement, I
3 made it without the benefit of documentation but I mean I didn't know it was in
4 the diary. Actually, I didn't know until I saw it the other day. I didn't
14:30:32 5 notice it. Because her handwriting, well it's quite different to my own and I
6 didn't identify Gilmartin but the -- I have absolutely no doubt that was the
7 first meeting. None.

8 Q 370 And there was a reply to that letter on the 28th of July, 1988, 1795.

9 A Yes, I have it in front of me.

14:30:55 10 Q 371 Did your secretary arrange the meeting?

11 A Did I what?

12 Q 372 Did your secretary arrange the meeting on the 28th June?

13 A Did I, sorry, I'm not hearing you.

14 Q 373 The meeting in your diary on the 28th June, Mr. Redmond, where the entries made
14:31:15 15 by your secretary, you obviously would have been expecting them, is that right?

16 A No, I do recall -- I certainly recall, you know, I was a bit annoyed, they came
17 in out of the blue. But the man had come over from England and that was it. I
18 went through it. But there was no -- as I said, I didn't normally if one came
19 in or somebody came from abroad, I would try and have a cup of tea or
14:31:43 20 something, it was nothing like that. It was a very brisk meeting, possibly no
21 longer than ten minutes and I had -- I remember the man physically that day.

22 Q 374 And this letter then that you directed would be written as a result of the
23 earlier letter to you, is dated the 28th July 1988.

24 A Yes.

14:32:03 25 Q 375 And there is also an entry in your diary for that date at 1794 please. You see
26 at the top of your diary and you will recollect, Mr. Gilmartin, when you gave
27 evidence, I beg your pardon, Mr. Redmond, on day 153, the 18th May 2000, you
28 confirmed that that was the Mr. Gilmartin although you thought on that occasion
29 you had misspelt the name.

14:32:36 30 A That's true. I don't know what it means. The misspelling is of no

14:32:43 1 significance, you know I just misspelled it, but it's significance in relation
2 to the letter, I don't know unless I gave him a call and said look, come down
3 and show me that reply you have for Gilmartin. Beyond that, I couldn't go, Ms.
4 Dillon.

14:33:00 5 Q 376 Do you not think if it's an entry in your diary that it more than likely
6 denotes an a meeting with Mr. Gilmartin?

7 A No.

8 Q 377 Sorry is the purpose of your diary other purpose other than recording meetings?

9 A Aide memoir, every directions, normally if there's a meeting, it would be
14:33:22 10 clearly opposite a date, but I have certainly no recollection of meeting him
11 around that time and I don't think, it may be coincidental that it refers to
12 the date of the letter, as you say, I didn't sign the letter, it may have been
13 given to me for perusal or I may have asked to bring it down to let me see it
14 but beyond that, I'm certain there wasn't a meeting.

14:33:46 15 Q 378 Because in your previous discussions in relation to this diary entry before the
16 earlier entry was discovered, you had thought, did you not, that this referred
17 to your first meeting with Mr. Gilmartin?

18 A Yes but at that time I might have, 28th July, I had none of the other
19 documents. I mean it was 16 years after the event, the only thing, Miss
14:34:09 20 Dillon, which I'm certain and I am positively certain of, the first meeting was
21 unarranged and Councillor Lawlor and our friend came in the door. That's the
22 first thing.

23
24 I remember the man and I remember the description Mr. Lawlor gave of him and
14:34:31 25 the impression I got was that he was a very experienced developer of some
26 affluence. I do then remember that what the -- and I'm using the expression
27 "They" what they showed interest in at that time was the council lands in order
28 to get access from the motorway and on to the motorway for a service station.

29
14:34:53 30 Now, that's the truth and I have no absolutely no, whatever about other vague

- 14:35:03 1 entries, I can't say anything, but this one is copper fastened and I can say
2 that and I will continue to say it.
- 3 Q 379 I obviously didn't make myself clear in the question that I asked you which is
4 the following: Up until the time the entry for the 28th June 1988 in your
14:35:21 5 diary was discovered in the last fortnight did you believe, that this entry on
6 the 28th July referred to your first meeting with Mr. Gilmartin?
7 A No, I don't think it did. I'm sure it didn't.
- 8 Q 380 That it was never your position that that referred, that entry referred to a
9 meeting with Mr. Gilmartin?
14:35:41 10 A No, I knew my first -- no, I'm sure it didn't.
- 11 Q 381 Were you aware that the date of the first -- the date of the meeting of the
12 28th June was the date of one of the -- I'll leave that separate matter for
13 Mr. Lawlor.
14
- 14:35:56 15
- 16 A I take whatever you have.
- 17 Q 382 That on both of those dates, the 28th of June and on the 28th of July -- sorry,
18 they are really matters for Mr. Lawlor, so I leave them for Mr. Lawlor.
19
- 14:36:15 20 In relation to your answer through Mr. Hartnett to Mr. Gilmartin at 1795. You
21 note Mr. Gilmartin is spelt correctly and obviously you would have had
22 available to you Mr. Redmond, Mr. Gilmartin's own letter to you, is that
23 right, the earlier letter?
24 A Oh yeah, yeah, I would have had it, yes, known the correct spelling. I mean I
14:36:45 25 never -- I don't think I had any doubt about what was Gilmartin, I don't know
26 how the K came in.
- 27 Q 383 Are you satisfied that the entry for the 28th of July does not relate to a
28 meeting?
29 A Does not refer to a meeting?
- 14:36:59 30 Q 384 Between yourself and Mr. Gilmartin?

14:37:01 1 A Yes, Indeed I am.

2 Q 385 At 1795 there's a letter addressed to Mr. Gilmartin and it is "I am directed to
3 acknowledge receipt of your letter dated 6th July 1988, and in reply I wish to
4 reiterate the council's position as stated to you and at the recent meeting
14:37:15 5 with yourself and Deputy Liam Lawlor who organised the meeting. At the present
6 time there are no motorways in Dublin, it is a fact that two sections of the
7 Dublin ring motorway are under construction and it is expected that both
8 sections should be opened to traffic, open for traffic within about two and a
9 half years from now. It is accepted that as the motorway system in County
14:37:33 10 Dublin is developed, there will be a need to consider the provision of service
11 facilities. However this matter is being considered by the technical staff at
12 Dublin County Council in the Department of the Environment. And it is the
13 considered view that it would be premature to make decisions now with respect
14 to any particular area until an overall policy for the motorway ring has been
14:37:51 15 determined. This is the official position and this applies to all elements of
16 the motorway, including slip ways. You should bare the foregoing in mind in
17 relation to any plans or projects you have in mind or land in areas contiguous
18 to the motorway."
19

14:38:06 20 Now, can I draw your attention to the last sentence there in relation to that
21 letter. You are talking about "Any plans for projects Mr. Gilmartin has in
22 mind for land in areas contiguous to the motorway." Were you limiting that to
23 service facilities, or motorway facilities or were you talking any plans?

24 A It was Mr. Hartnett wrote the letter and I presume he meant to relate to any
14:38:32 25 land.

26 Q 386 To any plan?

27 A To any plans or land. The only thing that Mr. Gilmartin mentioned to me and
28 Mr. Lawlor also mentioned it was a service area. You must remember, Ms.
29 Dillon, I had never met the man in my life before. I had never heard of him
14:38:52 30 before. Obviously he had some dealings with Dublin Corporation and the chief

14:38:56 1 valuer but as far as I was concerned, he was from out of the blue. I never
2 heard of him. Never heard of -- well we couldn't call it Quarryvale at that
3 stage, but we never heard of anything, shopping or anything. First thing I
4 heard of shopping was in September when I went down to the department.

14:39:14 5 Q 387 Right. That's on the 21st September, now we are coming to deal with that. Can
6 I draw to your attention in fairness to yourself, in case you want to correct
7 anything you said, 10547 which is one of your earlier statements, you set out
8 your first recollection of this meeting and you say:

9
14:39:36 10 "In early 1988 to the best of my recall, Councillor Liam Lawlor brought Tom
11 Gilmartin to my office in O'Connell Street when I was assistant county manager.
12 Lawlor introduced Gilmartin as one having extensive UK development expertise.
13 He was anxious to become involved in development in Dublin city and county. He
14 was exploring redevelopment possibilities along the north quays and had
15 acquired an interest in some lands at the junction of the Lucan Road and the
16 western motorway."

17
18 Now, were you told at that meeting that Mr. Gilmartin had acquired an interest
19 in some lands at the junction of the Lucan Road and the western motorway?

14:40:14 20 A I think I said it to you before, I think the name Bruton came up but to who
21 extent his interest was, or whether we were looking at it or talking to him, I
22 couldn't say.

23 Q 388 Yes, then you go on to say "Were Gilmartin had in mind the construction of a
24 service centre on these lands and the purpose of the visit was to see if the
14:40:37 25 County Council would consider selling him his lands in the vicinity in order to
26 give access to the motorway."

27
28 So the purpose of the visit that you state on the 25th March 1999, when you
29 make this statement was to see if the council would consider selling him the
14:40:50 30 land in the vicinity. That was the purpose of the visit, as you recollected

14:40:54 1 it.

2 A That was the purpose, not as I recollect it. That was the purpose.

3 Q 389 That Mr. Gilmartin was interested in buying land? From the council?

4 A Well he was interested, the first of all he was interested in was the land

14:41:07 5 available and then I suppose that was dependent on well, if it is available,

6 can I put an access on it and an egress, on it.

7 Q 390 And if your statement is correct, you had been told at that meeting that he had

8 already acquired an interest in some other lands that were not the council

9 lands?

14:41:25 10 A Oh, I told you there Miss Dillon that I have to -- he was saying it, it may

11 have been Mr. Lawlor who mentioned it, Bruton's land, my only recollection is

12 Bruton's land was the only land I had ever heard of there, and in any event the

13 council had acquired a scalp for it for the road. But beyond that, the

14 extent -- he had no interest at that stage, he may have so far as I know, when

14:41:51 15 you look at the record but -- that's all I can remember, the reference to

16 Bruton's, I think beyond that, I didn't go into it, I mean the proposal was out

17 the door so I didn't have to go into it.

18 Q 391 And at 1846 you say the next time you recollect Mr. Gilmartin's land or his

19 plans being discussed was at a meeting between some of the Dublin managers and

14:42:18 20 some government ministers at the Department of the Taoiseach.

21 A Not Mr. Gilmartin's lands, he didn't have any lands.

22 Q 392 At the Irishtown lands.

23 A I think you have got to remember that all the time we were speaking about

24 Mr. Gilmartin at this stage. He had this idea but didn't have any lands. I

14:42:37 25 mean, now he is going around with an idea, he had no lands, there's no --

26 Q 393 If we just try and establish the date of the meeting first. Do you agree,

27 Mr. Redmond, that the meeting between some members of the government, the

28 Taoiseach and Mr. Feeley and some of his managers took place on the 21st

29 September 1988 at the Department of the An Taoiseach?

14:42:57 30 A The position, Ms. Dillon, I remember clearly is that there were ten people at

14:43:01 1 that meeting as far as I recall, if you leave out nine -- well if you include
2 Mr. McSharry, including the Taoiseach and city manager. I didn't -- I didn't
3 take a note of it, Miss Dillon, at the time, and that was what was in my diary,
4 so I'm assuming that was the dated. I don't know whether any of the -- I mean
14:43:21 5 I don't know what you have got statements for. My statement seems to be coming
6 in for a lot of lambasting, but my statement was entirely from recollection.

7 Q 394 Mr. Redmond the question was did you agree that a meeting took place on the
8 21st September, you haven't answered the question, I'm now shown of a
9 photograph of, apparently taken when you left the meeting, which is from the
14:43:45 10 Evening Herald dated 21st September 1988, and can you confirm that that is a
11 record of you leaving a meeting that took place on the 21st September 1988?

12 A I didn't know about that, that's okay.

13 Q 395 Do you now agree, notwithstanding your diary entry a meeting took place on the
14 21st September 1988, that meeting took place in the office of An Taoiseach.
14:44:07 15 It was attended by some government minister and by some managers from the local
16 authority?

17 A Is the right date in my diary, it is?

18 Q 396 Yes, it is.

19 A At the time I made my statement, I didn't know what the date was.

14:44:19 20 Q 397 There you will see the entry in your diary, Taoiseach, department, 10 and if we
21 go back to the other document at 4434, which is the photograph of you leaving
22 the meeting, do you now agree that the meeting took place on the 21st
23 September 1988?

24 A I am not disagreeing.

14:44:37 25 Q 398 Now in relation to the people you say were at the meeting Mr. Redmond, could we
26 have 1048 please. This is a statement you made to the Criminal Assets Bureau
27 on the 25th March 1999, and I want to draw to your attention to the centre of
28 the page dealing with this meeting commencing with the words "Later in 1988".
29 "The city and county manager, Mr. Frank Feeley was summoned to a meeting in
14:45:08 30 government buildings."

14:45:08 1 A Excuse me, your worship, just one point on this.

2 Q 399 If you have a problem with the statement, we'll take it off.

3 A I do, I have some problem. I'll just tell the chairman and he can adjudicate

4 on it and he can be fair on it. I made a very full statement to the Tribunal,

14:45:29 5 your worship, this is a separate statement which was made for a particular

6 purpose to CAB officers who were my income tax inspectors.

7

8 It was made in the certain special circumstances which are the subject of some

9 of the appeal items in my appeal. The judges, the six who have heard it

14:45:51 10 already don't think there's any need to rely on it, that they have sufficient

11 to make a judgment. But I don't see why this statement is being read as

12 against the one I have made to the Tribunal.

13

14 CHAIRMAN: Well it's just, it's only being referred to in the context of the

14:46:12 15 issues that are being dealt with at the moment. It's not being referred to

16 insofar as it might have anything to do with --

17 A Your worship, I have a very full statement made to your good selves.

18

19 CHAIRMAN: We can make reference to that as well but obviously if there's

14:46:29 20 information contained in that statement that it should be opened.

21

22 MR. REDMOND: Well ok, fair enough.

23

24 JUDGE FAHERTY: Statements of other witnesses made for example to the Fianna Fail

14:46:36 25 inquiry, not necessarily to the Tribunal were put to other witnesses.

26 A Sorry?

27

28 JUDGE FAHERTY: I'm just saying to you your inquiry about this statement to

29 CAB, but other witnesses have been in the witness-box have been questioned by

14:46:48 30 Tribunal counsel about statements they have made to other bodies, for example

14:46:52 1 the Fianna Fail inquiry which was I think 1998.

2 A Yes, I have no objection, your worship, the only thing is that the existence of

3 this statement forms part of the appeal.

4

14:47:04 5 CHAIRMAN: Yes, but we are not referring to --

6

7 JUDGE FAHERTY: We are going to be careful there.

8 A Okay, all right.

9

14:47:10 10 Q 400 MS. DILLON: Could I have page 4108 please. This is a statement you made to

11 the Tribunal on the 4th March 2004, Mr. Redmond.

12 A Yes.

13 Q 401 I want to draw to your attention in relation to this meeting a number of

14 features but the first matter that I want to draw to your attention which is

14:47:27 15 the matter that was also contained in the earlier statement are the attendees?

16 A Yes.

17 Q 402 You say the following represented the government "Charles Haughey, Albert

18 Reynolds, finance, Ray Burke, Mr. Bertie Ahern, Pdraig Flynn. My recollection

19 is that Mr. Ray, it should be McSharry and it's McCarthy came into the room".

14:47:47 20 A This is the first meeting.

21 Q 403 "I have no real recollection of sitting at the table and getting involved with

22 the meeting discussion, he was no longer a front bench minister". Do you see

23 that?

24 A Yes.

14:47:59 25 Q 404 It's your recollection that Mr. Albert Reynolds was present, is that correct?

26 A Well to the best -- it's only a recollection but I have one of ten. I have

27 mean I am not saying that my recollection is better than anyone else, but if I

28 wrote it down there yes I can see him in my mind's eye on the left-hand side,

29 he was certainly, well I made the statement I thought he was there.

14:48:22 30 Q 405 1254 please. Mr. Albert Reynolds has told the Tribunal that at the date of

14:48:29 1 this meeting on the 21st September 1988, he was not Minister for Finance, he
2 was Minister for Industry and Commerce. And you will see recorded on the
3 document that's on screen beside you, that as of the 21st September 1988, that
4 Mr. Albert Reynolds was Minister for Industry and Commerce and did not become
14:48:49 5 Minister for Finance until the 24th of November 1988. Do you see that recorded
6 there?
7 A Yes.
8 Q 406 From Albert Reynolds as told the Tribunal that he is satisfied he was not at
9 the meeting on the 21st September 1988 and would have had no function at that
14:49:04 10 meeting, albeit he accepts he was at the second meeting.
11 A Well I could be mistaken, Miss Dillon. I mean there were ten people there.
12 Don't blame me if I get one wrong.
13 Q 407 I'm simply trying to get the matter clarified. Do you accept it's more likely
14 that Mr. Reynolds is correct than you are and in fact he was not at the
14:49:25 15 meeting?
16 A Well there were two meetings and they were 15-odd years ago, all I can see in
17 my mind's eye is Mr. Reynolds, and I can see him there, whether he was at one
18 or two or both, and I am not going to say that I think he was, if he says in
19 evidence -- what do the other members say? What does Mr. Feeley say.
14:49:44 20 Q 408 What Feeley says Mr. Reynolds was not at the meeting and he also says
21 Mr. Bertie Ahern was not at the meeting. Mr. Ahern says he was not at the
22 meeting because he was flying back from Greece that day?
23 A Not at the first meeting.
24 Q 409 Not at the first meeting but he was at the second meeting because he was flying
14:50:00 25 back from Greece on that date. Do you accept that you may be in error?
26 A I'm not saying there's an error at all, all I'm saying is, I sat down and
27 genuinely recorded what I remembered. You can't be beyond that.
28 Q 410 You also state in relation to Mr. McSharry, he was no longer a front bench
29 minister and at the bottom of 1254 which is on screen, you will see that
14:50:28 30 Mr. McSharry was appointed Ireland's EC commissioner on the 24th November 1988

14:50:33 1 and if you back to the full document, you will see he was Minister for Finance
2 up until November 1988.

3 A All I can say about the meeting, I wasn't very familiar with what date they
4 held their portfolios. The only thing I recall, and as far as my recollection
14:50:51 5 was the first meeting, he just came into the room at the beginning of the
6 meeting and he never, he just spoke to some of the others about Mr. Gilmartin.
7 That's all I remember.

8 Q 411 Now, in your earlier statement and I don't want to go into it in any great
9 detail, Mr. Redmond, but would it be fair to say that you didn't refer to urban
14:51:12 10 renewal at all in your statement to the Criminal Assets Bureau about the
11 purpose of this meeting?

12 A Perhaps not to the Criminal Assets Bureau, they wouldn't have an enormous
13 interest in urban renewal. You have to ask the reason why did I make the
14 statement to the Criminal Assets Bureau. The position was that my name was
14:51:32 15 flying around the newspapers in connection with Quarryvale and they said to me
16 what's, what do you know about Quarryvale and that's, I just sat down and told
17 them what I remembered.

18 Q 412 Insofar as you were discussing this meeting, Mr. Gilmartin, of the 21st
19 September 1988, with the Criminal Assets Bureau, you do not record urban
14:51:54 20 renewal being a purpose for which this meeting took place, is that correct?

21 A Well, I don't think you could say that the meeting was any way following
22 straight lines. It was wandering all over the place. Remember I was only
23 brought along more or less as an adjunct in case there was a question about
24 roads and services and it was really the other managers whose planning were
14:52:23 25 land function were involved. I got very little involved, I just sat there
26 listening and it wandered all over the place, Miss Dillon.

27 Q 413 All right. At 4108 which is your statement to the Tribunal of the 1st March
28 2004, in relation to this meeting you state:
29
14:52:36 30 "that you were included in the team for the reason that some questions might

14:52:41 1 arise in regard to infrastructure in the county. Which I best was equipped to
2 deal with." You say that in your statement?

3 A That's what the county manager said, he said to me he had picked this team and
4 then himself as an afterthought as it were he said look, George, you better
14:52:57 5 come down too just in case questions arise and I went along.

6 Q 414 By infrastructure do I take it that you meant roads and sewers?

7 A Anything at all of that nature, yes.

8 Q 415 And that was where your particular expertise and information lay?

9 A Well that's what the manager thought.

14:53:12 10 Q 416 And that's why he was bringing you?

11 A Yes, if something came up, yes. Hold ups or things like that.

12 Q 417 Now insofar as there was discussion of the lands at Quarryvale, can you outline
13 to the Tribunal what you recollect being discussed?

14 A The land at Quarryvale?

14:53:37 15 Q 418 Hmm?

16 A Well, as a sort of preamble to that, your worships, the general position that
17 was the country was in a very depressed, was a very depressed economic time and
18 the members generally were concerned with delays in planning and nothing
19 happening, particularly in the west county and that part of the west county, we
14:54:05 20 had any amount of housing, but virtually no service, no interest in services,
21 no interest in job, and a reference was made to this man and a proposal for
22 something that would create many jobs in that area.

23

24 The main thing I remember, there was no area referred to, as far as I know,
14:54:29 25 shopping was referred to as far as I recall but the most important thing was
26 that it was land that had been lying for there for many, many years, nothing
27 happening and if that man got involved it was going to be a production of
28 thousands of jobs, that's my recognise collection.

29 Q 419 Who raised the topic of these lands at the junction of the western motorway and
14:54:57 30 the Lucan dual carriageway?

- 14:54:59 1 A I think it was the Minister for the Environment.
- 2 Q 420 Mr. Pdraig Flynn?
- 3 A I think so.
- 4 Q 421 And what was the attitude of the managers?
- 14:55:06 5 A The attitude of the managers and I mean, the three front men would be the ones
6 who would make their contribution first of all, the city manager,
7 Mr. Prendergast who had both the city and county planning functions, and
8 Mr. Morrissey who also had the city land functions. And the first thing that
9 was mentioned was we had a County Development Plan, I think we had two versions
14:55:38 10 of it, '73 and '83 and there was a town centre copperfastened for the Balgaddy
11 area. That was number one.
12
13 That it was well accepted and it was situated mid distance between Lucan and on
14 top of that -- that's the first, it was there and it was cut in stone and you
14:56:02 15 know, if you wanted to move on something else, well you had all the problems
16 that were associated with that and the controversy.
- 17 Q 422 Mr. Feeley, who was also present at the meeting, disputes very strongly your
18 recollection of the meeting. And I think you were here when Mr. Feeley gave
19 that evidence?
- 14:56:18 20 A I was, yes but the thing about the Quarryvale, you have to see it, it came in
21 two phases. That's how I remember it so well. And I do remember it. The
22 first phase was when the city people offered their objection on the grounds
23 that they had already disposed of 30 acres to Gubay or Merrygrove with a
24 covenant, well first of all, there were contractual terms, financial terms and
14:56:48 25 then on top of that, there was the covenant to build some part of the town
26 centre to meet the requirements of the plan.
27
28 Now that was when it first came up and this is how I remember it so well. That
29 first came when that was mentioned by the city officers, that seemed to act as
14:57:08 30 a very big stumbling block to anything moving on another site. That's number

- 14:57:13 1 one. As I said --
- 2 Q 423 What I had put to you Mr. Redmond was that Mr. Feeley disputes your account was
- 3 what was discussed at the meeting. Mr. Feeley was at the meeting accepts that
- 4 there was one reference to Quarryvale where Mr. Flynn came in and informed the
- 14:57:27 5 meeting that he understood that there had been some discussion between
- 6 Mr. Gilmartin and Mr. O' Callaghan. But Mr. Feeley disputes that there was any
- 7 discussion of the sort that you have outlined in your statement between the
- 8 managers and the ministers at the first meeting in connection with Quarryvale.
- 9 Are you absolutely clear in your recollection that such a discussion took
- 14:57:48 10 place?
- 11 A As far as I am concerned, the only significant thing that came out of that
- 12 meeting, as far as I was concerned and hearing about it, was the Quarryvale
- 13 proposal. But I'll copperfasten that.
- 14 Q 424 Did you make -- you said earlier on this afternoon, Mr. Redmond, did you make
- 14:58:10 15 any notes at this meeting?
- 16 A No, no, I didn't. That's why I think it's a bit unfair to go at me all the
- 17 time. There were ten other people there, what they will say I don't know.
- 18 Q 425 You will recollect and you are here for Mr. Feeley's evidence and you cross
- 19 examined Mr. Feeley, including on this issue, Mr. Redmond, that all of these
- 14:58:26 20 matters were put to Mr. Feeley as indeed they were put to Mr. Morrissey also?
- 21 A Do you not agree my account reveals a very good recollection?
- 22 Q 426 You don't wish me to put your collection that you contain in the CAB statement,
- 23 Mr. Redmond and therefore I am not a position to comment on the question you
- 24 have just put?
- 14:58:45 25 A The only thing is the second meeting.
- 26 Q 427 Just deal with the first meeting now?
- 27 A I have to explain how the second meeting, you know, it will clarify it.
- 28 Q 428 We will come to deal with the second meeting?
- 29 A Sorry the first meeting.
- 14:58:58 30 Q 429 Do you agree, Mr. Redmond, that insofar as you have even recorded the attendees

14:59:04 1 at that meeting, if Mr. Albert Reynolds is correct and Mr. Bertie Ahern is
2 correct, you must be incorrect in the people you have recorded as being
3 present?

4 A If they are correct. We have no proof though, I mean as far as I was
14:59:21 5 concerned, there was four ministers, whatever they say.

6 Q 430 Could I have page 1986 please.

7 A I have no axe to grind in relation to this thing.

8 Q 431 Not at all the?

9 A I want to say something else. The position on the second meeting, it was at
14:59:38 10 that meeting that we learned that Quarryvale had moved away from the previous
11 position, it was at that meeting that the minister, that's Mr. Flynn, said to
12 us he has taken O'Callaghan out, and that really in a way disturbed the
13 objection that was there at the first meeting, and it was distinct that
14 agreement was made sometime in January between Mr. O' Callaghan and Mr.-- and
15:00:08 15 then we were getting note of it for the first time. He has taken O'Callaghan
16 out.

17 Q 432 That's the meeting of the 2nd February 1989.

18 A Yes.

19 Q 433 If we stay for the moment with the aftermath of the meeting of the 21st
15:00:20 20 September. Your collection -- sorry can you recollect whether at the meeting
21 of the 21st September 1988, was there any discussion about Mr. Owen
22 O'Callaghan?

23 A In between, in the first one?

24 Q 434 Yes.

15:00:33 25 A No, I don't recall much about it, I can't recall now here just, you know, I
26 think in my statement maybe I do.

27 Q 435 4110.

28 A I don't remember O'Callaghan, maybe it did, I don't think it came up.

29 Q 436 You see in the third paragraph of that statement, "you will see a considerable
15:00:51 30 portion of the land contained within the Lucan/Clondalkin town centre was

15:00:56 1 opened by public authorities and registered in the name of Dublin Corporation."
2 These would have been part of the blue lands that were on the map we discussed
3 earlier. "As I recall the then position was that Dublin Corporation had leased
4 so 30 acres to an Albert Gubay company for town centre development, this was
15:01:10 5 seen as the start of Balgaddy as the official town centre for Lucan Clondalkin.
6 It was indicated to the ministers that a planning application was in the course
7 of preparation with ect at least 30 acres and that proposers were in discussion
8 with adjoining owners with a view to coordinating plans. It was understood
9 Mr. Gubay had told his interests under the case to a Mr. Owen O'Callaghan, a
15:01:31 10 developer from Cork with high repute in building circles."

11
12 That's your statement to the Tribunal about what you recollect at the first
13 meeting, the 21st September 1988. If that is correct, it would mean Mr. Owen
14 O'Callaghan's name was mentioned and the purchase by him of the Gubay lands was
15:01:49 15 discussed.

16 A No, the position when I made my statement was, as far as Callaghan was
17 concerned, it was a general statement the impression I had.

18 Q 437 Yes the question I had put to you, Mr. Redmond, was did you have a recollection
19 of Mr. Owen O'Callaghan's name being discussed at the first meeting and I'm
15:02:06 20 drawing to your attention your statement to the Tribunal dated 4th March 2004,
21 which records that the fact that Mr. Gubay had sold his interests in the
22 Balgaddy lands to Mr. Owen O'Callaghan was discussed at that meeting?

23 A No, that doesn't mean that at all. I said it was understood which I
24 understood. I mean when I was giving my statement, I have gone giving it in a
15:02:28 25 comprehensive way, not in a successive way. I don't think -- I mean you know
26 asking me now and again, it's so difficult to you know to be saying things on
27 oath, I don't remember Gubay's name.
28 I remember the corporation people saying that Gubay, they were the ones who
29 answered the question. They said that Gubay had agreed to a lease for 30 acres
15:02:54 30 but what they said beyond that now, I don't know specific. Maybe they said

- 15:03:01 1 there was something going on, all I learned about Gubay was I learned from the
2 corporation people who were there.
- 3 Q 438 You go on to record as the manager saw it, "Mr. O' Callaghan the new owner was
4 giving all his time to getting on with the development as required by the
15:03:13 5 conditions of his case from Dublin Corporation. In view of this and the
6 existing well established zonings, it was not seen how Mr. How Mr. Gilmartin's
7 proposal could be put in place. I am not aware as to whether or not a minute
8 was taken of the meeting, I saw no one taking notes." You then go on to
9 record a second meeting was arranged.
- 15:03:32 10
- 11 That would suggest all of the material contained in the preceding paragraphs
12 deals with what was discussed at the meeting?
- 13 A It might have been, Miss Dillon. That's my recollection but you could well be
14 right by saying that some of that was discussed at the second. I certainly am
15:03:48 15 not going to be dogmatic about it, I can't.
- 16 Q 439 At 1861, there's a reference to another diary entry and again, this is a
17 reference to Mr. Corcoran, I think, can you confirm first of all that that is
18 an abbreviated version of Mr. Corcoran's name on the 23rd September?
- 19 A That is quite so.
- 15:04:08 20 Q 440 Would you have had occasion to have discussed with Mr. Corcoran what had been
21 discussed at the meeting on the 21st September or Mr. O' Callaghan's plans or
22 Mr. Gubay's plans?
- 23 A No, I don't think I said or I never said -- I never saw Quarryvale as
24 interfering with Blanchardstown, never.
- 15:04:26 25 Q 441 At 4834 please. There's another entry your diary Mr. Redmond, which is an
26 entry on the 6th October 1988 and I want to draw to your attention a Luton
27 telephone number at the bottom of the diary, 03 058 225846. Do you know what
28 that number is?
- 29 A You put a Luton number up, I presume it's Mr. Gilmartin.
- 15:04:52 30 Q 442 Do you think why on the 6th October 1988 you would have had reason to enter

- 15:04:58 1 Mr. Gilmartin's telephone number in your diary?
- 2 A I do recall that he was chasing me for a decision on the land and I said give
3 me your number and if I hear anything I'll ring you.
- 4 Q 443 On the 10th October 1988, you have an entry for Arlington in your diary?
- 15:05:18 5 A What date is that?
- 6 Q 444 The 10th October 1988. Arlington was a development within the city, isn't that
7 right?
- 8 A It was.
- 9 Q 445 And as you have stated within your statement, you would have had nothing to do
15:05:29 10 with any development at Bachelors Walk, is that right?
- 11 A Unless I was reputed to be an expert on the Jonathan Aimery lease on its
12 boundaries, until somebody came over to talk to me about it. Beyond that,
13 there's another reason I might have been there too but as you say, I have had
14 nothing to do with Bachelors Walk, nothing.
- 15:05:58 15 Q 446 The one common person, if I can put it like that, you were dealing with at the
16 time and his telephone number appears at your diary and also had a connection
17 with Arlington was Mr. Tom Gilmartin?
- 18 A Oh there's no doubt that's Mr. Gilmartin and there was no doubt he was on the
19 phone to me. I do remember him pressing -- I can't remember whether or not he
15:06:18 20 came in but he was pressing for when are they going to decide on the land,
21 because I made it clear to him as far as the land was concerned, it is mainly a
22 corporation decision. Our land was only trimmings.
- 23 Q 447 But you knew from the 21st September 1988 that Mr. Gilmartin was interested in
24 a shopping centre on those lands?
- 15:06:41 25 A Yes.
- 26 Q 448 Isn't that right? That's what you have told the Tribunal.
- 27 A I think so.
- 28 Q 449 Because that was the unusual or unique piece of information that you took from
29 the meeting 21 September 1988, this was new information to you.
- 15:06:58 30 A Oh absolutely.

15:07:00 1 Q 450 So you are now meeting or having contact with Mr. Gilmartin in October of 1988
2 and he was chasing you --

3 A Is this the Arlington reference?

4 Q 451 Or the telephone -- you have told the Tribunal Mr. Gilmartin was telephoning
15:07:13 5 you around this time and you have his telephone number, isn't that correct?

6 A Yes, I do.

7 Q 452 And he was looking for the lands, isn't that right, the Dublin County Council
8 lands?

9 A He was looking for when a decision would be made on the lands.

15:07:24 10 Q 453 A decision about what?

11 A About selling the lands.

12 Q 454 So he was looking to buy the county council lands?

13 A Yes.

14 Q 455 And you were the person he was contacting about that?

15:07:33 15 A Well, he was probably also speaking to Mr. Morrissey of the city.

16 Q 456 Well just deal with yourself first, Mr. Redmond. Mr. Gilmartin was in
17 telephone contact with you around this time, is that correct?

18 A We have his telephone number there an the only thing I can put it down to is
19 the only, I mean no land, he had no ownership, there was no planning
15:07:55 20 application, the only thing he could possibly be interested in would have been
21 the land.

22 Q 457 Yes, that's what you have told the Tribunal a few moments ago, you said he was
23 chasing you for the lands?

24 A Yes, certainly there was nothing else, I had nothing else to offer or the
15:08:09 25 council hadn't.

26 Q 458 At page 1962 on the 11th November 1988 a letter was sent to you?

27 A Yes.

28 Q 459 "Dear Mr. Redmond, further to your discussions could you please issue
29 instruction to say Mr. McLoone chief surveyor to negotiate lands adjoining the
15:08:23 30 western Parkway with my company."

- 15:08:27 1 A Yes.
- 2 Q 460 And they are the brown lands we saw earlier on the map?
- 3 A Exactly.
- 4 Q 461 I want to draw to your attention that this refers to discussions and they
- 15:08:37 5 presumably were discussions Mr. Redmond between you and Mr. Gilmartin.
- 6 A Yes.
- 7 Q 462 And discussions that took place after the 21st September 1988?
- 8 A After the 21st.
- 9 Q 463 September 1988. You had already told Mr. Redmond --
- 15:08:53 10 A Of course, yes, they would have, discussed that would have taken place sometime
- 11 probably in October, November.
- 12 Q 464 Yes. And those discussions were about buying the lands, Mr. Gilmartin wanted
- 13 to buy the lands?
- 14 A Yes.
- 15:09:06 15 Q 465 And this stage you knew it was -- at this stage you knew it was not for
- 16 motorway facilities but for a shopping centre?
- 17 A That's what he had in mind. The main thing in the case of the county council
- 18 land as far as he spoke of himself was getting off. I also knew that the
- 19 shopping thing was afoot.
- 15:09:28 20 Q 466 Yes, that whatever had happened, or by your perception of Mr. Gilmartin wanted
- 21 the lands in June or July of 1988, after the meeting of the 21st of September
- 22 1988 you knew he wanted them for a shopping centre?
- 23 A Yes.
- 24 Q 467 An the lands in question, 4758, they are the brown lands on the map at 4758.
- 15:09:50 25 A Yes.
- 26 Q 468 Now it would appear from the sequence of the -- these are the brown lands on
- 27 this map, is that correct, Mr. Redmond?
- 28 A Yes.
- 29 Q 469 You knew then at the time you received this letter that Mr. Gilmartin was
- 15:10:08 30 acquiring lands for a shopping centre or shopping centre facilities at this

15:10:12 1 location?

2 A Well both the, myself and my fellow officers in the corporation knew that he

3 was going about a shopping centre.

4 Q 470 Yes, if we go back to 1962, which is the letter to you that while it's dated

15:10:24 5 the 11th November 1988, if we can increase the fax number at the top of the

6 page please, you will see that in fact it's not faxed until the 16th November

7 1988.

8 A What did you say?

9 Q 471 The letter is dated, Mr. Redmond, the 11th November 1988, but it is in fact

15:10:44 10 faxed, it has now been increased at the top, on the 16th November 1988. Do you

11 see that?

12 A What happened on the 16th?

13 Q 472 That letter apparently was faxed to you.

14 A On the 16th?

15:10:56 15 Q 473 Yes.

16 A Yes.

17 Q 474 And at 1965 on the 16th, you write a note in which, which is dated the 16th of

18 November 1988, it's addressed to Mr. Tom Doherty, principal officer in the

19 development department and he records receiving it on the 18th November, do you

15:11:20 20 see that?

21 A Yes.

22 Q 475 "And you say please see me this week re: next steps, I have a map."

23 A Yes.

24 Q 476 What map did you have?

15:11:29 25 A Oh I don't know.

26 Q 477 Think about it, Mr. Redmond?

27 A I can't think any more than I have. I just -- probably a map of the area

28 showing generally where the land was.

29 Q 478 Was it your normal habit to pass on instructions to say your principal officers

15:11:45 30 in this fashion by way of these sort of notes?

15:11:46 1 A Yes.

2 Q 479 Was that common in the council?

3 A Very, it was universal.

4 Q 480 So what you are instructing here is that the letter is to be acknowledged and
15:11:56 5 then you are to be seen about the next step?

6 A Yes.

7 Q 481 Okay. So presumably Mr. Doherty would come to you instructions, is that right?

8 A He would indeed.

9 Q 482 Now in the corporation you have seen all the documents, Mr. Redmond,
15:12:10 10 surrounding all of this transaction, that were provided both by Dublin
11 Corporation and South Dublin county council, isn't that right?

12 A Yes.

13 Q 483 And nowhere to this point in time is there any reference to the existence of a
14 map. Isn't that right?

15:12:22 15 A To what?

16 Q 484 The existence of a map.

17 A Well I don't know about the corporation. All I know is that --

18 Q 485 Let's just, we are only dealing here with the Dublin County Council lands.

19 A Oh yeah, yeah. That's a geographical sheet.

15:12:39 20 Q 486 Obviously. Would you accept, Mr. Redmond, as a minimum, that as of the 16th
21 November 1988, you must have had in your possession a map because this document
22 records that you had a map.

23 A Well I would have gotten it from Mr. Hayden.

24 Q 487 You would have asked him for it?

15:12:55 25 A I would ask him to show me the map and then send it to Mr. Doherty.

26 Q 488 You replied, 1969 please, to Mr. Gilmartin, can I just draw your attention to
27 the reference that's contained in that letter. The reference is M/1/F. Is
28 that a reference that was peculiar to the manager? M?

29 A No, that letter --

15:13:23 30 Q 489 Because the reference on the subsequent correspondence bears the development

15:13:28 1 department reference.

2 A It's -- I don't know, it's just an acknowledgment, I don't know anything about

3 the system of references they had.

4 Q 490 The person who signs that letter was that person known to you, Mr. or

15:13:44 5 Miss Quinn?

6 A The name, I don't recall the name, I'm sure he or she was one of my staff.

7 Q 491 That's 1966 --

8 A It's a simple acknowledgement.

9 Q 492 The letter records "I am directed by the assistant city and county manager --

15:14:04 10 that's yourself -- to acknowledge receipt of your letter dated 11th November

11 1988 regarding lands adjoining the Western Parkway. I am to inform you that

12 your letter has been referred to the Council's Development Department for

13 attention". Isn't that right? That in fact was the case because on the

14 previous day you had sent a memo to Mr. Doherty?

15:14:17 15 A A copy of that would also have been accepted.

16 Q 493 Now, subsequently at 1931, there is a record of a managerial order directing

17 the chief valuer to enter into negotiation with Tomas Gilmartin, with a view to

18 agreeing suitable terms for disposal of lands at Quarryvale/Palmerstown shown

19 outlined in red. On two drawings, approximately 12.04 acres, and they are the

15:14:44 20 brown lands we saw earlier on the map, Mr. Redmond?

21 A I am assuming they are.

22 Q 494 Right. Now the order is drafted, I think by Mr. Doherty but I think it's

23 signed by you, isn't that right?

24 A Well he signed the recommendation, I adopted his recommendation.

15:14:58 25 Q 495 And you signed the order?

26 A Yes and I signed the order.

27 Q 496 But his recommendation, Mr. Doherty's recommendation Mr. Redmond, we see that

28 the first letter comes in to you, isn't that right? Mr. Gilmartin's letter

29 comes to you?

15:15:12 30 A Oh yes of course.

- 15:15:13 1 Q 497 You pass it on to Mr. Doherty, you ask Mr. Doherty to see you about it?
- 2 A That's right.
- 3 Q 498 And then following which, this order is prepared, isn't that right?
- 4 A Following which I would tell him what had transpired up at the county managers
- 15:15:27 5 meeting, that both the city and county had decided we were going to at least
- 6 have negotiation with Mr. Doherty and with Mr. Gilmartin and that's the order.
- 7 Q 499 Sorry at what meeting was it decided there would be negotiation with
- 8 Mr. Gilmartin?
- 9 A Oh it was one of the Wednesday meetings the managers had, I don't remember
- 15:15:45 10 which one. It was just -- it was agreed we were going to go and negotiate with
- 11 him.
- 12 Q 500 And can you recollect who was at that meeting and who had the function of
- 13 taking notes?
- 14 A I can't recall anything specifically but all the managers would have been
- 15:16:02 15 there, Miss Dillon, but the ones who would have input would have been the city
- 16 manager who was also the county manager, and I would have the last word. He
- 17 would be the one who would way are we going to do this or not do it.
- 18 Q 501 You said that prior to this occurring there was a meeting of the managers of
- 19 the local authorities at which it was agreed people would enter into
- 15:16:24 20 negotiation discussion with Mr. Gilmartin?
- 21 A That's what I'm saying to you. The person who chaired that meeting would be
- 22 the city manager and the county manager. He had the two roles. He had two
- 23 assistant managers there who had functions.
- 24 Q 502 Insofar as this document that's on screen --
- 15:16:40 25 A Sorry can I continue.
- 26 Q 503 I'm come back to that's correct I'm checking I put that to Mr. Feeley when he
- 27 was here. As far as this document on screen is concerned, you accept though I
- 28 agree it's somewhat illegible, that the signature recorded there is your
- 29 signature?
- 15:16:55 30 A Yes of course.

15:16:55 1 Q 504 And that that would have been done, I think it is the 21st November, is that
2 right, or if possible --
3 A Well whatever date is on, I wouldn't dispute.
4 Q 505 I don't know whether you can see what date is on it, I think it's the 21st?
15:17:08 5 A If that's the date, that's the date.
6 Q 506 If I can ask you to look at 4850 please?
7 A By the way, there was a second part to that order.
8 Q 507 Yes, Mr. Redmond?
9 A Can we show that?
15:17:19 10 Q 508 1931. We will get the second part of that order. 1932 please. No. We'll
11 check that out, Mr. Redmond and come back to it?
12 A I don't think we should leave it. It's important.
13 Q 509 We'll come back to it, anything we have said we'll come back to, we'll come
14 back. 4850 please. Now there is an entry in your diary, Mr. Redmond, for the
15:17:52 15 23rd November which is in or around this time the order is being made and it
16 records simply Woodfarm, do you see that at 3.15?
17 A 3.15, yes I do, what date again?
18 Q 510 23rd November 1988.
19 A Yes, Woodfarm.
15:18:08 20 Q 511 Now, on the 23rd of November, you met Mr. Alan Carthy, I'm sorry that's not
21 correct, Mr. Alan Carthy of Dublin County Council wrote a letter to Mr. McLoone
22 on the same date at 1971.
23 A That's the authority to negotiate.
24 Q 512 Yes. And he sends the letter to Mr. McLoone, he encloses the manager's order,
15:18:40 25 LA 31588 which we have seen, which authorised the negotiations with Mr. Thomas
26 Gilmartin regarding disposal of these lands, the lands outlined on the drawings
27 were purchased at such a price and then the second last paragraph:
28
29 "The manager has also indicated that any disposal of these lands will be
15:18:59 30 subject to a covenant prohibiting access to the adjoining motorway lands and

15:19:04 1 the effect this has instructed and he -- that a two metre wide strip along the
2 motorway boundary be excluded from the disposal."
3 So that was ensuring there was no access on to the motorway, isn't that right?
4 A So far as the county council was concerned.

15:19:21 5 Q 513 Now is the manager there yourself?
6 A It is myself.
7 Q 514 And if we go back then to the entry at 4850 with the word "Woodfarm" on it, can
8 I ask you is it likely in view of that letter dated 23rd November where whether
9 you had might have had a meeting about the Woodfarm lands with Mr. Carthy on
15:19:40 10 the 23rd November which you gave him that instruction?
11 A Woodfarm is nowhere near Quarryvale. I don't know what that refers to,
12 something at Woodfarm, that's a housing estate in Palmerstown. I see no
13 relevance at all and trying to recall anything in Woodfarm.
14 Q 515 Could I have 2005 please, if you see that in the correspondence you were
15:20:07 15 dealing with there described as lands at Woodfarm, these are the council
16 selling the lands, you will see that Mr. Redmond from the correspondence that
17 went out?
18 A I did not have Woodfarm, that's the reality of it.
19 Q 516 I think in fact, if we look at 3707, it's quite clear there that the council
15:20:29 20 lands in fact are in Woodfarm, Mr. Redmond. Could we have 3707 please. This
21 is the map, Mr. Redmond, of the corporation lands that were ultimately sold to
22 Mr. Redmond, I want you to draw your attention to your lands, the county
23 council lands that you previously identified and you will see the word "wood"
24 A I do.

15:20:52 25 Q 517 Do you see where the "W" is, would you agree that's bang slap in the middle of
26 the council lands Mr. Gilmartin wanted to buy?
27 A I see that all right.
28 Q 518 Do you agree it's in the middle of the council lands that Mr. Gilmartin wanted
29 to buy?
15:21:10 30 A I don't know where the town boundary is.

15:21:13 1 Q 519 Do you see where the "W" is.
2 A If it's a town land boundary and it's in the heading in the letter.
3
4 JUDGE FAHERTY: Miss Dillon, if you put up the brown map.

15:21:21 5
6 Q 520 MS. DILLON: I will put up 4578 please. Now you will see here you have
7 already identified brown lands adjoining the motorways as being the lands
8 Mr. Gilmartin wanted to buy, is that right, you have done that twice already
9 today Mr. Redmond, is that right?

15:21:42 10 A It's gone to the valuer in that shape.
11 Q 521 Just look at the map now we'll concentrate on getting this Woodfarm issue
12 sorted out. Do you see the brown lands adjoining the motorway on the map at
13 4758?
14 A I do.

15:21:55 15 Q 522 Did you agree earlier today you confirmed they were the council lands that
16 Mr. Gilmartin wanted to buy?
17 A Yes.

18 Q 523 Do you see the words "wood"?
19 A Yes.

15:22:03 20 Q 524 Do you see the "W" is slap bang in the middle of council lands?
21 A I do.
22 Q 525 Do you agree that those lands are Woodfarm lands?
23 A I never heard them so described.
24 Q 526 Now, if we go back then --
15:22:14 25 A And you see -- I don't know -- I mean when you speak to me now about Woodfarm,
26 I understand the estate is in Palmerstown and I have no idea where the townland
27 boundary goes. It may well be, look at Palmerstown up at the top and you've
28 got Coldcut down at the bottom. So I mean, there's a spread of what you
29 describe them as if you are going to use townland names you have got to use
15:22:39 30 them all. It has no significance from my point of view, Miss Dillon, you know

- 15:22:45 1 the officer put that heading on it. He is the one who wrote the letter.
2 That's all I know.
- 3 Q 527 So are you saying that at 4850 the entry for Woodfarm in your diary for the
4 23rd November 1988 has nothing, in all possibility, to do with these lands?
- 15:23:02 5 A I really don't, well I think it has some significance in that there's a time at
6 it at it. That's what I'm trying to figure out. Obviously one doesn't put
7 3.15 and Woodfarm because of a letter. It means that somebody is coming in
8 about something. Woodfarm, and it was an area where there were a lot of things
9 happening. But I mean if you are just sort of grasping at straws, anything at
10 all to throw in but I don't know, 3.15, there was something to happen at
11 Woodfarm. I don't know. I mean it's a big area. Runs right up to Cloverhill
12 which I'm very familiar with at the moment.
- 13 Q 528 If you look at page 1971 Mr. Redmond, you will see on the same date that you
14 have the entry for Woodfarm in your diary, a letter is sent to Mr. McLoone from
15 Mr. Carthy?
- 15:23:53 15 A Yes.
- 16 Q 529 Which contains instructions that he records at having obtained from you, do you
17 see the fourth paragraph in that letter, "the manager has also indicated that
18 any disposal of these lands will be subject ..."
- 15:24:07 20 A He is referring to the manager, the executive order and he does have the lands
21 there at Quarryvale.
- 22 Q 530 Yes. Is the manager in question, yourself?
- 23 A Oh yes, but the heading is Quarryvale. It's obviously changed.
- 24 Q 531 So would it be fair to say then, Mr. Redmond, that between the 16th of November
15:24:25 25 1988, when Mr. Gilmartin faxes you the letter, that by the 23rd of November
26 1988, the manager's order had been made and instructions had issued to Mr.
27 McLoone to enter into negotiations on behalf of the council?
- 28 A Of course.
- 29 Q 532 So that that had been done within a period of less than ten days?
- 15:24:42 30 A Well whatever period it was.

- 15:24:46 1 Q 533 Well, you received the letter as we have seen and you have agreed on the 16th
2 November?
- 3 A A letter came in, Miss Dillon, asking for negotiations for the land and it was
4 approved.
- 15:24:59 5 Q 534 And if I can just show you 1931 which is the record of executive business and
6 manager's order again, I just want to draw to your attention, that that record
7 does not contain any caveat or saver in relation to the strip adjoining the
8 motorway lands?
- 9 A It's at the back of it.
- 15:25:17 10 Q 535 You say it's at the back of it?
- 11 A The next page.
- 12 Q 536 There isn't, it isn't on the next page, Mr. Redmond, we will see if we can
13 obtain the back of it. At that time, it would appear from the documentation
14 that's available to the Tribunal that Mr. Gilmartin did not write in relation
15 to the corporation lands until the 24th November 1988 at 1972, so in fact he
16 had initiated his transaction in relation to buying the local authority land
17 with you first. And Dublin County Council because he doesn't write seeking to
18 buy the lands to Mr. Morrissey until the 24th November 1988.
- 19 A Well I don't know when Mr. Morrissey told him that the lands were for sale. I
15:25:58 20 told him as soon as I heard they were for sale.
- 21 Q 537 So and in telling Mr. Gilmartin you must have been in contact with with
22 Mr. Gilmartin, is that right?
- 23 A I accept that.
- 24 Q 538 By the 23rd November you had issued instruction to say Mr. McLoone whereby the
15:26:18 25 process had been initiated in Dublin Corporation -- as you can see from the
26 document on screen, isn't that right?
- 27 A In Dublin County Council.
- 28 Q 539 No, if you look at the document on screen, it's a letter addressed to Dublin
29 Corporation and it is dated the 24th of November 1988, it's a letter from
15:26:29 30 Mr. Gilmartin seeking to buy the lands of Dublin Corporation and the point I'm

- 15:26:34 1 making to you is by the time this letter is sent to Dublin Corporation, you had
2 already made your order, directing Mr. McLoone to enter into negotiations?
- 3 A I offered no objection, I said get on and negotiate.
- 4 Q 540 Now, I think that Mr. McLoone did enter into negotiations and he sent a draft
15:26:52 5 letter to Mr. Morrissey at 1993, and it provided for staged payments but before
6 I ask you that, Mr. McLoone has said and Mr. Gilmartin has said and do you
7 agree, Mr. Redmond, that everybody knew that the price that was fixed per acre
8 for the corporation lands would also apply to the county lands?
- 9 A Not terribly certain, obviously I know now and I have read it so many times I
15:27:26 10 am beginning to think I knew, I probably did but certainly Mr. McLoone's most
11 of his negotiation and discussions were always with Mr. Doherty and not with me
12 and you know, that would be -- but it was always a factor. I mean you had to
13 take it into account if you were a manager approving of it, if you were selling
14 council lands, the first question you would say is well now what do they did
15:27:53 15 they get for the corporation lands.
- 16 Q 541 Mr. McLoone has told the Tribunal that that in fact was the arrangement and
17 everybody knew that?
- 18 A That was the arrangement, but the point about it is and I just make, I'm only
19 making the simple point that in normal circumstances, virtually all discussions
15:28:08 20 were with the principal officer.
- 21 Q 542 Yes, and when Mr. McLoone sent his letter to Mr. Morrissey for instructions,
22 the draft letter that's on screen in relation to the price that he had agreed,
23 he also provided for phased payments in that letter, isn't that correct?
- 24 A I know from having read it before, that that is so.
- 15:28:28 25 Q 543 And Mr. Morrissey was not happy with phased payments although he had no dispute
26 in relation to the price, isn't that correct?
- 27 A Well that would seem to be the position.
- 28 Q 544 And that was Mr. Morrissey's evidence?
- 29 A Mr. Morrissey was showing his teeth.
- 15:28:41 30 Q 545 Mr. Morrissey said at day 488, question 229 that he had no problem with the

15:28:46 1 price, his only problem was with the phased payments?

2 A Yes. And I think also that I have a recollection of Mr. Morrissey raised that

3 at the manager's meeting; he told us that, you know, if this fella wanted to

4 buy the land, he would have to pay.

15:29:05 5 Q 546 Pay now.

6 A Well pay earlier than what was being provided for.

7 Q 547 What was being suggested here was a phased payment and Mr. Morrissey was not

8 going to have a phased payment.

9 A No, that's right. What I'm saying to you, Miss Dillon, I have a sort of a

15:29:20 10 recollection that Mr. Morrissey did tell us that at the manager's meeting apart

11 from anything in writing.

12 Q 548 Yes, but that Mr. Morrissey did not have any difficulty with the price that was

13 being suggested?

14 A I don't --

15:29:31 15 Q 549 Only that it was being deferred.

16 A I don't know what his views on the price were. As to whether he spelt them

17 out, I can't recall.

18 Q 550 But certainly Mr. Morrissey has told the Tribunal at day 488, question 229 that

19 he had no problem with the price.

15:29:50 20 A That's a matter for Mr. Morrissey.

21 Q 551 And Mr. McLoone agrees with that.

22 A Well I can't agree with it.

23 Q 552 And don't you think it's likely, Mr. Redmond, that if Mr. Morrissey is

24 discussing the phasing of the payments with you at a manager's meeting, he

15:30:05 25 equally is discussing the price?

26 A Not necessarily.

27 Q 553 I see. So you are saying --

28 A I don't know, Miss Dillon. I mean it's one thing when you get an offer and you

29 say well he is not going to go on to the Kathleen ma vorneen (?) for this. I

15:30:19 30 want my money up front.

- 15:30:21 1 Q 554 But isn't it, would it not be logical Mr. Redmond if Mr. Morrissey is
2 expressing that he is not happy with the payments being phased, if he had any
3 difficulty with the price, he would have raised it then?
- 4 A You see, look, you are putting questions to me and putting twists on the matter
15:30:37 5 after 15, 16 years --
6
7 JUDGE FAHERTY: Miss Dillon put up the reference to 2000 and it might assist.
8
9 MS. DILLON: Which reference is that?
- 15:30:47 10
11 JUDGE FAHERTY: 2000, it's a memo from Mr. Morrissey to Mr. McLoone.
12
13 MS. DILLON: This is Mr. Morrissey's instruction to, or response to the
14 letter.
- 15:30:58 15 A Yes.
- 16 Q 555 Right. And he is saying "As I mentioned in our telephone conversation, I do
17 not think the terms set out should provide for such an extended length of time
18 for payment. If Mr. Gilmartin wants to purchase the land from the corporation,
19 he should be prepared to pay for it immediately." Now you told the Tribunal
15:31:16 20 you had a recollection of Mr. Morrissey discussing something like that with you
21 at a meeting, isn't that right?
- 22 A What I said, Miss Dillon, I wasn't absolute certain, I said I had a vague
23 recollection that Mr. Morrissey, probably before he wrote the letter, was
24 saying that he was dissatisfied.
- 15:31:34 25 Q 556 But dissatisfied, if this letter is correct, with the payments being phased,
26 not with the price?
- 27 A Yes.
- 28 Q 557 And that letter was sent to you, Mr. Redmond, isn't that right, in 2001?
- 29 A A copy of the letter was sent to me.
- 15:31:45 30 Q 558 Yes.

15:31:46 1 A That would confirm what he said, he was showing his teeth and he wasn't going
2 to be put off with phased payments. That's all I saw it, nothing else.

3 Q 559 Isn't it likely, Mr. Redmond, in addition to having got this letter, you would
4 also have got Mr. McLoone's letter setting out the price that was being agreed?

15:32:03 5 A No, I didn't get that letter and it was, it would be singularly unusual for me
6 to get it. And Mr. McLoone agreed with that. I would never have gotten it.

7 Q 560 In the first place, why was this letter being copied to you?

8 A I told you. Mr. Morrissey showing his teeth. Remember, he has been described
9 as a weak man.

15:32:26 10 Q 561 Sorry, Mr. Morrissey in December 1988 wanted to show you, Mr. Redmond, that he
11 had teeth in relation to the sale of the lands to Mr. Gilmartin, is that right?

12 A Exactly.

13 Q 562 Okay. Now how would you have known that from reading this letter if you didn't
14 have Mr. McLoone's letter?

15:32:43 15 A I didn't have Mr. McLoone's --

16 Q 563 I'm saying to you how would you have known that this was Mr. Morrissey showing
17 his teeth to Mr. Gilmartin -- let me finish, Mr. Redmond -- how would you have
18 known that the purpose of this letter was Mr. Morrissey showing his teeth to
19 Mr. Gilmartin if you did not have the benefit of reading Mr. McLoone's letter?

15:33:05 20 A Because you don't need Mr. McLoone's letter. If you read the letter, Miss
21 Dillon, it says and I quote and this is the central idea of the letter, "I do
22 not think the terms set out should provide for such an extended length of
23 payment". That's the only issue.

24 Q 564 But what were the terms --

15:33:24 25 A Excuse me, sorry, that's the only issue in this letter. We are talking about
26 this letter. "If Mr. Gilmartin wants to purchase the land from the
27 corporation, he should be prepared to pay for it immediately." That's a frank
28 and honest letter. It doesn't deal with anything else. It doesn't convey
29 anything to me. I don't know what was in the other letter and I can tell you
15:33:48 30 this, I most certainly did not -- the prosecution is putting this thing too

15:33:54 1 far, your worship.
2
3 JUDGE FAHERTY: There's no prosecution.
4
15:33:58 5 MS. DILLON: I suggest to you, as Mr. McLoone said in evidence, that this
6 letter on its own without his letter to Mr. Morrissey of the 2nd December 1988
7 makes little or no sense; that you wouldn't have known what the terms were.
8 A Sorry, I'll read it to the members, it makes excellent sense. Just dealing
9 with one aspect of the sale and a very important one. "I do not think that the
15:34:19 10 terms set out should provide for such an extended length of payment. If he
11 wants to buy it, he must be prepared to pay for it." That's all it says.
12 Q 565 Are you saying at that stage you did not know what the price was for the lands?
13 A I am saying, Miss Dillon, that I never got a copy of Mr. McLoone's letter to
14 Mr. Morrissey or whoever he sent it to.
15:34:41 15 Q 566 And were you aware of the ongoing nature of the negotiations then, the
16 correspondence that passed between Dublin County Council and Mr. Gilmartin in
17 December and January?
18 A What was the correspondence?
19 Q 567 Page 2005 please. You will see here the lands are described as lands at
15:35:05 20 Woodfarm and you will see that --
21 A And otherwise described as the lands at Quarryvale. That's a letter that was
22 addressed by the valuer without prejudice setting out the terms.
23 Q 568 And you will see it's headed 'Dublin County Council'. And you will accept, I
24 assume, that the lands that are being referred to in the first paragraph on the
15:35:24 25 letter are the brown lands on the map.
26 A Yes.
27 Q 569 These are the Dublin County Council lands?
28 A No question about it.
29 Q 570 And that the consideration is the sum of 481,600 pounds for 12.04 --
15:35:36 30 A Yes, all of that. I accept the entire letter.

- 15:35:37 1 Q 571 And that the approximate price per acre is 40,000 pounds?
- 2 A Well, I didn't do any division on it but they were the terms.
- 3 Q 572 Now I want to draw to your attention at 2006, sorry the bottom of that,
4 paragraph 5, "Vacant possession shall be given on completion but disposal shall
15:35:57 5 be subject to a covenant prohibiting access to the motorway."
6 A Yes.
- 7 Q 573 And that was as per Mr. Carthy's letter to the valuer of the 23rd November
8 1988.
9 A That was as per my decision and Mr. Carthy's instructions.
- 15:36:10 10 Q 574 So your decision is being implemented?
11 A Well, more than that, I am being very consistent on the motorway. I said it
12 from the beginning, we nailed our colours to the mast in the July letter and we
13 are doing the same here.
- 14 Q 575 And at 2049?
15:36:27 15 A They were my decisions.
- 16 Q 576 On the 16th January 1989 in relation to again the lands are headed 'Lands at
17 Woodfarm', Mr. Gilmartin replies confirming that subject to contract, he
18 accepted the terms and conditions outlined therein to purchase your interest in
19 the lands and that again is in connection with Dublin County Council lands?
15:36:45 20 A That's right. Mr. Gilmartin replied not to the council but the chief valuer
21 naming a solicitor as the one who is going to act on his behalf and offered no
22 objection to the price, to the manner of payment or to the 'cordon sanitaire'
23 that was left out.
- 24 Q 577 And on the --
15:37:04 25 A To protect the road.
- 26 Q 578 And on the 26th January at 2084, a letter headed lands at Woodfarm, the valuer
27 writes to Mr. Gilmartin --
28 A Yes, I see that.
- 29 Q 579 -- he has made the necessary submission to say his principals for their
15:37:23 30 approval and the law agent will be in contact?

- 15:37:28 1 A That's right.
- 2 Q 580 And he sends a letter to Mr. Doherty?
- 3 A Which was the normal thing. He didn't write to the manager, he wrote to the
- 4 principal officer.
- 15:37:34 5 Q 581 So now we have gone from a position in November, Mr. Gilmartin has written to
- 6 you, you have instructed Mr. Doherty, Mr. Carthy has also been instructed to
- 7 instruct the valuer, the order has been drawn and now Mr. Doherty is being
- 8 informed.
- 9 A That's right.
- 15:37:47 10 Q 582 Now, in view of the fact that the initial instruction to Mr. Doherty had come
- 11 from you, would Mr. Doherty be keeping you informed of the matter or would he
- 12 have drawn this to your attention?
- 13 A Not necessarily, I am authorising negotiations all of the time, some of them
- 14 urgent, ones not, for example, for acquiring lands for roads that would be
- 15:38:08 15 urgent. There was no urgency about that. He would come down to me when he was
- 16 ready. He might, for example, do some things in connection with him first, I
- 17 don't know, prepare lease maps or something but in the decision, it was in his
- 18 hands from now on.
- 19 Q 583 But you knew, you knew from November that these lands, there were negotiations
- 15:38:31 20 with Mr. Gilmartin to sell these lands?
- 21 A Of course, of course.
- 22 Q 584 And doesn't it follow as night the day, Mr. Redmond, if one is buying land or
- 23 selling land, there's a price for the land?
- 24 A Is there a price? Of course.
- 15:38:41 25 Q 585 So from November of 1988, you knew the lands were being sold, you knew
- 26 Mr. Gilmartin wanted to buy them for a shopping centre and you knew that if the
- 27 lands were going to be sold, people had to agree a price?
- 28 A Of course.
- 29 Q 586 And that's why you instructed the valuer?
- 15:38:56 30 A Yes, I know that.

- 15:38:58 1 Q 587 So when Mr. McLoone writes to Mr. Doherty, who is the principal officer in the
2 development department, you are in effect Mr. Doherty's boss, isn't that right?
- 3 A I have the function to approve that.
- 4 Q 588 You are the manager?
- 15:39:12 5 A Yes.
- 6 Q 589 That's right. 2087. On the 30th January 1989 this letter is sent to
7 Mr. Doherty from Mr. McLoone in relation to the sale of the lands and again it
8 incorporates at paragraph 5, the saver, the road reservation saver that you had
9 original directed to as to prevent access, isn't that right?
- 15:39:37 10 A Yes.
- 11 Q 590 Now, he says again, it's without prejudice and he refers to his instructions in
12 the above and would advise that agreement has been reached with TP Gilmartin
13 for the disposal of the lands subject to the following terms and conditions,
14 the price is 481,600 for 12 acres approximately, isn't that right?
- 15:39:51 15 A Yes.
- 16 Q 591 Approximately 40,000 pounds per acre.
- 17 A Yes.
- 18 Q 592 Isn't that right? And that is the same price that had been referred to in
19 relation to these lands in the earlier letter, isn't that right?
- 15:40:01 20 A Whose earlier letter?
- 21 Q 593 Mr. McLoone's letter to Mr. Gilmartin in December.
- 22 A It's the sum they agreed.
- 23 Q 594 Yes. Right. And he is now informing Mr. Doherty.
- 24 A Yes.
- 15:40:15 25 Q 595 Yes. And you knew that the lands were being sold?
- 26 A I knew they had been -- negotiations had been authorised.
- 27 Q 596 And this information in relation to the price that had been agreed between
28 Mr. Gilmartin and Mr. McLoone in relation to the sale of the county council
29 lands was in the council, isn't that right?
- 15:40:38 30 A It was with the with the principal officer.

15:40:41 1 Q 597 Of the development department?

2 A Yes.

3 Q 598 Who was -- and you were his boss.

4 A Yes. That's right.

15:40:48 5 Q 599 So you knew.

6 A No, I did not know. I don't like the expression I was his boss, I wasn't.

7 Q 600 You were, Mr.--

8 A The position I was in, he was a manager, he had executive functions himself

9 which he exercised under Mr. Feeley, all those executive functions.

15:41:07 10

11 The position was and I mean with all correspondence coming from the valuer, he

12 had it, the next step was for him to, you know, move on it and if he felt -- by

13 the way, he could exercise his own judgment, Miss Dillon. If I told him, you

14 know, it was shopping and he felt very strongly that it shouldn't be disposed

15 of for some reason, I could get a memorandum from him saying look, Mr. Redmond,

16 I disagree with what you are doing, I won't sign it

17 Q 601 You could have stopped the valuer at any stage.

18 A I didn't stop -- sorry Miss Dillon, I didn't stop the valuer.

19 Q 602 You let it go through?

15:41:43 20 A Yes.

21 Q 603 The point I am making to you, is at any stage from the time that Mr. Gilmartin

22 first expressed an interest in these lands, you could have stopped it, you

23 could have said we are not going to sell this land or you could have said we

24 are not going to sell it for shopping.

15:41:59 25 A As you said yourself, if I was operating on the interests say of Green

26 Properties, I could have easily said we are never going to sell it.

27 Q 604 So you could have stopped it?

28 A I could have -- sorry it's not as simple as that. The position was there was a

29 managerial decision that both parcels of land should be negotiated. Not sold,

15:42:20 30 I think it's very important. The second thing in the case of the county lands,

15:42:23 1 if you put up your map, you will see that if the corporation's had been sold,
2 our land would have been locked. And that land had cost in the region of
3 30,000 plus as far as I know with interest charges.

4 Q 605 Because what interests me, Mr. Redmond, is your statement to the Tribunal which
15:42:43 5 seems to suggest, and I put it no higher than that, that it was mere
6 inadvertence that you ever came to learn of any of this.

7 A That I came to learn of what?

8 Q 606 The valuers negotiations with Mr. Gilmartin.

9 A Certainly, until they brought that down and put it in front of me, I wouldn't
15:43:00 10 have known about it. At what stage I learned it, it was the corporation lands
11 I learned of, not the council land.

12 Q 607 But it was one and the same insofar as price was concerned.

13 A No, Miss Dillon, I knew nothing -- I have said I wasn't privy to what was
14 agreed between Mr. Gilmartin and --

15:43:20 15 Q 608 But you --

16 A And Mr. Gilmartin and Mr. McLoone as to the two lands running together, and if
17 he did have anything to say on that, he would have said it to Mr. Doherty. As
18 far as I was concerned, when I was told that the valuer had agreed to sell to
19 the corporation, I remember well being told that by some of my, well I wouldn't
15:43:45 20 say the junior staff, but staff. I do remember that.

21 Q 609 Sorry I just want to be clear about this and to be fair to you Mr. Redmond, are
22 you telling the Tribunal that you were at all times aware of the negotiations
23 to sell the council lands to Mr. Gilmartin?

24 A I have said that repeatedly.

15:44:00 25 Q 610 But that you were unaware of the parallel sale of the corporation lands to
26 Mr. Gilmartin?

27 A I was aware that the corporation lands to Gilmartin was going on but I didn't
28 know what the stage it had reached?

29 Q 611 When and you discovered that the price was 40,000, Mr. Redmond, did you go to
15:44:18 30 the corporation with an objection to that price?

15:44:20 1 A No.

2 Q 612 Did you speak to Mr. McLoone about the price?

3 A Mr. McLoone would tell you I never interfered in the --

4 Q 613 Insofar as the council lands were concerned, did you consult with Mr. McLoone
15:44:34 5 and tell him you thought that was too cheap?

6 A The 40,000?

7 Q 614 Yes.

8 A I certainly -- I have no recollection of telling him that it was too cheap, if
9 it was too cheap I would have made an order sending it back to him.

15:44:46 10 Q 615 Yes. Because you say in your statement to the Tribunal at 4113 and 4114 --
11 4114 please.
12
13 "What I learned about the valuer's negotiations with Mr. Gilmartin came to me
14 purely by chance, resulting from gossip between corporation and council staff.
15:45:15 15 As to what I had heard, I was at that time somewhat dumbfounded. My conclusion
16 was that the ministerial support for Mr. Gilmartin's project had prevailed over
17 the cogent reasons given earlier than such a disposal could not be justified.
18
19 However what surprised me at least as much, is the reputed agreed price of
15:45:34 20 40,000 pounds per acre. I was satisfied in my own mind that the figure was too
21 low. I was mindful of the fact that the same valuer had negotiated a figure of
22 3 million for the corporation's 30 acres at Balgaddy to a Gubay Company in the
23 first instance."
24

15:45:49 25 Now, if we just deal with the first point, Mr. Redmond, that you were first of
26 all that the information came to you by chance and you have now clarified what
27 you are talking about there is not the sale of the council lands but the sale
28 of the corporation lands. If we look at the price for the moment it seems
29 clear from that you were of the view that 40,000 pounds an acre was too cheap,
15:46:10 30 isn't that right?

15:46:10 1 A Yes.

2 Q 616 Now, what did you do when you formed the view that 40,000 pounds an acre was
3 too cheap?

4 A What did I do?

15:46:20 5 Q 617 Yes.

6 A I didn't approve the sale of the council land.

7 Q 618 Did you speak to Mr. McLoone?

8 A No.

9 Q 619 Did you go to the corporation, to your opposite number, to Mr. Morrissey?

15:46:32 10 A I would never do that.

11 Q 620 Did you tell Mr. Morrissey he should not be selling the assets of his local
12 authority at an undervalue?

13 A Mr. Morrissey already knew from my earlier objection that I was of the opinion
14 that the land should be advertised, if it was to be sold at all. Preferably it
15 should have been kept. It should not have been sold.

15:46:49 16 Q 621 I'm sorry you obviously don't understand the question.

17 A When this proposition came up, my -- I mean, insofar as the county is
18 concerned, we had no need for money. If you look at the record of those years,
19 we were well in credit, there was no urgency about selling anything to get
15:47:08 20 money. I took the view, first of all, the procedure that was virtually always
21 followed was to advertise large blocks of land. Everywhere. The story has
22 been raised that you could sell to adjoining owners, you could in some
23 circumstances if, for example, they owned 90 percent of the land and you had 10
24 percent or something like that, if there were extenuating circumstances but it
15:47:38 25 was absolutely against the run of tradition and requirement that this land was
26 allowed to go to a man who carried out, never carried out any development in
27 the country, was unknown.

28

29 The only reference I can recall for him was the fact that he was endorsed at a
15:47:56 30 government meeting. Beyond that -- and in the early days, I used to ask

15:48:01 1 myself, why in God's name are they selling this land this way and the position
2 I position I always came back was they were impressed with the reception he
3 got, and the jobs he was going to create. There was nothing else.

4 Q 622 If we could concentrate on the question Mr. Redmond and if you could answer?

15:48:21 5 A Sorry, Ms. Dillon, that is an extremely point that the Tribunal would have to
6 know.

7 Q 623 And we'll come to the sale of the land and the advertisements as soon as you
8 answer the question that you were asked which is this, when you heard the price
9 was 40,000 pounds an acre, you according to your statement to the Tribunal, was
10 satisfied and I quote "The figure was far too low".

11 A In my mind.

12 Q 624 You know at this stage?

13 A Sorry, can I say anything, you asked me and I'm explaining to you.

14 Q 625 And if you just let me ask the question and then you can answer the question.
15 You have told the Tribunal that you knew that this, at this stage, that the
16 lands that were being sold were the corporation lands and you already knew that
17 the council lands were being negotiated for, isn't that correct?

18 A Yes, of course.

19 Q 626 So the figure of 40,000 pounds is not just your lands, it's also the
15:49:11 20 corporation's 69 acres?

21 A Yes, but the important thing, there were two different decisions. As you say,
22 I think you said early on, I didn't have to authorise negotiations. Which is
23 quite true but I did, but more importantly I did -- I wouldn't have to
24 negotiate the settlement. I didn't have to negotiate the acceptance. The
15:49:33 25 position as to my thinking on the subject, I most certainly did feel that their
26 lands, I mean -- please let me an opportunity -- that their lands were worth
27 considerably more.

28 Q 627 Yes, but did you did you go to Mr. Morrissey?

29 A No, my relationship with Mr. Morrissey, where Mr. McLoone makes the idea that I
15:50:00 30 intimidate him, I rarely said anything to Mr. Morrissey.

- 15:50:02 1 Q 628 And did you --
- 2 A Sorry, in relation to the performance of his duties. He had a valuer, and it
- 3 was himself, and he had Mr. Haughey involved in it and the city manager. It
- 4 wasn't -- I -- once I put on the county jersey, I rode for the county and that
- 15:50:22 5 was my position. I kept my nose out of their business. It was just an
- 6 opinion. I was reasonably satisfied and it was borne out that my view was the
- 7 correct one.
- 8 Q 629 Right. But certainly as of the letter to Mr. Doherty's as of the 30th January
- 9 1989, the sale was proceeding, 2187, the negotiations were proceeding?
- 15:50:44 10 A Oh there was never any hindrance or interference in any of the negotiations
- 11 which Mr. McLoone had on behalf of the county council.
- 12 Q 630 I just want to be clear on this, when you became aware of the 40,000 pounds an
- 13 acre and formed the view that that was not enough money --
- 14 A I, I.
- 15:51:07 15 Q 631 Just wait for the question. When you formed that view as you have stated to
- 16 the Tribunal that you formed, who did you go to about it?
- 17 A This isn't like a report to the police. That was just a personal opinion.
- 18 That was a personal opinion.
- 19 Q 632 But these are assets of the local authority?
- 15:51:26 20 A Excuse me my functions were related to the county council. This was something
- 21 that was negotiated by Mr. McLoone, which Mr. Morrissey had and had to make a
- 22 decision on. He had the assistance of Mr. Haughey and Mr. Feeley. I mean my
- 23 views were my own views.
- 24 Q 633 I think insofar as the council lands were concerned, the 12 acres which are
- 15:51:48 25 similarly being sold at 40,000, what was your view in relation to that?
- 26 A My view was that they would stay for the time being.
- 27 Q 634 That's a view you formed in April as we have seen earlier and we come to deal
- 28 with that. Now we are dealing with January, Mr. Redmond, and what view have
- 29 you about the 40,000 for the council lands?
- 15:52:05 30 A Miss Dillon, we have cleared up the point that I probably didn't know about

15:52:11 1 them in the figure. It went to Mr. Doherty and there was no evidence he
2 brought it down to me.

3 Q 635 Sorry, are you saying that Mr. Doherty would not have brought it down to you
4 and you would not have known what your valuer had agreed and what Dr. Doherty
15:52:26 5 had been told?

6 A I am saying what is clear is that the lines of communication were between the
7 chief valuer and Mr. Doherty in every matter by the way, not just in this. He
8 conveyed the result of the negotiations to Mr. Doherty and it was then a
9 matter, when Mr. Doherty would bring it down to me. We worked in separate,
15:52:46 10 different buildings, in different parts of the city and when he got around to
11 bringing it to me that I would know about what price was agreed.

12 Q 636 And --

13 A And only then.

14 Q 637 And would you have had occasion for example to call Mr. Doherty up to your
15:53:02 15 office to talk about matters?

16 A I doubt it, there was no urgency about it.

17 Q 638 For any purpose?

18 A For what?

19 Q 639 For any purpose.

15:53:09 20 A Did Mr. Doherty come to my office?

21 Q 640 He normally came down a number of times during the week when he normally would
22 bring down what he had to deal with or anything I had to see him about
23 urgently.

24 Q 641 Yes. And did Mr. Murray come to see you in your offices?

15:53:25 25 A Mr. Who?

26 Q 642 Mr. Willie Murray, the planning officer.

27 A Did he come to my office?

28 Q 643 Yes.

29 A On occasions he did.

15:53:33 30 Q 644 We have seen the records of Mr. Murray's diary and of Mr. Murray attending

15:53:36 1 meetings at your office.

2 A Of course.

3 Q 645 Did Mr. Doherty then, who was the principal officer in the development
4 department, similarly attend on request from you?

15:53:44 5 A And apart from request, he would come down of his own volition.

6 Q 646 He would bring with him the ongoing matters?

7 A No, he wouldn't bring the ongoing matters, he would bring matters which needed
8 attention.

9 Q 647 And would the fact that you were the person who had instructed Mr. Doherty
15:53:59 10 originally in relation to the sale of the council lands to Mr. Gilmartin, would
11 that have meant that was a matter that Mr. Doherty would have kept you apprised
12 of.

13 A That he would have what?

14 Q 648 Kept you apprised of the ongoing nature of the sale?

15:54:14 15 A Not necessarily, not necessarily. I would say if he was offered 80,000 he
16 would have come down. Not at 40,000. You see if you look at the records, we
17 paid certainly in the region of 30 and we had accrued interest on it and there
18 was no urgency on it, I made that clear to him at the beginning. I said look
19 the corporation are going to be negotiating for these lands, so we'll see how
15:54:39 20 it goes and we will see.

21 Q 649 Your position if I understand it correctly Mr. Redmond, and correct me if I'm
22 wrong, that by the end of January 1989, you knew the corporation were agreeing
23 to sell land to Mr. Gilmartin, that the price of that land was 40,000, you knew
24 obviously that your valuer had entered into negotiations on behalf of the
15:54:56 25 council but you didn't know the price that had been agreed?

26 A The position looking at the dates, your worships, all I can be certain of now
27 is that around the time Mr. Corcoran wrote in, which was the 2nd March,
28 sometime around that time I knew that the corporation had agreed 40,000 an
29 acre. Insofar as the county council land is concerned, they weren't going to
15:55:25 30 move until after the corporation was dealt with and that was the position about

15:55:28 1 those. But as to the 40,000 an acre, I certainly entertained the view that it
2 was very low. That was a matter for the corporation.

3 Q 650 I see and not a matter that you discussed with anybody?

4 A No, no, I wouldn't -- I mean I really kept out of corporation business. That
15:55:51 5 was it, they were doing it, I mean I was opposed to the sale without going to
6 tender in the first place and I could see no reason why we had to sell the
7 thing at all.

8
9 JUDGE FAHERTY: Mr. Redmond, just on that, can I ask you that question, you said
15:56:07 10 a little while ago that Mr. Morrissey would have known of your view that the
11 land should be advertised.

12 A Yes.

13
14 JUDGE FAHERTY: When Mr. Redmond wrote to you about the county council 12
15:56:19 15 acres -- Mr. Gilmartin I beg your pardon, when Mr. Gilmartin wrote to you
16 initially about the county council 12 acres and you instructed later
17 Mr. Doherty to enter negotiations, why didn't you -- could I ask you this, why
18 didn't you tell Mr. Doherty to communicate to Mr. Gilmartin that the lands
19 would be advertised and he would tender for them?

15:56:44 20 A Because I was abiding by what was the city and county management decision, that
21 they wouldn't be. I saw the decision that was made in the City Hall as
22 applying to both parcels of land and I went along with it.

23
24 JUDGE FAHERTY: But if it was your view that they should go out to tender, why
15:57:02 25 wouldn't you have given that view at the monthly committee meetings?

26 A Oh I did. I gave that view, your worship, I did give that view, I gave it
27 vehemently but it was overturned.

28
29 JUDGE FAHERTY: Who do you say overturned it?

15:57:14 30 A It would have been the city people in particular. They were all there.

15:57:24 1
2 CHAIRMAN: We'll adjourn until half ten tomorrow.
3
4 MS. DILLON: For Mr. Lawlor.
15:57:31 5
6 CHAIRMAN: Yes. Mr. Redmond, you won't be required to give evidence tomorrow,
7 do you understand?
8 A Why is that, your worship?
9
10 CHAIRMAN: Because we are dealing with Mr. Lawlor in the morning.
11
12 JUDGE FAHERTY: Mr. Lawlor is tomorrow.
13
14 CHAIRMAN: You won't be required but you will be back on another day.
15:57:46 15 A But I have the right to attend?
16
17 JUDGE FAHERTY: You are entitled to be here.
18
19 CHAIRMAN: but you won't be in the witness-box.
15:57:54 20 A What time please? I am not allowed a watch in prison.
21
22 CHAIRMAN: It's now four o'clock, we are going to adjourn until tomorrow but
23 you won't be required to -- you won't be required tomorrow to give evidence,
24 you are welcome to be here though.
15:58:09 25 A Oh yes, when will I -- your worship, when will I be required you think again
26 for evidence?
27
28 MS. DILLON: Thursday.
29
15:58:17 30 CHAIRMAN: Thursday.

15:58:19 1 A Okay, that's fine.

2

3 **THE TRIBUNAL THEN ADJOURNED UNTIL THE FOLLOWING DAY,**

4 **WEDNESDAY, 14TH JULY 2004 AT 10.30 A.M.**

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