

**Minutes of Special Housing and Planning Meeting of Bray Town Council held in the Council Chamber, Town Hall, Bray on Tuesday 10<sup>th</sup> May 2005 at 7.30 p.m.**

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**Present:** Councillor Déirdre De Búrca, Leas Cathaoirleach  
Councillor Joe Behan  
Councillor John Brady  
Councillor Caroline Burrell  
Councillor John Byrne  
Councillor Bríd Collins  
Councillor Anne Egan  
Councillor David Grant  
Councillor John McManus  
Councillor Ciaran O'Brien  
Councillor Pat Vance

**Apologies:** Councillor Anne Ferris, Cathaoirleach

**Also present:** Mr. Des O'Brien, Director of Services  
Ms. Catherine Halligan, Town Clerk  
Mr. Sean O'Neill, Town Engineer  
Ms. Joan Kavanagh, Housing Officer

**1. Confirmation of Minutes of the Special Meeting dated 26<sup>th</sup> April 2005.**

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It was proposed by Councillor Bríd Collins and seconded by Councillor Ciaran O'Brien and unanimously agreed to confirm and adopt the minutes of the Special Meeting of Bray Town Council dated the 26<sup>th</sup> April 2005.

**2. Reports and Recommendations**

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The Town Clerk stated that there were no reports and recommendations for the meeting.

**3. To consider the Housing Progress Report**

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**Rent Scheme:**

The members raised the following points:

- There was widespread anger and upset at the very big increase in rent.
- Overtime is being included in the earnings of tenants for the rent assessments and it should not be.
- The market rental value of a house in Fassaroe / Oldcourt – how can this be worked out?

- The rent rise is an anti-family scenario.
- This is all because in some households the children are being assessed instead of the tenants.
- Some teenagers would be saving to buy houses of their own and this rent assessment is making that impossible for them.
- What is the status of the principal earner?
- Substantial increases in rents because of subsidiary earners.
- Some hardship cases with people on low incomes.
- Never been so many people complaining of high rents.
- The income from rents will be far in excess of what was adopted in the Budget for 2005 - €9000 extra per week in rental income.
- What communication has been made with the Department of the Environment, Heritage and Local Government concerning these rent increases?
- Were the rent increases issued from the Department of the Environment, Heritage and Local Government or from Bray Town Council?
- The abolition of the maximum rent and the calculation used are serious issues.

The Town Manager stated that the rent scheme is not a matter for the Council but is an executive function of the manager. This differential rent scheme is income related so therefore if your income increases so does your rent. It is not based on the market value of the house. We have had no communication from the Department of the Environment, Heritage and Local Government on this matter. Bray Town Council is not out to make money out of this scheme. We will examine the scheme and if there are errors/anomalies in the scheme we will rectify them. The staff are happy to look at individual cases and check the position. There is also a very generous Tenant Purchase Scheme on offer from the Council.

Following a lengthy discussion on this issue and a number of amendments to the original proposal by Councillor Behan, it was proposed by Councillor Joe Behan and seconded by Councillor Pat Vance that the following changes be made to the rent assessment scheme:

**The members decided to vote on this proposal.**

- a. That we institute a rent freeze at 2004 level for all tenants who are Old Age Pensioners and who will become Old Age Pensioners during the lifetime of this Council.  
 b. The principal earner is the main tenant.  
 c. That we re-institute a maximum rent of €100 per week adjusted with the annual rate of inflation.  
 d. That the income of any child under the age of 18 years in the house should not be included for rent purposes.

The matter was voted upon as follows: -

	<b>FOR</b>	<b>AGAINST</b>
Councillor Joe Behan	✓	
Councillor John Brady	✓	
Councillor Caroline Burrell	✓	
Councillor John Byrne	✓	
Councillor Bríd Collins	✓	
Councillor Déirdre De Búrca	✓	
Councillor Anne Egan	✓	
Councillor Anne Ferris	Absent	Absent
Councillor David Grant	✓	
Councillor John McManus	✓	
Councillor Ciaran O'Brien	✓	
Councillor Pat Vance	✓	
<b>Total</b>	<b>11</b>	<b>0</b>

*With eleven votes for and none against the proposal was adopted by the members.*

The Director of Services stated again that the Differential Rent Scheme was an executive function of the Manager and was not a matter for the members. He would have to seek legal advice on the vote that was taken.

Councillor Joe Behan stated that as far as he was concerned that a proposal was made and seconded and that once a vote was taken that this is now a decision for the members of the Council and must be acted on.

The members requested that the legal advice be available for the next meeting.

The members then continued discussing the housing progress report with the following points:

- The tenant at No. 6 Greenpark Terrace is very unhappy with the work carried out in this house. The electrical side needs to be looked at. The officials of Bray Town Council are to look at this and give report at next Housing meeting.
- Is refurbishment ever going to be done on houses in James Everett Park?
- Are there any drawings done for the Richmond Hill development?

- Would like to welcome that the caretaker position for the halting site in Silverbridge is being dealt with and when will this area be cleaned up?
- What other areas will the caretaker be looking after?
- Welcomes funding for Fassaroe which will improve the appearance of the estate.
- Work on the Ballywaltrim houses for the elderly is very slow. When will it finish and how many of these houses will Bray Town Council get?
- There was not enough notification to residents in Giltspur Heights regarding the shutting off of the water.
- Would like a sign erected in Giltspur Heights and a caretaker for the estate.
- Will the houses at the Schools Road be ready on time?
- Is there a length of time in which to get an extension to a house approved?
- The €1,700,000 allocation is welcome for James Everett Park.
- 31 St. Kevin's Square – an extension is being put onto this house. The height of the extension will block out the light into neighbour's houses. This issue needs to be examined again.
- Concerned that Hollybrook Travellers Site was not on the agenda. Would like this to be put on to the agenda for the next Special Housing report.
- The CCTV cameras for Fassaroe is an added bonus.
- How will the Town Manager use the funding for this years housing programme?
- Can anything be done about Bray Town Council buying houses on the open market?

The Housing Officer stated the following:

- There are no problems regarding James Everett Park. The Department of the Environment, Heritage and Local Government are looking for a cost budget at the moment. Only fine - tuning left to do.
- There are drawings for the Richmond Hill Development and the architects Burke Kennedy Doyle have reviewed the tender documents and are now in the process of meeting with the lowest tenderer.
- The Department of the Environment, Heritage and Local Government have suggested looking at improving the whole Fassaroe Estate with a strong focus on eliminating anti-social behaviour. The Department have also approved the installation of CCTV cameras to cover the playground in Fassaroe.
- Halting Site Caretaker will also cover the areas of Kilmacanogue and Kilcoole.
- Ballywaltrim – the allocations in the first block will be made by Wicklow County Council later in the summer. Bray Town Council will be given allocations in the remaining two blocks.
- The closing date for the Silverbridge halting site caretaker position was the 6<sup>th</sup> May 2005. The personnel officer is organising interviews at present.
- Snag list has been done up for Giltspur Heights and the works have been completed. The issue of the sign will be discussed with the Town Engineer.
- 31 St. Kevin's Square – this matter is currently being investigated.
- Purchase of houses – three have been bought so far and three more are planned to be bought. House prices are high in Bray because of close proximity to Dublin and this causes difficulties.
- Completion date for the depot site housing development is September / October 2005.

The Town Engineer informed the members that Bray Town Council has only recently become aware of the problem of an extension at St Kevin's Square. He said that Bray Town Council can reduce the height of the wall but this may mean having a smaller ceiling. The resident of No. 30 had an extension down the full length of the garden. He stated that planning permission is not required. The Town Engineer confirmed that he would examine this issue further.

The Director of Services stated that the order for the Compulsory Purchase Order at Hollybrook had to be confirmed. He also advised that there were still three families on the site.

#### **4. To consider Planning Matters**

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#### **Planning Register 05/52 – Development to the open area adjacent to the Boathouses Café, Southern end of Strand Road, Bray.**

Councillor John Brady asked if this property was subject to enforcement? He also asked if the area outside the building is a public area.

Councillor Pat Vance stated that The Boathouse is one of the best things to happen to the Seafront and has the support of a huge number of people.

The Town Clerk indicated that an application for retention had been received and was still under consideration. She also stated that approximately 56 square metres of public property was being used by the Boathouse.

#### **Planning Register 04/236 – alterations and improvements at the Esplanade Hotel.**

Councillor Brady stated that there have been alterations and improvements of the elevations of the bedroom block. Bray Town Council refused this application on 14<sup>th</sup> February 2005 and he asked the officials what is Bray Town Council doing about this issue?

The Town Clerk advised that enforcement proceedings had issued in this case and that the Council were awaiting a date for the case to be heard in the High Court.

#### **Planning Register 05/71 – (1) Demolition of “Ballywaltrim Grove” house and outbuildings.**

**(2) The construction of 72 dwelling units.**

**(3) 102 surface level car parking spaces.**

**(4) Vehicular access from Killarney Road via the internal access road at Saran Wood, plus landscaping and ancillary site development works on the 1.47 hectares site at Ballywaltrim Grove.**

***(Invalid Application)***

Councillor John McManus mentioned this application and asked is this house not a protected structure?

Councillor Vance confirmed that he is pleased that this is an invalid application as over 100 houses would be coming in through the same entrance and there would be objections.

**Planning Register 05/64 – use of storage area to West and permission for enclosed storage area to include upgrading of existing storage area to West and enclosed yard to house waste containers to East (a protected structure) at The Marine Hotel.**

Councillor Ciaran O'Brien raised the point that if this structure stays it will impede the right of way of others and this proposed development might make the situation worse.

**Planning Register 05/68 – Development of four apartments and an extension at Tig Muire (a protected structure).**

Councillor O'Brien expressed concerns that there are no parking provisions and this will cause problems.

Councillor David Grant mentioned the decisions made by An Bord Pleanala.

## **5. Town Engineer's Report on the fire at No. 75 Oldcourt Drive**

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The members raised the following points:

- Is there anything Bray Town Council can do to improve fire safety and can the Town Engineer give any input on how to do this?
- Good idea to have an audit on these houses.
- Was there polythene plastic in the house?
- Smoke came out through all cavities in No. 65 and it didn't in No. 75. Are both houses not the same?
- Very thankful no lives were lost. These fires were accidental and we must remember that.
- Is it compulsory for Bray Town Council to install smoke alarms?
- What can we do to get a full time fire service?
- A lot of these fires could have been prevented if people were more aware of the dangers.
- The fire service should run on a regional basis. At present each county does their own thing. No County Council or Town Council should have their own fire service. Only cities should have their own Fire Service.
- A full time fire service does not prevent fires. Prevention is the key.
- Is the Town Engineer satisfied with the height of chimneys on these houses? Are they too low?
- Fire hydrants are not maintained properly. Would like Town Engineer to get fire brigade to inspect.
- We need an independent fire safety audit.
- Electricians should be checked every five years and there should be a maintenance contract on gas boilers.
- Increase in house fires – fire prevention measures should be introduced and this should be done through the Estate Management Committee.
- A full time fire service does not prevent fire but it responds quicker.
- Failte Park – first Council housing estate to have fire alarms and this was followed nationally.
- What planned maintenance programme do we have?
- Dangers of carbon monoxide.

The Town Engineer informed the members of the following:

- Fire-stopping measures are in the walls and up to the attics.
- The house at No. 65 is a completely different construction than the house at No. 75. There is roof felt in the ceiling in the attic.
- The fire in No. 75 was downstairs with a lot of combustible material in the room and the fire in No. 65 was upstairs in a smaller room.
- Smoke alarms – all houses do receive smoke alarms when they are being refurbished.
- Chimney Heights – not aware of any non-compliance with building regulations.
- Fire Hydrants – there should be a system where workers flush the system but not sure if this is done systematically.
- People do need education in fire safety.
- When smoke gets into cavities in the wall it can come out through the meter box.
- There is a fire barrier in the cavity at first floor level and this does not allow the smoke to go up and therefore it spreads vertically.

The Cathaoirleach then asked the members if they want to discuss items 7, 8, 10 and 13 because of time restrictions. The members agreed to this.

## **7. Progress Report on Swimming Pool**

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The Town Manager stated that Bray Town Council has received very good news now in that we can now prepare the contract documents for this project. He stated that we are going to use the same design team for the two pools but that they will be reporting separately for each pool.

The members raised the following points:

- Welcome this news but remember that the swimming pool is just a small part of the overall project here. The gym, sauna and pool etc should be built together.
- Bray Town Council has to make sure funding is in place.
- Acknowledge that Minister Dick Roche TD had a big part to play in this.
- The manager now needs to give a time frame.
- The design team should come before the members to explain the details of plans.
- Concerned that we have to do this in tandem with Greystones, Bray Town Council is an independent Council.
- Will this project be completed within the lifetime of the current Council?
- Do we require any further planning process?
- Bray Town Council should look for a further grant or an increase on the €3.8 million.
- Bray Town Council are in a position to raise the balance of the money. Greystones are still fundraising for their pool.
- Bray Town Council are not responsible for the closing of the Presentation College pool.
- Would like Bray Town Council to run pool or are we going with Design and Build or Design Build and Operate system? S.P.L.A.S.H. are still fundraising.

The Town Manager told the members that what is in the preliminary report is what the Council is going to do. He stated that members and officials from Bray Town Council did visit other swimming pools and that we were looking at what gave us the maximum amount of value for money. He also stated that the design team did come to the Council meeting and that the design costs could head towards one million euro. The contract documentation is the next stage and that should be completed within six months. He added that there is a limited amount of money for swimming pools and a lot of Councils are looking for it.

When the contract documents have been prepared, the Department approval is required to go to tender. When the contract documents go to the Department certain planning issues may arise. He went on to say that this Town Council can fund the balance of the money and that it is almost impossible for Local Authorities to borrow money now.

Councillor De Burca proposed that the meeting be extended but this was not agreed to.

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

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The members agreed to leave this matter until next week.

### **9. To discuss the taking in charge of Aravon Court**

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Councillor Ciaran O'Brien proposed and Councillor John Byrne seconded the proposal that Aravon Court be taken in charge.

### **10. Disposal of Fee Simple Interest in 1 Wolfe Tone Square South, Bray, in accordance with Statutory Notice**

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Councillor John Brady proposed and Councillor Brid Collins seconded the proposal that the fee simple interest in No. 1 Wolfe Tone Square South, Bray be disposed of.

### **13. Update on 1.78 acres**

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The members raised the following points:

- Have the officials been in talks with Superquinn / Melcorpo.
- Should Bray Town Council be looking at providing some sort of recycling facility on this site?
- We were told a while ago that news will be pending about a bring-centre for this area.
- Deeply unhappy with Wicklow County Council, they should be trying to expedite this matter.
- Officials in Wicklow County Council have not had one meeting with consultants, seems to be a lack of urgency on behalf of Wicklow County Council.
- If our own manager was given the responsibility to do this it would have been done much sooner.
- It is not the Minister's job to find suitable sites for Wicklow County Council for a Recycling Centre.

The Town Manager stated that no talks / discussions had taken place with Superquinn.

He informed the members that several negotiations have taken place with regards to a bring centre but they have all broken down. He also stated that Bray Town Council has three irons in the fire regarding this matter. He added that money is available from the Department. He advised the members that a brief is being prepared for this site. There are a number of issues to be addressed, what is the most advantageous to the Council and also to comply with the objectives of the Development Plan. We are also in the process of seeking a professional valuation on the site.

This concluded the Special Housing and Planning meeting.

**Signed:**

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**CATHAOIRLEACH**

**Signed:**

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**TOWN CLERK**

**Dated:**

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