

**Minutes of the Ordinary Meeting of Bray Town Council held in the Council Chamber,  
Town Hall, Bray on Tuesday 6<sup>th</sup> July, 2010, following the Annual General Meeting**

**Present:**

**Councillor David Grant, Cathaoirleach**  
**Councillor John Brady**  
**Councillor John Byrne**  
**Councillor Eugene Finnegan**  
**Councillor Mick Glynn**  
**Councillor Ronan McManus**  
**Councillor Rossa Murray**  
**Councillor Ciaran O'Brien**  
**Councillor Tracy O'Brien**  
**Councillor John Ryan**  
**Councillor Sarah Wray**

**Also present:**

**Mr. Des O'Brien, Director of Services**  
**Ms. Christine Flood, Town Clerk**  
**Mr. Marc Devereux, Town Engineer**  
**Ms. Triona Irving, Administrative Officer**

**Not In Attendance:** **Councillor Pat Vance**

**1. Confirmation of Minutes of the Ordinary Meeting Dated 1<sup>st</sup> June, 2010**

Councillor Tracy O'Brien proposed confirmation of the minutes of the Ordinary Meeting of 1<sup>st</sup> June, 2010 and Councillor John Byrne seconded the proposal.

The members joined the Cathaoirleach, in welcoming Marc Devereux, Town Engineer to the meeting .

**2. To Consider The Housing Progress Report**

The members raised the following points:

Sutton Villas

- I am delighted that Wicklow County Council are on this site and clearing it. I urge that you move this along.
- There has been no progress on this matter. This is a real concern. I am concerned with the condition of the embankment and I will take this up with the engineer. We want to see the developer on the site. We want a time frame for the works. Can we have a more comprehensive report on this matter?

Cedar Court

- This is a one-line report, which states: '*This development is now the subject of legal proceedings.*' When did this go legal? I believe this was handed over to Stephen Fox. Have the National Building Agency started proceedings?
- The residents are still paying their rent and are experiencing problems due to dampness etc. If we go the legal route, it has the potential to drag on. The residents are talking of withholding their rent, which we don't want to see. We need progress on this matter.
- I am baffled regarding the problems in Cedar Court. This is a new housing estate and they are experiencing dampness.
- If this goes to court, it will take years to sort out.
- I asked if we could build infill housing in this area some time ago. Can I have a response? Have we approached the Department regarding the acquisition of the site at Cedar Court?

### Old Court

- Again this is a one-line report. There are a number of houses boarded up in this estate. Can we have clarification? Have the NBA finished their inspections? We need a report from the NBA and we need to implement the findings of the Fire Safety Audit. Do these delays boil down to the recruitment embargo and staffing shortages?

### Deerpark/Heatherwood/Ard na Greine

- If we can set up a residents group in these estates, I believe that if we get a good committee, the problems being experienced in the area will be addressed.

### Miscellaneous

- Why do vacant houses take so long to re-allocate? People in this town are crying out for accommodation.
- Some houses need serious remedial work and would be boarded up. I question the recent practice of putting posters up on boarded up houses. I would hope that it's not politically driven. If we find out who the perpetrators are, we can issue litter fines.

Triona Irving, Administrative Officer informed the members of the following:

- With regard to Cedar Court, the NBA has issued instructions to the developer to carry out the works required. The developer responded that he has referred the matter to his solicitor.
- It is the intention of the NBA to visit Cedar Court this week and we will have a further update.
- With regard to Old Court, the Department of the Environment, Heritage and Local Government will arrange a meeting with the NBA. The DoE and Bray Town Council are anxious to proceed with this matter. The delays on this are not due to staffing problems in Bray Town Council. The NBA is the architect for the entire country.
- The RAPID Co-ordinator, Mark O'Neill and the Estate Development Officer, Richard Sheridan are holding a meeting with residents of Deer Deerpark/Heatherwood/Ard na Greine next week regarding the residents committee.
- On occasion, vacant houses will need substantial works to be conducted to bring them up to the current standard. This is the ideal opportunity to bring houses up to the standard and when they are re-allocated, people are getting top quality houses with a top BER rating. Some funding is also available from the Department for these works.
- We looked at infill development at Cedar Court. There is very little Capital Funding available from the Department to fund this. We will discuss this with the Department, going forward, for 2011.

Marc Devereux, Town Engineer informed the members of the following:

- We are putting our best efforts into resolving the Sutton Villas problems. We are not satisfied with the work to date. We will push for a conclusion with the developer. We need to be careful what we are saying publicly, in case this goes legal.

### **3. To Consider Planning Matters**

The Administrative Officer reported that no planning files were requested.

### **4. Disposal of Fee Simple Interest in 2 Cillmantain Park, Bray, in accordance with Statutory Notice**

It was proposed by Councillor John Byrne and seconded by Councillor Rossa Murray to proceed with the disposal of Fee Simple Interest in 2 Cillmantain Park, Bray, in accordance with Statutory Notice.

### **5. To Discuss The Local Government Auditors Report on the Bray Town Council Annual Financial Statement, Year Ending 31st December 2009**

Mr. David Forde, Administrative Officer, Finance opened the floor to questions.

The members raised the following points:

- On page 3 of the report, it states that collection on commercial water charges has been reduced from 71% to 37%. Why has this reduction happened?

Mr. David Forde informed the members of the following:

- Non Domestic Water Metering was introduced in 2006/2007 and there were problems with the meters that were installed around the town.
- Wicklow County Council took control of the project initially, but Bray Town Council now control it.
- Currently Wicklow County Council send out invoices and Bray Town Council collect the revenue. We will get these figures back on track.

The Town Manager, Des O'Brien added the following:

- We have had a lot of problems with water metering. We had problems with software. The bills are not easy to understand. We went from manual to automatic billing.
- I am confident that get an 80% collection rate this year. The [previous] Town Engineer and Finance Department have done great work in ironing out the problems.
- [Councillor Ciaran O'Brien] Is there a fault with the meters? This is a pretty poor collection rate.
- The problem is not just the meters. Unfortunately, you can't award an entire system to a contractor. There were problems with the handhelds, transponders and the locations of them. The installation was not done as effectively as it could have been. If we had done the project management ourselves, it would have been better. We are well on the way to sorting out any glitches.

Councillor John Byrne proposed and Councillor Tracy O'Brien seconded the adoption of the Local Government Auditors Report on the Bray Town Council AFS for the year ending 31<sup>st</sup> December 2009.

## 6. To Consider the Schedule of Roadworks for 2010

The Cathaoirleach, Councillor David Grant informed the members that this item was on the Agenda a few meetings ago, but due to time constraints, it was not addressed.

The members raised the following points:

- We never have any money for maintenance. We spent a lot of money on the Vevay Village Renewal Scheme and there have been bollards etc knocked down that have not been replaced. Do we have checks in place regarding replacement of bollards etc? Can the engineers look into this?
- I welcome the works being done at Kennedy Park. There is a serious issue with the cycle lane from there to the Greystones Road. It is in very bad condition. Will the works being conducted take this in hand also?
- Will the works on the footpaths in Ballywaltrim include the re-instatement of the cycle path from Elgin Heights to Kilbride Lane? Also the cycle path from Bray School Project to the traffic lights is in bad order. If the works don't include the cycle lanes, can they be looked at?
- We should make use of the National Transport Authority for funding for cycle paths e.g. Safe Routes to School.
- I know that the provision of a footpath along the Herbert Road to link up with the N11 over bridge is in hand, but is there any money set aside? The residents of Ashton Wood are anxious to see these works done.
- Previously we discussed the provision of ramps on the Seapoint Road. We also discussed the footpaths along here. Why are these items not on this list?
- What does 'road joints' entail?

Marc Devereux, Town Engineer informed the members of the following:

- I will look at the cycle lanes from Kennedy Park to the Greystones Road.
- The Town Clerk and I have looked at the provision of a footpath to meet up with the pedestrian bridge crossing the N11. We will have to acquire land and also to obtain funding for this acquisition.
- I will take my bicycle out and cycle the cycle lanes over the next few weeks.

- The Town Clerk and I have discussed Safe Routes to School and we will make contact with the NTA regarding the cycle lanes.
- I am not fully familiar with road joints repair. I will revert to Councillor Murray.
- I will look at the queries raised regarding Seapoint Road and revert to Councillor Tracy O'Brien.
- [Town Clerk, Christine Flood] We had considered using Block Grants for the Herbert Road footpath, but will not be possible to complete this in the current year due to land acquisition. The land that we hope to acquire is in the ownership of a foreign country, which makes it more complicated.
- [Councillor John Ryan] Can Marc Devereux email all the members with his follow-ups?

## 7. To Discuss Bray Economic Think Tank

The Bray Economic Think Tank was set up by Councillor John Ryan during his time as Cathaoirleach of Bray Town Council and includes representatives from businesses in Bray and Bray Town Council.

The Cathaoirleach, Councillor David Grant stated that most of the members have indicated their preference as to what implementation group they would like to serve on. He suggested putting the report on public display in order to encourage more participation. He stated that the aim is to bring on board new talent, and that if people wish to be involved, they should be able to deliver.

He suggested circulating the report to various groups in Bray such as Bray & District Chamber of Commerce, Bray Partnership, trade unions etc. to ask what areas of the project they wish to be involved in. He then stated that this could be an Agenda item for the September meeting of Bray Town Council.

The members raised the following points:

- I thought that we had already agreed to place this on public display?
- The meeting in the Mermaid was the public consultation. What timeframe would this [public consultation] involve?
- The meeting in the Mermaid was a presentation, there was no opportunity for debate. We need to look at the wider catchment. We need other stakeholders to help us implement the findings of the BETT report.
- If people were not interested in attending the launch, they won't be interested in getting involved.
- I agree, there are many bodies in the town. We can't spoon-feed them. We want people who are forward thinking and we need to move on this. We want to go forward.
- We have to put this on public consultation to give the public every opportunity to get involved.
- I agree, we can't be seen to exclude people. We should go to public consultation. We should convene the meeting around industry, retail and construction and look at these areas to see how we can proceed. I have an interest in the industry grouping.
- We need to bring the public along. We might not get any input or submissions, but we should do it [public consultation] anyway.
- We don't want to lose the momentum. I agree that we should have a two-track approach. Questionnaire sheets were provided on the night of the launch and some people came forward on the night.
- We should work ahead and identify any organisations that could be useful to us, for example, the Mid East Regional Authority. They have links with European funding streams. Bray Partnership is also an organisation that has resources. We need to bring these organisations on board.
- We need to drive the message out there via media and ask the people already on the Think Tank to give a bit more of their time.
- I have no problem with going to public consultation. What organisations will we approach? How will we approach them? Will we write to them? Who do we feel should be on it [Bray Economic Think Tank]. We need to decide whom we want on it. We want people who will work.
- There has already been a lot of work done on this. A report has been produced, which is a working document. What do we mean by going to public consultation? Councillor John Ryan

has brought together the cream of the business people in the town. We need to move on and not get bogged down. We should create a steering group and move on.

- I suggest that we get a steering committee together and get them to look at the responses received.
- I agree with Councillor Brady. We need to move forward. We should get the groups to meet and discuss and they can come back to the full Council in September.
- We need to get the public engaged in branding Bray.
- I suggest that we get the committee involved with branding Bray to do this.

## **8. Reports and Recommendations**

### Text Messaging System

The Town Clerk informed the members of a new text messaging system that the officials of Bray Town Council are in the process of setting up and stated that she would circulate the information to the Councillors when it is finalised. Essentially, persons wishing to be included on the Council's text messaging database will text their name and address to a specific number. They will then be sent a text message informing them of events, boil notices, water bursts etc in Bray. She asked for the support of the members in publicising. She then flagged that due to the recent good weather, it is possible that there may be water shortages in Dublin and that Bray may end up with water shutdowns at night. She stated that the new text messaging system would prove invaluable in getting messages like these across.

### Charging Of VAT By Local Authorities

The Town Clerk had circulated information provided by the Department of Finance regarding changes to the Finance Bill, which will require local authorities to charge VAT on services that are provided.

She stated that Bray Town Council car parks and goods and services that are sold in competition with commercial businesses (e.g. affordable housing units) would be subject to these changes. Ultimately, any increases in the parking charges will go before the members to vote on. For the present, Bray Town Council will absorb these VAT charges and review them in 2011. VAT will not be applied to on-street car parking, but off-street car parking will be affected. To encourage off-street car parking, it would not make sense that on-street car parking is cheaper than off-street, so both pricing structures would have to be considered by the members.

### Temple Vevay Sports Field

The Town Clerk informed the members that at present, she has no update on the above. She is aware that she gave a commitment to the members to have a report. She spoke to the Law Agent on this matter and he informed her that he has contacted representatives of the estate of the late Raphael Walsh, but they have not reverted to him. Consequently, she cannot issue a report at this time.

The members raised the following points:

- Two pieces of the palisade fencing have been cut out, giving residents access to the Temple Vevay Sports Field. However, they are cutting diagonally across the pitch. I asked that access to the footpath be reopened at a previous meeting. I again ask that a piece of the palisade fencing be removed to accommodate this access.
- I ask that a meeting be convened. This has the potential to end up in the courts and no one wants to see that happening.
- Can we remove a piece of the fence whilst waiting on the Law Agents' report?
- I think it is wise to wait and get the legal opinion. The Council made decisions regarding this. The Club were asked to put forward a programme, which they did. There were very strict conditions attached by Bray Town Council, which they have adhered to. Eleven members of the Council agreed to close the right of way. We also agreed to transfer lands to Wolfe Tone and District Youth Club. The elected members made these decisions. I ask for a full and comprehensive report on this matter. If this does not go ahead, what alternative is there? I request a report regarding what other options are open to us.

- [Councillor Ciaran O'Brien] We need to resolve this difficulty. I fully sympathise with the residents. I propose that the residents get together with the Town Clerk and discuss this. We don't want to see conflict.
- I would like to see this brought to a head. What was agreed was that they [the residents] could have the use of the field. They still do. They still have access. If this Council goes against the decision of 18 months ago, it will impact on many more people. Three other clubs also use this field. There will be huge impacts if this doesn't go forward. You will have the situation of grown men changing on the field, which is not appropriate. This is not good enough.
- If we had a commitment to get the legal decision in two weeks, that may help.

The Town Clerk informed the members that she is meeting with the Law Agent the following morning. She stated he cannot force another solicitor to respond to him and that unfortunately the situation will have to take its' natural course. She also stated that she has indicated that she is happy to meet with representatives of Sugarloaf Crescent Residents' Association once she has the Law Agents' findings.

**9. Correspondence**

The Town Clerk informed the members that there was no correspondence arising.

**10. Any Other Business**

Flood Defence Works

Councillor John Brady stated that the first phase of flood defence works had been completed but was worried about indications that some residents were dragging their feet on this. He asked for a full report on this matter.

Graffiti

Councillor John Ryan stated that there are incidences of graffiti tagged H 1981 around the town and that one such tag is in evidence on the Heritage Centre. He asked that An Garda Síochána be notified of this. The Cathaoirleach, David Grant informed Councillor Ryan that he would raise this matter at the next meeting of the Joint Policing Committee.

The Cathaoirleach concluded the meeting by inviting those present to the Ardmore Bar for refreshments.

\* \* \* \*

This concluded the meeting.

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

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

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