

**Minutes of the Monthly Meeting of Bray Town Council held in the Council Chamber,  
Town Hall, Bray on Tuesday 9<sup>th</sup> October 2007 at 7.30 p.m.**

**Present:**

**Councillor Brid Collins, Cathaoirleach  
Councillor John Brady  
Councillor Caroline Burrell  
Councillor John Byrne  
Councillor Anne Egan  
Councillor Michael Lawlor  
Councillor John McManus  
Councillor Steve Matthews  
Councillor Ciaran O'Brien  
Councillor Pat Vance**

**Also present:**

**Mr. Des O'Brien, Director of Services  
Ms. Christine Flood, Town Clerk  
Mr. Sean O'Neill, Town Engineer  
Ms. Triona Irving, Administrative Officer**

**Apologies:**

**Councillor Anne Ferris  
Councillor David Grant**

**1. Confirmation of Minutes of the Special Housing and Planning Meeting dated 4<sup>th</sup> September 2007**

Councillor John Byrne proposed confirmation of the minutes of 4<sup>th</sup> September 2007 and Councillor Anne Egan seconded the proposal.

**2. Confirmation of Minutes of the Minutes of the Monthly Meeting dated 11th September 2007**

Councillor Caroline Burrell proposed confirmation of the minutes of 11<sup>th</sup> September 2007 and Councillor Anne Egan seconded the proposal.

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

The Cathaoirleach Brid Collins informed the members that the officials of Bray Town Council had received a draft copy of the Fire Safety Audit Report from the consultants engaged to do so and that the engineers are reading it at the moment. She stated that the report was very technical and told the members they would each get a copy. She stated that the delay on this report was unacceptable.

*Silverbridge Halting Site*

The members raised the following points:

- I know it's not anyone's fault but I'm disappointed with this. I hope the advertisement has been placed so that we can get the scheme up and running.
- There are a lot of loose chickens getting out onto the N11 from here – it's a danger to motorists, can this please be investigated?
- I'm disappointed with the progress being made on this.
- There are consultants being brought in - can we have a timeframe?
- No money has been spent on this site – we need to bring it up to standard.

### Landbank

The members raised the following points:

- I would like to have more information on this.
- I support the building up of a landbank.

### Disabled Person's Grant

The members raised the following points:

- Great to see that there are only five applications left to deal with.

### Fire Safety Audit

The members raised the following points:

- I am surprised that this is only a draft report – I would request a full copy.
- Can the auditors attend a meeting to answer any questions?
- This should be discussed in detail – we need the full report and have this item placed on the Agenda.
- Disappointed at the length of time this took – however every effort was made by the Town Clerk and staff to get it.
- Please give copy of full report to members.

The Cathaoirleach Brid Collins informed the members that an original copy of the report along with a synopsis of the report would be with the members before the next meeting.

The Town Clerk, Christine Flood stated that Bray Town Council received a draft copy of the Fire Safety Audit along with three appendices. She said that the report was mainly a summary of inspections and recommendations, not very informative and that it was lacking analysis in that it didn't state if the faults identified were major or minor.

She added that the report may have to go back to the consultants for clarification and that she wasn't sure if it was worthwhile asking them to attend a council meeting.

She informed the members that there were some recommendations contained in the report which could be acted upon immediately, in order for the residents to make their homes as safe as possible. These included: cleaning of chimneys on a regular basis, not overloading sockets and replacing poor quality wiring that had been installed by residents.

The consultants had recommended the drafting of a letter to residents in order to make them aware of these issues. She would endeavour to have the clarified report back in time for next months' meeting, adding that it needed further analysis.

### St. Rita's

The members raised the following points:

- I welcome that the contact documents are to be signed – will there be a time penalty clause? If not, I request that there is.
- If there is a financial penalty it should hold the developer to the contract.
- How soon after the contracts are signed will the work commence?

The Town Engineer, Sean O'Neill responded that most contracts do have penalty clauses built in but that it is very difficult to implement. He added that the contractor on Richmond Hill has legitimate claims for the delay and that it is difficult to prove that the delays or the contractor were longer than the delays of Bray Town Council. He added that there is a penalty clause in every contract.

### Grass Cutting/Tree Pruning

The members raised the following points:

- This is a consistent issue. In Kilbride Grove the grass cutting contractors have destroyed the trees due to their machinery coming too close to the trunk. I have spoken to the engineers about this and requested that when this happens can it be looked into? Is this happening in other parts of the town?
- Is there some policy on tree pruning ie is it done in accordance with proper procedure?

### Giltspur Heights

The members raised the following points:

- I would like to thank the council for providing extra car-parking here.

### Kilbride Lane

The members raised the following points:

- I would urge the council to think about the timeframe involved.
- We need to discuss the type of houses to be built.

### Window Replacement

The members raised the following points:

- When will this be implemented in Fassaroe? There is a central heating programme in place there but it is of no use if there are gaps in the windows.
- When is this scheme due to start in Maitland Street?
- It is crazy to put central heating in houses with defective windows – we should do both together along with an insulation programme.

### Fassaroe Playground

The members raised the following points:

- When will this be finished?

Ms. Triona Irving responded to the queries raised:

- Silverbridge – there are new procurement procedures required by the Department of Finance. She has spoken to the Department in relation to funding for internal refurbishment and is waiting for a formal response.
- She will refer the grass cutting/tree pruning queries to the Senior Executive Engineer, Mr. Liam Bourke.
- There is no exact start date for the windows replacement scheme in Maitland Street.
- There is no windows replacement programme for Fassaroe – the installation of central heating will be completed by 2008. We are concentrating on OAPs and families in need – they are the priorities.
- The playground in Fassaroe will be up and running by the end of the month – in time for mid-term break.

#### 4. To consider Planning Matters

The Administrative Officer reported that no planning files were requested.

The members raised the following points:

##### Planning File Reference: 07/159

- The road needs to be widened for buses.
- There will be problems with deliveries to shops and loading bays.
- Our policy is 50 apartments per unit per acre – this development requires 63 apartments plus shops on 0.6 of an acre. I ask the council to look into this – is this a contravention of the Development Plan? I am in favour of some kind of development here.
- This is a prime site in the town and it's a dumping ground. It's a disgrace.
- Residents are against over development of the site. We need to get it right and have a good quality development there.
- We need to widen the road and have a pedestrian crossing.
- We should encourage this development – we need to work out the type of development that would be beneficial to the area. I ask the planners to have a look at this.

##### Planning File Reference: 07/132

- This might be some indication that we are getting something progressive for Bray.
- I call on the IDA and Chamber of Commerce to bring new business to Bray.

##### Planning File Reference: 07/154

- This is a new structure on the Vevay – I hope there will be some shops there also.

##### Tree Felling At Mount Herbert

- I am glad to see this report – it is shutting the stable door after the horse has bolted.
- Was this just tree felling or can it be considered site preparation?
- Was this in contravention of planning permission? I'd like to get the officials' opinion.
- We need to consider the pollution effect of this – soil erosion into the Dargle River.

##### Planning File Reference: 07/125

- We were told a material contravention might be needed – can we have an update?

##### Planning File Reference: 07/164

- This is a very high density development of 24 units. This road is very busy and very narrow – there is a safety issue here.

##### Planning File Reference: 07/169

- There are elderly residents in this area who are concerned about this development.
- Is this a private development or by the Health Board?
- This looks like a hostel for homeless people – the developer needs to meet with the residents to explain what they are building.

##### Planning File Reference: 07/155

- I support this – in 1994 urban renewal was granted in that area but he did nothing due to an elderly neighbour – I think this is great for the area.

The Town Manager, Des O'Brien responded:

- Ref: 07/125 – further information has been requested. The developers were looking for a large drapery unit. They were told it was too big. The housing has not been zoned but has been encouraged due to passive surveillance and housing backing onto housing.
- Ballymore: there is no firm start date. The finish date is still the same. I spoke to the Development Director working on it and tenders have gone out. They hope contracts will be signed before Christmas and that work will start after Christmas.

The members replied:

- Can something please be done about the hoarding [Ballymore site] before Christmas? It's an eyesore.
- Can we make the hoarding as it is in the Civic Offices?
- We were told a start date of September, now we are hearing that it might be starting after Christmas – this is not acceptable. I urge the Town Manager to talk to these people and get clarification. I am beginning to believe this will never happen under Ballymore.
- I would be more concerned with the completion date – that's the key. We must put penalty clauses in the contract – want them kept to completion date of Christmas 2009.
- I'm bitterly disappointed we were told a start date of September – I'm concerned about the completion date.

The Town Engineer informed the members that Ballymore Properties have no contract with Bray Town Council.

**5. To Consider Nominations to The Following, Resulting From The Nomination of Deirdre de Burca to Seanad Eireann:**

**a. *Bray Local Drugs Task Force***

Councillor Steve Matthews proposed the nomination of Councillor John Brady to the Bray Local Drugs Task Force and Councillor Anne Egan seconded the proposal.

**6. Reports and Recommendations**

*Arts Grants Funding*

The Town Clerk gave the following report to the members, explaining that a new system had been implemented in order to bring us into line with national best practice:

*“A recommendation has been made by Ms Jenny Sherwin Arts Officer, Wicklow County Council and approved by the Community Cultural Social & Environmental MPC that the money provided by Bray Town Council for grants under the Arts Act 1973 be allocated as follows:*

- *1 Individual Artist Award - €3,000*
- *Arts Group/Organisation Award - €6,000*

*A panel will be formed to assess applications under these headings. Awards to individuals/arts groups organisations should avoid duplicating awards made by Wicklow County Council.*

*Subject to the members' approval, it is proposed to advertise these Grants in next week's newspapers and on our website.”*

The members raised the following:

- This is a big change from last years scheme – you get better value this way.
- It's a good idea – I accept it.

*Proposal Green Estates/Discontinue Pilot Recycling Project*

The following report was presented to the members by Ms. Triona Irving:

*“The Community Cultural Social & Environmental MPC has made a recommendation that the Council discontinue the Pilot Recycling Project. The project has not proven to be a success and it is recommended that monies under spent from this year's budget be transferred to the Green Estates budget.*

Set out below are the draft proposals:

#### *Draft Proposals for Green Estates*

- *Level of recycling undertaken by residents*
- *Does this involve kerbside collection only?*
- *Usage of Recycling Centre?*
- *Number of residents with home composting units?*
- *Interest in communal composting for grass cuttings etc*
- *Encourage tree planting in estates*
- *Number of residents who either walk or use public transport on a daily basis?*
- *Number of children who walk to school?*
- *Amount of car trips/mileage on a weekly basis?*

*The Environmental Awareness Officer of Wicklow County Council would be available to meet and work with the relevant groups to develop a workable plan.*

*The following estates are recommended for the pilot phase of the Green Estates:*

- *Fairgreen Court*
- *Ashton Wood*
- *Mountainview Drive*

The members raised the following:

- I'm disappointed about the Pilot Recycling but I can understand.
- These things don't work if you just put them out there and expect them to work, more human resources are needed to make it a success.
- Tree planting in estates all very well, but who will be responsible for pruning them when the time comes? We have to prune on a regular basis and there's not enough outdoor staff to do the work that's needed in the town.
- I welcome the Green Estates – I have passed on the details of one estate that are willing.

#### *Tree Felling At Mount Herbert*

The Town Clerk read out the following report to the members:

*“The recent tree felling that has taken place at Mount Herbert has been the cause of numerous complaints from members of the public. Callers have expressed their concern over the habitat destruction that has taken place and sought clarification as to what, if any, action the Council were prepared to take in order to halt the works. The trees affected were listed in the schedule of proposed tree preservation orders set out in the current Development Plan 2005 – 2011, however this had yet to made.*

*As the trees were located on private property the owner was entitled to fell them. It is worth noting that the requirement to obtain a tree felling license under the Forestry Act of 1946 does not apply where trees are located within an urban area as is the case in this instance.*

*In order to prevent future such occurrences it has been decided to begin the process of making tree preservation orders for those areas listed on Table 8.2 of the Development Plan. This procedure is set out in Section 205 of the Planning and Development Act 2000 and outlines the scope of an order and timeframe involved. Once the order has been drafted the owner and occupier of the land affected is served notice of the intention to make the order (this also includes the particulars of the proposals), and an advertisement for same placed in a local newspaper. Upon publication of the notice there is a statutory*

*time period, not being less than 6 weeks, in which written submissions may be made to the Planning Authority. Having considered these the Planning Authority may make the order, by resolution, with or without modifications as it considers appropriate.*

*At the time of writing maps are being prepared for those trees/ woodland areas identified in the Development Plan, pending completion of these the respective orders will be prepared and notices served."*

The members raised the following:

- An Bord Pleanála stated that development of that area could not occur with the removal of trees – the residents are now taking a Section 5 to the council.
- Does this mean [on foot of letters sent to residents of Ryecroft] we are now responsible for felling trees in Ryecroft?

#### Christmas Festival Lights Campaign

The Town Clerk informed the members of a proposal received from Bray & District Chamber of Commerce requesting an increase of €5,000 in the donation of Bray Town Council towards the Christmas Lights. The letter added that it was the recommendation of the Rejuvenation Committee that the Heritage Centre and the Town Hall be focal points.

The members raised the following points:

- This is part of the Rejuvenation Committee along with Bray Chamber. There is a new person doing the lights this year and they went to a lot of time and effort to source the lights. I propose we give this the go-ahead, €5,000 is nothing.
- I welcome the lights, I would ask that the lights at the Town Hall are sensitively done and in keeping with the building.
- I support the request for the extra €5,000.

#### Heavy Duty Goods Collection

Ms. Triona Irving informed the members that a Heavy Duty Goods Collection was advertised in September and that a collection had taken place. She added that Fassaroe, Oldcourt and the Residents Committee of Kilbride Grove did a great job of informing their estates and there was a good response to the collection.

She stated that a second Heavy Duty Goods Collection will take place and that the advertisement would be in the next day's Bray People. The closing date is Friday 26<sup>th</sup> October, but if necessary this could be stretched to Tuesday 30<sup>th</sup> October.

The members raised the following points:

- We didn't get notification of this – we should have been told so we could tell people. September is not the best month to have a collection – people have other things on their minds, kids going back to school etc.
- I agree, the advertisement was in one paper once. This needs to be circulated to the members and the public – perhaps we should advertise on the radio?
- Councillors and the public need to be notified – glad we are doing it again.

#### Fire Service Feasibility Study

The members raised the following points:

- At last week's meeting we were told of some sort of report on the fire service feasibility study. There was an SPC meeting in Wicklow and a report was given to the members – a copy should be given to this meeting to discuss fully. I propose we put this on the agenda to be discussed.
- Representatives need to consider in-depth what needs to be done.
- There are a number of reports and investigations that should inform our decision on this.

- There are three separate investigations into the fire – we need the findings of these to inform our decisions. Do we have any idea when these three reports will be made available to the member and the public?
- I couldn't attend the meeting last week, I'd like to thank you for conveying your sympathies to the families. I worked with both Brian and Mark – they were great guys and experienced. They were committed full-time to the job. Bray fire fighters are as trained as well as others, the only difference is the response time.
- Retained fire fighters and full time fire fighters want the Farrell Grant Sparks report implemented. We need to set down national standards and do it on a national level.
- We should work on this report – set up an independent authority to set down criteria.
- We should wait and see what the result of the investigations are.
- We need this on the agenda. We don't have the power to give a full time fire service to Bray but I am fully behind it. The Town Clerk is writing to the Department of Environment, Heritage and Local Government for funding.
- We have a lot of dedicated people in the fire service – they should be considered for any full time positions advertised.
- This was done in Swords and the retained fire fighters were not pushed aside.
- The fire fighters have requested the use of sirens on their cars – has to go to the Gardaí for approval – in motion.

The Town Clerk informed the members that the minutes of the SPC meeting were not yet available and read out the following brief outline provided by the SPC of Wicklow County Council:

**Water & Environmental Services – Strategic Policy Committee  
Meeting held 8th October 2007**

*The SPC considered the feedback received from Bray and Greystones area committee in connection with the provision of a full time service.*

*The committee also considered reply from DOEh&LG concerning work of National Steering group in relation to Risk Based Assessment to Safety Management.*

*It was decided by the committee that:*

1. *Financial implications on current funding system be further examined*
2. *Impact on planned population growth for the service*
3. *Examine the findings of the 3 separate investigation reports*
4. *Consideration of widening of area of service*
5. *Write to DOEh&LG stating requirement for funding*

The members responded:

- This council has to be kept fully briefed on the feasibility study - the minutes of the SPC should be circulated.

The Cathaoirleach Brid Collins informed the members that the minutes would not be available until the next meeting of the SPC was held which will be in three months time. She extended her sympathies to the family of Michaela Fitzsimons and congratulated Derek Kelly on his medal win in the Special Olympics.

*River Dargle Flood Defence*

The Town Clerk informed the members of a letter of acknowledgment received from Noel Ahern TD in relation to a letter requesting funding for the River Dargle Flood Defence Scheme sent to Minister John Gormley in the Department of the Environment, Heritage and Local Government. This letter was passed from Minister Gormley's office to Minister Cowen's office in the Department of Finance and subsequently to Minister Ahern's at the Office of Public Works within the Department of Finance.

She added that she had received a telephone call from Tom Sherlock of the OPW and that he was aware of the original request to Minister Gormley's office. Mr. Sherlock endeavoured to follow up on the funding request and expects to meet with officials in the near future.

Joint Area Committee With Dun Laoghaire Rathdown County Council

The Town Clerk informed the members of a letter from Dun Laoghaire Rathdown County Council in relation to setting up a Joint Area Committee with Bray Town Council and added that they could discuss it in further detail at a future council meeting.

**12. Any Other Business**

Councillor John McManus informed the members that he had been approached by a member of the public who had concerns about the levels of lead in the water supply. This person had their water analysed and it was found that the lead content was higher than recommended. He asked how many pipes are lead pipes and requested a report on the matter.

The Town Engineer, Sean O'Neill responded that there is no scheme in place to replace lead pipes but added that any pipes replaced leading from the stopcock are non lead and also stated that there are no lead mains pipes.

The Cathaoirleach Brid Collins thanked the members and the Pride of Place Committee for their support in facilitating the Civic Reception for Sr. Cyril at such short notice

\* \* \* \*

This concluded the meeting.

**Signed:** \_\_\_\_\_  
**CATHAOIRLEACH**

**Signed:** \_\_\_\_\_  
**TOWN CLERK**

**Dated:** \_\_\_\_\_