

**Minutes of the Monthly Meeting of Bray Town Council held in the Council Chamber,  
Town Hall, Bray on Tuesday 10<sup>th</sup> July 2007 at 7.30 p.m.**

**Present:** Councillor Brid Collins, Cathaoirleach  
Councillor John Brady  
Councillor Deirdre de Burca  
Councillor Anne Egan  
Councillor Anne Ferris  
Councillor Michael Lawlor  
Councillor John McManus  
Councillor Ciaran O'Brien  
Councillor Pat Vance

**Also present:** Mr. Des O'Brien, Director of Services  
Ms. Christine Flood, Town Clerk  
Mr. Sean O'Neill, Town Engineer

**Apologies:** Councillor John Byrne  
Councillor David Grant

**1. Confirmation of Minutes of the Meeting dated 19<sup>th</sup> June 2007.**

Councillor Anne Egan proposed confirmation of the minutes of 19<sup>th</sup> June 2007 and Councillor Ciaran O'Brien seconded the proposal.

**2. Reports and Recommendations**

Bray Air Display Sunday 5<sup>th</sup> August 2007.

The Town Clerk gave the following report from the organisers of the Air Display to the members:

*"All aircraft taking part in the Bray Air Display are Irish registered or Irish Air Corps Aircraft. Displays will be by the Irish Air Corps, Coastguard Search and Rescue, Aer Arann and the Irish Army Parachute Display Team will be appearing. The Irish Air Corps will be flying in formation display.*

*The Bray Air Display will not have any aircraft on static display. There will be no over flight of the crowd at any stage. Aircraft arriving for their display will arrive east of the seafront and depart in a northerly direction east of the seafront.*

*No public access to the military/civil helicopters at Presentation College and a marshalled access will operate for those participating in pleasure flights.*

*The organisers of the Air Display have met with all the Emergency Services e.g. Fire Service, Health Service Executive, An Gardai Siochana and they are satisfied that the event is progressing as expected."*

The members raised the following points:

- Well done to the organisers.
- This is brilliant for Bray
- Can we have a Public Address system? It would be handy to let people know what's going on, to help find lost children etc.
- A PA system is the responsibility of the Festival Committee, not the Town Council.
- Can the Council sort it out with the organisers so?

### AO Smith Site

Councillor John Brady requested an update on the AO Smith site. He had requested a report at a recent council meeting.

The Town Clerk responded that she had no record of a request for a report but was aware that the members had requested that the council take action against the owners of this site. She also added that this would fall under an Enforcement Issue and that the Council would have to initiate enforcement proceedings and endeavoured to follow this up. A report would be due at the next Special Housing & Planning Meeting in September.

The members raised the following points:

- This site is derelict and very dangerous
- The owners are responsible for the site and should clean it up
- There should be an Enforcement Issue served on the owners of the site.
- It's the easiest thing to ignore this site but it's 8 acres and we should see how it can be used to benefit the community e.g. mixed development.

Mr. Des O'Brien, the Town Manager responded that the Planning Section did prepare a Derelict Site Notice and that the owners came in and carried out remedial works in the mean time. He added that the Planning Section were extremely busy at the moment and that hopefully they would be able to act upon this in the near future.

The members raised the following points:

- By initiating a Derelict Site Notice again, the owners might possibly secure and clean up the site. They did this the last time.

### LUAS

The councillors raised the issue of the LUAS coming to Bray on foot of an article in the Wicklow Times and quotes being directly attributed to a Councillor and also as a direct result of the same Councillor speaking on East Coast FM.

The members raised the following points:

- This is very disappointing news for Bray and a very serious issue.
- We should contact the Chamber of Commerce and the RPA.
- The newspaper should have contacted the RPA directly – not the councillors or the Chamber of Commerce.
- Not responsible journalism.
- Shouldn't believe everything you read in the papers.
- We need a response from the RPA on this.
- The councillor concerned should have used her Government contacts to find out exactly what was going on.
- There is no change in what the Minister for Transport had announced in Transport 21.
- It was always said that the LUAS would be here by 2011 and it is ridiculous to expect it any sooner.
- The LUAS is coming to Bray.
- We will have a Public Consultation Process about the LUAS coming into the centre of town.
- I suggest the Cathaoirleach seek a meeting with the RPA, along with the Chamber of Commerce and the five TD's representing Co. Wicklow to find out exactly what's going on.
- We need to clarify what's going on.
- The Wicklow Times should not be quoting members of the Chamber.
- I made it clear to the Wicklow Times that there was no change in the plans for the LUAS.

- There is a total commitment to bring the LUAS to Bray. There is a lot of support in Government for this.
- This news story must be treated as very seriously.
- To claim this as irresponsible journalism is irresponsible.
- If the LUAS is not in the Programme for Government, Bray won't get it for 12-15 years. This will further stagnate the development of the town.
- We should go directly to the Minister for Transport and the Marine not the RPA to find out exactly what's going on.
- We are being told that the preferred route has not been announced – it has, it's Fassaroe.
- We need to get the RPA into the Council Meetings.
- The preferred route is West of the motorway.
- If the traders and residents want the spur into Bray to come into the centre of town, we should have a deputation to the Minister.
- I rang the RPA and the Department of Transport – there is no change, the LUAS is coming to Bray.
- We didn't expect the LUAS to come to Bray in the next 5 years.
- It's very important that we get the Fassaroe and centre of town lines in at the same time – essential for the future development of the town.
- [Cathaoirleach Brid Collins] I'd be happy to lead a deputation to the Minister.

Des O'Brien, Town Manager informed the members that he, the County Manager Eddie Sheehy and the Director of Roads Seamus Walker were due to meet with the Chief Executive of the RPA on the following day, Wednesday 11<sup>th</sup> July 2007 to further discuss the extension of the LUAS line to Bray.

He also raised the following points:

- This is very important for Bray.
- Some people have been talking down Fassaroe as a location and this is seeping through to the RPA - they have concerns about this.
- We need to have the town boundary extended to the west and need to have two spurs to join both sides of the town.
- I request the individual councillors to write to the RPA to confirm their support of the LUAS.

Councillor John Brady proposed setting up a meeting with the Minister for Transport & Marine and the RPA and Councillor Anne Ferris seconded the motion.

### **3. Disposal of Fee Simple Interest in land at Florence/Quinsboro Roads, Bray to Ballymore/Florentine Properties, in accordance with Statutory Notice**

The Town Clerk had previously circulated the details of the above to the members.

The members raised the following points:

- Glad to see this on the agenda.
- Great news for Bray.
- Some planning issues needed to be sorted out – have they been done?
- This has been ongoing for 12 years.
- Think the fact that we held onto a portion of land until now gave us a say.
- Are the financial penalties still in place if the development not started and finished on time?
- When this development was first proposed it had conditions.
- It was supposed to provide parking for traders and people in the centre of the town.
- Will they be paying an annual rent to Bray Town Council?
- Once the developer gets the land, can they change the planning?
- Are there any conditions on the developer to keep to his original plans?
- If we pass this motion, what way will the €9,000,000 be paid to the Council?

- Well done to the Town Manager for doing so much work on this and getting it moved forward.
- What safeguards are in place once the .95 acres are sold?
- What happens if there are significant delays?
- What happens if there are no anchor tenants?
- Are there plans in place to improve access/egress to the shopping centre?
- Will this copper fasten the deal?
- Can something be done about the hoarding on the Main Street?

The Town Manager responded that the €9,000,000 payment will be structured as follows:

- €200,000 non-refundable at the signing stage.
- €4,300,000 on commencement of works or by September 15<sup>th</sup> 2007, whichever is soonest.
- €4,300,000 on completion of works or by October 15<sup>th</sup> 2009, whichever is soonest.

He added that this motion was an agreement to dispose of the .95 acres once the development is completed according to the planning permission granted to Ballymore Properties, and if this is the case, the handover will take place at this stage.

He also made the following points:

- There is no annual rent payable – hence the lump sum. He remarked that there are plans for the Herbert Road Car Park and that the Council needs capital to help develop the Main Street.
- The developer has to build according to the planning permission.
- Some tenants have been secured.
- If the development doesn't proceed, they've broken their agreement and the land reverts to us.
- I don't foresee any problems at this stage.
- Access and egress was dealt with in the planning application.
- With regard to the hoarding, the Town Engineer has brought this up at recent meetings. We are writing up the agreement at the moment and will put this request in.

**Disposal of Fee Simple Interest in land at Florence/Quinsboro Roads, Bray to Ballymore/Florentine Properties, in accordance with Statutory Notice**

Councillor Anne Egan proposed and Councillor John Brady seconded the above motion. The councillors took a vote on the motion and voted in the following manner

	For	Against
Councillor John Brady	✓	
Councillor Caroline Burrell	<i>Absent</i>	<i>Absent</i>
Councillor John Byrne	<i>Absent</i>	<i>Absent</i>
Cathaoirleach Brid Collins	✓	
Councillor Deirdre de Burca	✓	
Councillor Anne Egan	✓	
Councillor Anne Ferris	✓	
Councillor David Grant	<i>Absent</i>	<i>Absent</i>
Councillor Michael Lawlor	✓	
Councillor John McManus	✓	
Councillor Ciaran O'Brien	✓	
Councillor Pat Vance	✓	
<b>Total</b>	<b>9</b>	<b>0</b>

#### 4. To Further Discuss The 2007 Road Surface Dressing Programme

The Town Clerk circulated the Town Engineer's report to the members.

Sean O'Neill, the Town Engineer informed the members that there was some negative reaction to the proposed programme, both from members of the public and councillors.

He told the members that the matter had been examined and that as a result of his report being prepared, different materials will now be used. He stated that it is time to keep roads at a certain standard and added that some of the works will be put on hold for the time being. He also stated that due to contractual obligations the works will not be completely stopped and that the Council will be concentrating on through roads.

The members thanked the Town Engineer for his report and raised the following points:

- This report is very unsatisfactory.
- What roads will be done?
- We thought the roads would be done in the usual way.
- What constitutes a through road?
- None of us know what this new material is.
- I've heard it's the same surface as the cycle lanes – I'm ok with that.
- We need to know: what is it and does it work?
- Cost savings are welcome but not if they are at the expense of safety.
- If we are saving money, can this be put in other roads in the town?
- Can the Town Engineer tell us where in Bray so far this surface has been used?
- Where in other urban areas has this surface been used?
- We need to see this surface and make a decision.
- I don't think any estate would want this.
- We will have a plethora of claims.
- There will be damage to cars, pedestrians etc from loose chippings.
- This is unacceptable.
- This surface is fine for country roads where there are not many pedestrians that can be injured from chippings flying all over the place.
- Not a good idea to have this in housing estates, where there will be cars parked and children playing – there will be a lot of claims.
- I'm not happy with this dressing.
- These types of works are normally done outside of the school holidays.
- From a health & safety aspect, is what we are putting down safe for people and the environment?
- I would appreciate it if you could inform the councillors when you are using different materials.
- We were not informed of the materials to be used, that's the issue.
- We did not know that the surface was to be changed.
- Surface dressing causes problems in warm weather each year.

Sean O'Neill Town Engineer informed the members of the following:

- The materials used in the cycle lanes is somewhat similar, however the binder used is different.
- There is an art to putting down loose chippings – not too many or too few.
- The secret of the operation is to gauge the correct amount of chippings to reduce wastage.
- Areas being considered are: King Edward Road, Herbert Road, hills in Seacrest and Ripley Hills.
- It is being considered to omit Richmond Park and Clover Hill from these works until next year.
- No savings are being made – the budget is being put to maximum use.
- Health & Safety – there are serious issues with any form of re-surfacing, not just traffic management.
- Bray Town Council factor in health and safety for each job.

- The weather plays a big part in resurfacing works, as does timing.
- The works weren't commenced sooner as the contract wasn't in place – it had to be ensured that all health and safety aspects were correctly followed.
- I have asked for similar areas to be identified where these surfaces have been used and am waiting to hear back.
- After a time you don't notice the difference.
- The balance of tar and chippings is vital.

The councillors responded:

- I think the Town Engineer has gone a long way to change things.
- It has to be done.
- I'm deeply unhappy with this.
- When trouble comes, as it will, I'll direct people to the officials of the council.
- Have we received any guidelines from the Department of the Environment?
- We appreciated all that you've done on this issue.
- We need to be notified of proposed works in the future, before the residents of the areas concerned.

The Town Engineer informed the members that they will have an opportunity to see the different options available and that they will be much better informed next year. He added that if things are done badly it was the responsibility of the executive, not the Councillors.

## **5. To Request Nominations For A Replacement For Deputy Joe Behan TD On The Finance Committee**

Councillor Pat Vance nominated Councillor Michael Lawlor and Councillor Anne Egan seconded the nomination of Councillor Michael Lawlor to the Finance Committee.

Councillor John Brady pointed out that Deputy Joe Behan also sat on the School Meals Committee.

The Cathaoirleach Brid Collins remarked that perhaps the School Meals committee could provide fruit juice and fruit and also requested that they start up healthy eating in the schools. She also offered to help the Committee in any way needed.

## **6. Notices of Motion**

### **252. Notice of motion in the name of Councillor John Brady (06/03/07)**

“That Bray Town Council condemns the ongoing use of Shannon Airport as a stopover for the American Military in their ongoing occupation of Iraq”.

REPORT:

This is a matter for the Members of Bray Town Council.

Councillor John Brady stated that already several hundred thousand people had been killed in Iraq, and in Afghanistan partly due to U.S. planes being allowed to land and refuel in Shannon. He considered that the Irish Government had been very remiss in maintaining their neutrality. There are questions as to whether rendition flights have actually stopped in Shannon.

The members raised the following points:

- Bray Town Council has no control over this matter.
- No one ever complained about the murders committed by Saddam Hussein
- The regime in Afghanistan is most oppressive
- I am for freedom not fascism

- We should have Notices of Motion that we can do things about.
- There are enough problems in this town that could be addressed by Notices of Motion.

Councillor John Brady proposed and Councillor Deirdre de Burca seconded the motion. It was requested that a letter be dispatched to the various Local Authorities and the Department of An Taoiseach, however the members did not vote on this matter.

### **253. Notice of motion in the name of Councillor John Brady (06/03/07)**

“That all Councillors are informed of any official function to be carried out by the Cathaoirleach of Bray Town Council on behalf of the Council”.

#### REPORT:

This is a matter for the Protocol Committee of Bray Town Council.

Councillor John Brady informed the members that he raised this Notice of Motion in relation to the Harbour Shed Boxing Club. He said that the keys were handed over in a private ceremony, a lot of the councillors had done a lot of work on this and he felt that everyone should have been invited as they had been for the handover of keys on the Boathouse.

The then Cathaoirleach, Anne Egan responded that she had informed the then Leas Cathaoirleach that this event was taking place. It was up to the Boxing Club who they invited to be present at the handing over. The representatives of the Queen of Peace Youth Club had some months previously invited some councillors to be present for the handing over of the keys of the boathouse.

She added that there was so much negativity when the negotiations were taking place that she felt it should not be made into a ceremony and had originally been intended to hand over the keys in the Council Offices, but a staff member had mistakenly informed the Boxing Club that the handover would take place at the Boxing Club. She also remarked that the members were not invited to the official opening.

The members raised the following points:

- When the members elect a Cathaoirleach, it is up to him or her to do the job as they see fit.
- I trust the Cathaoirleach to make the right decision with regard to these events.
- No one could fault the previous Cathaoirleach. As first citizen, you represent the people of Bray – not members of the council.
- Previous Cathaoirleachs have been generous in including all members.

## **7. Correspondence**

### *Greater Dublin Water Supply – Major Source Development Strategic Environmental Assessment*

The Town Clerk circulated a report from Dublin City Council in relation to the Greater Dublin Water Supply and remarked that it could be placed on the Agenda for the September meeting if the members required some time to read and absorb it.

The members agreed to this being placed on the Agenda in September.

### *Removal of Bottle Banks At St. Killian's School*

The Town Clerk had previously circulated a letter from Andrew Lawless, Senior Executive Engineer with Wicklow County Council stating that St. Killian's Secondary School had requested the removal of the bottle banks in this area.

The councillors raised the following points:

- Have gotten a lot of complaints about this.
- The place is in an awful state with broken bottles etc.
- Does the Litter Warden police this?
- Can people not use the recycling centre?
- Support the removal of the bottle banks.
- This boils down to a management issue and an educational issue. People need to be informed what can be recycled in these banks.
- They are not emptied regularly enough.
- People leaving boxes of bottles beside the bottle banks, not placing them into the banks.
- We need to put in place a management plan for all the bottle banks in Bray.
- We need to get more people using the recycling centre.
- We need to place a sign advising people that the bottle banks will be removed by a certain date and directing them to the recycling centre – we have the staff there to deal with them.
- The responsibility lies with people using and emptying bottle banks.
- Can we leave the CCTV in that area for a while to act as a deterrent?
- Can we place these bottle banks on the seafront instead – there are no recycling facilities down there.

## 8. Any Other Business

### Civil Defence

The Cathaoirleach Brid Collins informed the members that the Civil Defence are not allowed to park at the Fire Station off the Boghall Road when they are training and asked that the members of Bray Town Council who are also members of Wicklow County Council raise this at their next meeting, so that some arrangement can be arrived at.

### Parking

The Cathaoirleach Brid Collins asked that the Town Clerk contact CIE in relation to DART commuters parking in the Strand Road car park, as she felt this car park was being abused.

She informed the members that Bray Wanderers had raised the possibility of an underground carpark and that she was due to meet with them to discuss this. She added that she'd keep the members informed of any developments.

Councillor John McManus requested that a meeting would be held with St. Thomas' Community College to request that outside of school term their car park be open to members of the public.

### Fassaroe Pride of Place

The councillors raised the following points:

- The Pride of Place is fantastic.
- Fassaroe looks great.
- It's a nice place for them to live at long last.
- Complements to the Estate Development Officer Richard Sheridan and the RAPID Co-Ordinator Mark O'Neill.
- Thanks to the residents of Fassaroe also – they did a great job on the clean up.
- Thanks to the Town Council for getting the hoarding painted in James Everett Park.

The Cathaoirleach Brid Collins remarked that the Wicklow entrant in the Rose of Tralee – Lisa Marie Berry is from Bray and wished her every success in the competition. She also thanked

the members for their support of her as new Cathaoirleach for the past four meetings and wished the members a happy and healthy summer.

\* \* \* \*

This concluded the meeting.

**Signed:** \_\_\_\_\_  
**CATHAOIRLEACH**

**Signed:** \_\_\_\_\_  
**TOWN CLERK**

**Dated:** \_\_\_\_\_