

*Minutes of Special Housing and Planning Meeting of Bray Town Council held in the Council Chamber, Town Hall, Bray on Tuesday 1<sup>st</sup> March 2005 at 7.30 p.m.*

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**Present:**

*Councillor Anne Ferris, Cathaoirleach  
Councillor Joe Behan  
Councillor John Brady  
Councillor John Byrne  
Councillor Anne Egan  
Councillor Bríd Collins  
Councillor Pat Vance  
Councillor Deirdre De Burca  
Councillor John McManus  
Councillor Ciaran O'Brien  
Councillor David Grant  
Councillor Caroline Burrell*

**Also present:**

*Mr. Des O'Brien, Director of Services  
Ms. Catherine Halligan, Town Clerk  
Ms. Clodagh Holmes, Senior Executive Planner  
Ms. Triona Irving, Admin Officer, Planning/Housing*

**1. Confirmation of Minutes of the Special Housing and Planning Meeting dated 1<sup>st</sup> February 2005**

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*It was proposed by Councillor Ciaran O'Brien and seconded by Councillor Brid Collins and unanimously agreed to confirm and adopt the minutes of the Special Housing and Planning Meeting dated 1<sup>st</sup> February 2005.*

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

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*The members raised the following points: -*

- The majority of members were very concerned regarding a letter that was sent to the residents of the Oldcourt Housing Estate regarding the condition of the houses and the storage of refuse in the back gardens of the estate.*
- Bray Town Council have tarnished all residents with the same brush.*
- The members would like to see a report on this issue.*
- The Municipal Policy Committee should have dealt with this matter.*
- What can the Council do to rectify the damage caused?*
- The housing assessment forms are a challenge for anyone to fill out. There is a huge amount of detail involved.*
- Main concern is that residents will not fill up form and then will be struck off the housing list.*
- Why did residents receive a new rent assessment form so soon after the last one?*

*Ms. Triona Irving responded as follows:*

- *A letter was sent to all the residents having discussed the matter with the Estate Management Committee and with their agreement fully supported by the Estate Management Officer the letter issued.*

*The members then raised the following points: -*

- *The issue of a caretaker for the Halting Site needs to be looked at.*
- *Are there any further developments on relocating travellers from the Hollybrook site?*
- *Outstanding issues with regards to Giltspur Heights.*
- *Has O'Byrne lane been completely cleaned?*
- *Laneway in Fassaroe – What is the position regarding the closing off of 1 Dargle Heights?*
- *Concerning letting of houses - in some houses the fireplaces are faulty. This is very dangerous for tenants and in one case caused quite an amount of smoke damage.*
- *Bray Town Council should fix any problems in houses before tenants move in.*
- *Why can't Councillors sign the rent assessment forms?*
- *The Ard Na Greine boundary walls / open spaces / flowerbeds are very run down and are in need of a face-lift.*
- *The letter to the residents of Oldcourt was worded badly. It is a small minority of people who dump rubbish in back gardens. Will a similar letter be sent to the residents of other estates?*
- *Bray Town Council should make it clear that no insult was intended to the residents of Oldcourt Estate.*
- *Would like the Town Clerk to send out a letter of apology to the residents of Oldcourt over this letter.*
- *What work is in progress at No. 49 Ard Na Greine and how much will it cost?*
- *Bray Town Council is behind schedule with the Depot site. If this were a private development it would be finished now.*
- *Some residents in James Everett Park do not have central heating in their houses. Can we rectify this issue both here and at Fassaroe?*
- *When will the ceding of the remaining back gardens in Fassaroe be finalised?*
- *Can Bray Town Council do something with the bank at 1 Dargle Heights?*
- *Hedges on the Upper Dargle Road have been cut but there was rubbish left behind.*
- *Rubbish outside St Peters School is left long before lorry comes to collect recyclables. Why has it not been worked out that the litter wardens would cover the depots?*
- *The members welcome the clean up on O'Byrne Road but surprised lighting has not been put in.*
- *Some residents were angry that a letter went out informing them of the clean up because extra dumping occurred before the clean up took place.*

- *There have been five break-ins to elderly peoples homes on the Ballymorris estate since Christmas. Can the factory behind this estate fit security lighting to brighten up whole area? This would improve the situation.*
- *Would like an update on when work on Wolfe Tone Square and O'Byrne Road will be finished. This is having a serious knock-on effect for Dublin Bus and the elderly who use the service.*
- *If people cannot complete the housing assessment form by a certain date will they be knocked off the list?*
- *Can Bray Town Council put fire breakers into our new houses? Does our older housing stock have fire breakers?*
- *The Green Party feel they have to make a complaint that they were not informed of work that had commenced on the O' Byrne road.*
- *Tenancy agreement works both ways.*
- *How does Bray Town Council intend to meet this year's quota with regards to the building programme?*

*Ms. Triona Irving responded as follows:*

- *The members comments have been taken on board in relation to the letter sent out to the residents of Oldcourt.*
- *All Local Authorities including Town Councils send out the same housing assessment form that is issued from Department of Environment, Heritage and Local Government.*
- *There are staff members in the housing department to assist people with filling out the housing assessment forms.*
- *Failure to complete this form will result in people being removed from housing list.*
- *Bray Town Council is aware of the problems with 1 Dargle Heights. The Estate Management Officer will be writing to this resident.*
- *Bray Town Council has to comply with building regulations in regards to firebreaks.*
- *We are in contact with Wicklow County Council in regard to a caretaker for the Halting-site.*
- *Houses that are vacated and left in bad condition; it is the Department that usually pays this cost.*
- *Bray Town Council will be continuing with the central heating programme.*
- *Locks will be changed at Ballymorris. We will send out a letter to factory outlets to ask about improved security lighting.*
- *The clean up of the O'Byrne Road has been completed.*
- *Rent Assessment is carried out annually as was discussed at the time of the Budget Meeting.*

### 3. *To Consider Planning Matters*

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*The members then raised the following points: -*

- *Planning Register Reference 05/18 - Bray Town Council should try to keep this application in line with other developments. Reduce the height at the back of the development.*
- *Planning Register Reference 05/24 – Due to this being a protected structure the sash windows in the front should be retained.*
- *Road works were never completed on Kilmantin Park. There is a family in this estate with two of the family members disabled and their parking spaces were removed from the road. This should be sorted as soon as possible.*
- *Planning Register Reference 04/229 - Disappointed that Bray Town Council has no legal responsibility with regards to the Fairyhill issue. The residents should be contacted.*
- *New Brighton Terrace – Planning Permission granted for development, which included the dishing of a footpath. The contribution was paid for the work but same has not been carried out.*
- *Can members be given the decisions from An Bord Pleanala in the future?*

*Ms. Triona Irving responded as follows:*

- *An Bord Pleanala’s decisions will be included in the monthly report; it is also intended to give a quarterly analysis of decisions and Enforcement Notices in the Planning Department to the members in our monthly report.*
- *Will speak to the roads section about the disabled persons issue, and road markings.*
- *The Law Department was instructed to represent the Council in the Fairyhill case.*

*Councillor Brid Collins stated that the Barrister did not show up on the day in question.*

### 4. *To Consider Proposals for the Road Works Programme for 2005.*

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*The proposals for the Road Works Programme 2005 were previously circulated to the members.*

*The members then raised the following points: -*

- *Concerns that there are a number of areas that need to be updated to health and safety standards*
- *Opposite St. Cronans the footpath is only a foot wide and is very dangerous*
- *On Seapoint Road the road narrows and for safety reasons there should be a footpath. Can this be put down for next year?*
- *The roads programme is a comprehensive one. Will the gateway on O’Byrne Road to Boghall Road as well as the work on Wolfe Tone Square be completed now that money has been allocated?*

- *We thought the work on Vevay Road, from the top of Putland Road and Lauderdale would be done. There is a dangerous footpath at this location.*
- *Lighting in the Vevay Village scheme. When will this be done?*
- *Welcome allocation for Upper Dargle Road. Would like a review of traffic calming measures there.*
- *What is the position with the T-junction on the Herbert Road?*
- *The dangerous junction at St. Peters Road/Dublin Road. This needs to be reviewed. There may be a simple solution to this problem with a new arrangement of traffic lights at the entrance to Corke Abbey.*
- *The road at Oldcourt Park is very narrow. The Council needs to re-visit this issue.*
- *The red coloured surface material that is used for cycle lanes needs to be examined, as it appears that the product is faulty.*
- *Kerbstones are missing from the footpaths on Killarney Road to the Nurseries in Glenlucan. This is dangerous and needs to be reviewed.*
- *Welcome €700 for Kilbride Grove. Who looks after this estate and can the Council install speed ramps for this estate?*
- *Review of disability access on footpaths in the town. Footpaths outside of the Vegetable Shop on the Dublin Road need attention.*
- *Footpaths are needed at the roundabout in Hollybrook.*
- *When will the Quinsboro Road be cleaned? People are parking on the paths so when will bollards and lighting be installed? New footpaths will subside. When will works be completed?*
- *Pole in the cycle lane on the Killarney Road opposite A.O. Smith's.*
- *Money is long overdue for the Upper Dargle Road.*
- *Is the €15,000 for the Raheen Car Park to fill in the pot-holes?*
- *Would like to welcome the new bridge linking Enniskerry Road on N11 to the Herbert Road but there will not be any footpath to meet the new pedestrian bridge.*
- *Would like Council to continue with footpaths on the new road at Giltspur up to the garage.*
- *Florence Road – there is a need to have a plan for this road; footpaths need to be upgraded also.*

*Ms. Clodagh Holmes responded as follows:*

- *Sidminton Road – Will have to check details for this junction.*
- *Works are proposed under the traffic plan for Church Road.*
- *Wolfe Tone Square works should be completed by the end of April.*
- *Money was set aside for Upper Dargle Road and now work may be carried out from Capital Development Contributions.*
- *Traffic calming will be looked at and money has also been set-aside for this.*
- *Cannot give any update on Oldcourt Park as yet but surveys have been carried out on the width of the roads in the past.*
- *The houses in Kilbride Grove are the responsibility of Wicklow County Council and the roads and services are the responsibility of Bray Town Council.*
- *The surface used for the cycle tracks will be reviewed.*
- *Will speak to the Bray Town Council Roads Technician about accessibility for disabled persons.*

- *Footpaths are proposed for the Hollybrook / Statoil Garage area but this is the responsibility of Wicklow County Council.*
- *The Quinsboro Road surface will be under construction over the Easter period when it will be quite.*
- *Relocating the E.S.B pole in the cycle lane will be investigated.*
- *The scheme regarding the regional roads has to be submitted to the Department of Environment, Heritage and Local Government.*
- *The €15,000 is for resurfacing of the Raheen Car park.*
- *Bray Town Council has written to Wicklow County Council and the National Roads Authority regarding footpaths linking Herbert Road to Enniskerry.*
- *Money has been set-aside for Killarney Lane.*
- *The members turned down the possibility of a T-junction on the Herbert Road.*
- *Town Centre put on hold for the last five years because of Florentine Centre.*

*Councillor John Byrne proposed and Councillor David Grant seconded the adoption of the Road Works Programme for 2005.*

**5. To Consider the taking in charge of Aravon Court.**

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*The Town Clerk updated the members regarding Aravon Court. There was an area of approximately 1,400 square metres to the south of Aravon Green that was not included in the public consultation process. There are now two options to deal with this matter. The first is to take in charge the open spaces already put on display and go through a second public consultation for the remaining open space.*

*The second option is to start again and include all the open space in Aravon Court and then bring this back to the members for the formal resolution to take Aravon Court in charge. It should be noted that the request received from the residents did not include Aravon Green.*

*Councillor John McManus proposed and Councillor Ciaran O' Brien then seconded the proposal to take charge of Aravon Court, that is the areas of open space already put on public display. This was agreed by the members and to commence the public consultation process to take in charge the remaining open space.*

**6. Progress Report on the Swimming Pool.**

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*The Town Clerk stated that the preliminary report for the Bray pool and sports complex project was submitted to the Department of Arts, Sports and Tourism on the 17<sup>th</sup> June 2004. The Department required a breakdown of costs for the swimming pool, which was separate from the sports complex, and these costs were submitted to the Department on 14<sup>th</sup> September 2004. The approval of the preliminary report is actively being considered at senior level in the Department. A decision is expected shortly.*

*The members then raised the following points: -*

- *Disappointed with the lack of progress being made. Over the past two years practically nothing has happened. Site chosen, feasibility study carried out, a deputation went to see the Minister for Arts, Sports and Tourism.*
- *Bray needs it's own pool and we should not be going in tandem with Greystones Town Council.*
- *This is the third time this has been raised since last June, which is not acceptable.*
- *Political foot dragging regarding the swimming pool for Bray.*
- *Bray Town Council should seek a deputation with the Minister.*
- *In relation to the site at Ballywaltrim, can Bray Town Council make some progress with the astro - turf pitches in the meantime?*
- *The Department of Arts, Sports and Tourism is at fault in delaying this project.*
- *It is not acceptable that a town like Bray does not have a swimming pool.*
- *Bray Town Council should be contacting Minister Dick Roche to urge him to get involved in speeding this whole process up.*
- *How much funding will be made available from the Department of Arts, Sports and Tourism?*
- *The two main issues in Bray are the recycling centre and the swimming pool. Not fair on people of Bray.*
- *This item needs to be higher on the agenda in future.*
- *Council should hold extra meetings to sort out these issues*

*The Cathaoirleach stated that there has not been a need for any extra meetings previously and it is the members' fault that they are not getting through everything on the agenda. She told the meeting that she will not take the blame for not getting through everything and that some members, including the Cathaoirleach, have been working very hard on other items also, such as the recycling centre. It is not the Cathaoirleach or the officials' fault that items on the agenda are not being reached.*

*The Director of Services told the members that €3,800,000 was the maximum grant given for the swimming pool. He stated that the site is quite tight but will have to review the situation regarding the building of astro – pitches. He informed the members that a delegation would be a very good idea. He stated that he would prefer to spend money that Bray Town Council has in the bank on productive uses for the community rather than leaving the money in the bank.*

*That there is a multi-stage approval process and that the Council are constrained with the amount of money that they can borrow, but that we could borrow on the strength of a business plan and that some of our assets could be sold.*

*Councillor David Grant and former Councillor Diarmuid de Paor were thanked for their input on the sub committee for the swimming pool.*

*The Cathaoirleach asked the Town Clerk to contact the Minister's office to arrange a delegation. She suggested that maybe one member from each group should attend this delegation and to contact their relevant Dail representatives.*

## **7. Update on the Florentine Centre**

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*The Director of Services stated that Bray Town Council no longer have an agreement with Florentine Developments Ltd. He informed the members that the developer met with the Town Clerk and himself earlier today, and the developer was advised of this. The Town Engineer has been asked for a report on the level of activity on the site. The valuer that the Council engaged indicated that the site the Council own was not saleable.*

*If we go ahead with a deal it must reflect the market price and it must contain serious penalties.*

*It was agreed at our meeting today that the principals of Ballymore Properties Ltd would meet with the principals of Wicklow County Council.*

*A general discussion took place and the following points were raised:*

- *Is this agreement now default? Would like an opportunity to look at this whole situation again as this project has been going on for eleven years.*
- *From a retail side Bray is going down the tube. Shops are closing down and this is a major problem. Ratepayers are suffering because of the lack of business.*
- *If we are going to get a better development we should wait. Bray Town Council should be looking for the most modern development.*
- *Bray should try to emulate Dun Laoghaire because Bray will be doomed if there are no big shops.*
- *Very suspicious of Public-Private Partnerships. This is a classic example of where Ballymore Properties Ltd has taken advantage of Bray Town Council.*
- *Contributions outstanding from Florentine Developments Ltd. These should be paid up front.*
- *Not in favour of subdividing bigger shops.*
- *Possibility of running car parking by Bray Town Council to raise revenue.*
- *We have to get tough with Ballymore over this issue because time is not on our side. This should be high on the agenda for the next meeting.*
- *A compulsory purchase order should be put onto this site and a more proactive role is needed from Bray Town Council.*
- *Would like to see original tender and if there are any updates in the meantime can the members be informed?*
- *If new application is made, the likelihood is that it will be appealed.*

*Councillor Joe Behan proposed that the meeting be extended until 10.30 p.m and this was seconded by Councillor David Grant.*

*The Town Clerk stated that Florentine Developments Ltd paid €363,500 on foot of the agreement. They had one meeting with the Senior Executive-Engineer and the Roads Technician and they are now trying to arrange a formal pre-planning meeting. She stated that the developer made an agreement with the Planning Authority regarding payment of capital development contributors and they were making the required payments.*

*The Director of Services stated that issuing a Compulsory Purchase Order would present a problem, and that it is a risk beyond one that we could take as it was a very expensive proposition.*

*The Cathaoirleach suggested that the Director of Services look into this and that it would be high on the agenda for the next meeting.*

**8. *Update on the lease agreements for Wolfe Tone & District Youth Club.***

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*The Town Clerk informed the members that the solicitors for Lord Meath and for the Youth Club met with the Law Agent last week and agreed in principal the terms and format for the new lease extending the terms of the existing lease and for the transfer of the area which contains the buildings to the Youth Club. Lord Meath's solicitors are drafting this documentation and it is hoped that it will be completed by the end of the month.*

*A general discussion took place where the following points were raised:*

- *This has been going for fifteen years. It is good that three legal people have some form of a draft.*
- *The owners should come together on this project.*
- *There were existing side agreements regarding this venture and these should be included.*

**9. *Update on the 1.78 acres.***

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*The Town Clerk informed the members of the situation regarding the 1.78 acres on the Southern Cross Route.*

*A general discussion took place and the members raised the following points:*

- *Urge Bray Town Council officials to finalise this matter. There is a much-needed demand for shopping facilities in this location.*
- *800 people living in this area and no shops.*
- *Have Superquinn applied for planning permission?*

*The Town Clerk stated that before Christmas a 'Without Prejudice' letter was given to Superquinn so that they could submit a planning application for their site, but to date no application has been received.*

## 10. Correspondence

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### Appointment to N.B.A

*The Town Clerk informed the members that she had received correspondence from Councillor Joe Behan informing the meeting that he has just been recently appointed to be a Director of the National Building Agency Ltd. by the Minister for the Environment, Heritage and Local Government, Dick Roche T.D. for the period 26<sup>th</sup> January 2005 to 30<sup>th</sup> June 2006.*

*All the members congratulated Councillor Joe Behan on his appointment.*

### St Patrick's Day Carnival

*The Town Clerk informed the members of the letter she had received from Bray and District Chamber of Commerce, which requested the use of the Seafront for the festival.*

*A general discussion took place and the members raised the following points:*

- *This is another situation where people have been excluded from a tendering process.*
- *Press release already given by Chamber of Commerce.*
- *The Council needs to sit down urgently to get an agreement.*
- *Should be made clear that this Council is not running this.*
- *Would fully support voluntary work on anyone's behalf.*
- *Very concerned at timeframe. Received very short notice, which is not the proper way to do business.*
- *Greystones parade is not required to have Public Liability Insurance.*
- *Congratulate the Chamber Of Commerce for organising this years St. Patrick's Festival.*
- *It has to be recognised that we have a St. Patrick's festival, which is what the people of the town wanted.*
- *Is the Air show now a done deal?*
- *But people from Air show came to Municipal Policy Committee.*
- *The air show was agreed in principal. People from the airshow came to the Municipal Policy Committee meeting, which was correct process.*
- *This will greatly benefit children in town.*
- *Need more time to discuss the Air show. Can we discuss at next meeting?*
- *Policy needs to be dealt with by Municipal Policy Committee for Seafront.*

*The Cathaoirleach informed the members that this is the first meeting that the St. Patrick's Festival committee had the opportunity to bring this request to the member's attention and that a proper policy for the use of the Seafront should be dealt with by the Municipal Policy Committee.*

*She proposed that the Council ask the committee to submit a bond of around €25,000 to €30,000 to use the seafront in the event of damage being caused and this was agreed.*

*The Cathaoirleach proposed an extension of time to finish the business of the meeting. Councillor Joe Behan supported this proposal.*

### **Planning Register Reference 61/86**

*The Town Clerk informed the members of a letter she had received from residents in Ripley Court requesting that a deputation be received to discuss a planning difficulty at this location.*

*A general discussion took place where the members raised the following points:*

- *Deputations at full meetings are a bad idea as it holds up the business of the meeting.*
- *This is up to the management to respond.*
- *This is a serious matter and needs to be addressed and should be aired in public.*
- *After some further discussion it was agreed that the deputation would be allowed twenty minutes at the beginning of the Special Housing and Planning meeting in April.*

*The Director of Services stated that this is certainly not a planning error. He stated that the Planning Act does not cover absolutely every little thing and that there are grey areas. He said that Bray Town Council have a very good record regarding planning issues and to undermine the planning system is very unfair.*

### **March Monthly Meeting**

*The Cathaoirleach proposed that next Tuesday's meeting should start at 7 p.m. with the Protocol Meeting to begin at 6.30 p.m. because of the Civic Reception being held that evening.*

### **Civic Receptions**

*Councillor Joe Behan asked that we look at the way civic receptions are handled in future.*

### **D.A.R.T closure**

*The Town Clerk informed the members of a letter she had received from Bray D.A.R.T station confirming that the station will be closing for some months over the summer, although it will operate on the weekend of the Air show.*

*Speaking on behalf of the members, the Cathaoirleach stated although it is good news the station will be open on the weekend of the Air show, however it is a disgrace that it will be closing for the rest of the summer.*

**11. Any other Business**

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**Fire Service**

*Councillor John Brady raised an issue regarding the fire fighters. He stated that the Council should show some sort of solidarity with the fire fighters and that a letter should be sent to management.*

*Councillor John Byrne said that people are entitled to protest but they should try to solve these issues at a local level. He stated that it is wrong of the fire fighters to take this action in his opinion and that some of the statements were wrongly made.*

*The Town Clerk advised the members that Wicklow County Council is the Fire Authority and that a meeting had been arranged for the following Tuesday with the Union's representatives in order to try and resolve this matter.*

**Signed:**

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**Cathaoirleach**

**Signed:**

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**Town Clerk**

**Dated:**

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