

1. To discuss the Bray Golf Club Land's planning application.

Councillor John McManus opened the discussion. He stated that with regards to this, there are a number of issues he raised at the last meeting.

He stated that he would like assurances that the developers allow for the provision of affordable and social housing on this proposal. He also questioned whether the decision allowing some of the social and affordable housing to be handled by administration bodies was wise. He added that a number should be given to the Local Authority. Councillor McManus also stated that the open space is a concern too. He said that a large proportion of this site is in Dun Laoghaire Rathdown County Council's jurisdiction. He then asked the Council to consider the effect this will have on Dwyer Park and stated that the traffic impact is his most serious concern. He added that the Upper Dargle Road will see a major increase of traffic and this needs to be addressed. Councillor McManus then asked the council if the proposed density of the retail commercial building is in compliance with the development plan.

Councillor Caroline Burrell stated that the members need to achieve the best possible planning outcome. She stated that Bray Town Council is responsible for this development and that public space, public park and general recreational areas is what is needed. She then said that the application seems to be premature. She added that car parking spaces will be a major issue also. Councillor Burrell stated that this application was lacking in many areas.

Councillor John Byrne asked if any traffic study had been carried out on behalf of the Council. He said that the density of this application might be too high and he asked was there any pre-planning meetings before this application was lodged. He then stated that he would welcome that Bray Town Council will have 240 social and affordable houses for this development. He also asked if any discussions took place about the provision for a school in this area. He then said that the council should seize the opportunity to integrate this new Town Development. Councillor Byrne then said that this maybe an opportunity to provide a flood protection scheme on the councils terms and subject to An Bord Pleanala, The Office of Public Works and the highest European standards.

Councillor Pat Vance welcomed this development. He stated that it is not perfect but these small imperfections can be fixed. He said that this is a major development and this town badly needs this development. He added that most people he has spoken to are delighted with this proposal. He then stated that the key to this application is to keep the town centre as close as possible to the main street. He then said that there would be a problem accessing from the East Ward area and the access from the Harbour area need to be reviewed but these can resolved with proper planning. Councillor Vance then stated that there is a definite need for social and affordable housing in Bray. Finally he stated that the key to this development is the traffic plan.

Councillor Brid Collins welcomed the two - million euro development in principle. She stated that the town centre is dying and she will support the application, albeit

with a few reservations. She added that she will be waiting anxiously for a report from the Office of Public Works on the flooding in the area. She also stated that the young people are leaving the town due to the lack of affordable housing. Finally she asked the officials if the developers can come before the meeting to lay out their proposals.

Councillor John Brady stated that this development has the potential to put Bray back on the map as a vibrant town but he said he would be concerned about the effect this development would have on Dwyer Park. Councillor Brady then asked how much the town will get from the development contribution scheme and can the council put a clause in to allow the members to ask the developer to put in for further levies outside the scheme. Councillor Brady then asked how much in commercial rates this would contribute to the town. He also asked the officials if they have had any pre-planning meetings, were minutes recorded and who was in attendance etc.

Councillor Anne Ferris stated she is glad to see this application finally submitted. She also said that she would welcome the allocation of land for educational facilities as this a very important development.

Councillor Anne Egan said that she would welcome this up to a point but she would insist that Bray Town Council proceed with affordable housing.

Councillor Ciaran O'Brien stated that this application is probably the biggest development in the state to date and the density level is probably the highest any Local Authority would achieve if it does go ahead. He also asked is the Environmental Impact Statement being assessed by Bray Town Council and if not who is assessing it. Councillor O'Brien then asked if this is in line with the Development Plan because he does not think it is. He added that he has no problem if this has to be knocked back to be integrated properly into the town because the needs of the people come before the needs of the planners.

The Cathaoirleach stated that she would disagree with Councillor John McManus that the members have already spoken enough about the flood issues. She stated that the open space should be moved to the flood plain, as this would then be great for a centrepiece to link the old town and the new town centre. She also stated that she is disappointed with the application that came in as no specific flood protection proposals were submitted. The Cathaoirleach also said that the council needs more information on the schools issue as there may be practical problems putting a Gael Scoil together with 2 English speaking schools as this would not be ideal. She also asked if the Council has given the developer any permissive letters to include Ravenswell Road and she stated that any developer should be entitled to carry out investigative works on the Dargle River. She finally asked if the Town Manager is satisfied with the Planning Department's resources and will they be able to cope with a development of this scale.

The Town Manager, Mr. Des O'Brien stated that he has issues answering some of the points raised but will answer what he can. On the question of the affordable and social housing, this is open to the planning authority to accept off site. The Town manager stated that this should be done on site. He also stated that the developer had suggested that a section of the land be transferred to the voluntary sector due to the lack of experience of Bray Town Council in managing apartments. He stated that this would be one of the areas he would be willing to go for a material contravention. Mr. O'Brien stated that a lot of the queries and presumptions are premature prior to the Land Use and Transportation Study being carried out. He stated though that is quite advanced and should be circulated in the near future. He said that Bray Town Council would be of the opinion that the density on this development does not comply with the Development Plan but he stated that the mix does comply. He also stated that the developers did carry out a comprehensive flood impact study and it stated that no works were carried out upstream of the bridge. He stated they could not do this as it would then entail commencing work on land they do not own. He also stated that there is the question of who owns the Dargle and who owns the banks. He added that Bray Town Council has the power to Compulsory Purchase the land if it needs to. He stated that he would insist the developer pay for any costs involved in this. The Town Manager stated that in relation to the schools, Bray Town Council still want to see what the developer's proposals are, even if it is only an action plan. He stated that the matter of the schools being integrated together is not a planning issue, but an issue for the Department of Education. Finally he said the alternative in this situation is to get consultants in to deal with this major development but he would not be in favour of this. He said that Bray Town Council certainly has the ability to process this application.

Councillor Brid Collins asked when were the Office of Public Works reports received. She also said that she does not think it is in anybody's call here to decide to share the schools. She also said that she warmly welcomes the flood protection scheme.

Councillor John McManus welcomed the Town Managers comments. Councillor McManus then proposed that the Council support the manager's proposal to advance the EIS and the Compulsory Purchase Order for the Flood Protection Scheme.

Councillor John Byrne paid tribute to the manager and complimented his report. He also wished to support Councillor McManus' proposal.

Councillor John Brady asked if the reports from the Office of Public Works were recent reports and he asked if they were new if the members see them. He also stated that any proposals made tonight would be premature. He then said that any minutes taken from the Pre - Planning meetings should be attached to the reports.

Councillor Pat Vance asked if the density was over what is in the strategic planning guidelines.

The Town Manager stated that Bray Town Council will not show any reports while still accessing the middle of a planning application.

Councillor Brid Collins asked when the works start has Bray got an emergency plan?

The Town manager stated that Wicklow County Council has an emergency plan for County Wicklow.

Councillor John Brady stated that there have been three reports. He then said that these would be instrumental and crucial for the future of this application. He also enquired as to whom asked the Office of Public Works to come forward.

Councillor Caroline Burrell then proposed that the council wait till a letter is sent out from the developers to Bray Town Council and the members. This was seconded by Councillor John Brady.

The members then decided to have a vote on Councillor John McManus’ proposal.

Councillor McManus then proposed that the Council support the manager’s proposal to advance the EIS and the Compulsory Purchase Order for the Flood Protection Scheme.		
	FOR	AGAINST
Councillor Joe Behan	✓	
Councillor John Brady		✓
Councillor Caroline Burrell		✓
Councillor John Byrne	✓	
Councillor Bríd Collins	✓	
Councillor Déirdre De Búrca	Abstain	Abstain
Councillor Anne Egan	✓	
Councillor Anne Ferris	✓	
Councillor David Grant	Absent	Absent
Councillor John McManus	✓	
Councillor Ciaran O’Brien	✓	
Councillor Pat Vance	✓	
Total	8	2

With 8 votes for and 2 against the proposal was carried.

2. To consider the Special Area Amenity Order for Bray Head.

Councillor Ciaran O’Brien started by thanking the manager for proceeding this matter. He stated that there are three such places in Ireland – Howth Head, Liffey Valley and Bull Island. He also said that a lot of residents associations in Bray have to be thanked for bringing this forward.

Councillor John Brady stated that he would like to welcome the SAAO. He asked the council what is the timeframe for this project.

Councillor Brid Collins also expressed her support for this project and she also paid tribute to Councillor Ciaran O’Brien as chairperson of the Municipal Policy Committee. She also thanked the previous Senior Executive Engineer, Ms. Clodagh

Holmes for the work she put into this and she said that this would be fantastic for the town of Bray. She also asked what was the outcome for the cycle track.

Councillor John Byrne welcomed this project and stated that hopefully the council can move swiftly on this. He asked though, why substantial parts of Bray Head were in the jurisdiction of Wicklow County Council.

Councillor Anne Ferris congratulated Councillor Ciaran O'Brien and the other members of the Municipal Policy committee. She stated that it goes to show the great work the Municipal Policy Committee is doing. She asked the officials if there is a financial implication on this or do the members have to put money aside in the estimates?

Councillor John McManus welcomed this project. He stated that for years Bray Town Council has been toying around with this idea. He also said that Councillor Ciaran O'Brien and the other Municipal Policy Committee members made this happen and that must be recognised. He also said that he hopes this will receive as warm a welcome in Wicklow County Council as it has here.

Councillor Anne Egan stated that she is concerned that trees might be felled on Bray Head.

Councillor Pat Vance stated that credit should be given to Councillor Ciaran O'Brien because since he became the chairperson of the Municipal Policy Committee he has been pushing this. He also said that it has to be recognised that the Bray Town Council Planners have done a lot of work on this in a very short time.

Councillor Ciaran O'Brien stated that he would like to see this being forwarded to Wicklow County Council, then returning to Bray Town Council and finally to An Bord Pleanala. He added that anything out of Bray's area must be dealt with Wicklow County Council. Councillor O'Brien the proposed that this SAAO goes before Wicklow County Council. This was seconded by Councillor Brid Collins.

The Town Manager confirmed that no money is needed to be put aside in the budget as the members provided in last years budget.

3. To discuss the Differential Rent Scheme

Councillor John McManus stated that he is grateful to the law agent for his report but he stated that the bottom line is that the report does not clarify any matters at all. He then stated that the members should seek a second legal opinion. Councillor John McManus then proposed and Councillor Anne Egan seconded that the council contact the chosen five senior counsel members to seek the second legal opinion.

Councillor Joe Behan stated that under Section 58 of the Housing Act, 1966, the Local Authority could set rents from time to time. He then said that Bray Town Council are the housing authority.

Councillor John Brady said that this is no surprise and it was a futile exercise. He also stated that it is very unfortunate that this is dragging on like this.

Councillor Pat Vance stated that in last years budget the council members adopted the rent increases but when they went out they were way above what was adopted. He said that he is concerned that even old age pensioners are saying they have received big increases. He stated that he would have no problem with the members getting a second legal opinion but he also thinks they should seek a legal opinion on what was adopted in the budget. He added that there should be a graded system were people who are not usually in arrears and have good records would receive a less harsh letter compared to people who are always in arrears.

Councillor Brid Collins stated that she thought eviction was on the basis of arrears and not penalties.

The Town Manager informed the members that the council owes it to the tenants to keep them out of arrears and that is what the council try to do as best they can. He stated that the staff in the housing office ask tenants to sign forms as a sign of commitment.

4. Update on the Bray Wheelers Clubhouse

The meeting administrator read out the following report.

The Law Agent wrote to McGuire McNeice solicitors in Greystones asking them to send the club title to him but as yet nothing has been received.

The Cathaoirleach then said that she does not think that a one - line report is sufficient. She then suggested raising this item at a forthcoming meeting.

Councillor Brid Collins stated that it is a shame that there is a new building ready and can not be used.

The Town Manager stated there may be a financial burden with this and he stated he will follow the matter up with the law agent.

5. Update on the Coastal Protection Works on the Seafront

The members read the following report.

Coastal Protection Works at Bray Seafront

Bray Town Council was notified on 4th July 2005 of an allocation from the Department of Communications, Marine and Natural Resources of €80,000 to be expended in the current year on coastal protection works on Bray Seafront of which €20,000 is to be provided by Bray Town Council.

Consultants, JP Byrne and Partners Ltd., Brunel House, North Quay, Arklow were appointed on 11th August 2005 with a brief to carry out investigations, report and supervise the construction of approved measures at the southern end of Bray Seafront.

A report has been received on 4th October 2005 outlining proposed improvement works.

The basic recommendation is that the full sea wall should be raised to a minimum level of 4.01 metres OD. The old mass concrete wall at the south end of the beach was examined and found to be structurally sound and reinforcement of its foundations are not required at this time. The north end of this wall (30m) is considered to be too low and is recommended for raising (by a few inches). Also there are a number of pipe openings on which the fitting of non return valves are recommended.

Costs are estimated at €40,000 (€45,400 incl. VAT) for walls and €13,000 (€14,755 incl. V.A.T) for tideflex valves.

Provision of nourishment is recommended at the southern end of the beach to prevent possible undermining of the wall in future. This is estimated to cost approximately €16,000 with the suggested use of gravel recovered from the Dargle, during river maintenance, subject to the suitability of the grading envelope of this material.

Together with the consultant's fees the total works are estimated at €88,200.

The works proposed have been recommended to the Department of Communications, Marine and Natural Resources for their approval.

Councillor Brid Collins welcomed the report but stated that further nourishment is needed on the Northern End of the Seafront.

Councillor Pat Vance also welcomed this report and stated that the council should get on with this and complete it as soon as possible. He also suggested that the council should invite the Department of the Marine to carry out an assessment on the Seafront.

Councillor John Brady asked the officials if they could clarify the exact height of the wall when completed. He also asked how much gravel from the Dargle River will be taken.

Councillor Anne Ferris asked the officials if there are is any intention to carry out works on the steps and she echoed Councillor Pat Vance in saying to proceed with this as soon as possible.

Councillor Anne Egan stated that she is concerned about the report in general. She asked for clarification on the height of the wall from the foundation or from the top of the wall.

Councillor John McManus stated that the members needs to re-visit the question of is there any proposals to replenish the end of the Seafront. He also suggested that The Department of the Marine examine the Seafront.

The Cathaoirleach stated that she is disappointed with these proposed works. She stated that the residents of Fontenoy Terrace will not be happy with these planned works. She also suggested that the officials seek to include the repair of the steps in these proposed works.

The acting Town Engineer informed the members that this is not a complete major refurbishment of the Seafront. He stated that this proposal is to build a small wall, similar to the one across from the amusements on the Seafront. He stated that the council could officially ask the Department of the Marine to separately carry out an assessment. He added that unofficially the council had asked and they had said they were in the process of this but that was indirectly asked. He stated that this is going to be a small wall that will alleviate a lot of the problems in the area.

6. Update on the transfer of ownership on the lower section of the Dargle River.

The meeting administrator read out the following report.

The Law Agent received some documentation from Lord Meath's solicitors. More are to follow later and further checks will be carried out then. The Law Agent is just waiting on their solicitors.

Councillor John McManus asked if this issue could be dealt with as a Compulsory Purchase Order, similar to the Flood Protection scheme.

The Cathaoirleach then asked if the Law Agent could provide an adequate report for next month's agenda. This was agreed.

7. Update on the Old Dump Site near Bray Harbour

The meeting administrator read out the following report on the Old Dump - Site near Bray Harbour.

A number of trial pits were excavated into the old landfill and soil samples sent away for analysis. It is the County Councils conclusion that the material is inert and is not causing any risk to the environment in its current state. The long - term issue of protecting the landfill from erosion is felt to be a matter for Bray Town Council and Dun Laoghaire Rathdown County Council.

Councillor John Brady stated that he would disagree with this report. He asked if the officials could get a report on the Fassaroe Dump from Wicklow County Council also as a lot of dangerous samples were taken from the stream flowing from the dump.

Councillor John McManus stated that he thought the members had already been given a report on this dump. He stated that this report contradicts the previous report given.

The Cathaoirleach stated that this report is not satisfactory and it effectively seems that Wicklow County Council has walked away from this issue. She then went on to apologise to the members for the quality of the reports from Wicklow County Council.

8. Progress Report on the Swimming Pool

The Town Manager stated that interviews had been held on the 12th October 2005 and we are hoping to have the contracts signed soon. He stated that the council could not use the usual advisors because they are acting on behalf of Superquinn. He then stated that he hopes to have this advertised in January 2006.

Councillor John McManus suggested that the Town Manager report back for the first meeting in November and to place this item high on the agenda.

12. Correspondence

Presentation College

The meeting administrator informed the members that the transition year students in Presentation College, Bray are launching a new African Mural and have invited all the councillors to attend if they wish.

St. Patrick's Day Parade

The Cathaoirleach then stated that she had received correspondence from the Chamber of Commerce asking the members if they would set aside some money in the next budget for next years St. Patrick's Day parade.

She told the members that she asked the Chamber of Commerce that the council would look for more transparency of finance and improving and working on providing a better event. She stated that the invitation was open to all Councillors who might wish to participate.

Councillor John Brady stated that he thought last year was a one off in regard to contributing any money to the Chamber of Commerce for this item. He also said that there must be some transparency with this. Councillor Brady the proposed that a Councillor act as a liaison officer.

Councillor Brid Collins stated that she would be supporting this.

Councillor Pat Vance said that this is no way to do business. He stated that there must be a set of accounts before the members to discuss something like this and it should not have been put under correspondence. He added that this is an item for the budget.

Councillor Anne Ferris stated that she is delighted that the Cathaoirleach met with the Chamber of Commerce and she added that the members must be more positive. She added that the council cannot leave this till the estimates as they will need to know for March. Councillor Ferris then proposed to set aside €15,000 so they can start planning the parade and she also proposed that the Cathaoirleach go on the committee.

Councillor John McManus stated that there is a Chamber of Commerce meeting tomorrow night and this should be discussed then.

Fairyhill Decision

Councillor Brid Collins stated that the Fairyhill Residents Association would like to thank all the members as the Council's previous planning decision had been overturned by An Bord Pleanála.

This concluded the meeting.

Signed:

CATHAOIRLEACH

Signed:

TOWN CLERK

Dated:
