

**Minutes of the Ordinary Meeting of Bray Town Council held in the Council Chamber,
Town Hall, Bray on Tuesday 7th September 2010.**

Present:

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

Also present:

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

The Cathaoirleach, Councillor David Grant opened the meeting by extending a vote of sympathy to the families of Mrs. McDermott Rae and Ross Connolly who has recently passed away. A minute's silence was observed, as a mark of respect.

Councillor Eugene Finnegan extended congratulations to Bray Tidy Towns, Bray Litter Task Force and all those who had contributed to Brays success in the recent IBAL survey. Also to Kilruddery Estate who recently hosted two open air concerts featuring Jose Carreras and Michael Ball.

Councillor Pat Vance also articulated his best wishes to Dermott Dwyer on the opening of the new purpose built Convention Centre Dublin today, which is an outstanding architectural feature and venue.

1. Confirmation of Minutes of the Ordinary Meeting Dated 6th July, 2010

Councillor Ronan McManus proposed confirmation of the minutes of the Ordinary Meeting of 6th July, 2010 and Councillor John Byrne seconded the proposal.

It was then decided to take Item 4 on the Agenda next. For ease of reading, these minutes follow the layout of the Agenda as circulated

2. To Consider The Housing Progress Report

The members raised the following points:

Cedar Court

- No progress is being made, the weather is due to change, it is scandalous that people are living in such conditions
- The problems with Cedar Court could turn into a lengthy legal battle.
- This estate is only 5 years old and there are problems with plumbing, badly fitted windows as well as dampness.
- Residents are contemplating withholding rent.
- Proposal that the National Building Agency (NBA) release the bond to finance the work to rectify the problems.
- It is understood that staff are being moved around, but tenants are caught in the middle. It would be helpful if the Town Engineer could meet with the tenants to inform them of the situation, basic answers are needed.

Sutton Villas

- Not satisfied with Contractor, will Road Opening Licence be granted, clarification is needed.

- A secure fence is needed to be put in place as dumping is taking place on this site at weekends. With the Contactor off site the compound is unsightly.
- The footpath is subsiding and complaints have been received from elderly people in the area.

Oldcourt Estate

- The project brief being prepared in relation to fire safety works is very welcome. However, no timeframe has been included.
- How hopeful are Bray Town Council to obtain funding?
- Anti-social behaviour in this estate has resulted in two families leaving their homes while the perpetrator is still there.

Miscellaneous

- The lack of housing in Bray, no building on sites for the next year or two is not acceptable, a deputation with the minister of housing would be a good idea, when Bray Town Council have a good site available. Making representations on behalf of people is pointless when nothing is going to happen.
- The Department are vague as to when building can take place on land purchased. Dates need to be resolved not generalities. We don't have a housing reserve i.e. 'Ghost Estates'.
- In relation to graffiti removal could graffiti at the entrance to James Everett Park be removed?
- There are serious problems with emergency accommodation/bed and breakfasts, which need to be looked at. Rathdrum hostel is not suitable for young families.
- An emergency accommodation housing report was requested for the next meeting.
- The number of houses boarded up in Bray Town Council estates is not acceptable when we are aware of the number of people on the housing list.
- The go ahead by the department to reduce the price of 4 to 5 affordable house in Bray is welcomed.
- How much do we have in funds to purchase houses, what can we obtain there is good value out there at the moment.
- The site/house at Kilbride Lane is vacant at the moment, this should be put to productive use.
- We are all aware of anti-social behaviour, car vandalism is also a difficulty, we are legally obliged to look after our tenants.
- Vacant properties are not all old stock, significant money is being spent to revamp them.
- Tenants that have left houses in disgraceful manner should be removed from the Housing List, Bray should liaise with other Local Authorities.
- Are tenants from these properties being transferred?
- Rowan Grove, Oldcourt View etc approximately €50,000 to €60,000 is to be spent, is this an ongoing problem?
- Do we have on file how much has been spent over the years, this money could have been spent on other issues.
- Could we have a report on what type of works this money is being spent on?
- Would it be feasible for tenants to move in on a caretaker basis and carry out repairs works themselves and when work completed transfer to normal tenancy.
- Most of the tenders take 4 months to complete, Rowan Grove took 9 months, we lost 5 months rent.
- The amount of money spent on shuttering in 2008-2009 is sinful. Why are we hiring shutters in the first place? Why have we not purchased our own and have approximately 10 sets at our disposal of the outdoor staff to fit.
- This issue has to be looked at in the context of estimates.
- Vacant property e.g. has property on Oldcourt Road been served with a Derelict Sites Notice, are levies due and what is the condition of the site? Have the Health and Safety Authority been informed, there could be a serious incident children have been seen on the roof. It is the duty of the owner to secure the site.
- Derelict Sites is a serious issue, A.O. Smith's on the Boghall Road, children have also been seen on the roof, which is very high. The fence has been removed in part,

owners did minor works, which were ineffective. This site needs to be rezoned, there is no regard shown for the community of Ballywaltrim. The Dell site at the other end of the Boghall Road has 24 hour security and there are no problems.

- Planning Register Reference No. 10/82 – Retention of mast is not acceptable as it was just lodged after was completed. This was carried out by a state body, who regularly does not apply, it should be refused. This is located on an area which has been designated as a Special Amenity Area (SAAO), to which no attention has been paid, it is supposed to be temporary, no tolerance should be shown and legal action taken.
- It was acknowledged that Bray Town Council are very proactive when it comes to unauthorised development, also it is expensive to take court action. Local Authorities do not win court cases and will have to wait till the planning application has been processed. There is no quick resolution regarding this matter.

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

- The Housing Policy regarding transfers is that a full inspection of their house and file is carried out before they are considered for one. Random house inspections are carried out on a regular basis.
- Ard Chualann fire damage works etc the bulk of the money can be recouped from the Department.
- This is the ideal opportunity to bring houses up to the standard and when they are re-allocated, people are getting top quality houses with a top BER rating.
- Tenants would not be qualified to carry out the works themselves and Bray Town Council could not certified any such works as being completed to the proper standard.
- The property in Rowan Grove was in use and still is for to house tenants during the Ashlawn Court refurbishment.
- Two properties are for people with special needs and these works can take time.
- In relation to shuttered houses, these are properties, which require substantially works. There are 4 units in Oldcourt and Bray Town Council cannot give a timeframe at this moment when these will be allocated.
- Bray Town Council are awaiting a response from the National Building Agency before meeting with tenants from Cedar Court.
- Anti-social behaviour incident in Oldcourt Estate this matter will be dealt with in committee.
- The MPC set the policy document in relation to anti-social behaviour, this committee consists of members of the HSE, Bray Town Council members and members of the Gardaí.
- Graffiti removal kits will be available to those who applied and completed the training session regarding same.
- The Planning Section can make no comment in relation to Planning Register Reference Number 10/82 at this stage of the application.
- The site on Oldcourt Road a site inspection was carried out today, photographs taken and a report is being drafted. This site is on the Derelict Sites Register and may have to be referred to the Health and Safety Authority again.
- The A.O.Smith site a site inspection was carried out today and if necessary Bray Town Council will write to the owners under the Derelict Sites Act. The owners replied promptly the last time this became necessary. If necessary Bray Town Council will enter this property on the Register and the Derelict Sites Levy would be applicable in 2011, this may focus the owner.

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

- Bray Town Council would have concerns in allowing tenants to do their own repairs, for example insurance being one of the issues.
- When houses are reallocated they are substantially of a higher standard.
- In relation to Oldcourt and Cedar Court a new architect has been appointed by the National Building Agency, who will have to update himself in relation to this situation.
- The bond lodged in respect of Cedar Court, Bray Town Council would have to prove to a Judge there is a case before the bond could be touched.

- Sutton Villas - the contractor has been granted a road opening licence subject to conditions, one of them is that public liability insurance has to be produced.

The Town Clerk, Christine Flood added the following:

- The Department are aware of the limited availability of property to lease, however, there is no prospect of building in Bray except special needs housing.
- Securing vacant houses that need to be refurbished has to be carried out in a certain manner, Bray Town Council try to turn around these properties as soon as possible. All security has to be carried out in a certain manner to comply with insurance requirements.

3. **To Discuss Planning Matters**

The Administrative Officer confirmed that no planning files were requested.

4. **To Discuss The Annual Financial Statement**

Mr. David Forde, Administrative Officer Finance, informed the members of the following:

Pages 4 and 5 contain variances;

Division A - Housing and Building

Division A has been over expended regarding Mobility Aids Grants, which are funded by internal capital receipts. The income shortfall relates to housing loan repayments. There has been a delay in receiving these payments due to stall shortages and this has now been rectified due to the reorganisation of existing staff resources.

Division B – Roads Transportation and Safety

The under expenditure in Division B relates to an actual transfer of parking income from revenue to capital.

Division C – Water Services

Bray Town Council did expend monies on Giltspur Reservoir with regard to chlorination.

Division D – Development Management

The under expenditure relates to legal fees. There is an unspent budget in relation to taking in charge of estates.

Division E – Environmental Services

The date sensitive nature of recouping monies for fire brigade services has resulted in outstanding monies relation to 2008 not being received until 2009.

Division F – Recreation and Amenity

The monies expended on Community Employment Schemes was in excess of the budget. This money is recouped fully from FAS. A member of staff retired in 2009 whose pension was not budgeted for, therefore there is another over expenditure in Division F.

Division G – Agriculture, Education, Health and Welfare

The date sensitive nature of recoupment of monies in respect of VEC Superannuation has resulted in outstanding monies relating to 2008 not being received until 2009.

Division H – Miscellaneous Services

The non-inclusion of Agency Services has resulted in both the income and expenditure budgets being understated.

Division A - Housing and Building

Division A was proposed by Councillor Mick Glynn and seconded by Councillor Pat Vance.

Division B – Roads Transportation and Safety

Division B was proposed by Councillor John Byrne and seconded by Councillor Tracy O'Brien.

Division C – Water Services

Division C was proposed by Councillor Sarah Wray and seconded by Councillor John Ryan

Division D – Development Management

Division D was proposed by Councillor Pat Vance and seconded by Councillor Mick Glynn.

Division E – Environmental Services

Division E was proposed by Councillor Eugene Finnegan and seconded by Councillor John Ryan.

Division F – Recreation and Amenity

Division F was proposed by Councillor John Brady and seconded by Councillor Tracy O'Brien.

Division G – Agriculture, Education, Health and Welfare

Division G was proposed by Councillor Sarah Wray and seconded by Councillor Rossa Murray.

Division H – Miscellaneous Services

Division H was proposed by Councillor John Ryan and seconded by Councillor John Byrne.

The members raised the following points;

- It was proposed that a financial sub-committee should be set up for next year, as this is a very large document.
- Is it too late to look for rates reduction?
- What financial institutes have Bray Town Council lodged their assets with?
- What kind of interest rates is Bray Town Council attaining?
- Centralisation of rates billing should be taken from Wicklow County Council and be given back to Bray Town Council.

Des O'Brien welcomed the proposal to establish a Financial Sub-committee and it was agreed unanimously to go ahead with this.

5. *Reports and Recommendations*

River Dargle Flood Defence Scheme

The Town Clerk informed the members that Bray Town Council would be in a position to commence the works in relation to the above scheme in May 2011, although this is a provisional date. IGSL have been appointed to carry out site investigation works, Natura Ecological Consultants in relation to ecological issues and GVA Donal O'Buachalla appointed as valuers.

The members raised the following points –

- No work has commenced to date only dredging work with the debris being dumped at Bray Harbour.
- Does Donal O'Buachalla liaise with the owners in relation to land acquisition. These people are concerned with protecting their properties and damage limitation is their priority.
- Is the Peoples Park going to be used for temporary storage of equipment?
- Are the playing fields being taken out of action for 18 months? The users committee has not been informed and this action could impact on fixtures and compound problems for clubs in the town.
- This report is welcomed, when you think of Hurricane Charlie in 1986, this scheme will improve Bray just like the Bray Seafront Project.
- The appointment of the Project Liaison Officer should be brought forward to allay the fears of the residents, before the construction phase commences.

- Are we carrying the full implementation programme giving the Pizzaro situation?

The Town Clerk informed the members we have a person dealing with landowners, setting our services and answering their queries. Bray Town Council will return as much as possible of the land when work is completed. Pieces of land at either end of the Peoples Park will be used I am not sure if the pitches will be impacted on, a member of staff is on the users committee and will be kept informed.

The Town Manager informed the members that the proposal for the faced wall was on the basis that Pizzaro would not go ahead, it is a stand alone scheme, the Golf Club Lands not Dwyer Park would be effected. A shopping centre in Bray is bankable, Bray Town Centre will be developed in the short to medium term. The process of dredging the river by Bray Town Council is keeping the capacity of the river and excavating gravel to the mouth/harbour end of the river is helping the natural process.

Quality Bus Corridor

The Town Clerk informed the members that Bray Town Council has advertised for tenders for street works, Works proposed include upgrading of the Main Street and footpaths, provision of new cycle lanes, street lighting, planting, new street furniture and improved access for the disabled. When completed these works should reduce travel time through the town. A further tender for the provision of pedestrian footbridges on either side of Bray Bridge will be advertised in the coming week.

The members raised the following points –

- It is requested that when a contractor is selected that time limits be set and penalties be condition if not adhered to and that there be a liaison officer between the contractor and traders.
- There is fear among traders and Bray Town Council should try to appease these fears, an independent liaison officer should be appointed, someone to control the project. Details of where they will be based and how they can be contacted should be readily available.
- There is concern that this project will overrun like the Quinsboro Roads works, it needs to be properly handled. Anti- social behaviour could be a problem and an anti-crime prevention officer should look at the plans.
- Only one member opposed this project, they only asked to delay the project to facilitate and answer the trader's genuine fear that this could damage their already fragile business.
- Communication is needed i.e. what is happening and when it is happening.
- This is a positive thing, a facelift for the area, the trader will benefit, access will be improved as well as appearance.
- Bray Town Council will ensure the success of the scheme.
- What are the plans for the Heritage Centre?
- A mobile Tourist Office may be beneficial

The Cathaoirleach informed the members of a meeting the following Tuesday with traders committed to having an Liaison Committee, to enable traders to carry on as normal. Any suggestions of who should be on the committee would be welcome. The position of the Liaison Officer will be funded by _____ and will be answerable to Bray Town Council.

The Town Clerk informed the members that Bray Town Council were aware of the issues of traders but these works would improve public lighting and facilitate the ducting of cabling for C.C.T.V. Drilling has begun in the area of the Heritage Centre and the demolition of the old toilets would improve sightlines on the Seapoint Road. There have been various issues with the Heritage Centre and it is hoped to move this to Bray Town Council Offices in early October. This will be well publicised. Bray Town Council will liaise with the Craft Council of Ireland, maybe a craft centre can be located there. There is also the cost of refurbishment to be considered, a number of options are being considered.

The Town Manager informed the members that the Q.B.C. are mindful of the problems the works can cause, only a certain area of the footpath will be opened at a time, street furniture is also being taken into consideration.

6. Correspondence

Temple Vevay Sports Field

The Town Clerk informed the members that she received a report from the Law Agent in relation to the Temple Vevay Sports Field. A letter then issued to the Honorary Secretary, Sugarloaf Crescent Residents Association informing them of the report. The lease is with the Law Agent and will be signed in the near future.

The members raised the following points –

- It is clear that the residents of Sugarloaf Crescent are divided and a mistake could have been made in voting for the field to be fenced off. There is plenty of space for all and this has been the case for the last 38 years, this would not be accepted in any other area in the town that only one club would have access.
- We would fail in our duty if we did not try to address concerns and show fairness for all. Proposals from residents has caused concerns among other residents, Bray Town Council should be drawing up proposals/plans. We should listen to both sides.
- We have an obligation of duty to tell the facts and truth. All the users of the Temple Vevay Sports Field were asked for proposals only Wolfe Tone & District Youth Club came forward. Bray Town Council voted 3 times to accept proposals of Wolfe Tone & District Youth Club and to close the Right of Way, Statutory Resolution. We agreed to dispose of it. It is time to move this forward. It is in the minutes of the meetings Bray Town Council asked to meet the local residents of the area and get their consent. Wolfe Tone & District Youth Club have public liability insurance and have raised €200,000 so far. No other body in this town has been treated this way, they have done everything they were asked to do, they have charitable status. Lord Meath has agreed to this. The anti-social behaviour has to end, we have a top class facility we can be proud of, lets finalise this now.
- In 1985 there was an appalling lack of facilities, no community centres, no all weather pitches. There has been a consistent proposal from Wolfe Tone & District Youth Club, some people objected and took a legal position. We need to make a decision, continue to support Wolfe Tone or any organisation who works as hard. It is impossible to please everyone.
- It is shocking that any club can be left waiting 12 years for a development, this is a facility that is being provided for children, if we go back on this can we go back on anything. It is unfair to put proposals to Bray Town Council that have not been seen by all the residents.
- The minutes are comprehensive, there are further implications on going back, this would be a breach of verbal contracts. It would have legal repercussions, is it a compromise everyone can live with. Maybe this issue can be addressed to allay some of the problems, lets put the past to one side and work together to find a solution.
- It is a difficult item to come on agenda in the last year, a decision was made by reasonable people with real concerns. The pathway would be a haven for anti-social behaviour, it was recommended by the Gardai that the Right of Way be extinguished for this reason.
- We need to get a legal opinion, can we reverse the decision?
- The minutes are very clear it was 10-2 vote, any new proposals need to come from the Youth Club.
- It requires three quarters of the members to overturn previous decision by the Council, any changes requires a written motion.

Rapid Training Programme

The Town Clerk informed the members that an email had been received from Mark O'Neill the RAPID Co-ordinator in relation to the advisory committee in Fassaroe. It was

agreed at this meeting that a formal request be made to the Council inviting a member to sit on this committee.

Councillor Tracy O'Brien was proposed by Councillor John Byrne and seconded by Councillor Sarah Wray. It was proposed by Councillor John Brady that if a second person was required that he proposed Councillor Rossa Murray.

Luas

The Town Clerk informed the members of a response received in relation to the letter issued on 21st July 2010 to Minister Noel Dempsey, requesting clarification on the Luas extension to Bray. A response was received on Gerry Murphy, Chief Executive, National Transport Authority on the 10th August 2010 stating 'that the start and completion date for this project will be subject to the relevant statutory planning processes and to the procurement processes and as pointed out above, to funding availability at the appropriate time'.

7. Any Other Business

It was agreed that the next meeting be a Workshop Bray Economic Think Tank Meeting held in the Civic Offices, there would be 4 groups and a facilitator provided.

* * * *

This concluded the meeting.

Signed:

CATHAOIRLEACH

Signed:

TOWN CLERK

Dated:
