

Minutes of Special Housing and Planning Meeting of Bray Town Council held in the Council Chamber, Town Hall, Bray on Tuesday 14th June 2005 at 7.30 p.m.

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

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

1. Confirmation of Minutes of the Special Housing and Planning Meeting dated 10th May 2005.

It was proposed by Councillor Bríd Collins and seconded by Councillor John Byrne and unanimously agreed to adopt the minutes of the Special Meeting of Bray Town Council dated the 10th May 2005.

2. Reports and Recommendations

The Town Clerk informed the members that a pontoon will be placed in the Dargle River over the next two weeks to drill holes for site investigation for the Bray Shanganagh Scheme. She stated that Mr. Ciaran Dignan is the Resident Engineer acting on behalf of Dun Laoghaire Rathdown County Council and Bray Town Council. Mr. Dignan will be contacting the Department of Communications, Marine and Natural Resources prior to carrying out any work in the river.

3. To consider the Housing Progress Report

Rent Scheme:

Councillor Joe Behan disagreed with the Law Agent's legal opinion when he says that the Councillors do not have the power to instigate the following proposals –

- to 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,
- that the principal earner is the main tenant,
- that we re-institute a maximum rent of €100 per week adjusted with the annual rate of inflation,
- that the income of any child under the age of 18 years in the house should not be included for rent purposes.

Councillor Behan quoted from Section 140 of the Local Government Act 2001 and stated that this section allows the members to direct the manager to carry out the above proposal.

Councillor Behan stated that he regretted this course of action, and that he had to put a formal Section 140 notice forward which had been signed by three members.

Councillor Pat Vance stated that the increase in rents was huge and that he didn't know the legality of the rental income contained in the Budget.

Councillor John McManus questioned if the Section 140 notice has legal standing, he stated that the Labour Party did not want to get people's hopes up, but that he would come to a judgement after the legal advice was obtained.

The Cathaoirleach said that the manager previously stated that the Councillors did not have any function over this and the Law Agent confirmed this. The members should seek independent legal advice and she proposed that the Council get this.

The members continued and raised the following points:

James Everett Park

- It has been a long time since the letters went out about refurbishment. Can new letters be sent to the residents asking what they need?
- Information system is needed in James Everett Park – do not need to wait for the Department of Environment, Heritage and Local Government.

Richmond Hill

- Will the shop be closed when works are in progress?
- Is there anywhere else in the estate the shop can be relocated to and who will run the shop?

31 St Kevins Square

- Can the officials elaborate on what is happening at 31 St Kevin's Square?
- We have to learn lessons from this situation.
- The Council should be sensitive to the needs of persons who live alone.

Oldcourt Annual General Meeting

- Very good the way this was run.

Central Heating Scheme

- Would like to welcome the list of houses on the central heating scheme but still have received some complaints from older people still waiting for central heating.

Silverbridge Halting Site

- Can we get some information on a caretaker for Silverbridge? I thought this position was nearly filled?
- When will this area be cleaned up and the CCTV camera installed?

Ard Na Greine

- Complaints have been received from tenants about the bad condition of the estate. Would like a report on how we can improve this.

Disabled Persons Grants Scheme

- Disappointed at the lack of progress on the disabled persons grants scheme.

Fire Depot Site Scheme

- Are we on-time with the fire depot site scheme?

Playgrounds

- Would like to thank the Minister for the allocation for playgrounds in Bray.

RAPID

- Welcomed the RAPID funding for landscaping, traffic calming and further funding for playground equipment.

Fassaroe

- Important that the residents have a liaison officer in place for the Fassaroe works.

Housing Assessments 2005

- Originally there were 1200 people on the housing list. Only 568 people returned the form, which means that the remainder of people were knocked off list. This is not right and is there any way that this can be looked at?

The Administrative Officer stated the following:

- The Housing Department did everything that was possible to do to contact everyone regarding the housing assessment forms. It was advertised in the local media, on the radio and a telephone call was made to those who gave a telephone number and each applicant received two letters. The members were contacted. We also spoke to officials in the Health Board and Social Welfare.
- Any time that applicants were previously on the list has now been forfeited.

- Our staff is definitely not un-sympathetic towards the needs of the residents. The Citizens Advice Bureau was a great help to us also.
- There is no problem writing to the residents of James Everett Park again regarding the proposed works.
- The central heating works have commenced in the listed houses.
- Interviews for the Silverbridge Halting Site will be held tomorrow (15th June 2005).
- Hollybrook Halting Site is the jurisdiction of Wicklow County Council.
- Disabled Persons Grants – in the middle of processing these at present.
- We have to estimate the rental income for households for the budget with the information that is available to us.
- Hardship cases are significantly lower than that of last year.
- Richmond Hill Site – meeting to be held on Tuesday regarding this.
- The change made to the Rent Scheme was outlined to the members. Rents for some people will be lower than in 2004 but no tenant is paying more than 30% of their weekly income.

The Town Engineer informed the members that in regard to St Kevin's Square, the house was modified to a more moderate proposal.

The Director of Services stated to the members that he is definitely not ignoring the Councillors and that this statement is not backed up by fact and he rejected this statement by Councillor Behan. He confirmed that the administration in Bray Town Council is always willing to listen to the needs of the members.

Councillor Joe Behan replied that the style of management that the members have now been introduced to, is that the members are dictated to and that the members will do their job in the way that they feel fit. He stated that he now has four signatures on the Section 140 Notice and that he will now submit it.

The Director informed the members that he would discuss this matter with the Law Agent and the Members can then decide regarding the independent legal advice.

It was agreed that this would be the first item on the agenda for the Special Housing and Planning Meeting in July.

4. To consider Planning Matters

Planning Register 05/52

Councillor Ciaran O'Brien stated that he is concerned about the open spaces. He also asked if the property is to be leased or rented out and if so, for how much?

Planning Register 05/98

Councillor David Grant stated that the Youth Development Project application is a very unique situation because of the location of the development. He also stated that Bray Town Council should seek a change in the boundary with Dun Laoghaire Rathdown County Council in the interest of the Fassaroe residents.

The members raised the following points:

Killarney Road

Councillor John Brady stated that he is concerned that the realignment scheme is not completed and asked why a Compulsory Purchase Order was needed? He also asked if something could be done about the E.S.B. poles in the middle of the cycle lanes on the Killarney Road?

Quinsboro Road

Councillor John Brady asked when would the works on the Quinsboro Road be completed?

Councillor John McManus asked what does the Town Manager propose to do about the increased densities in the implementation of the development plan?

Planning Register 05/89

Councillor Brid Collins stated she would like to support this application.

Councillor Anne Egan informed the meeting that she would support this planning application because Bray needs somewhere for people to buy electrical equipment etc.

Taking in Charge

Councillor John Byrne stated that he has received numerous requests from people requesting certain estates be taken in charge by the Town Council.

Flood Risk Study – Golf Club Lands

The Cathaoirleach, Councillor Deirdre De Burca stated that the Councillors had no access to the flood risk study that was carried out by U.C.D.

Councillor Pat Vance stated that no development would take place until the Office of Public Works gave prior approval to the model.

Councillor John McManus stated that Bray Town Council would not take on board any study done by the developers.

The Town Manager stated that a lease was given for the land near the coffee shop by the directions of the members. The planning application will have to be decided first, but the disposal of land etc is a reserved function of the members. He further stated that he took on board Councillor McManus' point in relation to the Residential Density Guidelines and that planners would have to be vigilant regarding density.

5. To consider the inclusion of the Parochial Hall and St. Cronan's on the list of protected structures

The Town Clerk informed the members that she had received correspondence from Ms. Nicola Gray on behalf of the Trustees and Select Vestry of Christ Church in Bray. The letter stated that the Trustees and Select Vestry of Christ Church in Bray were totally against a petition that was recently circulated asking people to sign to stop the Parochial Hall from being knocked down. This letter was circulated to the members.

The members raised the following points:

- The argument here is for the architectural heritage of the Town. It is part of the streetscape.
- Bray is rich with buildings but in the last few years we have lost a lot of them.

Councillor Ciaran O'Brien proposed and Councillor Caroline Burrell seconded the proposal "that the Parochial Hall be added to the list of Protected Structures". He added that he hoped that in the future that the people of Bray will not look back and regret what has happened to the town's buildings.

The members continued with the following:

- Very disturbing to hear about the petition that was sent around.
- There is no need to list this building as it has not been touched in years and will not be in years to come.
- The Church of Ireland is a small community and have put in significant effort over the years.
- Planning Permission is needed to carry out development whether the building is listed or not.
- Needs of the community should be our priority.
- Valid view regarding heritage but equally valid view regarding cost burden of a listed building particularly when the Church wish to provide and fund another facility.
- Interior should be improved but the exterior should be left the same.
- To put this on the list, would be to tie a noose around their necks and if it does go on the list effectively we are telling them that it does not matter what they think.
- The signatures on the petition are not just people who live in the town but also outside of the town.
- We should look at this from a spiritual point of view as well as a business point.
- This contains two very valid arguments (to list the building or not) but I am on the side of the Church and think that we should support the views of the Church.
- Would not like to lose this building so I will not be voting to have it as a protected structure.
- Something needs to be done to improve the inside of the church also.
- The Department of Environment, Heritage and Local Government carry out the inventory but this does not mean that Bray Town Council has to accept it. It is the decision of the members.

Councillor David Grant then proposed and Councillor Pat Vance seconded the proposal "that this structure should not be added to the list of Protected Structures".

The members continued with the following:

- The members of the Council have just concluded the Development Plan and have included a record number of structures.
- It is a sad day when decisions are made by signing petitions.
- When St. Peter's Parish Church was declared a protected structure it was the worst day in their history. A very small grant was given but was no way near enough money.
- Not in favour of petitions because they can give a false picture but would like this to be added to the list of protected structures.
- Church of Ireland do a lot of hard work to keep St. Paul's Church in good condition.
- Have done a wonderful job on Christ Church also.
- The Church gets no state grants and they have a lot of outstanding debts.
- Can the Council look at taking this into public ownership?

Councillor Joe Behan proposed and Councillor Caroline Burrell seconded that an extension of time be granted to finish Items 6 (Boathouses) and 14 (Correspondence) and to defer the remainder of the items on the agenda to the next meeting. The Members agreed to this.

The members continued with the following:

- We do need to look at the Parochial Hall and ask is it worth putting onto the list or not.
- There are very few community facilities available in that part of the town.
- Can we get the Minister to look at this because he lives in the town?
- If we do not put a protection order on this it will be knocked down in about ten years so I will be supporting that this is listed.

The members were then asked to vote on Councillor Ciaran O'Brien's proposal which was seconded by Councillor Caroline Burrell.

That the Parochial Hall be added to the list of Protected Structures.		
The matter was voted upon as follows: -		
	<i>FOR</i>	<i>AGAINST</i>
<i>Councillor Joe Behan</i>		✓
<i>Councillor John Brady</i>	✓	
<i>Councillor Caroline Burrell</i>	✓	
<i>Councillor John Byrne</i>		✓
<i>Councillor Bríd Collins</i>		✓
<i>Councillor Déirdre De Búrca</i>	✓	
<i>Councillor Anne Egan</i>		✓
<i>Councillor Anne Ferris</i>	✓	
<i>Councillor David Grant</i>		✓
<i>Councillor John McManus</i>	✓	
<i>Councillor Ciaran O'Brien</i>	✓	
<i>Councillor Pat Vance</i>		✓
Total	6	6

With six votes for and six against the Cathaoirleach decided to use her casting vote. She voted in favour of the building to be listed.

Councillor John Byrne stated that normally when the Cathaoirleach uses her casting vote, as in the above case, that the casting vote would be used to retain the status quo.

St. Cronan’s

The members raised the following points:

- Can the manager clarify if this building was ever de-listed?

The Town Clerk informed the members that a condition contained in An Bord Pleanala’s decision for this development mentioned the retention of the St. Cronan’s Building. The Director of Services confirmed that Bray Town Council is not obliged to follow An Bord Pleanala’s decisions but generally do and we try to be consistent with them.

Councillor Ciaran O Brien proposed and Councillor Caroline Burrell seconded the proposal “that St. Cronan’s building be listed as a protected structure”.

The members decided to take a vote on this.

That St. Cronan’s be added to the list of Protected Structures.		
The matter was voted upon as follows: -		
	FOR	AGAINST
<i>Councillor Joe Behan</i>	✓	
<i>Councillor John Brady</i>	✓	
<i>Councillor Caroline Burrell</i>	✓	
<i>Councillor John Byrne</i>		✓
<i>Councillor Bríd Collins</i>	✓	
<i>Councillor Déirdre De Búrca</i>	✓	
<i>Councillor Anne Egan</i>		✓
<i>Councillor Anne Ferris</i>	✓	
<i>Councillor David Grant</i>	✓	
<i>Councillor John McManus</i>		✓
<i>Councillor Ciaran O’Brien</i>	✓	
<i>Councillor Pat Vance</i>		✓
Total	8	4

With eight votes for and four against the proposal that St Cronan’s building is to be included on the list of Protected Structures.

6. To further consider the “Expressions of Interest” received for the Boathouses at Bray Seafront

The following report was circulated to the members:

The Town Engineer examined the buildings housing the four Boathouses on 27th of May 2005.

It was noted that the roof structure contained serious cracking and allowed for moisture penetration. I formed the opinion that there was a difficulty with the overall roof stability in the longer term.

Considering this I engaged a structural engineer to give an expert opinion and he carried out his inspection on the 9th June 2005. His written report is awaited but in essence he confirmed that:

- A. There is a problem with the long term stability of the roof structure.*
- B. There appears to be pressure on the walls.*
- C. The movement of the structure might be still continuing (due to the cracking evident in fairly recent plaster work).*

A specification of recommended remedial works is awaited and an estimate of cost will be formulated. When this information becomes available discussions with the interested party/parties will be initiated.

Councillor David Grant proposed “that we defer dealing with this item until we have a proper report to hand”. This proposal was subsequently seconded by Councillor Anne Ferris.

The members raised the following points:

- The report we received tonight is not the one we asked for.
- Disappointed – thought a decision would have been made. When will we know?
- It is the members who make the decisions, not the Town Engineer. We are not in a position to make any decisions tonight.
- The storage can be transferred to the Council’s new depot. We would like the officials to look at this seriously.
- When the Council were handing over the commercial interest it should have been done through the tender process.

Councillor Ciaran O’Brien proposed and Councillor Caroline Burrell seconded the proposal “that both boathouses be given to the Queen of Peace Youth club and be given a long-term lease”.

The members continued with the following points:

- The Queen of Peace Youth club is in a dire position at the moment.
- Do not believe we can give these boathouses away until we know exactly how structurally safe they are.
- Expressions of interest should also be sought for the Harbour Shed.
- It seems that the needs of private enterprise are being given priority over public enterprise.
- We need to put a timeframe on this.
- A political football has been made out of this issue.

- No one doubts the work of the Queen of Peace Youth Adventure Club, but many other clubs need accommodation including the St. Fergal’s Boxing Club.
- The Council are not in a position to give funding.
- Would not give a lease to any building, which is dangerous, particularly to a youth club.

The Town Clerk confirmed that she had spoken to both parties who had submitted Expressions of Interest and both parties stated that they were still interested in being allocated the Boathouses.

The Town Engineer stated that he was not in a position to recommend anything to the members at the moment.

The members decided to take a vote on this.

That both boathouses be given to the Queen of Peace Youth club.		
The matter was voted upon as follows: -		
	<i>FOR</i>	<i>AGAINST</i>
<i>Councillor Joe Behan</i>	✓	
<i>Councillor John Brady</i>	✓	
<i>Councillor Caroline Burrell</i>	✓	
<i>Councillor John Byrne</i>		✓
<i>Councillor Bríd Collins</i>		✓
<i>Councillor Déirdre De Búrca</i>	✓	
<i>Councillor Anne Egan</i>		✓
<i>Councillor Anne Ferris</i>		✓
<i>Councillor David Grant</i>		✓
<i>Councillor John McManus</i>		✓
<i>Councillor Ciaran O’Brien</i>	✓	
<i>Councillor Pat Vance</i>		✓
<i>Total</i>	5	7

With five votes for and seven against the proposal was defeated.

Councillor Anne Ferris proposed and Councillor Anne Egan seconded the proposal “that a decision be made for the first meeting in July”. This was agreed.

14. Correspondence

Airshow

The Airshow Project Plan was circulated to the members.

The members raised the following points:

- Hope that as a Council we will be supporting this venture because we are very quick to hand out money to other groups.
- Would like more information on how traffic etc would be managed.

The Town Clerk stated that there are cost implications involved in this so the members need to look at this issue in detail.

The members raised the following points:

- The organisers of this event seem to know what they are doing.
- Think that we should proceed with the road closures and put this as an item on the Agenda for next weeks meeting.
- Excluding casual trading, would be 100% behind the Airshow.
- Do not think we should give them any funding for this.
- Would like clarification if the Ferris Wheel will be back on the Head.
- A lot of work went into the Day of Welcomes and there was a small amount of people involved in this. The Airshow people are saying there will probably be about 150,000 people ascending on Bray. This will be massive. Very concerned.
- This could be a fantastic success but if there are no facilities the Council will get the blame – not the organisers.
- We should consider providing some services but no money.
- Would we consider casual trading for one day only?
- Clarify if this is for charity or commercial?

Councillor Deirdre De Burca then proposed and Councillor Anne Ferris seconded that the Town Clerk and herself as Cathaoirleach, meet with the organisers of the Airshow during the week.

The Town Clerk stated that if any of the Councillors are interested, there is an Airshow in Salthill, Galway on the 26th June 2005.

15. Any other Business

Vevay Crescent

Councillor Joe Behan said in relation to Vevay Crescent, that the members were promised a resolution in June. Can the officials convene a meeting with the Vevay Crescent residents?

It was agreed to organise this meeting.

Sea Wall at Fentonoy Terrace

The residents are worried about the safety of the sea wall and would like a report on its safety.

It was agreed to put this matter on the agenda for the next Special Housing and Planning meeting.

Signed:

CATHAOIRLEACH

Signed:

TOWN CLERK

Dated:
